

PROCEDURE FOR AMENDING THE LAW ON THE STATE BUDGET OF UKRAINE: CURRENT STATE OF LEGAL REGULATION

Kateryna TOKARIEVA, ORCID 0000-0001-7891-226X¹

Natalya KARPOVA, ORCID 0000-0001-8905-781X²

¹*Department of Law Higher Educational Institution «Academician Yuriy Bugay International Scientific and Technical University», Kharkiv, Ukraine*

²*Department of Law Higher Educational Institution «Academician Yuriy Bugay International Scientific and Technical University», Kharkiv, Ukraine*

Corresponding author: Kateryna Tokarieva, email: katerina.tokarieva@gmail.com

Abstract. The published article is determined for studying such a question as the latest changes to the procedure for introducing amendments to the current law on the annual budget of Ukraine during its validity, in connection with Ukraine's fulfillment of its obligations to the International Monetary Fund. The purpose of this article is analyzing of the latest amendments to the current law on the annual budget of Ukraine during its operation as part of the budget process and their legislative regulation as part of budget legislation.

The authors analyzed the procedure for making changes to the Law on the State Budget of Ukraine in accordance with the Budget Code of Ukraine and the Law of Ukraine "On the Rules of Procedure of the Verkhovna Rada of Ukraine" No. 1861-VI dated February 10, 2010. The authors studied the procedure for creating expert opinions on draft laws by the Ministry of Finance of Ukraine. The main attention was given to the characterization of the procedure for making changes to the Law on the State Budget of Ukraine as a holistic process, which is regulated by various legislative acts at various stages.

Keywords: expert opinions on draft laws, introduction of amendments to the Law on the State Budget of Ukraine, program of the International Monetary Fund "Extended Financing Mechanism", the Budget Code of Ukraine.

Author's contribution

The authors made an equal contribution to the article. Together they selected literature, analyzed it and drew common conclusions.

Disclosure statement

The authors have not any competing financial, professional, or personal interests from other parties.

INTRODUCTION

The budget system is a key and important link in the financial system of every country, including Ukraine. Since February 24, 2022, our country has been going through difficult challenges that affect every sector of public life and change the usual pre-war procedure for the functioning of the budget system and the budget process. According to Art. 2 of the Budget Code of Ukraine (hereinafter - the BCU), the budget process is the process of drawing up, reviewing, approving, executing budgets, reporting on their execution, and monitoring compliance with budget legislation regulated by budget legislation. With the introduction of martial law, the state's budget policy began to focus on ensuring effective financing of the defense sector and social protection of the population suffering from the consequences of the war. One of the priorities of the supreme state authorities in the current conditions is to attract financial resources through international support of our country.

THEORETICAL FRAMEWORK

The problems of regulating budgetary relations in Ukraine are studied by such scholars as: O. O. Dmytryk, M. P. Kucheriavenko, O. V. Makukh, Z. I. Peroshchuk, L. M. Chupryna ect. At the same time, the issues related to the change of the legislative procedure for amending the Law on the State Budget of Ukraine in modern conditions have not been the subject of research.

METHODOLOGY

The methodological basis of the scientific article was the general and special scientific methods of cognition. In this study, the authors used the logical method, the method of semantic analysis, as well as the comparative law method.

RESULTS

It should be noted that on March 31, 2023, the Board of Executive Directors of the International Monetary Fund approved a new four-year Extended Fund Facility (EFF) program for Ukraine in the amount of SDR 11.6 billion (equivalent to about USD 15.6 billion). This decision of the IMF Board of Executive Directors also provided for the immediate disbursement of the first tranche of SDR 2 billion (USD 2.7 billion) to Ukraine. This program is part of a total package of support for Ukraine by international partners worth USD 115 billion. Given the extreme uncertainty of Ukraine's current situation, the EFF program is being implemented in two phases. During the war, the first phase of the program takes place, where efforts should be directed at maintaining macroeconomic and financial stability in the face of war in order to strengthen Ukraine's potential on its path to victory. In the second, post-war phase of the program, the focus should shift to structural reforms to strengthen macroeconomic and financial stability, support post-war reconstruction, promote sustainable long-term growth, and support reforms to accelerate Ukraine's accession to the EU.

