

EXTRACTS

From the Code of the Administrative Offences of the Russian Federation

Article 1.5. Presumption of Innocence

1. A person shall be administratively liable only for those administrative offences, in respect of which his guilt has been established.
2. A person who is on trial for an administrative offence shall be regarded innocent until his guilt is proved in the procedure established by this Code and determined by a lawful decision of the judge, or of the body, or of the official who has considered his case.
3. A person held administratively responsible is not obliged to prove his innocence, except as provided for by the note to this Article.
4. Irremovable doubts in respect of the guilt of a person held administratively responsible shall be interpreted in favour of this person.

Note. The provision of Part 3 of this article shall not extend to the administrative offences stipulated by Chapter 12 of this Code, and to the administrative offences concerning land improvement provided for by laws of constituent entities of the Russian Federation which are made with the use of transport vehicles, if these administrative offences are recorded by special automatically operated technical devices which can perform the functions of photography, cinematographic recording and video recording or by photographic, cinematographic and video recording equipment.

Article 1.7. Operation of the Legislation on Administrative Offences in Time

1. A person who has committed an administrative offence shall be liable under the law effective at the time of committing the administrative offence.
2. Any law mitigating or terminating administrative responsibility for an administrative offence, or improving the position of a person who has committed an administrative offence shall be retroactive, that is, it shall also extend to persons who committed administrative offences prior to the entry of such law into force and who have not been punished pursuant to a decision concerning the imposition of an administrative penalty. A law establishing or aggravating administrative responsibility for an administrative offence or worsening the position of the person shall not be retroactive.
3. Proceedings in respect of a case concerning an administrative offence shall be carried out under the law effective at the time of conducting the proceedings in respect of said case.

Article 2.1. Administrative Offence

1. A wrongful, guilty action (omission) of a natural person or legal entity which is administratively punishable under this Code or the laws on administrative offences of subjects of the Russian Federation shall be regarded as an administrative offence.
2. A legal entity shall be found guilty of an administrative offence, if it is established that it had the opportunity to observe rules and norms whose violation is administratively punishable under this Code or under the laws of a subject of the Russian Federation, but it has not taken all the measures that were in its power in order to follow to them.
3. Imposition of an administrative penalty on a legal entity shall not relieve the guilty natural person of administrative responsibility for the given offence, and holding a natural person to administrative or criminal responsibility shall not relieve the legal entity of administrative responsibility for the given offence.

Article 2.2. Types of Guilt

1. An administrative offence shall be deemed willful, when the person who has committed it realized the wrongful nature of his action (omission), could foresee the harmful consequences thereof and wished these consequences, or deliberately tolerated them, or treated them indifferently.
2. An administrative offence shall be deemed as committed through negligence, when a person who has committed it could foresee the harmful consequences of his action (omission) but self-conceitedly hoped to prevent such consequences, or did not foresee the appearance of such consequences, though he should have to or could have foreseen them.

Article 2.4. Administrative Responsibility of Officials

An official, who has committed an administrative offence in connection with his failure to discharge his official duties or improper discharge of his official duties, shall be administratively liable.

Note. An official in this Code means a person who exercises the functions of a public officer on a constant or temporary basis, or is vested with special authority, that is, a person who is vested, in the procedure established by law, with managerial powers in respect of persons who are not officially subordinated to him, as well as a person exercising organisational-and-managerial or administrative-and-economic functions in state bodies, bodies of local self-government, governmental and municipal organisations, in the Armed Forces of the Russian Federation, or in other troops and military regiments of the Russian Federation. Heads and other employees of different organisations, who have committed administrative offences in connection

with the exercise of administrative-and-managerial or administrative-and-economic functions, as well as members of the board of directors (supervisory boards), collective executive bodies (administrations, directorates), counting commissions, audit commissions (auditors), liquidation commissions and heads of organisations exercising the authority of sole executive bodies of other organisations that have committed the administrative offences provided for by Articles 13.25, 14.24, 15.17-15.22, 15.23.1, 15.24.1, 15.29-15.31, Part 9 of Article 19.5, Article 19.7.3 of this Code, shall be administratively liable as officials. The persons that carry out the functions of a member of a tender, auction, quotation or unified commission set up by a state or municipal customer, by a budget-financed institution (hereinafter referred to in Articles 3.5, 7.29 - 7.32, Part 7 of Article 19.5, Article 19.7.2 and Article 19.7.4 of this Code as customers) or by empowered body and have committed the administrative offences envisaged by Articles 7.29 - 7.32 of the present Code shall be accountable under administrative law as officials. The persons that carry out entrepreneurial activities without forming a legal entity and have committed administrative offences shall be accountable under administrative law as officials, except as otherwise established by the present Code. The persons that carry out the functions on organization and execution of procurement obligatory in accordance with legislation of the Russian Federation including members of a tender commission, auction commission, that have committed the administrative offences provided for by Article 7.32.4 of this Code, shall be administratively liable as officials.

