[the small state emblem of Ukraine]

[stamp: COPY]
No. 2-A-216-1/06

RESOLUTION
In the Name of Ukraine

On July 25, 2006, the panel of judges of the Pecherskyi District Court in Kyiv consisting of:

the Presiding Judge V.V. Malynin, The Judges N.D. Kvasnevska, S.V. Vovk,

in the presence of the Secretary I.M. Vovkogov,

having examined, at an open Court hearing held in Kyiv, the case based on an administrative claim lodged by Ms. Svitlana Yuriyivna Poberezhets against the Ministry of Health of Ukraine, the Ministry of Labor and Social Policy of Ukraine, the Social Insurance Fund for Temporary Disability, the Social Insurance Fund for Industrial Accidents and Occupational Diseases of Ukraine, seeking that the normative legal act in question be recognized as unlawful and contradictory to the legal acts of higher legal force, -

DETERMINED AS FOLLOWS:

Mrs.Svitlana Yuriyivna Poberezhets lodged an administrative claim with the Court seeking to recognize as unlawful and contradictory to the legal acts of higher legal force the following normative legal act issued by the respondents:

The Order of the Ministry of Health of Ukraine, the Ministry of Labor and Social Policy of Ukraine, the Social Insurance Fund for Temporary Disability, the Social Insurance Fund for Industrial Accidents and Occupational Diseases of Ukraine *"On Approving the Form and Technical Description of a Medical Certificate and the Instructions for Filling In the Medical Certificate"* No. 532/274/136-oc-1406, dated November 3, 2004, registered with the Ministry of Justice of Ukraine on November 17, 2004 under No. 1454/10053 and published in the official bulletin *'Ofitsiynyi Visnyk Ukrayiny'* [The Official Herald of Ukraine] No 47, dated December 10, 2004, p. 58, clause 3111, as regards:

a) approval of the medical certificate form;
b) approval of the technical description of a medical certificate;
c) approval of the Instruction for Filling In the Medical Certificate.

In her administrative claim, the claimant seeks that the Court recognize the above-mentioned normative legal act as unlawful and contradictory to the legal acts of higher legal force (and further recognize this normative legal act as partially invalid) **in the part stipulating that a medical certificate must include information on the person's initial and final diagnosis and the code of disease according to the International Classification of Diseases and Causes of Death, 10th Revision (ICD-10)**.

The claimant substantiates her administrative claim stating that, according to the challenged regulatory act, health care institutions must include in a medical certificate information on the state of health (diagnosis) of the person, to whom this medical certificate is issued, and such person must further submit this medical certificate to his or her place of work, and, thus, the information on the state of her health becomes available to a wide range of people at her place of work, which, in the claimant's opinion, infringes her rights and lawful interests and, in particular, violates the Constitutional prohibition against collection, storage, use and dissemination of confidential information about a person, which is contained in Article 32 of the Constitution of Ukraine. The claimant also substantiates her claim by referring to provisions of some Ukrainian laws, such as the Civil Code of Ukraine, the Basic Law of Ukraine on Health Care, the Law of Ukraine "On Information", etc. In her opinion, specification of the diagnosis in a medical certificate results in an actual disclosure of confidential information about the person.

According to Mrs.Poberezhets, her constitutional rights to privacy were violated in particular, when she was forced to submit to her place of work Medical Certificate Series ААЙ No. 948052, dated December 14, 2005, as this led to the disclosure of information about her acute respiratory viral infection among her co-workers.

Further to the administrative claim lodged by Mrs.Poberezhets, the Court hearing the case on the merits was presented with objections and explanations of all the administrative respondents, and the Court by its ruling involved the Ministry of Justice of Ukraine as a third party to the case, without any claims of its own, since the challenged normative legal act was registered by the Ministry of Justice of Ukraine.

At the Court hearing, Mrs.Poberezhets and her representatives Mr. D.L. Groisman and Mr. V.M. Yakubenko affirmed the administrative claim in full on the grounds set out in the statement of claim, added the claim to recover costs associated with the claimant's and her representatives' appearance in Court, and provided the Court with respective cost calculations and initial documents evidencing expenses incurred by the claimant and her representatives in connection with their presence at the Court hearings.