On 29.06.2023, the Board of Executive Directors of the International Monetary Fund approved the first revision of the Extended Fund Facility (EFF) Program and the allocation of the second tranche of 663.9 million Special Drawing Rights (SDRs) to Ukraine, which is about USD 886 million. For the first review of the Program under the EFF Extended Fund Facility, the Ukrainian government met all the quantitative performance criteria of the KKE and 5 structural benchmarks set for the period from early April to early May 2023 (Memorandum of Economic and Financial Policy ..., p. 9).

In accordance with Article 18 of the Memorandum of Economic and Financial Policies dated 19.06.2023, in order to support Ukraine's medium-term spending priorities, development goals and EU accession, the Ukrainian authorities continue to implement Ukraine's structural reform program, focusing on the following areas: (1) raising sufficient revenues to meet recovery and social spending needs by implementing measures that improve the efficiency, fairness and simplicity of the tax system, including through the implementation of its own multi-stakeholder (2) preparing public investment and financial management for the post-war era, (3) strengthening fiscal transparency and fiscal risk management, (4) ensuring fiscal sustainability and predictability of budget policy by restoring and strengthening the provisions of the Budget Code that provide for cases when changes are made to the budget (Memorandum of Economic and Financial Policy ..., p. 12).

To continue reforms in the above areas, the Ukrainian authorities have taken a number of steps to implement the reform agenda, including the timely implementation of structural beacons in several areas (Memorandum of Economic and Financial Policy ..., p. 12). One of the most important structural benchmarks that will directly affect the Ukrainian budget process is Ukraine's commitment to strengthen Article 52 of the Budget Code, which defines the principles and cases in which the budget can be amended both on the revenue and expenditure side. According to the draft law No. 9346, published in Article 19 of the Memorandum on Economic and Financial Policy of June 19, 2023, the amendments to Art. 52 of the Budget Code should be as follows:

(a) any legislative initiative that proposes changes to the law on the annual budget (including the medium-term budget) must be accompanied by the opinion of the Ministry of Finance and have certain sources of funding;

(b) those legislative initiatives that lead to changes in the size of the parameters of the deficit, debt and guarantees can be submitted to the Parliament exclusively by the Cabinet of Ministers of Ukraine (hereinafter - the CMU) and accompanied by the opinion of the Ministry of Finance. The Ukrainian government explained the amendments to Article 52 of the Budget Code proposed in its own draft law No. 9346 by the desire to reduce the possibility of ad-hoc initiatives that could harm fiscal stability and predictability of budget policy (Memorandum of Economic and Financial Policy ..., p. 12).

Thus, in July 2023, Ukrainian legislators faced the immediate need to reform urgently Article 52 of the Budget Code and the Verkhovna Rada of Ukraine developed Draft Law No. 9346-1d as an alternative to the Draft Law No. 9346 of 30.05.2023 submitted by the CMU. The signing of the draft law No. 9346-1d by the Chairman of the Verkhovna Rada on August 01, 2023 means the implementation of structural beacon No. 10 in the framework of cooperation with the International Monetary Fund, as well as the start of implementation of beacon No. 12 (Podlasa Roksolana. Ukraine fulfills another ...). Art. 52 of the Budget Code regulates an extremely important part of the budget process - amending the current law on the annual budget of Ukraine during its validity, which determines the relevance of considering this reform.

The purpose of this article is to analyze the proposed amendments to the text of Art. 52 of the Budget Code in accordance with the draft law No. 9346-1d adopted by the Verkhovna Rada (VRU) and signed by the President of Ukraine on August 18, 2023, and their compliance with both Ukraine's obligations to the IMF and the current national legislation governing budget legislation. It should be noted that the urgency of the development and adoption by the Verkhovna Rada of the draft law No. 9346-1d is due to the deadlines set out in Article 19 of the Memorandum on Economic and Financial Policy of June 19, 2023 (Memorandum of Economic and Financial Policy ..., p. 12). Without timely implementation of the structural beacons, the IMF will not disburse tranches to Ukraine.

