

APPROVED BY

Order of the Ministry of Health of Ukraine

No. 1672 of 15 September 2022

**STATUTE
OF THE STATE INSTITUTION
“INSTITUTE OF PSYCHIATRY, FORENSIC PSYCHIATRIC
EXAMINATION AND DRUG MONITORING
OF THE MINISTRY OF HEALTH OF UKRAINE”**

(new edition)

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I. GENERAL PROVISIONS

1. The State Institution “Institute of Psychiatry, Forensic Psychiatric Examination and Drug Monitoring of the Ministry of Health of Ukraine” (hereinafter the Institute) is a state research institution; the state specialized institution for forensic psychiatric examinations of the Ministry of Health of Ukraine; the authorized agency for monitoring drug situation in Ukraine and exercising organizational and methodical function in mental health care provision. The Institute is a state-owned agency that is set up on the state property administered by the Ministry of Health of Ukraine and reports to it.

2. The Institute is a budgetary non-profit institution that is administered by the Ministry of Health of Ukraine, acting as its Authorized Management Body (hereinafter Authorized Management Body).

3. The Institute was established as the Ukrainian branch of the All-Union Research Institute of General and Forensic Psychiatry named after V.P. Serbskyi (Order of the Ministry of Health of the USSR No. 548 of 16.05.1984).

The Institute is the legal successor of the State Institution “Centre for Mental Health and Monitoring of Drugs and Alcohol of the Ministry of Health of Ukraine”, according to Order of the Ministry of Health of Ukraine No. 1584 of 29.07.2021 “On the Reorganization of the State Institution “Centre for Mental Health and Monitoring of Drugs and Alcohol of the Ministry of Health of Ukraine”.

The Institute is the legal successor of the State Institution “Ukrainian Scientific and Practical Medical Centre of Neurology and Rehabilitation of the Ministry of Health of Ukraine”, according to Order of the Ministry of Health of Ukraine No. 879 of 29.05.2022 “On the Reorganization of the State Institution “Ukrainian Scientific and Practical Medical Centre of Neurology and Rehabilitation of the Ministry of Health of Ukraine”.

Over the course of its lifetime, the Institute has changed its name several times:

Kyiv Research Institute of General and Forensic Psychiatry of the Ministry of Health of Ukraine (Order of the Ministry of Health of Ukraine No. 160 of 11.11.1991);

Ukrainian Research Institute of Social and Forensic Psychiatry (Order of the Ministry of Health of Ukraine No. 231 of 12.12.1995);

Ukrainian Research Institute of Social and Forensic Psychiatry and Addictions of Ministry of Health of Ukraine (Order of the Ministry of Health of Ukraine No. 40 of 01.03.2000);

State Institution “Research Institute of Psychiatry of the Ministry of Health of Ukraine” (Order of the Ministry of Health of Ukraine No. 1462 of 07.08.2018).

State Institution “Institute of Psychiatry, Forensic Psychiatric Examination and Drug Monitoring of the Ministry of Health of Ukraine” (Order of the Ministry of Health of Ukraine No. 2065 of 27.09.2021).

4. The Institute is governed by the Constitution of Ukraine, the laws of Ukraine, decrees of the President of Ukraine and the Cabinet of Ministers of Ukraine, other regulations, as well as any orders issued by the Authorized Management Body and the present Statute pending final approval by the Authorized Management Body.

II. NAME AND LOCATION OF THE INSTITUTE

1. Name:

Full name in Ukrainian: Державна установа «Інститут психіатрії, судово-психіатричної експертизи та моніторингу наркотиків Міністерства охорони здоров'я України».

Abbreviated name in Ukrainian: ДУ «ІПСПЕМН МОЗ України».

Full name in a foreign language (in English): State Institution «Institute of Psychiatry, Forensic Psychiatric Examination and Drug Monitoring of the Ministry of Health of Ukraine».

Abbreviated name in a foreign language (in English): SI «IPFPEDM of MoH of Ukraine».

2. Location of the Institute: 103 Kyrylivska Str., Kyiv, 04080, Ukraine.

III. PURPOSES, SCOPE OF ACTIVITIES AND RESPONSIBILITIES OF THE INSTITUTE

1. The Institute was established for the following purposes: to carry out research, academic-pedagogical and applied activities in the field of psychiatry, forensic psychiatric examination, child psychiatry, consultation-liaison psychiatry, addiction psychiatry, psychotherapy, medical psychology, sexopathology, psychophysiology, sleep medicine, to provide scientific-methodical and organizational-managerial support to forensic psychiatric expert activities, to carry out forensic psychiatric, as well as to forensic psychological, comprehensive forensic examinations; to monitor and assess data on the trafficking and prevention of illicit trafficking in narcotic drugs, psychotropic substances, precursors; to promote the implementation of state psychiatric care policy; to provide psychiatric care to the individuals with mental disorders, including through the compulsory medical interventions; to provide psychiatric care rehabilitation services; to provide social services to individuals with mental disorders; to monitor the observance of human rights in providing psychiatric care.