Article 2.5. The Administrative Liabilities of Military Servicemen, of the Citizens Called up to Undergo Periodical Military Training and of the Persons Having Special Ranks

1. For administrative offences, except for the administrative offences envisaged by Part 2 of the present Article, military servicemen, the citizens called up to undergo periodical military training, and the holders of special ranks who are personnel of internal affairs bodies, the bodies and institutions of the criminal penitentiary system, the State Fire Fighting Service, the bodies charged with drug and psychotropic substances control and customs bodies in accordance with the federal laws and other regulatory legal acts of the Russian Federation regulating the undergoing of military service (of service) by the said persons and the status thereof shall bear disciplinary liability.

2. For the administrative offences envisaged by Articles 5.1-5.26, 5.45-5.52, 5.56, 6.3, 7.29-7.32, Chapter 8, Article 11.16 (in as far as it concerns fire safety requirements outside the place of military service (place of service) or the place of periodical military training), Chapter 12, Article 14.9, part 3 of Article 14.32, Chapters 15 and 16, Articles 17.3, 17.7-17.9, by Parts 1 and 3 of Article 17.14, Articles 17.15, 18.1-18.4, parts 2.1, 2.6 of Article 19.5, Articles 19.5.7, 19.7.2,

19.7.4, part 5 of Article 19.8 and Article 20.4 (in as far as it concerns fire safety requirements outside the place of military service (place of service) or the place of periodical military training) of the present Code the persons mentioned in Part 1 of the present Article shall bear administrative liability on a general basis.

Article 2.9. Possible Relief from Administrative Responsibility, When an Administrative Offence Is Insignificant

Where an administrative offence is insignificant, a judge, or a body, or an official authorized to resolve a case concerning the administrative offence, may relieve the person, who has committed the administrative offence, of administrative responsibility and limit themselves to a reprimand.

Article 3.2. Types of Administrative Penalties

1. The following types of administrative penalties may be established and imposed for committing administrative offences:

- 1) warning;
- 2) administrative fine;
- 3) abrogated from July 1, 2011;
- 4) confiscation of the instrument or the object of an administrative offence;
- 5) deprivation of a special right granted to a natural person;
- 6) administrative arrest;
- 7) administrative deportation from the Russian Federation of a foreign citizen or a stateless person;
- 8) disqualification.
- 9) administrative suspension of the activity.

2. The administrative penalties enumerated in Items 1 to 4 and 9 of the first part of this Article may apply to a legal entity.

3. The administrative penalties enumerated in Items 3 to 9 of Part 1 of this Article shall be established only by this Code.

Article 3.5. The Administrative Fine

1. "Administrative fine" is a monetary sanction expressed in terms of roubles which is set in the following amounts: for citizens not exceeding five thousand roubles; for

officials fifty thousand roubles; for legal entities one million roubles or, where it is provided for by Articles 14.40, 14.42 of this Code, five million roubles, or it may be expressed as a value divisible by:

