

MINISTRY OF INFRASTRUCTURE OF UKRAINE

ORDER

28.09.2017

Kiev

N 328

Registered in the Ministry of Justice of Ukraine
on December 07, 2017 #1484/31352

On Approval of the Procedure for conducting inspections of the reporting entities by the Ministry of Infrastructure of Ukraine

In accordance with paragraph 1 of the part 2 of Article 14 of the Law of Ukraine "On Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, Terrorist Financing and Financing of Proliferation of Weapons of Mass Destruction"

ORDER:

1. To approve the procedure of conducting inspections of the reporting entities by the Ministry of Infrastructure of Ukraine (attached).
2. The Division for the Prevention of Corruption, Internal Investigations, and State Financial Monitoring should ensure that this order is submitted for state registration to the Ministry of Justice of Ukraine.
3. The Order of the Ministry of Transport and Communications of Ukraine as of November 15, 2010, No. 823 "On Approval of the Procedures for Inspection of reporting entities by the Ministry of Transport and Communications of Ukraine" registered in the Ministry of Justice of Ukraine on December 7, 2010, No.1225/18520, declared invalid.
4. This order comes into force from the day of its official publication.
5. The control over the implementation of this order is placed on the Deputy Minister Yuri Lavreniuk.

Minister

Volodymyr Omelian

APPROVED:

**Head of the State Financial Monitoring
Service of Ukraine**

Igor Cherkaskyi

**Acting Head of the State Regulatory
Service of Ukraine**

Volodymyr Zahorodnii

APPROVED
Order of the Ministry of Infrastructure of
Ukraine
September 28, 2017, No. 328

Registered
in the Ministry of Justice of Ukraine on
December 7, 2017, No. 1484/31352

PROCEDURE

on carrying out by the Ministry of Infrastructure of Ukraine inspections of the reporting entities

I. General provisions

1. This Procedure was developed on the basis of paragraph 1 of part two of Article 14 of the Law of Ukraine "On Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, Terrorist Financing and Financing Proliferation of Weapons of Mass Destruction" (hereinafter - Law) for the purpose of supervision in the area of prevention and counteraction to legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction on reporting entities activities - operators of postal services in the part of their funds transfer (hereinafter - entity) and their separate subdivisions, the state regulation and supervision of which is carried out by the Ministry of Infrastructure, by carrying out planned and unplanned inspections, including offsite.

2. The action of this Procedure applies to entities and/or their separate subdivisions, the state regulation and supervision of their activities in the area of prevention and counteraction to the legalization (laundering) of the proceeds of crime, terrorist financing and financing of proliferation of weapons of mass destruction in accordance with paragraph 6 part 1 of the Article 14 of the Law is carried out by the Ministry of Infrastructure.

3. The Ministry of Infrastructure has the right to carry out planned and unplanned inspections, including offsite.

Planned inspection – entity activities and or its separate subdivision inspection, carrying out of which is provided for by the inspection plan of the reporting entities (Annex 1).

Unplanned inspection – an inspection that is not provided in the inspection plan.

Onsite inspection - planned or unplanned inspection of the entity and/or its separated subdivision related to the exit of the Infrastructure Employees at the location of the entity and/or its separate subdivision.

Offsite inspection - planned or unplanned inspection of the entity and/or its separated subdivision which is not related to the exit of the Infrastructure Employees at the location of the entity and/or its separate subdivision.

Other terms used in this Procedure are used in the values set forth in the Law.

Entities and/or their separated subdivisions are subjected to inspections.

The State Financial Monitoring Service of Ukraine (hereinafter – the SFMS) has the right to participate in conducting inspections with the consent of the Ministry of Infrastructure.

II. Organization and preparation of the inspection

1. The reason for carrying out by the Ministry of Infrastructure the planning inspection of the entity and/or its separate subdivision on compliance with the requirements of the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction is to include it in the inspection plan on the appropriate quarter.

The inspections plan is approved by the order of the Ministry of Infrastructure.

Planned inspection of the entity and/or its separate subdivision shall be carried out at least once every three years, on the basis of an order of the Ministry of Infrastructure for conducting an onsite and/or offsite inspection.

2. The starting point date for determining the beginning of the next planned inspection is the expiration period date for which the preliminary planned inspection was carried out (hereinafter - the period to be checked).