At the Court hearing, a Representative of the Administrative Respondent the Ministry of Health of Ukraine partially affirmed the claim and suggested to amend the wording of the Order so that patients be granted the right to demand that a diagnosis be excluded or changed in that part of the medical certificate, which must be presented at their place of work. The representative of the Ministry of Health further requested that the legal costs be divided equally between all the administrative respondents, should the Court allow the administrative claim.

At the Court hearing, a Representative of the Administrative Respondent the Ministry of Labor and Social Policy of Ukraine fully denied the claim and stated that the challenged normative legal act was issued within the competence defined in the Law of Ukraine "*On Mandatory State Social Insurance against Temporary Disability and Expenses Related to Birth and Funeral*" (hereinafter, Law No. 2240). Pursuant to Law No. 2240, when deciding on temporary disability payments, member of special commissions refer to the diagnosis, and its absence in the medical certificate may complicate the work of the said commissions or even make it impossible. According to the opinion of the Ministry of Labor and Social Policy of Ukraine, specification of a diagnosis in the medical certificate is necessary for control over its proper termination (or extension), which is important for identifying the source of respective payments or denying such temporary disability payments. Similar arguments are also contained in the statement of defense to the statement of claim lodged by S.Yu. Poberezhets, which was presented to the Court as signed by the Deputy Minister of Labor and Social Policy of Ukraine Ms. O. Garyacha.

At the Court hearing, Representatives of the Social Insurance Fund for Temporary Disability objected to allowance of the claim asserting that the claim is groundless. In their opinion, the current practice of issuing medical certificates has existed in Ukraine for decades and has never given rise to any claims, and if S.Yu. Poberezhets thinks that her rights and freedoms were infringed by inclusion of the diagnosis on Medical Certificate Series ААЙ No. 948052, dated December 14, 2005, which was issued in her name, then she could apply to the clinic's administration or file a civil claim with the Court to settle all disputed matters. The Representatives of the Social Insurance Fund for Temporary Disability further informed that prohibition to specify diagnoses in medical certificates would make it impossible to control payments envisaged by law for respective insured events. In addition, at the Court hearing, the Representatives of the Social Insurance Fund for Temporary Disability noted that clause 3.2 of

the challenged Instruction provides for the right of the doctors to change the diagnosis given on a medical certificate out of deontological considerations. Also, the said administrative respondent asserts that the challenged normative legal act is lawful by referring to the fact that it was registered with the Ministry of Justice of Ukraine and, therefore, the draft order had been checked for compliance with provisions of the Constitution of Ukraine, the laws of Ukraine, and legal regulations of the European Union. Similar arguments are also contained in the statement of defense to the statement of claim lodged by S.Yu. Poberezhets, which was presented to the Court as signed by the Fund Director Mr.A.M. Mishchenko.

A Representative of the Social Insurance Fund for Industrial Accidents and Occupational Diseases of Ukraine objected to allowance of the claim asserting that the normative act in question is lawful as it was registered with the Ministry of Justice of Ukraine and, therefore, the draft order had been checked for compliance with provisions of the Constitution of Ukraine, the laws of Ukraine, and legal regulations of the European Union. The Law of Ukraine "*On Mandatory State Social Insurance against Industrial Accident and Occupational Disease that Caused Disability*" – hereinafter, Law No. 1105 – sets forth a list of insured events, the occurrence of which requires payments from the Fund, and the Fund has the right to control the accuracy of issuing medical certificates in cases related to respective insured events, and, therefore, if the diagnosis is not given in a medical certificate, the Fund's employees will not be able to award and pay social and insurance benefits to the victim as provided by the law. Similar arguments are also given in the statement of defense to the statement of claim lodged by S.Yu. Poberezhets, which was presented to the Court as signed by the Fund Director Mr.L. Novitskyi.

In the written explanations signed by its Representative Mr. O.V. Biletskyi, the third party – the Ministry of Justice of Ukraine – notes that the challenged order was issued within the proper competence of the Administrative Respondents, in particular on the basis of relevant laws and regulations, and the Ministry of Justice further stresses that doctors issuing medical certificates have the right to change the diagnoses given on medical certificates out of deontological considerations. The Ministry of Justice of Ukraine objected to allowance of the claim asserting that the challenged normative legal act was issued within the proper competence of the Administrative Respondents. The Representative of the Ministry of Justice did not appear before the Court and asked the Court to hear the case in his absence taking into account the statement of defense to the administrative claim.