2. The scope of activities of the Institute is as follows:

- research and developments, as well as training of academic-pedagogical and research personnel of the highest qualification;
- research and developments in the natural sciences;
- activity in the field of law;
- research and experimental developments in other natural and technical sciences;
- research and experimental developments in the social sciences and humanities;
- higher education;
- other forms of education;
- other forms of education, not specified in other categories;
- auxiliary education activities;
- activities of hospital facilities;
- general medicine;
- specialized medicine;
- other healthcare activities;
- regulation in health care, education, culture and other social spheres, except for compulsory social insurance;
- other professional, academic and technical activities;
- other professional, academic and technical activities not specified in other categories;
- providing nursing services with accommodation to patients;
- providing nursing services with accommodation to individuals with mental disabilities and those with drug addiction;
- social care of the elderly and disabled without accommodation;
- activities of headquarters (head offices);
- public relations activities;
- market research and public opinion study;
- consulting in business and management issues;
- other information services not specified in other categories;
- data processing, publishing information, publishing data on web resources and related activities.

All activities that require special permits or licenses according to the law are carried out by the Institute only after obtaining them.

3. The main responsibilities of the Institute are as follows:

- 1) research and development of highly effective medical technologies, methods of diagnosis, treatment, rehabilitation and prevention of mental and behavioral frustrations and disorders;
- 2) research and development on the problems of etiology and pathogenesis of mental disorders, their biological, social factors and effects;

- 3) clinical and epidemiological studies of the prevalence of mental disorders;
- 4) development and implementation of comprehensive interventions and programs for the prevention and treatment of mental and behavioral disorders, which have the greatest negative socio-demographic impact and severe economic effects;
- 5) scientific and methodological support for forensic psychiatric expert activities;
- 6) development and implementation of new methods for preventing socially dangerous acts committed by individuals with mental disorders;
- 7) clinical trials of new medications;
- 8) participation in setting and implementing innovative projects and programs in psychiatry, child psychiatry, consultation-liaison psychiatry, addiction psychiatry, psychotherapy, medical psychology, sexopathology, psychophysiology, sleep medicine, and forensic psychiatric examination;
- 9) training of academic-pedagogical and academic staff of the highest qualification in the specialties like “Psychiatry”, “Addiction Medicine” and “Medical Psychology” through postgraduate and doctoral studies;
- 10) post-graduate training for professionals involved in providing mental health care through thematic continuous development events for healthcare professionals;
- 11) educational activities in the field of higher education at the third (educational and scientific) level;
- 12) postgraduate education training through applied internship as a professional training basis;
- 13) conducting scientific expertise and ensuring scientific proof of priority areas of science development, research programs and projects, determination of research activities, analysis and assessment of the efficiency of scientific potential and research results;
- 14) organization and participation in scientific and practical conferences, meetings, congresses, and symposia, including the international ones that meet the profile of the Institute’s activities;
- 15) study and scientific proof of risk assessment of mental health worsening, setting up and optimizing the risk management system;
- 16) publishing professional journals, methodological recommendations, newsletters, training manuals, monographs, etc.;
- 17) establishment and development of partnership and agreements with international, regional and other educational and training centers in order to develop and implement joint training and professional development programs for mental health professionals;
- 18) organizational and managerial support of forensic psychiatric expert activities;
- 19) conducting forensic psychiatric examinations;
- 20) conducting forensic psychological examinations;
- 21) conducting comprehensive forensic examinations;

- 22) conducting expert examinations of interest to legal entities and individuals;
- 23) postgraduate training of forensic experts acquiring the right to conduct forensic psychiatric examinations and forensic psychological examinations;
- 24) providing specialized psychiatric care services to individuals with mental disorders, including to children and adolescents;
- 25) application of compulsory medical interventions;
- 26) providing rehabilitation services to individuals with mental disorders;
- 27) providing social services to individuals with mental disorders;
- 28) conducting preliminary, scheduled and unscheduled psychiatric examinations, including in terms of using psychoactive substances;
- 29) medical practice, according to the license;
- 30) setting up and ensuring the functioning of an effective national system of psychiatric care provision monitoring and assessment;
- 31) ensuring effective cross-industrial cooperation in the field of psychiatric care provision in Ukraine;
- 32) working out suggestions for implementing the mechanisms for inter-regional coordination and cooperation in terms of the implementation of state psychiatric care provision policy;
- 33) facilitating the setup of medical information systems for recording and analyzing data on mental and behavioral disorders, as well as keeping the registry of patients with these disorders;
- 34) participation in developing, conducting and examining the drafts of state and regional psychiatric care provision programs;
- 35) participation in developing the draft legal acts aimed at improving psychiatric care provision legislation;
- 36) development, coordination, implementation and participation in the implementation of psychiatric care provision program documents;
- 37) participation in working out draft strategies, policies, measures in the field of psychiatric care provision;
- 38) monitoring the observance of human rights in the psychiatric care provision by psychiatric care facilities;
- 39) cooperation with national institutions and international specialized organizations on implementing joint projects and transferring technology;
- 40) promotion of public-private partnership in implementing mental health programs;
- 41) obtaining, implementing (executing) grants (sub-grants), as well as and monitoring of their use;
- 42) participation in working out medical and technological documents (medical standards, clinical protocols, etc.);
- 43) cooperation with national institutions and international specialized organizations in order to implement joint projects and programs. Development and applied implementation of joint projects with foreign investors, according to the established legal procedure;

44) collection, processing, consolidation and analysis of analytical, epidemiological, statistical and other information on psychoactive substances from public, private and non-governmental organizations on the prevalence and incidence of psychoactive substance use;

