



P3DP supports the development of Ukraine’s legal and regulatory framework to make PPPs a viable tool for financing infrastructure, health, education, and public services for the benefit of all Ukrainian citizens. P3DP provides legal analyses, participates in policy discussions, contributes to draft legislation, and advocates for reform conducive to PPP development. The following summarizes the Program’s activities and successes.

National PPP Policy	<p>POLICY SUCCESS: Concept Paper on PPP Development in Ukraine approved.</p>	<p>Adopted by Cabinet of Ministers of Ukraine in August 2013. P3DP and the Ministry of Economic Development and Trade (MOEDT) developed a national PPP policy for Ukraine. A policy at the national level provides a critical base of support for both government and private sector stakeholders, makes Ukraine more resilient to pressures of corruption, and enables PPPs to support efforts to mitigate climate change. The policy also supports Ukraine’s development goals as outlined in the National Action Plan of the Economic Reforms Program for 2010-2014.</p>
	<p>POLICY DEVELOPMENT: PPP Development Strategy under review by the Verkhovna Rada.</p>	<p>The PPP Development Strategy and Implementation Plan were jointly developed by P3DP and the MOEDT. Based on the PPP Concept approved in August 2103, the PPP Development Strategy and Implementation Plan are expected to be adopted in 2014.</p>
Legislative Framework for PPPs	<p>POLICY SUCCESS: Practical Guide for Preparing PPP Feasibility Studies and Appraisal Methodologies accepted.</p>	<p>P3DP developed the <i>Methodology for Development of Feasibility Studies for PPP Projects</i>, which was approved by the MOEDT. P3DP also prepared the <i>Practical Guide to the PPP Feasibility Study Preparation and Appraisal Methodology</i>.</p>
	<p>POLICY SUCCESS: Cooperation between P3DP and GOU defined and approved.</p>	<p>Prepared an Aide Memoire dated Dec 19, 2012 defining further steps of cooperation with GOU on a legislative development plan.</p>
	<p>POLICY SUCCESS: Laws on Leasing or Concessions of District Water, Heating and Sanitation Communal Facilities amended (#0857).</p>	<p>Adopted by Verkhovna Rada in October 2013. Through participation in a working group, P3DP provided input to a legislative amendment that provides for fair payments upon early termination of concession agreements and transparent tendering . This amendment reduces the risks of entering into PPPs.</p>
	<p>POLICY ENGAGEMENT: Amendments to PPP Law under revision (#10228).</p>	<p>P3DP provided input to amendments on the PPP Law participating in Working Group of the Parliamentary Committee on Industrial, Regulatory Policy and Entrepreneurship. The proposed amendments simplify the general PPP framework, define the powers of government institutions involved at all stages of the PPP process, establish state support for PPP projects, establish rights related to the use of land plots, and establish a system for arbitration. The Program is now reworking the amendments based on remarks by the Verkhovna Rada Committee.</p>

	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #384.	Amends procedure for tendering and efficiency analysis. Under consideration.
	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #232.	Amends risk assessment procedure. Under consideration.
	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #756.	Amendment developed by P3DP on licensing conditions clarifies which types of documents are necessary for certain activities. Under consideration.
Amendments to Concession Legislation	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #639.	P3DP provided proposals on calculating concession fees.
	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #642.	P3DP provided proposals on concession tendering.
	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #2745.	P3DP provided proposals to the Concession Law.
	POLICY DEVELOPMENT: Amendments to Cabinet of Ministers Decree #643.	P3DP provided proposals on model concession contracts.
	POLICY DEVELOPMENT: Review of road concession law.	P3DP is collaborating with IFC and the National Projects Agency to review current road concession legislation and provide advice on the legal structure of the Kyiv Ring Road PPP project.



Legislative and Institutional Framework for PPPs

Budget Code	POLICY DEVELOPMENT: Amendments to the budget code (#3013).	The National Commission for Regulation of Communal Services requested P3DP support in amending budget laws that will enable better energy efficiency in public buildings by allowing long-term budget commitments. P3DP provided comments and proposals to the Draft Law. Under consideration by the Verkhovna Rada.
	POLICY DEVELOPMENT: Amendments to law on energy performance contracts (#3014).	The National Commission for Regulation of Communal Services requested P3DP support in amending laws to facilitate use of energy performance contracts. This will enhance the attractiveness of PPPs with energy service companies (ESCOs). P3DP provided comments and proposals to the Draft Law. Under consideration by the Verkhovna Rada.
Tariffs on Solid Waste Management	POLICY DEVELOPMENT: Tariff calculation methodology for Landfills.	Upon the National Commission for Regulation of Communal Services request, P3DP proposed a Draft Methodology on calculating tariffs in solid waste management that increase incentives to invest in modern landfills. These reviewed with the National Commission on Communal Services in November 2013. They are now under review.