1. General Fund Deposit Guarantee

In 1998, the President of Ukraine signed the Decree "On measures to protect the rights of individuals - Depositors of Commercial Banks", which was approved by the Regulations on the establishment of the Guarantee Fund of individuals, formation and use of resources. September 20, 2001 Parliament of Ukraine adopted the Law on the Guarantee Fund of individuals' assets, which entered into force October 24, 2001. The Fund is a specialized state agency that performs functions of state administration in the Deposit Guarantee. The main objective of the Fund in Ukraine is to protect the rights and interests of individuals - depositors of banks, branches of foreign banks. Kerivnym Authority Governing Board of the Fund is that formed by delegating to its two representatives of the Cabinet of Ministers of Ukraine, two representatives of the National Bank of Ukraine and one representative association of banks. Fund deposits of citizens which are placed in participants (temporary participants) of the Fund in local and foreign currency, including interest at the rate of deposits, but no more than 150 000. on deposits in each bank, foreign bank branches on the day become unavailable. Contributions to a rate not compensated. Investors acquire the right to receive consideration for a guaranteed amount of deposits due to shortfalls in the Fund's monetary unit of Ukraine from the day the nedostupnosti 'assets. In Ukraine the participants of the Fund are banks, branches of foreign banks, which have a banking license for the right to exercise banking activities and certificate Fund participant. OJSC "State Savings Bank of Ukraine is not a member of the Fund. Participants should CERTIFICATE Fund participant In case of violation of the participant of the Law of Ukraine "On Guarantee Fund of individuals' bank, foreign bank branch is transferred to the category of a temporary member of the Fund temporarily confirmed by Help the participant. Banks - Help tymchasovi members have a temporary member of the Fund The Fund does not reimburse the guaranteed amount for deposits of individuals in the bank, foreign bank branch transferred to the category of temporary member of the Fund, if these deposits were attracted him to give notice of his transfer to the category of a temporary member of the Fund. After transferring to the category of temporary participant bank, foreign bank branch must be warned in writing of individuals at the conclusion of agreements with them to attract new deposits, the fact that the Fund does not guarantee reimbursement for these deposits. Twice a year the Fund publishes in the official media registry participants (temporary participants) of the Fund. Information about changes in the roster publikuyetsya additionally within 14 calendar days after a change.

2. Tasks and supervisory functions guarantee fund individuals

fund deposit guarantee bank

Fund is a legal entity with separated property, which is state property and is in its complete management. The Fund is an economically independent institution, which has no profit, has its own balance sheet, current and other accounts with the National Bank of Ukraine. The work of the Fund by the Constitution of Ukraine, current legislation and acting under the provisions of the Deposit Insurance Fund of individuals approved by the Cabinet of Ministers of Ukraine and National Bank of Ukraine. Main activities are:

- Protect the rights of individuals - depositors - Participants (temporary participants) of the Fund through reimbursement of funds due to its holdings, including interest, if funds become unavailable;

- The implementation of organizational and management action to ensure payment to depositors of amounts of compensation for losses;

- To supply and accumulation of charges from the banks - participants (temporary participants) of the Fund and other funds allocated for compensation of losses;

- Ensuring the proper use of funds in the accounts of the Fund.

Fund according to its tasks:

1) indemnify each depositor in the bank - member (temporary member) fund losses in the amount stipulated under the Law of Ukraine "On Guarantee Fund of individuals";

2) conduct the tests:

- The accuracy of calculations and control the timeliness and completeness of transfer fees banks - participants (provisional members) of the Fund;

- The activities of banks - participants (temporary participants) of the Fund, including with the involvement of independent experts for this purpose due to its funds;

3) participates in assessments conducted by the National Bank, on matters within the competence of the Fund;

4) violates the National Bank of the application to the banks - participants (temporary participants) of the Fund of enforcement measures in case they violate the Law of Ukraine "On Guarantee Fund of individuals";

5) applies directly to the banks - participants (temporary participants) of the Fund's actions, under the Law of Ukraine "On Guarantee Fund of individuals";

6) provides the use of own funds for their intended purpose;

7) derives from the National Bank the information necessary to fulfill the Fund functions under the Law of Ukraine "On Guarantee Fund of individuals and these Regulations (hereinafter - the Fund's function);

8) defines the required reporting forms for banks - participants (temporary participants) of the Fund;

9) publish in the official media: twice a year at 1 January and 1 July report on its activities, the roster of banks - participants (temporary participants) of the Fund within one month after the deadline;

10) shall submit an annual report together with the audit report to Cabinet of Ministers of Ukraine and National Bank by 1 July of the year following the reporting;