45) assessment of the socio-economic effects of psychoactive substance use, the prevalence of infectious diseases associated with their use, as well as the related death indicators;

46) creating and keeping databases for the information on psychoactive substances;

47) long-term systematic monitoring of the situation with trafficking in narcotic drugs, psychotropic substances, their analogues, and precursors, counteraction to their illicit trafficking in Ukraine, analysis and forecasting of changes;

48) carrying out the monitoring of trafficking in narcotic drugs, psychotropic substances, their analogues, and precursors, combating their illicit trafficking in Ukraine pursuant to the requirements of the European Monitoring Centre for Drugs and Drug Addiction on the indicators as follows:

general population studies conducted among people, including young people on the prevalence, forms of use of psychoactive substances in terms of their class, type, effects, etc.);

problematic use (at national and local level in terms of class and type of psychoactive substances, etc.);

treatment demand (morbidity and prevalence of mental and behavioral disorders due to psychoactive substances use, etc.);

mortality (data on death cases in terms of class and type of psychoactive substances, etc.);

infectious diseases (data on the prevalence of infectious diseases among people who inject drugs, etc.);

drug market, crime, demand reduction (availability and channels of psychoactive substances in terms of their class, type, prices, drug-related crime, drug seizures, dismantled laboratories, cultivation of drug-containing plants, etc.);

drug use prevention (a set of medical, social-economic and other preventive measures, etc.);

national legislation (strategy, coordination mechanisms, legislative acts, etc.);

49) social reintegration (measures aimed at the integration into the social life, etc.);

50) application of the system of scientifically based monitoring of the trafficking in narcotic drugs, psychotropic substances, their analogues, and precursors in Ukraine, analysis of the integrated assistance provision to the patients with associated diseases like HIV/AIDS, tuberculosis, infectious hepatitis, drug and alcohol addiction;

51) development and maintenance of the information systems for monitoring the psychoactive substance trafficking, as well as creation and maintenance of electronic monitoring systems;

52) ensuring the development of data collection systems, including the statistical methods through improving the accounting and reporting methods, raising the level of professional training of experts in relevant areas;

53) provision of information from databases at the request of interested central and local executive authorities, and institutions;

54) sharing and exchange of information at local, national and international levels;

55) implementation of the monitoring system for early detection of new chemical (synthetic) substances, especially those on which there is information about their problematic nonmedical use or use for nonmedical purposes, including on the methodology of the European Monitoring Centre for Drugs and Drug Addiction;

56) interaction and exchange of information with other national and international organizations or institutions that are engaged in supporting the profile research in Ukraine on epidemiological and other sociological aspects of monitoring the drug and alcohol situation;

57) preparation of the National Report on Drug and Alcohol Situation in Ukraine (hereinafter the National Report) pursuant to the international requirements, as well as its sharing at the local, national and international level;

58) creation of the required organizational and technical conditions for Ukraine's joining the European network of information exchange and monitoring of drug and alcohol situation and its membership in the European Monitoring Centre for Drugs and Drug Addiction, including the application of recommendations of the European Monitoring Centre for Drugs and Drug Addiction, UN agencies for psychoactive substances, the World Health Organization, UN Office on Drugs and Crime, etc.;

59) summarizing the practice of applied legislation on monitoring the drug and alcohol situation in Ukraine, working out suggestions on improving the decrees of the President of Ukraine, the Cabinet of Ministers of Ukraine, regulatory and other legislative acts;

60) monitoring and assessing data on the import and export of narcotic drugs;

61) monitoring and assessing data on the import and export of substances included in Schedule II of the Convention on Psychotropic Substances of 1971;

62) estimating the demand for narcotic drugs; volumes of production of synthetic narcotic drugs;

63) estimating the demand for substances included in Schedules II, III, IV of the Convention on Psychotropic Substances of 1971 for medical and scientific purposes;

64) monitoring and assessing data on production, manufacture, consumption, storage, and seizure of narcotic drugs;

65) monitoring and assessing data on substances used for the illicit manufacture of narcotic drugs and psychotropic substances;

66) monitoring and assessing data on substances included in the Convention on Psychotropic Substances 1971;

67) participation in working out draft state target programs on trafficking in psychoactive substances, combating their illicit trafficking and ensuring their implementation;

68) carrying out the interaction and exchange of information with relevant international organizations on trafficking in psychoactive substances, pursuant to the international agreements of Ukraine;

69) informing the competent authorities of other countries about the export from Ukraine or transit through Ukraine of psychoactive substances pursuant to the mandatory international agreements ratified by the Verkhovna Rada of Ukraine (Parliament), as well as notifying the UN International Narcotics Control Board about such operations;

70) preparing and submitting statistical reports to the UN International Narcotics Control Board on trafficking in psychoactive substances in Ukraine, according to established procedure;

71) informing government bodies and local authorities, as well as providing information on psychoactive substance problems to the population and international organizations;

72) participation in drafting legislative acts within state policy on psychoactive substances, anti-drug and anti-alcohol prevention, including rules, regulations, and standards, the state and industry programs aimed at improving the drug and alcohol situation in the country, preventing trauma and other accidents related to psychoactive substance use, participation in drafting state accreditation standards, as well as the standards, protocols, statistic accounting and reporting forms for the profile facilities;

73) conducting profile information, analytical and research activities;

74) cooperation with research institutes, medical university departments, other institutions, and organizations at the national and international level in developing software and improving research methodology;

75) study, research, and analysis of the situation with providing drug treatment to people with mental and behavioral disorders due to the use of psychoactive substances, as well as to their families;

76) participation in scientific examination of programs, projects, recommendations, other documents and materials on the provision of integrated assistance to the patients with HIV/AIDS, tuberculosis, infectious hepatitis, as well as with mental and behavioral disorders due to the use of psychoactive substances;

77) organizing and holding public events (exhibitions, charity auctions, concerts, etc.) within the competence of the Institute.

