

## Changes to Ukraine's reservation procedure effective from 1 December 2024

4 December 2024

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On 25 November 2024, the Cabinet of Ministers of Ukraine approved Resolution No. 1332. This resolution introduced a series of changes to the temporary postponement of call-up for military service procedure, also known as reservation, as well as to the requirements for companies to be designated as critically important to the national economy and to ensuring the vital activity of the population during a specific period ("critical companies"). The relevant document became effective on 1 December 2024.

The principal changes introduced by the Resolution are the following:

- 1. New industry-specific criteria for recognising companies as critical must be adopted within 10 days from the date of entry into force of the Resolution;*
- 2. The status of critical companies should be confirmed within the next three months.*
- 3. The reservations granted before 1 December 2024 will remain valid for the time-period they were originally provided for, but no longer than 28 February 2025.*
- 4. From 1 December 2024, reservations are performed only through Diia (the Ukrainian electronic platform providing access to citizen's digital documents and government services).*

The Resolution additionally established that critical companies:

- should not be in arrears with regard to the payment of both state and local taxes and fees; and
- their average salary for the last calendar quarter must be at least the national minimum wage, multiplied by a coefficient of 2.5 (currently UAH 20 thousand per month).

Critical companies will be monitored on a monthly basis, in order to promptly identify non-compliance with the aforementioned criticality criteria.

The reservation process via Diia will take 72 hours (i.e. three days).

Individuals filed for the reservation by the company will automatically be enrolled in the special military records if:

- they are employed by a critical company;

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- their accrued salary during each month of the last reporting period (quarter) is not below the national minimum wage, multiplied by a coefficient of 2.5 (i.e. currently not below UAH 20 thousand per month);
  - they are registered for military service;
  - they have updated their personal data; and
  - they are not wanted fugitives.
5. *Only up to 50% of employees eligible for military service can be reserved.*

A quota greater than 50% can be reserved only by means of a separate decision from the Ministry of Defense. It is not yet clear under what conditions the quota can be increased or which companies will be able to exercise this opportunity.

The pool of employees subject to military conscription, from which 50% can be reserved, does not include, among others, women eligible for military service (e.g. medical professionals).

**The above changes should be carefully considered by Ukrainian companies, in order to understand whether they may affect their operations and employees.**

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**For more information, please contact:**



**Olga Ivlyeva**  
Associate

**E** [olga.ivlyeva@wolftheiss.com](mailto:olga.ivlyeva@wolftheiss.com)  
**T** +48 22 378 8941



**Olena Kravtsova**  
Associate

**E** [olena.kravtsova@wolftheiss.com](mailto:olena.kravtsova@wolftheiss.com)  
**T** +30 044 3777 500