3. Planned inspection involves a scheduled inspection by the Ministry of Infrastructure of the entity and/or its separate subdivision on compliance with the requirements of the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction during the period to be checked.

Issues covered by the planned inspection for the period to be checked, taking into account paragraph 2 of this section, may not be subject of the next scheduled inspection.

4. Planned inspection includes a list of issues related to the duties compliance of the entity and/or its separate subdivision specified in Articles 6 - 12, 17 of the Law, as well as other regulations that regulates activities in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction.

In particular, the following issues are subjected to inspections:

compliance of the entity and/or its separate subdivision with the requirements of legislation when appointing the employee responsible for conducting financial monitoring;

compliance of the entity and/or its separate subdivision with the requirements of legislation during registration in the SFMS;

performance by the employee responsible for financial monitoring of his duties, in particular, for informing the entity Head and/or his separate subdivision on detected financial transactions subject to financial monitoring and other measures taken to implement the requirements of the legislation in the financial monitoring area;

availability of financial monitoring rules, financial monitoring programs and their compliance with the requirements of the legislation;

the procedure for identifying, verifying clients (representatives of clients), studying clients and clarifying information about clients in cases stipulated by the Law;

the establishment by the entity and/or its separate subdivision of the client ultimate beneficial owner (controller) - a legal entity;

conducting by the entity and/or its separate subdivision risk assessment of its clients taking into account the risk criteria set by the Ministry of Finance of Ukraine and the presence of documents confirming its conduction;

taking measures by the entity and/or its separate subdivision in case of business relations establishment with high-level risk clients, charitable and nonprofit organizations;

the procedure for records keeping on person's identification (clients, representatives of clients), as well as persons, which was refused by the the entity and/or its separate subdivision in conducting financial transactions, client study, clients' information clarification, as well as all documents related to business relations (conducting a financial transaction) with the client (including the results of any analysis during conducting clients' verification or enhance clients' inspection);

the completeness and timeliness of the financial transactions identification and compliance with the procedure for the financial transactions registration that according to the law subjected to financial monitoring and transactions for which there are reasonable grounds for suspecting that they are related to or intended to terrorist financing or financing of proliferation of weapons of mass destruction;

compliance procedures regarding information submission (completeness, timeliness, reliability) to the SFMS by the entity and/or its separate subdivision on financial transactions subject to financial monitoring and transactions for which there are reasonable grounds to suspect that they are related to or intended to terrorist financing or financing of proliferation of weapons of mass destruction;

compliance by the entity and/or its separate subdivision with the requirements of legislation concerning the financial transactions suspension;

results of performance by entity and/or its separate subdivision of orders (decisions, requests) of the SFMS;

organization of professional training of employees and heads of units responsible for financial monitoring, as well as training of personnel by the entity and/or its separate subdivision on implementation of the requirements of the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction;

taking measures to prevent information disclosure submitted to the SFMS and other information on financial monitoring issues;

the results of internal inspections of the entity and/or its separate subdivision activities for compliance with the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction;

The list of questions for inspections indicated in this paragraph is not exhaustive

5. The Ministry of Infrastructure informs the entity and/or its separate subdivision on conducting the planned inspection in writing form.

The notification regarding conducting planned inspection signed by the Minister (the person performing his duties) or the Deputy Minister in accordance with the functional duties and sent to the entity and/or its separate subdivision by registered mail with delivery notification.

Planned inspection starts no earlier than ten calendar days from the date of receipt by the entity and/or its separate subdivision of the notification about its conducting.

The notification about conducting planned inspection will be sent again to the entity and/or its separate subdivision in case the Ministry of Infrastructure will not receive the confirmation, but no later than five working days after the receipt of the notification from the postal operator (indicating the reasons for non-delivery), notification about the planned inspection is sent.

In the case of a repeated return to the Ministry of Infrastructure of a planned inspection notification due to the impossibility of delivery it to the entity and/or its separate subdivision by the employees of the Ministry of Infrastructure, an act on the impossibility of conducting an inspection of the reporting entity and/or its separate subdivision is drawn up (annex 2).

6. An unplanned inspection is conducted on the basis of the Ministry of Infrastructure order for the period to be checked.