As a general rule, the Law on the State Budget of Ukraine is adopted for the respective calendar year, has not only a special legal nature, but also a special subject of regulation (determination of revenues and expenditures for general social needs), and creates appropriate conditions for the implementation of the laws of Ukraine and other legal acts adopted prior to its adoption, which provide for the financial obligations of the state to citizens and territorial communities. It is in the fulfillment of these obligations that the essence of the state as a social and legal (Decision of the Constitutional Court of Ukraine in the case on the constitutional petition ...).

Article 19 of the Budget Code sets out four stages of the budget process, namely: 1) drafting of budgets; 2) consideration of the draft and adoption of the law on the State Budget, decisions on local budgets; 3) budget execution, including amendments to the law on the State Budget of Ukraine, decisions on local budgets; 4) preparation and consideration of the report on budget execution and decision-making on it. Therefore, amendments to the current law on the annual budget of Ukraine should be considered as part of the budget process.

All stages of the budget process are thoroughly regulated by the procedural rules of budget law, which ensures clear planning and compliance with budget discipline. However, the regulation of the procedure for amending the current law on the annual budget of Ukraine during its validity is different in that it is not placed exclusively in the articles of the Budget Code .

The procedure for amending the current law on the annual budget of Ukraine during its validity is regulated by Articles 27, 52 of the Budget Code [1], Article 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI of 10.02.2010, and the Unified Procedure for Monitoring and Controlling the Preparation, Processing and Support of Draft Laws in the Ministry of Finance of Ukraine, approved by Order of the Ministry of Finance of Ukraine No. 362 of 28.05.2004.

DISCUSSION

The practice of amending the law on the State Budget of Ukraine has been repeatedly used by almost all parliaments and governments of Ukraine. The reason for this phenomenon is that, unfortunately, all factors affecting budget revenues and budget expenditures cannot be predicted, so the need to amend the already adopted Law «On the State Budget of Ukraine» from time to time is quite objective.

First of all, it is necessary to consider the issues of introducing draft laws that affect budget indicators regulated by Art. 27 of the Budget Code. There are a number of peculiarities here. Thus, MPs are obliged to attach a financial and economic justification, including relevant calculations, to the draft law, the adoption of which will lead to changes in budget indicators. If such changes in the budget indicators involve a decrease in budget revenues and/or an increase in budget expenditures, the draft law must also include proposals for amendments to the legislative acts of Ukraine to reduce budget expenditures and/or sources of additional budget revenues to achieve a balanced budget.

Within five days, each draft law submitted to the VRU is sent to the CMU for an expert review of its impact on budget indicators and compliance with the laws regulating budgetary relations. Within two weeks from the date of receipt of the draft law, the CMU submits to the Parliamentary Committee on Budget an expert opinion prepared by the Ministry of Finance of Ukraine with the participation of other interested central executive authorities. The expert opinion on the draft law must contain information on the completeness and reliability of the data set forth in the financial and economic justification, the impact of the draft law on budget indicators (with the mandatory determination of the value of such impact), the possibilities of financial support in the relevant budget period, compliance with the laws governing budgetary relations, and proposals for its consideration. Laws of Ukraine or their individual provisions that affect the budget indicators, if adopted no later than July 15 of the year preceding the planned one, shall come into force no earlier than the beginning of the planned budget period, and if adopted after July 15 of the year preceding the planned one, shall come into force no earlier than the beginning of the budget period following the planned one.