Other activities as determined by the Authorized Management Body.

Other activities that are not prohibited by the effective laws of Ukraine and comply with the responsibilities stipulated in this Statute.

The Institute also performs other tasks that are not prohibited by the laws of Ukraine and comply with the responsibilities stipulated in this Statute.

The Institute processes personal data for specific and legitimate purposes in order to ensure the labor relations, administrative and legal relations in the field of human resources management, accounting relations, tax relations, and health care relations, as determined by consent of the personal data subject or in the cases and under the procedure established by law. Personal data are processed in a form that allows the identification of the corresponding person, and for a period no longer than is required for these data's legitimate purposes.

IV. LEGAL STATUS OF THE INSTITUTE

1. The Institute is a legal entity of public law. The Institute acquires the rights and obligations of a legal entity at the date of its state registration.

2. The Institute is a budgetary non-profit institution.

3. The Institute uses the state property allocated to it in accordance with the right of operational management.

4. The Institute carries out economic activities within the frameworks defined by the legislation.

5. The damage to the Institute caused as a result of implementing resolutions of the government authorities or local governments, which were deemed unconstitutional or invalid by court, will be subject to compensation by the above stated bodies voluntarily or by court order.

6. To carry out its economic activities, the Institute is authorized to attract and make use of logistics and financial resources, labor staff and other resources that are not prohibited by law.

7. The Institute possesses an independent balance, registration (settlement, currency and other) accounts in the bodies of the State Treasury Service of Ukraine, banks, as well as its own seal with its name and the design of the National Emblem of Ukraine, seals of separate organizational units, stamps, letterheads with its name and details.

8. The State and the Authorized Management Body is not responsible for the commitments of the Institute, except for the cases specified by law.

9. The Institute is not responsible for the commitments of the State and the Authorized Management Body.

10. The Institute is authorized to enter into agreements, to acquire property and personal non-property rights, to be responsible, to be a party of court trial, according to the law.

11. The Institute carries out its activities within the budget approved by the Authorized Management Body.

V. PROPERTY AND FUNDING OF THE INSTITUTE

1. The Institute's property consists of the non-current and current assets, fixed assets and cash, as well as other valuables, the value of which is displayed in the independent balance of the Institute.

2. The property of the Institute is state-owned and allocated to it in accordance with the right of operational management. Accomplishing the right of operational management, the Institute uses and disposes of property in accordance with the law. All the issues related to waiving the right to immovable property on the balance of the Institute, or its alienation, shall be decided exclusively by the Authorized Management Body.

3. The Authorized Management Body supervises the effectiveness of using, storing and accounting property allocated to the Institute.

4. The Institute is not authorized to transfer its property to third legal and natural persons, except for cases provided by law.

The Institute is not authorized to allocate funds received from paid services (revenue) or their part among founders (participants), employees (except for their remuneration, single social contribution), members of management bodies and other stakeholders.

5. The property sources of the Institute are as follows:

1) the General Fund of the State Budget of Ukraine;

2) own revenue:

payment for services provided according to its main activities;

receipts from auxiliary (economic) activities;

fee for leasing the Institute's property, according to the Law of Ukraine "On Lease of State and Communal Property";

receipts from selling property in due course (except for the immovable property).

3) other own receipts of the Institute:

donations, grants and gifts;

funds received by the Institute from legal entities (enterprises, institutions, organizations), other budgetary institutions and individuals designated for the implementation of target activities, including activities of alienation of land spots for public needs and location of other objects there.

4) other sources not prohibited by law.

6. The Institute is authorized as follows:

to transfer from the accounting records to the accounting records of material assets between its organizational units, including branches and offices, as well as to lease the allocated property to legal entities and individuals, according to the law and under the approval of the Authorized Management Body;

to alienate objects of state property (possessions) under the approval of the Authorized Management Body and according to the established legal procedure; as well as to allocate funds from selling its property to the updates of material and technical base of the Institute.

7. The structure, staff schedule for the relevant budget period, the estimates of revenue and expenditure, as well as the plan of allocations (excluding loans from the budget) of the overall budget of the Institute are approved by the Authorized Management Body after their submission by the Director of the Institute.

8. Funding of the Institute:

funding of the Institute is allocated from the State Budget of Ukraine, as well as other sources not prohibited by law. The budgetary allocations are determined according to the approved estimates of revenue and expenditure;

state funding of the Institute is provided considering the specifics of fulfilling national function, goals and responsibilities assigned to it based on the structure, staff schedule, estimates and plan of allocations (excluding loans) of the overall budget of the Institute.

9. The control measures on the procedure of using property, economic and financial activities, and internal audit (scheduled and unscheduled) of the Institute are carried out by the relevant government authority and the Authorized Management Body, according to the established legal procedure.

10. The Institute keeps independently its operational accounting, statistical, accounting records and medical reports, as well as submits them to the government authorities authorized to monitor the relevant activities of the Institute, according to the established legal procedure.