7. An unplanned inspection is conducted without prior notification of the entity and/or its separate subdivision if at least one of these grounds is present:

written notification of the state authorities and/or local self-government about the signs of violation by the entity and/or its separate subdivision of the requirements of the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction;

to execute judgments and upon request of law enforcement authorities;

on the initiative of the Ministry of Infrastructure in case of direct detection of signs of violation by entity and/or its separate subdivision of the requirements of the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction during its activities;

identification of new documents (circumstances) by the Ministry of Infrastructure that were not (could not be) known during the planned inspection and which may affect the findings of the planned inspection results;

submission by the entity and/or its separate subdivision to the Ministry of Infrastructure the information/documents indicating violation of the requirements of the legislation in the area of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction that were not provided during planned or unplanned inspections;

the necessity of checking the compliance of the legal requirement by the entity and/or its separate subdivision to eliminate the violation of the legislation on prevention and counteraction to the

legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction.

The re-inspection of issues that were previously inspected is carried out only by a court decision and/or by a resolution (decree) of the investigator, prosecutor (investigating judge) in the criminal proceedings.

8. Inspection is carried out by the working group of the Ministry of Infrastructure. The SFMS has the right to participate in conducting inspections with the consent of the Ministry of Infrastructure.

9. The minimum number of working group members of the Ministry of Infrastructure for conducting the inspection is two persons.

10. The inspection is scheduled for the period required to ensure timely and complete its conduct, but no more than 20 business days.

11. For the onsite inspection, certificates are issued for the right to carry out (planned/unplanned) inspections (hereinafter - the Certificate) (Annex 3) in duplicate, which are signed by the Minister (the person performing his duties) or the Deputy Minister.

The Certificate shall indicate the composition of the working group, its head, as well as the powers of the members of the working group and officials of the entity and/or its separate subdivision.

12. If necessary, the period for conducting the inspection may be extended by the Minister (the person performing his duties) or the Deputy Minister, with a substantiated written request from the head of the working group, but not more than 10 working days. In the case of extending the inspection period, a check mark is made in the corresponding fields of the Certificate.

13. The inspection is considered to have begun from the date of receipt of the second copy of the Certificate by the head (the person performing his duties) of the entity and/or its separate subdivision. On receipt of a second copy of the Certificate, the head (the person performing his duties) of the entity and/or its separate subdivision personally put a check mark on the first copy of the Certificate.

In case of necessity, the head of the working group together with the Certificate submits a request for document submission necessary for the onsite inspection (Annex 4) to the head (to the person performing his duties) of the entity and/or its separate subdivision.

In the case of extending the inspection period, a certified copy of the Certificate with a mark on its continuation shall be provided to the head (the person performing his duties) of the entity and/or its separate subdivision.

14. Registration of issued certificates is carried out in the certificates registration journal for the right to conduct inspections (Annex 5).

The journal is carried out in paper or electronic format.

Each Certificate record in the journal shall be assigned a serial number within one calendar year.

Upon completion of the inspections, the first copy of the Certificate together with the inspection materials shall be kept in the Ministry of Infrastructure in accordance with the nomenclature.

III. Conduct a planned inspection

1. Planned inspection can be onsite or offsite.

Offsite inspection is carried out in case of impossibility of carrying out the inspection at the location of the entity and/or its separate subdivision.

2. During the planned inspection, the working group thoroughly examines, analyzes and evaluates all necessary documents (including restricted information) that relate to the activities of the entity and/or its separate subdivision on prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of proliferation of weapons of mass destruction.

3. The members of the working group in accordance with this Procedure have the right to demand and receive from the head (the person performing his duties) of the entity and/or its separate subdivision reliable information, copies of documents certified in accordance with the procedure established by the legislation.

4. In case the entity and/or its separate subdivision has only electronic documents, the head (the person performing his duties) of the entity and/or its separate subdivision is required to provide a copy of the electronic paper document certified in accordance with the legislation order.

In case if the head (the person performing his duties) of the entity and/or its separate subdivision cannot provide a copy of the electronic paper document, review of the electronic document is conducted, and the act of inspection is drawing up (Annex 6).