Having heard the parties, having studied and announced the case materials, the Court ascertained the following facts and respective legal relationships.

The challenged Instruction for Filling In the Medical Certificate, as registered with the Ministry of Justice of Ukraine under No. 1456/10055 on November 17, 2004, provides as follows: "*The medical certificate (hereinafter, the MC) is a multifunctional document providing grounds for being absent from work due to sickness and receiving material benefits in case of temporary sickness, pregnancy, and childbirth*". Thus, the applicable law officially stipulates that the medical certificate be provided at the person's place of work to confirm that such person is entitled to be released from work due to his or her sickness and receive proper material benefits envisaged for the insured in case of their temporary sickness, pregnancy, and childbirth. The medical certificate is not only a document containing private confidential information on the person's state of health, but also a document used both in civil legal relationships (as a ground for the employer to release such person from work) and in public legal relationships (as a basis for receiving respective payments from the specialized State Social Insurance Funds). The above facts are also evidenced by respective fields at the back of the medical certificate: thus, certain lines of the medical certificate should be filled in, after its submission at the person's place of work, by "*a timekeeper or other authorized person*", "*the personnel department or other authorized person*", "*a social insurance commission or other person authorized to award*

allowance", "*the accountant /the accounting division/ of the company, institution, organization*". Also, at the back of the medical certificate there are blank lines for signatures of the director of the employer and the chief (senior) accountant, which obviously means that these people will learn all entries on the medical certificate, including information on the person's initial and final diagnosis. Therefore, the challenged normative legal act issued by the respondents establishes the procedure, under which information on the person's diagnosis MUST be submitted at such person's place of work REGARDLESS OF HIS OR HER WISH TO DO SO.

The above requirements for submission of information on the person's diagnosis at his or her place of work are unlawful and contradictory to the legal acts of higher legal force, and in particular:

According to Article 3 of the Constitution of Ukraine, *"the human being, his or her life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. Human rights and freedoms and their guarantees determine the essence and orientation of the activity of the State. The State is answerable to the individual for its activity. To affirm and ensure human rights and freedoms is the main duty of the State."* Obliging people to provide information on their diseases at their places of work by issuing respective regulations in the form of normative legal act, the Administrative Respondents, which are State Executive Authorities, violated provisions of Article 3 of the Constitution of Ukraine, as the requirement to give the person's diagnosis on the medical certificate violates the Constitutional principle of the orientation of the State towards affirming and ensuring human rights and freedoms.

According to Article 19 of the Constitution of Ukraine, "*the legal order in Ukraine is based on the principles according to which no one shall be forced to do what is not envisaged by legislation. Bodies of state power and bodies of local self-government and their officials are obliged to act only on the grounds, within the limits of authority, and in the manner envisaged by the Constitution and the laws of Ukraine.*" Therefore, no act of subordinate legislation may require that information of the person's state of health (diagnosis) be submitted at his or her place of work, since neither any LAW nor the Constitution of Ukraine provides for this.

According to Article 21 of the Constitution of Ukraine, "*human rights and freedoms are inalienable and inviolable*". The demand for submission of information of the person's state of health (diagnosis) at his or her place of work is an infringement of the person's right to respect for his or her privacy, and therefore, unless such restriction of the person's right to respect for his or her privacy is based on the Constitutional principles of restricting human rights, such restrictions are unlawful (unconstitutional).

Article 32 of the Constitution of Ukraine provides as follows: "*No one shall be subject to interference in his or her personal and family life, except in cases envisaged by the Constitution of Ukraine. The collection, storage, use and dissemination of confidential information about a person without his or her consent shall not be permitted, except in cases determined by law, and only in the interests of national security, economic welfare and human rights.*" The demand for submission of information of the person's state of health (diagnosis) at his or her place of work cannot be justified by considerations of security, economic welfare and human rights, especially if, as mentioned above, such requirement is set forth not by the laws of Ukraine, but by a normative legal act of subordinate legislation.

According to Article 22 of the Constitution of Ukraine: "*Constitutional rights and freedoms are guaranteed and shall not be abolished. The content and scope of existing rights and freedoms shall not be diminished in the adoption of new laws or in the amendment of laws that are in force.*"

The requirement for submission of information of the person's state of health (diagnosis) at his or her place of work diminishes the content and scope of the constitutional prohibition against collection, storage, use and dissemination of confidential information about a person without his or her consent, which is contained in Article 32 of the Constitution of Ukraine, especially since such restriction of the constitutional right in the given situation is imposed not by the law, but by a normative legal act of subordinate legislation.

Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (Rome, 4/11/1950), ratified by Ukraine, provides as follows: "*Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*" In the Court's opinion, the demand for submission of information of the person's state of health (diagnosis) at his or her place of work is invasion of privacy. Jurisprudence of the European Court of Human Rights refers information on the person's health to the components of his or her personal identification, which, in its turn, is a component of privacy. Thus, in *M.S. v. Sweden* (27/08/1997), the European Court of Human Rights held as follows: "*the protection of personal data, not least medical data, is of fundamental importance to a person's enjoyment of his or her right to respect for private and family life. Respecting the confidentiality of health data is a vital principle in the legal systems of all the contracting parties to the Convention. It is crucial not only to respect the sense of privacy of the patient but also to preserve his or her confidence in the medical profession and in the health services in general. The domestic law must afford appropriate safeguards to prevent any such communication or disclosure of personal health data as may be inconsistent with the guarantees in Article 8 of the Convention*". In yet another case (*Z. v. Finland*, 25/02/1997), the Court held that "*disclosure of such data may dramatically affect his or her private and family life, as well as social and employment situation, by exposing him or her to opprobrium and the risk of ostracism*".

The Court agrees with the claimant's opinion that there are grounds to assert that provisions of the challenged normative legal acts issued by the Administrative Respondents, requiring that information on the person's diagnosis be submitted at his or her place of work in the form of a medical certificate, violates the provisions of Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. According to Article 17 of the Law of Ukraine "*On Fulfillment of Rulings and Application of Practice of the European Court of Human Rights*", "*when considering cases, Courts shall apply the Convention and the Court's practice as a source of law*". A similar requirement is set out in clause 2 of Article 8 of the Code of Administrative Proceedings of Ukraine.

The requirement that the person's diagnosis be given on the medical certificate to be submitted at his or her place of work also violates provisions of the Basic Law of Ukraine on Health Care, dated November 19, 1992, in particular its Article 4 providing that the main principle of health care in Ukraine is "*implementation of human and citizen rights and freedoms in the field of health care and realization of related state guarantees*". The said requirement also violates Article 7 of this Law, which provides for the "*liability for infringing the rights and lawful interests of citizens in the field of health care*". The obligation of the administrative respondents to cancel normative acts challenged in the part stipulating that a medical certificate must include information on the person's diagnosis is also set forth in Article 8 of the Basic Law of Ukraine on Health Care providing that "*if there is an infringement of citizens' rights and freedoms in the field of health care, relevant state, public or other authorities, companies,*

institutions and organizations, their officers, and citizens shall take actions to restore the violated rights, protect the lawful interests, and recover any caused damages".

At the legislative level, the procedure for granting sick leave for the period of illness is set out in Article 41 of the Basic Law of Ukraine on Health Care, which, in particular, provides as follows: "*citizens shall be granted sick leave for the period of illness causing temporary disability and shall receive social insurance benefits under the procedure established by the laws of Ukraine*". The law does not stipulate that failure to inform the person's diagnosis to his or her place of work may provide grounds for such person to be dismissed from work or be denied relevant payments.

Having adopted the normative legal act, which are challenged under this Administrative Claim, having established the unlawful procedure, according to which information on the person's diagnosis must be given on the medical certificate to be submitted to his or her place of work, the Respondents acted beyond their competence as set forth in Article 14 of the Basic Law of Ukraine on Health Care providing, in particular, that "*ministries, departments and other central state executive authorities shall, **within their respective competence**, develop health care programs and forecasts, define the uniform and scientifically justified state standards, criteria and requirements to provide for health care needs of the population, form and place government orders for procurement in the health care sector, exercise state control and supervision, **and perform other executive and regulatory functions in the field of health care***".