11. The Institute's administration is responsible for providing accurate and timely financial, statistical and other reports to the Authorized Management Body and other government authorities.

12. The revenue (profit) or its part received by the Institute is not subject to the distribution among the founders (participants), Institute members, employees (except for their remuneration, single social contribution), members of management bodies and other related individuals.

VI. RIGHTS AND OBLIGATIONS OF THE INSTITUTE

1. The Institute has the rights as follows:

to address, according to the established legal procedure, the central and local executive authorities, local governments, as well as enterprises and organizations of any form of ownership and accountability in order to obtain information and materials required for carrying out the responsibilities assigned to the Institute;

to cooperate with foreign organizations, according to the law;

to carry out the construction, renovation, capital and running maintenance of its own fixed assets, according to the established legal procedure;

to attract enterprises, institutions and organizations to implement its statutory responsibilities, according to the established legal procedure;

to cooperate with other institutions and agencies on performing responsibilities defined by this Statute (research institutes, educational institutions, etc.);

to create, under the approval of the Authorized Management Body, organizational units, the activities of which ensure the performance of the specified responsibilities of the Institute;

to choose the subject of the contract, to define the commitments, as well as any other terms of economic relationships that do not contradict the laws;

to enter into economic agreements with enterprises, institutions and organizations of any form of ownership and accountability, as well as individuals, according to the laws;

to exercise other rights that do not contradict the laws.

2. The Institute has the obligations as follows:

to carry out operational activities on logistics support of its work;

to purchase material resources from enterprises, institutions and organizations of any form of ownership, as well as from individuals, according to the Law of Ukraine "On Public Procurement";

to provide all employees of the Institute with appropriate and safe labor conditions, to ensure the compliance with the labor laws, rules and regulations of labor protection, safety, social insurance and other social guarantees;

to ensure the safety, efficient and targeted use of the property assigned to it based on the operational management right;

to comply with financial and budgetary discipline, to ensure timely payment of taxes and other contributions in accordance with the legislation of Ukraine;

to keep taxation and operating records, to prepare budgetary and statistical reports, according to the procedure and deadline established by effective legislation;

to keep accounting and operating records of its activities, to prepare and submit financial, budgetary and statistical reports, according to the laws of Ukraine;

to carry out inventory of its property in order to ensure the reliability of accounting, financial reports and statistical information, according to the legislation and this Statute;

to ensure the reliability of accounting and financial reporting data, the Institute shall carry out an inventory of assets and liabilities to verify and to document their availability, condition and evaluation. The objects and periodicity of the inventory is determined by the Head of the Institute, except for cases when such an inventory is mandatory according to the legislation.

to pay salaries to the employees, according to the established legal procedure, including at least twice per month at intervals not exceeding 16 (sixteen) calendar days and not later than 7 (seven) days following the end of the remuneration period;

to observe the law requirements on the state secret;

to observe the law rules and requirements on environmental protection, the management and restoration of natural resources, as well as environmental safety;

to provide information on the activities of the Institute to the Authorized Management Body;

to comply strictly with the stipulations of the anti-corruption laws, including on nominating (appointing) an authorized unit (person) responsible for the prevention and detection of corruption, the annual assessment of corruption risks, development and implementation of measures, which are necessary and reasonable for preventing and combating corruption in the activities of the Institute.

3. In the cases of Institute's violating the environmental protection laws, its activities can be limited, temporarily prohibited or suspended, according to the legislation.

VII. MANAGEMENT OF THE INSTITUTE

1. The management of the Institute is exercised according to this Statute and on the basis of combining rights of the Authorized Management Body on the economical use of state property and participation in managing the labor staff.

2. The Institute's economic management is exercised by the Director General of the Institute (hereinafter the Director General), who is appointed and dismissed by order of the Authorized Management Body under the terms of contract and according

to the established legal procedure for a period of 5 (five) years following the election by secret voting at the meeting of the Institute's research staff, according to the procedure established by the Cabinet of Ministers of Ukraine.

The employment period, rights, obligations and responsibilities of the Director General, conditions of remuneration, termination of employment, as well as other employment conditions are determined in the contract.

Any full-time employee of the Institute may take part in the election of the Director. The applicants for the position of Director General of the Institute may be nominated by the Institute labor staff. The candidates for the position of Director General of the Institute may have the rights provided for by this Statute and the effective legislation of Ukraine.

Candidates for the position of Director General of the Institute are required to have higher "Healthcare" education with Master's (Specialist's) degree in "Medicine", specialized in "Forensic psychiatric examination", to have higher education with Master's (Specialist's) degree in "Law", to have higher education with Master's degree in "Public Management and Administration" or "Public Administration", as well as to meet the requirements of Article 9 of the Law of Ukraine "On Scientific and Scientific-Technical Activity", having the qualification of a forensic expert authorized to conduct forensic psychiatric examinations, obtained according to the Law of Ukraine "On Forensic Examination" and at least a 10-year forensic psychiatric expert professional background.

3. The Director General of the Institute may be relieved of this position before the expiration of employment period under the terms of contract, according to the laws.

4. The Director General of the Institute is free to address on his/her own the issues of the Institute's activities, excluding those assigned by this Statute to the competence of the Authorized Management Body and the Academic Council of the Institute.

