

New category of commercial disputes

On 1 May 2016, the Law of Ukraine regarding certain changes in relation to protection of investors' rights became effective. The Law provides for changes in the Commercial Procedural Code of Ukraine and introduces the new category of disputes: disputes between commercial entities and their officials regarding reimbursement of losses made to such commercial entity by its officials' actions.

Thus, the claimant in such disputes is the commercial entity. The right to file a claim on behalf of the commercial entity is exercised by the shareholders, who aggregately own at least 10 per cent of the share capital.

Inclusion of such category of disputes into the Commercial Procedural Code of Ukraine will facilitate protection of foreign investors' rights, in particular against mala fide actions of the directors.

More on the Law regarding protection of investors' rights in Ukraine