Inclusion of information on the person's diagnosis on the medical certificate also poses a threat to medical confidentiality. Thus, according to Article 40 of the Basic Law of Ukraine on Health Care, "*health care professionals and other persons who, in the performance of their professional or official duties, become aware of the citizen's disease, medical examination, medical checks and their results, intimate and family life, shall not disclose any such information, except in cases specified by law*". It should also be noted that, although the Instruction for Filling In the Medical Certificate provides for a situation when the doctor may leave out the patient's diagnosis from the medical certificate, the way such acts of the doctor are regulated violates human rights. Thus, according to clause 3.2 of the said Instruction, "*if the doctor changes the wording of the diagnosis in the MC, he or she shall write the ICD-10 Code of the actual disease and shall make a respective entry in the in- or out-patient's medical record substantiating such change of the diagnosis, upon written consent of the department chief*". Therefore, it is possible to assert the following: first, the authors of the Instruction leave it to the discretion of the doctor, and not the patient, to decide whether the diagnosis should be left out from the medical certificate; second, even the doctor's right to leave out the patient's real diagnosis is dependent on the authorization of the department chief, without whose written consent the diagnosis cannot be left out.

As regards the requirement that the medical certificate must contain the code of the patient's final diagnosis under the International Classification of Diseases and Causes of Death, 10th Revision (ICD-10), the Court considers such requirement established by the challenged normative legal act to be unlawful on the same grounds as stated above for the inadmissibility of disclosing the patient's diagnosis in legal civil and public documents of mandatory nature. The International Classification of Diseases and Causes of Death, 10th Revision, (ICD-10) is a generally available system with unlimited access, which is widely represented in all medical and public science libraries, in the Internet, etc., and, consequently, an unlimited and potentially infinite number of people may easily identify the person's diagnosis according to its ICD-10 Code.

Inclusion of information about the person's diagnosis on the medical certificate also violates the principles of information relationships in Ukraine, and, in particular, the principle of legitimacy "*of receipt, use, distribution and storage of information*" set forth in Article 5 of the Law of Ukraine "On Information", dated October 10, 1992.

According to Article 23 of the Law of Ukraine "On Information", information on the person's state of health (and information on the diagnosis is exactly such kind of information) is referred to the personal data (information about the person). The Law "On Information" provides that "*the sources of documented information about the person are documents issued in his or her name, signed by that person documents, and personal data collected by bodies of state power and bodies of local and regional self-government, acting within their respective competence. Collection of personal data without the person's prior consent shall be prohibited, except in cases envisaged by law.*" As regards the medical certificate, the person may not forbid to specify his or her diagnosis there, and there is no alternative to the medical certificate, as the laws of Ukraine do not envisage any other documents to evidence the valid reason for being absent from work and receiving respective social benefits for sickness.

In addition, provisions of the challenged normative legal acts, which require that the person's diagnosis be given on the medical certificate, directly violate requirements of the Civil Code of Ukraine, dated January 16, 2003. Thus, according to Article 286 of the Civil Code of Ukraine, "*1. An individual shall have the right to health confidentiality, to the confidentiality of the fact of applying for medical aid, to confidentiality of the diagnosis and information received during his or her medical examination. 2. It is forbidden to require and submit information about the diagnosis and methods of treatment of an individual to his or her places of work or study.*"

The arguments presented by the administrative respondents that prohibition to specify diagnoses in medical certificates would make it impossible to control the appropriateness of awarding and making respective insurance payments, cannot be accepted by the Court, since considerations of efficiency, expediency, and the practice history hardly suffice to be any valid excuse for avoiding the duty to abide by human rights standards established by the Constitution of Ukraine and the international treaties of Ukraine, the binding nature of which is recognized by the Verkhovna Rada of Ukraine and the laws of Ukraine. Out of the same considerations, the Court does not take into account the fact that "*no problems had ever arisen before in connection with inclusion of diagnoses in medical certificates*".

As regards the arguments of the administrative respondents that the lawfulness of the challenged normative legal act is confirmed by the fact of its registration with the Ministry of Justice of Ukraine, the Court cannot agree with this due to the following reasons. According to Article 2 of the Code of Administrative Proceedings of Ukraine, *"Administrative proceedings aimed to protect the rights, freedoms and interests of individuals, the rights and interests of legal entities in the field of public legal relations from infringements by state authorities, local authorities, their officials and employees, and other persons in the course of their performance of administrative functions on the basis of the law, including under delegated powers. Any decisions, acts or omissions to act of state authorities may be challenged in administrative Courts, except when the Constitution of Ukraine or the laws of Ukraine provide for other Court proceedings for such decisions, acts or omissions to act."* According to Article 4 of the Code of Administrative Proceedings of Ukraine, "*The jurisdiction of administrative Courts covers all public legal disputes, other than those for which other Court settlement proceedings are envisaged by the law.*" Specifics of challenging normative legal acts in the process of administrative proceedings are set out in Article 171 of the Code of Administrative Proceedings of Ukraine. Neither the Code of Administrative Proceedings of Ukraine nor any other laws provide that the fact of state registration of a normative legal act by the Ministry of Justice of

Ukraine automatically ensures the lawful nature of all the provisions of such normative legal act and excludes it from the jurisdiction of administrative Courts.

