



**MAKSYM SALIY,**  
Lawyer, Equity

**On 6 September 2018, Draft Law No. 9063 “STOP Raiding” (on amendments to certain legislative acts of Ukraine on protection of the rights of property owners through audio and video recording of the process of notarial acts conduct) was registered with Parliament. How would you comment on this initiative?**

The Draft Law “*STOP Raiding*” is a legislative initiative with a flamboyant name without the content match it.

The existent mechanism for fighting raiding is quite efficient subject to it being used properly.

The present situation is likely explained by an appropriate fulfillment of their duties

by law-enforcement bodies and by state registration bodies rather than by the existence of obvious legislative gaps.

The proposed legislative initiative has a positive character in general though it requires serious follow-up revisions.

The idea of video recording of notarial acts is not new, there were attempts to implement this in the past as well. However, the most important problem, both in the past and now, is the observation of notarial secrecy during creation and use of a particular video.

This Draft provides an obligation to insert the video record in the State Register of

Rights during the implementation of the relevant registration act. However, one should consider that the State registrar is not always a notary and it would be more reasonable to guarantee additional warrants on keeping a notarial secrecy by other subjects of registration.

Besides, this Draft Law provides for carrying out modifications to the *Criminal Code* on criminalization acts on the counterfeiting of a relevant video record.

In the meantime, the video record counterfeit sanction is the same as for the substantive article on counterfeiting

documents. As in the majority of cases these articles are supposed to be qualified on a global basis, the volume of reasonability will not change and consequently, the availability of additional responsibility won't be an obstacle for a criminal. Another disputable moment is inserting a video and audio record in the State Register of Rights, as such information is large and it would be problematic to store it and could create problems in the proper working of the register. Given the above, it would be more logical for such information to be stored by the subject who records it.

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+38 044 290 88 33  
order@taskforce.ua | www.taskforce.ua

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