5. The Director General of the Institute is obliged to create the necessary conditions for due accounting, to ensure that all organizational units, services and employees dealing with accounting would strictly meet the legitimate requirements of the accountant to comply with the procedure of registration and submission of primary documents for their accounting.

The Head of the Institute is responsible for organizing accounting and ensuring that all economic transactions would be recorded in the primary documents, storing processed documents, registers and reports for the specified period not less than three years.

The Director General of the Institute and Chief Accounting Officer are personally responsible for keeping and ensuring the reliability of accounting records and statistical reports, according to the established legal procedure.

6. The Director General of the Institute:

reports directly to the Authorized Management Body and is personally responsible for executing the responsibilities assigned to him/her and defined by this Statute, as well as for performing his/her functions;

acts without any power of attorney on behalf of the Institute to represent its interests before the government authorities and local governments, as well as other organizations, in the interaction with legal entities and individuals; nominates the administration of the Institute and addresses any issues of the Institute's activities within the competence and according to the procedure established by this Statute and laws;

arranges information, economic, social and domestic, as well as other activities of the Institute, according to the purposes and main areas of its activities in accordance with the goal and main directions of its activities;

administers funds and property of the Institute, according to the laws and this Statute;

ensures the efficient use and security of property transferred to the Institute; executes the terms of the contract signed with the Authorized Management Body;

signs contracts, issues powers of attorney, and opens accounts in the State Treasury Service of Ukraine, in banks, according to the established procedure;

within his/her competence issues orders and other regulatory acts, gives instructions that are mandatory for all units and employees of the Institute;

works out the draft Statute and submits it to the Authorized Management Body for its further approval;

defines the organizational structure of the Institute, the maximum number of employees, staff schedule for the relevant fiscal period, revenue and expenditure estimates, as well as the plan of allocations (excluding loans from the budget) of the overall budget of the Institute, and submits them to the Authorized Management Body for their further approval;

approves regulations on organizational units of the Institute and job descriptions of employees under the submission of the leads of these units;

appoints and dismisses, under the approval of the Authorized Management Body, his/her Deputies, Director for Medicine, Chief Accounting Officer, Head of Legal Department (Legal Adviser), heads of separate organizational units (branches, research and production associations, subdivisions and representative offices (clinics, educational and treatment, research and production, experimental facilities) of the Institute pursuant to the legal requirements;

appoints the academic and research staff following the competition and according to the procedure approved by the Director General of the Institute and worked out in compliance with the "Model Regulations on the Procedure for Filling Vacant Academic Positions at the State Research Institutions", approved by the Cabinet of Ministers of Ukraine;

appoints the leads of academic and research units of the Institute for a term of up to 5 (five) years and with the right of repeated reelection;

dismisses the leads of academic and research units of the Institute, according to the law and this Statute;

issues powers of attorney and authorizes the leads of organizational units of the Institute to perform their functions and responsibilities, according to the law and this Statute;

appoints and dismisses the employees, according to the established procedure;
appoints through his/her order 3 (three) members of the Academic Council of the Institute;

sets in the collective agreement the salary forms and systems, labor standards, terms and sizes of motivational and other incentives, compensation, and guarantee payments in compliance with the regulations and guarantees stipulated by law, however within the limits of subsidies and own revenue set in the established procedure and taking into account the conditions defined by the Cabinet of Ministers of Ukraine;

applies both motivational and disciplinary measures for employees of the Institute, according to the collective agreement and the laws;

signs the lease and investment agreements under the approval of the Authorized Management Body and exclusively according to the established legal procedure;

ensures the collective negotiations, conclusion and implementation of the collective agreement of the Institute;

ensures the observance of the labor legislation in the Institute in compliance with the laws and procedures, secrecy regime, and anti-corruption regulations;

ensures the observance of the Internal Labor Rules by the Institute's employees;

ensures the unconditional observance and enforcement of the anti-corruption laws in the activities of the Institute, its officials and employees, as well as third persons performing work and having labor relations with the Institute;

approves with the Authorized Management Body his/her vacations, day-offs, and business trips abroad and within Ukraine, as well as informs the Authorized Management Body about his/her temporary labor incapacity;

supervises the announcement and organization of competitions for vacant academic positions, as well as the certification of employees of the Institute;

enrolls and re-enrolls persons in postgraduate and doctoral programs;

solves other issues of the Institute's activities, according to the law;

is responsible for the condition and safety of buildings and other property;

is responsible for academic, forensic, medical, economic, and other activities of the Institute;

exercises other powers stipulated by the effective legislation and this Statute.

7. The Director General of the Institute is responsible for preparing and executing the estimates, as well as observing labor, financial discipline and law requirements.

8. The Director General of the Institute, his/her Deputies, Director for Medicine, and leads of organizational units are official representatives of the Institute who act within their competence and represent the Institute before the government authorities, institutions, and organizations, as well as in relationships with organizations and individuals, including the foreign ones, within their powers.

9. The Director General of the Institute, his/her Deputies, Director for Medicine, and leads of organizational units exercise operational management of the Institute and its units within their competence.

10. The Director General of the Institute is responsible for observing the requirements of Article 26 of the Budget Code of Ukraine, in particular, with regard to the organization and internal control in the Institute.

11. The positions of academic staff are filled on a competitive basis and according to the procedure approved by the Director General of the Institute.