It is necessary to dwell on the procedure for the Ministry of Finance of Ukraine to create an expert opinion on a draft law, which is regulated by the Unified Procedure for Monitoring and Control over the Preparation, Processing and Support of Draft Laws in the Ministry of Finance of Ukraine, approved by the Order of the Ministry of Finance of Ukraine No. 362 dated 28.05.2004. It should be noted that all draft laws to which the Ministry of Finance of Ukraine provides expert opinions are subject to this procedure. In accordance with the above-mentioned Procedure, monitoring and control of the passage of draft laws in the Ministry of Finance of Ukraine (hereinafter - the Ministry) is a system of constant monitoring of the state of preparation, processing and support of draft laws containing provisions, the implementation of which affects or may affect the revenue or expenditure side of the budget, or issues within the competence of the Ministry (hereinafter - the draft law).

The main executor (developer) of the project is responsible for the development, processing, approval of the draft, preparation of calculations, certificates and financial and economic expertise in accordance with the instructions of the management. The process of monitoring the passage of draft laws is divided into two stages: 1) prior to their registration with the VRU; 2) after registration with the VRU until they are signed by the President of Ukraine. The Department of Relations with Executive Authorities and Local Self-Government monitors: 1) the preparation, passage and approval of draft laws from the moment they are developed by the structural units of the Ministry until they are approved by the CMU and submitted to the VRU; 2) the status of consideration, processing and approval by the structural units of draft laws received by the Ministry from other central executive authorities. The Department for Relations with the VRU monitors the status of draft laws in the VRU from their registration in the VRU to their signing by the President of Ukraine. In accordance with clause 2 of this Procedure, the executor and co-executors of the draft law shall prepare draft expert opinions of the Cabinet of Ministers of Ukraine on draft laws that have not yet been registered with the VRU.

According to clause 3 of this Procedure and part 2 of Article 27 of the Budget Code [1], the structural units of the Ministry prepare expert opinions on the determination of the value of the impact of draft laws on the revenue or expenditure side of the budget and proposals for each draft law registered with the VRU within two weeks from the date of receipt of the draft laws. The Chief Executive Officer ensures timely submission of the above expert opinions and proposals to the VRU Committee on Budget to the draft laws on the expediency of their adoption that have been received by the Ministry.

To ensure monitoring of the status of draft laws, copies of expert opinions and proposals to draft laws, as well as certificates on the expediency of their support in the VRU, are provided to the VRU Relations Department. Every Friday, the VRU Relations Department receives from the VRU the schedule of committee meetings for the next week and submits it together with instructions to the heads of the Ministry's structural units to ensure the participation of the Ministry's specialists in the work of the VRU the following week. The VRU Relations Department monitors the status of draft legislative acts from the moment of their registration in the VRU until they are signed by the President of Ukraine and monitors changes made to the draft laws during their passage in the parliament.

According to the version of Part 1 of Article 52 of the Budget Code of Ukraine effective as of August 16, 2023, amendments to the Law on the State Budget of Ukraine may be made in the event of: (1) deviation of the assessment of the main forecast macroeconomic and social development indicators of Ukraine from the forecast taken into account during the approval of the State Budget of Ukraine for the relevant budget period;

(2) overfulfillment of the general fund revenues of the State Budget of Ukraine, taken into account in the schedule of the State Budget of Ukraine for the relevant period, by more than 15% in accordance with part 1 of Article 53 of the Budget Code;

(3) shortfall in the quarterly revenues of the general fund of the State Budget of Ukraine, taken into account in the schedule of the State Budget of Ukraine for the relevant period, by more than 15% in accordance with part 2 of Article 54 of the Budget Code;

(4) the need to increase the amount of the reserve fund of the state budget;

(5) the need to transfer funds between the general and special funds of the state budget in accordance with part 7 of Article 13 of the Budget Code;

(6) exceeding the expected amount of expenses for servicing and repayment of the state debt, expenses related to the fulfillment of the guarantee obligations of the state 2 part 6 of Article 16, part 7 of Article 17 and clause 35 of Section VI of the Budget Code;

(7) the need to optimize the structure of state budget expenditures within the total amount of expenditures and loans approved by the law on the State Budget of Ukraine to ensure its effective implementation, except as provided for in parts 6-9 of Article 23 of the Budget Code;

(8) changes in circumstances in the process of implementation of the State Budget of Ukraine that require less budget allocations to the main spending units in accordance with part 3 of Article 23 of the Budget Code;

(9) enrollment to the general or special fund of a new type of state budget revenue established by law for the period until the relevant amendments to the Budget Code are made in accordance with Part 4 of Article 29 of the Budget Code;

(10) the need to reduce budget allocations for violation of budget legislation in accordance with paragraph 4 of Part 1 of Article 117 of the Budget Code.