11) sets of banks - participants (temporary participants) of the Fund in the manner determined by mandatory standards - requirements concerning their membership in the Fund;

12) engages in the manner prescribed by the Law of Ukraine "On Guarantee Fund of individuals, loans from the Cabinet of Ministers of Ukraine in cash or government securities, National Bank, other banks and foreign creditors in cash;

13) shall respect the right of the creditor banks - participants (temporary member) Fund the full amount to be recovered from day become unavailable;

14) derives from the liquidator of the bank - member (temporary member) fund information and statutory documents required for the performance of functions by providing compensation for losses;

15) ensures compliance with the requirements of the bank secrecy of information obtained from the National Bank, Bank - Member (temporary member) Fund and the liquidator of the bank - member (temporary member) Fund.

To carry out its powers Fund carries out inspection of banks, including through the involvement of independent experts at their own expense. The Fund is also entitled to participate in assessments undertaken by Bank on matters within its competence. In addition, he authorized to use the following enforcement actions:

1) Transferring Bank as temporary members of the Fund, resulting in the Fund shall not reimburse the guaranteed amount for deposits of individuals involved in this bank after the recent announcement of the provisional member. Therefore, the following contributions to the Fund's regular fee is not paid. According to paragraph 3.1.1. The provisions on enforcement in the banks - participants (temporary participants) of the Fund of individuals "[13], the reasons for this event can be:

a) bank failure of economic standards of H1, H2 and / or N3 according to NBU data, except notification of the decision of the NBU for bank capitalization;

b) set any restrictions on banking operations of the bank by the central bank's involvement or open current accounts and individuals;

c) Bank appointment of temporary administration of the bank;

d) breaking the bank statutory requirements.

In the event of a bank in the category of temporary members, by an inspection carried out unscheduled inspection of the bank.

2) Excluding banks from the list of participants (provisional members), which is made in case of withdrawal by the NBU license for banking activities or in case of suspension of Bank operations to attract deposits of individuals. The measure does not deprive the depositors whose deposits are involved in the day the Bank receives notification of his transfer to the category of temporary members, entitled to a refund of such deposits in the event of their unavailability under this Act.

3) The Fund must raise the NBU on a bank application of enforcement measures in case of its violation.

4) In the event of breaches referred to in points. "-And in paragraph 1 of the Foundation can send a bank letter of warning. In a letter warning of the Fund shall determine the period during which the bank must eliminate the violations, as well as bank warns of enforcement if neusunennya bank for a fixed term of at least one of the violations listed in the letter. Bank within 5 working days of receipt of the Fund's warning letter, must submit a plan to fund measures to be taken by the bank, from mentioning the removal of violations. Duration of the obligation of the bank should not exceed 90 calendar days or the period specified in the letter of warning.

The control functions of the Fund. The Fund carries out check calculations and checks the completeness and timeliness of transfer fees by each participant (temporary member) of the Fund. For late or incomplete transfer of initial, regular or special meeting participants (temporary members) for a month to pay a fine in the amount of double rate of the National Bank of Ukraine is the size of the transferred amount for each day of delay. To carry out its powers under this Law shall Fund check participants (temporary participants) of the Fund, including through the involvement of independent experts from the Fund. The Fund is entitled to participate in assessments undertaken by the National Bank of Ukraine, on matters within the competence of the Fund pursuant to this Act.

3. Feasibility of new surveillance powers of the Fund Deposit Guarantee

Under consideration in Parliament is the draft law on guaranteeing deposits of individuals, which will replace the currently valid Law on Guarantee Fund Deposit "fund and put the new powers. This is quite a logical step because both the National Bank of Ukraine is now very difficult to combine monetary function and the function of supervision and it was clearly visible against the backdrop of the crisis when the Bank published the refinancing of troubled banks, whose owners have just brought out the money after receiving them. This also indicates a situation which has arisen in the administration of several troubled banks when the interim administration was organized by the fake discovery of deposits of more than one thousand individuals in an amount exceeding $ 200 million. Therefore, the transfer of supervisory functions of the Fund will strengthen the efficiency and speed up resolution of problem banks and the Bank will focus on implementing its main functions - monetary policy. Also, the adoption of this bill will improve the efficiency of banking supervision in return of money spent on fund grant contributions to individuals, and will allow time to optimize decisions on the restructuring of banks and their implementation, which is very important now when the country's 18 banks liquidated. It should be noted that such a practice exists in the U.S. and Germany. Yes, the U.S. engaged in this national system of deposit insurance, and in Russia bank liquidation functions entrusted not to the Central Bank and the Agency insurance premiums. Most likely, the first positive moves in this direction will occur no earlier than one year, because the functioning of the Fund at full capacity and the necessary expertise and time.