IV. Conduct unplanned inspection

1. Unplanned inspection can be onsite or offsite

Offsite inspection is carried out in case of impossibility of carrying out the inspection at the location of the entity and/or its separate subdivision.

2. Unplanned inspections may be conducted in the presence of the grounds specified in clause 7 of Section II of this Procedure, by the Minister (the person performing his duties) or the Deputy Minister in accordance with the functional duties. In this case, issues covered by the planned onsite inspection for the period to be verified cannot be subject to unplanned inspections, except cases stipulated by law.

3. Unplanned inspection is carried out taking into account the provisions of this section as well as sections II and V of the Procedure.

V. Conducting off-site inspection

1. Offsite inspection is that is conducting in the premises of the Ministry of Infrastructure on the basis of documents and explanations received from the entity and/or its separate subdivision without leaving on the location of the entity and/or its separate subdivision.

2. Planned or unplanned offsite inspection is carried out on the basis of the Ministry of Mininfrastructure order, which defines the composition of the working group and its head.

3. In order to receive from the entity and/or its separate subdivision reliable information, documents, copies of documents or extracts from the documents necessary for conducting an offsite inspection, request for the document submission necessary for conducting an offsite inspection, is sent into the address of the entity and/or its separate subdivision (Annex 7) with the requirement to provide the relevant documents or information contained therein. Notification of conducting planned and unplanned inspection and the grounds for its execution are indicated in the request for the documents submission necessary for offsite inspection.

4. The entity and/or its separate subdivision should within five working days from the date of request receipt for the submission of documents necessary for the offsite inspection, submit to the Ministry of Infrastructure all documents necessary for conducting an inspection or certified copies of them in accordance with the procedure established by the legislation.

In case of impossibility to provide the necessary documents, the entity and/or its separate subdivision in writing form (by letter or in the explanation) shall indicate the reasons for not submitting them.

5. The notification on providing documents necessary for conducting an offsite inspection will be sent again to the entity and/or its separate subdivision in case the Ministry of Infrastructure will not receive the confirmation of receipt.

In the case of a repeated return to the Ministry of Infrastructure of the request for document submission necessary for offsite inspection, and due to the impossibility of delivery it to the entity and/or its separate subdivision by the employees of the Ministry of Infrastructure, an act on the impossibility of conducting an inspection of the reporting entity and/or its separate subdivision is drawn up (Annex 2).

VI. Documentation of the results of the on-site inspection

1. By the results of the planned or unplanned on-site inspections working group drafts in two copies act of the on-site inspection of the compliance with the requirements of the legislation in the field of prevention and counteraction to the legalization (laundering) of the proceeds from crime, terrorist financing and financing of the proliferation of weapons of mass destruction (hereinafter - the act of on-site inspection) (Annex 8).

The act of on-site inspection sign head, members of the working group and head (person performing his duties) the entity and /or its separate subdivision no later than the expiration date of the inspection.

2. In the case of on-site inspections were held in the separate subdivisions of the entity which are in different administrative and territorial units, the revealed facts of non-fulfillment (improper fulfillment) of the requirements of the legislation in the field of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of the proliferation of weapons of mass destruction may be set out in separate acts of on-site inspection.

At the same time, to the act of the on-site inspection of the subject includes data on violations found in its separate subdivision.

3. In case of refusal of the head (the person performing his duties) of the entity and / or his separate subdivision to sign the act of on-site inspection, the head of the working group makes a corresponding record of such refusal in two copies of the inspection act. The head (the person

performing his duties) of the entity and / or his separate subdivision has a right to give written comments to the act of the on-site inspection.

On the first copy of the act of the on-site inspection the head (the person performing his duties) of the entity and / or his separate subdivision puts a signature on the receipt of the second copy of the act of the on-site inspection, the first copy stored in the Ministry of the Infrastructure together with the inspection materials in accordance with the nomenclature.

4. In case of the refusal of the head (the person performing his duties) of the entity and/or his separate subdivision to get the second copy of the act of the on-site inspection and sign it on the first copy of the act of on-site inspection, the head of the working group makes corresponding record about such refusal on the both copies of the act of on –site inspection in the place designated for the signature conforming it receiving by the representative of the entity and/or his separate subdivision, after what during 5 working days the second copy of the act of the on-site inspection forwarding to the entity and/or his separate subdivision by the by the registered letter of return.