The draft law No. 9346-1d supplements this list of requirements for draft laws on amendments to the law on the State Budget of Ukraine with the following important condition: for each draft law on amendments to the law on the State Budget of Ukraine submitted to the VRU (except for draft laws submitted by the CMU, the developer of which is the Ministry of Finance of Ukraine), the Ministry of Finance of Ukraine submits to the VRU Committee on Budget an expert opinion, which must contain the information specified in para. 2, part 2, Article 27 of the Budget Code of Ukraine, information on such a draft law and on the possibilities of financial support for such a draft law in the relevant budget period and for the medium term.

In accordance with the version of part 2 of Article 52 of the Budget Code effective as of August 16, 2023, a draft law amending the law on the State Budget of Ukraine may be considered by the VRU only if an expert opinion of the Ministry of Finance of Ukraine is available (except for draft laws submitted by the CMU and developed by the Ministry of Finance of Ukraine), a draft law amending the law on the State Budget of Ukraine, which provides for a change in the maximum amount of the state budget deficit, the maximum amount of state debt and state-guaranteed debt and the maximum amount of state 1-3 and 6 of Part 1 of Article 52 of the Budget Code, may be considered by the VRU only if there is an expert opinion of the Ministry of Finance of Ukraine (except for draft laws submitted by the CMU, the developer of which is the Ministry of Finance of Ukraine) and a decision of the VRU Committee on Budget to support such a draft law. Draft law No. 9346-1d establishes a mandatory requirement for the Verkhovna Rada to consider a draft law on amendments to the law on the State Budget of Ukraine to receive a positive expert opinion from the Ministry of Finance of Ukraine on the support of this draft law.

This novelty, which strengthens the role of experts from the Ministry of Finance of Ukraine in the legislative process, is intended to prevent legislative initiatives that could harm fiscal stability and predictability of budget policy. The creation of such a new filter for reviewing draft laws in Ukraine is generally in line with the IMF's requirements, which demand fiscal stability and predictability from Ukrainian budget policy. But at the same time, the question arises as to how such changes are consistent with the current state of Ukrainian legislation governing the budget process.

According to part 4 of Article 27, part 5 of Article 52 of the Budget Code, consideration of draft laws on amendments to the law on the State Budget of Ukraine and in the VRU is carried out in accordance with the procedure set forth in Article 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI of 10.02.2010, taking into account the requirements of this article. Part 1 of Art. 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI of 10.02.2010 stipulates that during the budget period, the Law on the State Budget of Ukraine may be amended upon submission of the subjects of the right of legislative initiative in compliance with the requirements of the Budget Code and the Rules of Procedure of the VRU.

It should be noted that part 2 of this article prohibits amendments to the law on the State Budget of Ukraine that directly provide for amendments to other legislative acts of Ukraine and requires first to amend the relevant law and only then to consider proposals for amendments to the law on the State Budget of Ukraine. And part 4 of this article prohibits the adoption by the VRU as a whole of any law that affects the reduction of revenues and/or increase in expenditures of the current year's budgets, unless simultaneously with its adoption, appropriate amendments are made to the law on the State Budget of Ukraine for the relevant year.

Art. 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI of February 10, 2010 does not limit the procedure of consideration by the VRU of the draft law on amendments to the law on the State Budget of Ukraine to the mandatory availability of an expert opinion of the Ministry of Finance of Ukraine on the support of such a draft law. The draft law No. 9346-1d did not amend Article 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI of February 10, 2010.