Since the claimant's claims are lawful, substantiated and proven in a Court hearing, while the state authorities, on the contrary, failed to provide enough evidence to support the need to give the patient's initial and final diagnosis in the medical certificate contrary to the requirements of clause 2 of Article 171 of the Code of Administrative Proceedings of Ukraine, the Court holds that the Claims should be allowed.

When deciding on the matter of legal costs, the Court relies on the provisions of Article 94 of the Code of Administrative Proceedings of Ukraine providing as follows: "*If the Court decision is rendered for the benefit of the party, which is not a body of state power, the Court shall charge all costs, incurred by such party and evidenced by the relevant documents, to the State Budget of Ukraine*".

The legal costs associated with the case based on the claim lodged by Mrs. S.Yu. Poberezhets are the Courts fees she paid for the Court hearing of the case, as well as the costs associated with appearance of the claimant and her Representatives before Court as confirmed by documentary evidence.

Procedures for providing compensation for legal costs are set out in Resolution of the Cabinet of Ministers of Ukraine No. 590 "*On the Maximum Amount of Compensation for Costs Associated with the Court Hearing of Civil and Administrative Cases and on the Procedure for Their Compensation by the State*", dated April 27, 2006. According to clause 5 of the Annex thereto, as regards administrative cases, costs associated with travel and accommodation expenses incurred by the party, which is favored by the Court decision and which is not a state authority, and by its representative, "*may not exceed the standard amount of travel expenses established by legislation*".

The Court relies on Articles 3, 19, 21, 22, 32, 55, 64, 68 of the Constitution of Ukraine; Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms; Articles 4, 6, 7, 8, 14, 40, 41 of the Basic Law of Ukraine on Health Care; Articles 285 and 286 of the Civil Code of Ukraine; and Article 23 of the Law of Ukraine "On information".

Being governed by Articles 17, 18, 94, 158-163, 167, and 171 of the Code of Administrative Proceedings of Ukraine, the Court, -

R E S O L V E D A S F O L L O W S:

The administrative claim lodged by the Mrs. Svitlana Yuriyivna Poberezhets against the Ministry of Health of Ukraine, the Ministry of Labor and Social Policy of Ukraine, the Social Insurance Fund for Temporary Disability, the Social Insurance Fund for Industrial Accidents and Occupational Diseases of Ukraine, seeking that the normative legal Act in question be recognized as unlawful and contradictory to the legal acts of higher legal force be allowed.

The Order of the Ministry of Health of Ukraine, the Ministry of Labor and Social Policy of Ukraine, the Social Insurance Fund for Temporary Disability, the Social Insurance Fund for Industrial Accidents and Occupational Diseases of Ukraine "*On Approving the Form and Technical Description of a Medical Certificate and the Instructions for Filling In the Medical Certificate*" No. 532/274/136-oc-1406, dated November 3, 2004, registered with the Ministry of Justice of Ukraine on November 17, 2004, under No. 1454/10053, be recognized as unlawful and contradictory to the legal acts of higher legal

force and be cancelled in the part stipulating that a medical certificate must include information on the initial and final diagnosis and the code of disease under ICD-10.

Mrs. Svitlana Yuriyivna Poberezhets be awarded the recovery of legal costs in the amount of UAH 177.22 to be paid from the State Budget of Ukraine.

An application for appeal against the resolution of a Court of first instance may be filed within ten days of the date when such resolution is pronounced, and if such resolution is rendered in a final full-text version, in accordance with Article 160 of this Code, – of the date when it is rendered in a final full-text version. An appeal against the resolution of a Court of first instance may be lodged within twenty days of the date when the application for appeal is filed.

Presiding Judge [signature]
Judges [signature] [signature]
[stamp: TRUE COPY OF THE ORIGINAL] [signature]