5. Comments to the act of the on-site inspection can be made by the head (the person performing his duties) of the entity and/or his separate subdivision during three working days from the date of getting second copy of the act of the on-site mission. These comments are the integral part of the act of the on-site inspection.

6. In case of impossibility to deliver by the operator of postal communication to the entity and/or his separate subdivision of the second copy of the act of on-site inspection, sent by the registered letter of return, due to the refuse of the representatives of the entity and/or his separate subdivision to get the registered letter of return, the second copy of the act of the on-site inspection is considered to be delivered to the entity and/or his separate subdivision at the day, indicated by the postal operator in the notice of delivery, indicating the reasons for non-assignment.

7. By the results of the planned and unplanned off-site inspections working group draft and sign one copy the act of the off-site inspection of the compliance with the requirements of the legislation in the field of prevention and counteraction to the legalization (laundering) of the proceeds from crime, terrorist financing and financing of the proliferation of weapons of mass destruction (hereinafter - the act of off-site inspection) (Annex 9).

8. By the results of the planned and unplanned off-site inspections (about the facts of detection of offenses and their list or absence of offenses) to the entity and/or his separate subdivision is sending a message on the results of the off-site inspection of the compliance with the requirements of the legislation in the field of prevention and counteraction to the legalization (laundering) of the proceeds from crime, terrorist financing and financing of the proliferation of weapons of mass destruction (hereinafter - the act of off-site inspection) (Annex 9) by the registered letter of return during 5 days after signing the act of the off-site inspection

9. To the copy of the act on the on-site inspection and/or the act of the off-site inspection Ministry of Infrastructure inspected materials must be added (copies of documents, extracts from documents duly certified by the manager (the person who carries out his duties) of the entity and/or his separate subdivision, explanations, protocols and other documents according to the list indicated in the act of the on-site verification and/or off-site inspection).

Information in the act of the on-site inspection and/or in the act of the off-site inspection is not subject to disclosure by members of the working group and employees of the Ministry of Infrastructure, to whom she became known. The act of the on-site inspection and/or the act of the

off-site inspection as well as materials of the inspection are not the subject for transferring to the legal entities or individuals, and to other bodies, except the cases stipulated by the law.

10. The act of the on-site inspection and/or the act of the off-site inspection consists of objectively exhaustive description of the revealed facts and data.

11. It is not allowed to set out in the act of on-site inspection and/or in the act of the off-site inspection assumptions and/or facts that are not documented.

12. In the act of the on-site inspection and/or in the act of the off-site inspection set all detected during verification facts of failure to perform (improper performance) by the entity and/or his separate subdivision the requirements of the legislation in the field of prevention and counteraction to the legalization (laundering) of the proceeds from crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

By the results of the inspection, in the case of establishing the facts of violating the requirements of the legislation in the field of prevention and counteraction to the legalization (laundering) of the proceeds from crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, the head of the working group indicates in the act of the on-site inspection and/or in the act of off-site inspection proposals concerning elimination of the detected violations.

In case of addressing by the entity and/or its separate subdivision during the inspection of the violations and defects found during the inspection, this reflects in the narrative of the act of the on-site inspection and /or the act of the off-site inspection.

13. Any amendments and additions in the act of the on-site inspection and/or in the act of off-site inspection after its signing not allowed. The entity and / or its separate subdivision shall be notified in writing about the identification of the erratum after the signing of the act of on-site inspection and / or the act of the off-site inspection. The message about the erratum is attached to the act of on-site inspection and / or the act of off-site inspection and is an integral part of it.

14. In case of failure to provide by the entity and/or its separated subdivision, documents required for planned/unplanned inspections, in the narrative part of the act of the on-site inspection and/or off-site inspection a record is made indicating the reasons.

15. If the member of the working group disagrees with the content of the act of the on-site inspection and /or the act of the off-site inspection, he is obliged to write his separate opinion with the justification and add it to the act of the on-site inspection and/or the act of the off-site inspection.