12. The vacant positions of the leads of academic and research units are filled pursuant to the regulations on the Procedure for Filling Vacant Academic Positions at the State Research Institutions, approved by the Cabinet of Ministers of Ukraine.

13. The Director General of the Institute is responsible for the results of the academic and research institution before the Authorized Management Body.

14. The Director General of the Institute reports annually to the academic and research team on his/her activities.

VIII. AUTHORIZED MANAGEMENT BODY

1. The Authorized Management Body, following its responsibilities, exercises powers to accomplish the rights of the state as the owner of property transferred to the Institute that are related to the possession, use, and disposal within the limits set by the laws of Ukraine, in order to meet the state and public health care needs.

2. The Authorized Management Body:
determines the main areas of the Institute's activities;
decides on the establishment, reorganization and liquidation of the Institute in accordance with the law requirements, appoints the liquidation committee, approves the liquidation balance sheet;
approves the Statute of the Institute, supervises its observance;

approves the organizational structure of the Institute, the maximum number of employees and staff schedule, estimates of revenue and expenditure, as well as the plan of allocations (excluding loans from the budget) of the overall budget of the Institute;

announces a competition to replace the Director General of the Institute under the procedure established by the Cabinet of Ministers of Ukraine, appoints and dismisses the Director of the Institute, according to the established legal procedure, signs and terminates the contract with the Director General of the Institute and supervises its execution;

approves the appointment and dismissal of Director General's Deputies of the Institute, Director for Medicine, Chief Accounting Officer, Head of Legal Department (Legal Adviser) of the Institute, leads of separate units (clinics, educational and treatment, research and production, experimental facilities), as well as legal entities in accordance with the law requirements and under the submission of the Director General of the Institute;

approves vacations and business trips abroad to the Director General of the Institute, appoints Acting Director General of the Institute in case of dismissal or removal of the Director General of the Institute;

is authorized to decide on the assignment of duties of the Director General of the Institute in case of his/her temporary absence;

supervises the Director General of the Institute's executing and ensuring measures to create working conditions in accordance with the labor protection laws;

monitors the activities of the Institute;

ensures the audit of financial and economic activities in case of the Director General's replacement, as well as internal audits according to the established legal procedure;

exercises control over the financial (budget) and staff disciplines of the Institute;

supervises the effective use and security of property and funds of the Institute, ensures (supervises) the inventory of the Institute's property in accordance with the law, identifies the state property that is temporarily not used, and makes suggestions for the terms of its further use;

develops and approves strategic development plans of the Institute, supervises their implementation;

approves to the Institute any contracts on joint activities and other contracts on real estate that is under the operational management of the Institute, and supervises the execution of these contracts;

ensures the compliance of the Statute and internal regulations of the Institute with the laws;

approves the alienation, lease, transfer and retirement of the Institute's property, as well as the suggestions for the terms of contracts on alienation, lease, transfer and retirement in order to ensure the efficient use of property;

supervises the execution of investment and technical programs by tenants, if such are stipulated by the lease contracts;

- organizes control over the use of leased state property;
- ensures the management and safety of data media for secret information, as well as the implementation of state secret protection measures;
- supervises the implementation of corruption prevention measures at the Institute;
- ensures the registration of rights to real estate and land plots (in case of the necessary documents' absence) and clarification of the boundaries of land plots of state and state-owned enterprises, state institutions, organizations and real estate (buildings, premises) that are not included in the authorized capital of companies established during the corporatization of state enterprises, as well as provides the Authorized Management Body with information on the work done;
- performs other state property management functions stipulated by law.

IX. SCIENTIFIC RESEARCH MANAGEMENT BODY

1. The research activities of the Institute are managed by the Academic Council. The Academic Council accounts for 9 (nine) members. 6 (six) members of the Academic Council are elected by secret vote of the academic staff, and 3 (three) members are appointed by order of the Director General of the Institute.
2. The Director General of the Institute, his/her Deputy for Science, and the Academic Secretary are members of the Academic Council of the Institute ex officio.
3. The Academic Council of the Institute consists of the Chairman of the Council of Young Scientists and the Chief of the primary trade union of the Institute.
4. The Chairman, his/her Deputies and Academic Secretary of the Academic Council of the Institute are elected by secret vote of its members.
5. The Academic Board of the Institute:
 - 1) determines the development strategy of the Institute and promising areas of scientific research;
 - 2) conducts scientific and scientific-technical assessment of topics and results of research papers;
 - 3) approves current (annual) plans of scientific research and scientific-technical (experimental) developments;
 - 4) decides on the improvement and development of the structure of the Institute;
 - 5) approves the topics of research thesis of higher education students at the third (educational-academic) and academic level of higher education and appoints academic supervisors (advisors);
 - 6) approves the qualification results of researchers, postgraduate students, doctoral students, as well as the results of the competition for vacant scientific research positions;
 - 7) nominates research papers for the prizes, medals and other awards, including the international ones;

8) decides on conferring academic titles of professor and senior researcher to the Institute's staff, as well as submits relevant decisions for approval to the qualification board of the central executive body that ensures shaping and implementing of the state research and scientific-technical policy;

9) initiates the application for honorary titles;

10) approves annual reports and financial plans of the Institute;

11) decides on placing own revenues in the territorial delegations of the central executive authority that implements the state treasury policy for budget funds, or in any public banking institutions;

12) approves the list of professions and positions of the Institute with flexible working hours and remote work applicable;

13) decides on other issues of the Institute's activities, determined by this Statute.