At the same time, as established by Article 95 of the Constitution of Ukraine, any state expenditures for general public needs, the amount and purpose of these expenditures are determined exclusively by the law on the State Budget of Ukraine. Therefore, the novelties proposed by the draft law No. 9346-1d may make it impossible to exercise the legislative function of the parliament in the absence of a positive opinion of the Ministry of Finance of Ukraine on the relevant draft law.

CONCLUSIONS

We conclude that the amendments to Article 52 of the Budget Code of Ukraine proposed by the Draft Law No. 9346-1d are not fully consistent with the regulatory provisions provided for in Article 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine»

No. 1861-VI of 10.02.2010 and determine the procedure for amending the Law on the State Budget of Ukraine.

Summarizing the recent changes to the text of Article 52 of the Budget Code, it should be noted that the analyzed novelties were adopted in time, are vital for the Ukrainian state and are intended to perform an important function of ensuring fiscal stability and predictability of budget policy at the level that Ukraine has committed to maintain in accordance with the requirements set by the IMF Extended Fund Facility Program. Unfortunately, Ukrainian legislators did not follow through and did not harmonize the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI of February 10, 2010 with the draft law No. 9346-1d signed by the President of Ukraine, so there may be some complications in the legislative activity of the parliament after it comes into force.

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ПОРЯДОК ВНЕСЕННЯ ЗМІН ДО ЗАКОНУ ПРО ДЕРЖАВНИЙ БЮДЖЕТ УКРАЇНИ: СУЧАСНИЙ СТАН ПРАВОВОГО РЕГУЛЮВАННЯ

Анотація. Стаття присвячена вивченню останніх змін законодавчого регулювання порядку внесення змін в чинний закон про річний бюджет України під час його дії в зв'язку з виконанням Україною її зобов'язань перед Міжнародним Валютним Фондом.

Метою даної статті є аналіз внесення змін в чинний закон про річний бюджет України під час його дії як частини бюджетного процесу та їх законодавчої регламентації як частини бюджетного законодавства.

Досліджено нову чинну чотирирічну програму Міжнародного валютного фонду «Механізм розширеного фінансування» для України. Автори розглядають реалізацію українською владою української програми структурних реформ відповідно до Меморандуму про економічну та фінансову політику від 19.06.2023 року. Авторами виділено із структурних маяків, які безпосередньо впливають на проведення українського бюджетного процесу, зобов'язання України посилити ст. 52 Бюджетного кодексу України та зосереджуються на виконанні українським урядом даного зобов'язання України перед Міжнародним Валютним Фондом.

Зроблено висновок, що розробка та прийняття Верховною Радою України законопроекту №9346-1д виконують структурний маяк № 10 в рамках співпраці з Міжнародним валютним фондом, а також починають виконання структурного маяка № 12. З'ясовано, що внесення змін до закону про Державний бюджет України належить до четвертої стадії бюджетного процесу, але регулюється не лише джерелами бюджетного права. Авторами встановлено, що внесення змін до закону про Державний бюджет України регулюється статтями 27, 52 Бюджетного кодексу України, ст. 160 Закону України «Про Регламент Верховної Ради України», Єдиним порядком здійснення моніторингу та контролю за підготовкою, опрацюванням та супроводженням законопроектів у Міністерстві фінансів України, затвердженим Наказом Міністерства фінансів України від 28.05.2004 № 362. Проаналізовано порядок внесення змін до закону про Державний бюджет України відповідно до Бюджетного кодексу України та Закону України «Про Регламент Верховної Ради України». Також авторами досліджено порядок створення експертних висновків щодо законопроектів Міністерством Фінансів України. Головна увага приділена характеристиці процедури внесення змін до закону про Державний бюджет України як цілісного процесу, який регулюється різними законодавчими актами у різних стадіях.

Зроблено висновок про відсутність узгодженості між новою редакцією ст. 52 Бюджетного кодексу України, запропонованою відповідно до законопроекту №9346-1д та ст. 160 Закону України «Про Регламент Верховної Ради України» № 1861-VI від 10.02.2010 р., що після вступу у дію законопроекту №9346-1д може призвести до ускладнень у виконанні Верховною Радою України її функцій.