16. Remarks (objections) to the act of the on-site inspection could be provided by the entity and/or its separated subdivision during three working days from the date of receiving of the second copy of the act of the on-site inspection or till the date of taking decision by the Commission of the Ministry of Infrastructure of Ukraine on the application of sanctions for violation of the requirements of the Law and/or legal acts regulating activities in the field of prevention and counteraction to the legalization (laundering) of proceeds from crime, terrorist financing and financing of the proliferation of weapons of mass destruction (for the on-site or off-site planned or unplanned inspection). These remarks (objections) are an integral part of the on-site inspection and/or off-site inspection.

17. The act of the on-site inspection and/or act of the off-site inspection shall be registered in the audit trail no later than the next working day from the date of its full signature (Annex 11), which shall be stored together with the materials of the inspections in the Ministry of Infrastructure.

VII. Rights and responsibilities of the head and members of the working group

1. During inspection the head, members of the working group have the right to:

access to documents and other materials necessary for the inspection;

request for inspection the necessary information, documents, copies of documents or extracts from documents that are certified by a seal impression (if any) of the entity and/or its separate subdivision and other information in connection with the realization of its powers;

to demand, within the limits of their competence, written explanations from the officials of the entity and/or its separate subdivision;

in the case of non-admission with the inspection, real threat to the life, health, property of the members of the working group, the violence application to the members of the working group, to contact law enforcement authorities to take measures in accordance with the law.

2. The head, members of the working group during the inspection are obliged to:

In case of refusal of the head (person performing his duties) of the entity and/or its separate subdivision, the representative of the entity and/or its separate subdivision put mark on the receipt of the second copy of the Certificate, the head of the working group makes the corresponding entry on the first copy of the certificate and certifies it with its signature;

determine the list of documents necessary for inspection and the terms of their provision;

in cases stipulated by paragraph 3 of this section, draw up the refusal act of the reporting entity and/or its separate subdivision in conducting an onsite/offsite inspection (Annex 12).

3. Refusal act of the reporting entity and/or its separate subdivision in conducting an onsite/offsite inspection is made in the following cases:

1) non-admission of the working group to the premises of the entity and/or its separate subdivision;

2) the heads' refusal (the person performing his duties) of the entity and/or its separate subdivision to put on the first copy of the Certificate the signature and/or to indicate the surname, initials, position of the person and date of receipt of the second copy of the Certificate;

3) the heads' refusal (the person performing his duties) of the entity and/or its separate subdivision to return the first copy of the Certificate;

4) heads' refusal (evasion) (the person performing his duties) of the entity and/or its separate subdivision to provide all the documents necessary for conducting the inspection.

4. In case of the entity and/or its separate subdivision absence at the location, an act on the absence of the reporting entity and/or its separate subdivision at the location is drawn up (Annex 13).

5. In case of heads' refusal (the person performing his duties) of the entity and/or its separate subdivision upon an oral request of members of the working group to submit documents or duly certified copies of documents (extracts from documents), the head of the working group shall provide to the head (person performing his duties) of the entity and/or its separate subdivision requests for the submission of documents necessary for conducting a onsite inspection, indicating the time and date of the submission of the necessary documents.

VIII. Rights and responsibilities of officials of the entity and/or its separate subdivision

1. The head (the person performing his duties) of the entity and/or its separate subdivision during the inspection has the right to receive from the working group information about the procedure and plan of inspection, rights, and responsibilities of the working group and officials of the entity and/or its separate subdivision.

2. Officials of the the entity and/or its separate subdivision during the inspection are obliged to:

to allow a working group to premises in which the entity and/or its separate subdivision carries out its activities

to confirm the head powers (the person performing his duties) of the entity and/or its separate subdivision with the relevant documents;

to put on the first copy of the Certificate the signature, indicating the surname, initials, position and date of receipt of the second copy of the Certificate, to return the first copy of the Certificate to the head of the working group;

to provide members of the working group with requested documents, copies of documents, extracts from the documents necessary for conducting the inspection;

provide written explanations to the head of the working group;

to sign and seal a paper copy of the electronic document (if any) of the entity and/or its separate subdivision, or to sign the electronic document inspection report.

3. The head (the person performing his duties) of the entity and/or its separate subdivision may appeal the actions of the members of the working group to the officer of the Ministry of Infrastructure, which issued the Certificate on conducting an inspection, or in court.

**Head of the Division on corruption
prevention, internal investigations, and state
financial monitoring**

V. NEKHAROSHOV