X. LABOR STAFF AND SOCIAL ACTIVITIES OF THE INSTITUTE

1. The employees have the right to participate in the management of the Institute through general meetings (conferences), councils of labor staff, trade unions operating within the labor staff, other bodies with the labor staff representative authorization, to make suggestions for improving the work of the Institute, as well as sociocultural and domestic services.

The trade union representatives or, in case of their absence, freely elected representatives, represent the interests of employees in the management bodies of the Institute according to the law.

The Institute is committed to create conditions that would ensure the participation of the Institute's employees in its management.

2. The labor staff of the Institute consists of all employees who participate in its activities through their work on under the employment contract (contract, agreement) or other forms that regulate the labor relations of an employee with the Institute.

3. The officials and employees of the Institute, third persons who perform work and are in an employment relationship with the Institute, are committed as follows:

1) not to commit and not to engage in corruption offenses related to the Institute's activities;

2) to give up any conduct that may be regarded as a willingness to commit a corruption offense related to the Institute's activities;

3) to notify immediately the official responsible for the corruption prevention in Institute's activities, the Director General of the Institute or the Authorized Management Body about cases of incitement to commit a corruption offense related to the Institute's activities;

4) to notify immediately the official responsible for the corruption prevention in Institute's activities, the Director General of the Institute or the Authorized Management Body about any cases of corruption or corruption-related offenses by other employees of the Institute or third persons;

5) to notify immediately the official responsible for the corruption prevention in Institute's activities, the Director General of the Institute or the Authorized Management Body about the occurrence of a real or potential conflict of interest.

4. The Director General of the Institute may not be elected to the bodies through which the labor staff exercises its right to participate in the management of the Institute. The powers of these bodies are determined in compliance with the laws.

5. Production, labor and social relations of the labor staff with the administration of the Institute are regulated by the collective agreement.

6. The right to sign a collective agreement on behalf of the Authorized Management Body is granted to the Director General of the Institute, and on behalf of the labor staff this right is granted to its authorized body.

The parties of the collective agreement report to the labor staff during the general meeting at least once a year.

7. The issues related to the improvement of working, living and health conditions, the guarantees of compulsory health insurance for employees of the Institute and their families, as well as other issues of social development are addressed by the labor staff with the involvement of the Director General of the Institute pursuant to the laws, this Statute and collective agreement.

8. The source of funding the remuneration of employees of the Institute are public funds and other sources not prohibited by law.

The remuneration forms and systems, labor standards, rates, wage rates, salary schemes, terms and amounts of allowances, surcharges, bonuses, rewards and other motivational, compensation and guarantee payments are set in the collective agreement pursuant to the rules and guarantees provided by the law, General and Industrial Agreements.

The minimum wage of employees may not be lower than the minimum wage established by the law.

The terms of remuneration and material support of the Director General of the Institute are determined by his/her contract signed with the Authorized Management Body.

9. The remuneration of employees of the Institute is carried out as a matter of priority. All other payments are made by the Institute after paying off its payroll obligations.

10. The employees of the Institute perform their work in compliance with this Statute, collective agreement, regulations on organizational units and job descriptions according to the law.

XI. TERMINATION OF THE INSTITUTE

1. The termination of the Institute is carried out through its reorganization (merger, acquisition, division, transformation) or liquidation under the decision of the Authorized Management Body, or by court decision in the cases provided by law.

2. In case of termination of the Institute (as a result of liquidation, merger, division, acquisition or transformation) the assets are transferred to one or more non-profit organizations of the relevant profile or credited to the budget.

3. The liquidation of the Institute is carried out by the liquidation committee, which is appointed by the Authorized Management Body, and in case of termination of its activities by court decision the committee is appointed in accordance with the court decision.

4. The procedure and terms of liquidation, as well as the term for filing claims by creditors that may not be less than two months from the liquidation announcement date, are determined by the authority that decided to liquidate the Institute.

5. According to the law, the liquidation committee publishes in print media an announcement about the Institute's liquidation, as well as the procedure and deadlines for creditors' claims, and notifies existing (known) creditors personally in writing within the period limits established by law.

6. At the same time, the liquidation committee takes all necessary measures to collect the receivables of the Institute and identifies creditors with further written notice of the economic entity liquidation to each of them.

7. The liquidation committee assesses the available property of the Institute and settles accounts with creditors, prepares the liquidation balance sheet and submits it to the Authorized Management Body or the authority that appointed the liquidation committee. The authenticity and integrity of the liquidation balance sheet must be verified pursuant to the established legal procedure with a mandatory verification by the state fiscal service authority in which the Institute is registered.

8. The liquidation committee acts in court on behalf of the Institute under liquidation.

9. The order and procedure for satisfying creditors' claims is determined according to the laws.

10. The employees of the Institute who are dismissed due to its reorganization or liquidation are guaranteed the observance of their rights and interests in compliance with labor laws.

11. The Institute is considered terminated as of the date of state registration termination entry in the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations.

Minister



Viktor LIASHKO



Пропінуровано та пронумеровано на 25
(двадцять п'ять) арк.
Виконав: Головний спеціаліст Сектору супроводу
інвестиційних проєктів Фінансово-економічного
департаменту України (посада)
 (підпис)
Ю. Доля
"15" вересня 2022 рік.