Дане дослідження є оригінальним аналізом останніх змін у законному порядку внесення змін в чинний закон про річний бюджет України відповідно до вимог Міжнародного Валютного Фонду.

Ключові слова: програма Міжнародного валютного фонду «Механізм розширеного фінансування», порядок внесення змін в чинний закон про річний бюджет України, Бюджетний кодекс України, експертний висновок щодо законопроектів.

PROCEDURE FOR AMENDING THE LAW ON THE STATE BUDGET OF UKRAINE: CURRENT STATE OF LEGAL REGULATION

The published article is determined for studying such a question as the latest changes to the procedure for introducing amendments to the current law on the annual budget of Ukraine during its validity, in connection with Ukraine's fulfillment of its obligations to the International Monetary Fund.

The purpose of this article is analyzing of the latest amendments to the current law on the annual budget of Ukraine during its operation as part of the budget process and their legislative regulation as part of budget legislation.

The authors consider the new current four-year program of the International Monetary Fund «Extended Financing Mechanism» for Ukraine. The authors consider the implementation by the Ukrainian authorities of the Ukrainian program of structural reforms in accordance with the Memorandum on Economic and Financial Policy dated June 19, 2023. The authors single out from the structural beacons that directly affect the conduct of the Ukrainian budget process the obligation of Ukraine to strengthen Art. 52 of the Budget Code of Ukraine and focus on the fulfillment by the Ukrainian government of this obligation of Ukraine to the International Monetary Fund. The authors came to the conclusion that the development and adoption by the Verkhovna Rada of Ukraine of draft law No. 9346-1d fulfill the structural beacon No. 10 within the framework of cooperation with the International Monetary Fund, and also begin the implementation of the structural beacon No. 12. The authors found out that the introduction of amendments to the Law on the State Budget of Ukraine belong to the fourth stage of the budget process, but are regulated not only by the sources of budget law. The authors established that the introduction of amendments to the Law on the State Budget of Ukraine is regulated by Articles 27 and 52 of the Budget Code of Ukraine, Art. 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI dated 10.02.2010, The unified procedure for monitoring and control over the preparation, processing and monitoring of draft laws in the Ministry of Finance of Ukraine, approved by the Order of the Ministry of Finance of Ukraine dated May 28, 2004 No. 362. The authors analyzed the procedure for making changes to the Law on the State Budget of Ukraine in accordance with the Budget Code of Ukraine and the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI dated February 10, 2010. The authors studied the procedure for creating expert opinions on draft laws by the Ministry of Finance of Ukraine. The main attention was given to the characterization of the procedure for making changes to the Law on the State Budget of Ukraine as a holistic process, which is regulated by various legislative acts at various stages.

The authors concluded that there is no consistency between the new edition of Art. 52 of the Budget Code of Ukraine, proposed in accordance with draft law No. 9346-1d and Art. 160 of the Law of Ukraine «On the Rules of Procedure of the Verkhovna Rada of Ukraine» No. 1861-VI dated February 10, 2010, which after the entry into force of the draft law No. 9346-1d may lead to complications in the Verkhovna Rada's performance of its functions.

This study is an original analysis of the latest changes in the legal procedure for amending the current law on the annual budget of Ukraine in accordance with the requirements of the International Monetary Fund.

Key words: program of the International Monetary Fund «Extended Financing Mechanism», introduction of amendments to the Law on the State Budget of Ukraine, the Budget Code of Ukraine, expert opinions on draft laws.

Cite this article: Tokarieva K. & Karpova N. (2023). Procedure for amending the law on the state budget of Ukraine: current state of legal regulation, *Law and innovative Society*, 1 (20), 65-73. doi: [https://doi.org/10.37772/2309-9275-2023-1\(20\)-5](https://doi.org/10.37772/2309-9275-2023-1(20)-5).