- 1) the value of the object of the administrative offence as of the time of termination or stopping of the administrative offence;
- 2) the sum of taxes, fees or customs duties unpaid and outstanding as of the time of termination or stopping of the administrative offence or the sum of an illegal currency transaction or the sum of the amounts of money or the value of internal and external securities written off and/or entered in without observance of the established reservation requirement or the sum of currency proceeds that has not been sold in the established procedure or the sum of amounts of money not credited within the established term to accounts in empowered banks, or the sum of money resources, multiple to the amount of the refinancing rate of the Central Bank of the Russian Federation from the sum of the money resources credited to the accounts with the empowered banks with the infringement of the established term, or the sum of amounts of money not returned when due to the Russian Federation or the amount of money, the value of securities, other property or the cost of services of a pecuniary nature which have been unlawfully transferred or rendered on behalf of a legal entity or the sum of an unpaid administrative fine;
- 3) the sum of the proceeds of an offender from the sale of goods (work, service) in the market of which the administrative offence has been committed, for the calendar year preceding the year in which the administrative offence was detected or the part of the calendar year in which the administrative offence was detected preceding the date of detection of the administrative offence, unless the offender pursued the activity of selling goods (work, service) in the preceding calendar year;
- 4) the amount of proceeds derived by the offender from selling commodities (works or services) as a result of wrongful holding up of prices (tariffs, rate scales, rates and the like) for the whole period while the offence was lasting but at most for one year;
- 5) the initial (maximum) price of a state or municipal contract when an order is placed for the delivery of goods, performance of works or provision of services for state or municipal needs, as well as of a civil law contract of a budget-financed institution when placing an order to supply commodities, carry out works or render services for meeting the needs of the budget-financed institution (hereinafter also referred to as contracts of supplying commodities, carrying out works or rendering services to meet the needs of customers or contracts).

6) the sum of excessive income or the sum of the losses which have been evaded by the person as the result of illegal use of insider information and/or market manipulation.

2. The amount of an administrative offence shall not be below one hundred roubles.

3. The amount of an administrative fine calculated on the basis of the value of the object of an administrative offence, and also on the basis of the sum of unpaid taxes, fees or customs duties or the sum of an illegal currency transaction or the sum of amounts of money or the value of internal and external securities written off and/or entered in without observance of the established reservation requirement or the sum of currency proceeds that have not been sold in the established procedure or the sum of amounts of money not entered when due in accounts in empowered banks, or the sums of money resources multiple to the amount of the refinancing rate of the Central Bank of the Russian Federation from the sum of the money resources credited to the accounts with the empowered banks with the infringement of the established term, or the sum of amounts of money not returned when due to the Russian Federation or the amount of money, the value of securities, other property or the cost of services of a pecuniary nature which have been unlawfully transferred or rendered on behalf of a legal entity shall not exceed the three-fold amount of the value of the object of the administrative offence or of the relevant sum or value, in the cases provided for by Articles 7.27 and 7.27.1 of the present Code may not exceed the fivefold amount of the value of the stolen property, and in the case provided for by Article 19.28 of this Code the one hundred-fold amount of monetary assets, the cost of securities, other property, services of property nature, other property rights which have been illegally transferred, rendered, promised or offered on behalf of the legal entity.

4. The amount of an administrative fine calculated on the basis of the sum of proceeds of an offender from the sale of goods (work, services) in the market of which the administrative offence has been committed shall not exceed one twenty fifth of the aggregate sum of proceeds from the sale of all goods (works, services) for the calendar year preceding the year in which the administrative offence was detected or the part of the calendar year in which the administrative offence was detected preceding the date of detection of the administrative offence, unless the offender pursued the activity of selling goods (works, services) in the preceding calendar year.

4.1. The rate of an administrative fine estimated on the basis of the amount of an offender's proceeds derived from selling commodities (works and services) as a result of wrongful holding up of prices (tariffs, rate scales, rates and the like) may

not exceed the two-fold amount of the proceeds received in excess for the whole regulation period while the offence was lasting but at most for one year.

5. The sum of an administrative offence shall be entered in the budget in full in accordance with the legislation of the Russian Federation.

6. The following are not subject to an administrative fine: sergeants, sergeant-majors, soldiers or sailors undergoing military service on draft, and also cadets of military professional education institutions before the conclusion of a military service contract with them.

Article 3.11. Disqualification

1. "Disqualification" means the deprivation of a natural person of his/her right to occupy positions in the federal state civil service, positions in the state civil service of a subject of the Russian Federation, positions in a municipal service, occupy positions in the executive managerial body of a legal entity, sit on a board of directors (supervisory board), pursue the entrepreneurial activity of managing a legal entity, to direct a legal entity in the other cases envisaged by the legislation of the Russian Federation or to pursue activities in the area of training sportsmen (including medical support for them) and organising and conducting sport events. An administrative penalty in the form of disqualification shall be ordered by a judge.

2. Disqualification shall be set for a term of from six months to three years.

3. Disqualification is applicable to the persons who occupy positions in the federal state civil service, positions in the state civil service of a subject of the Russian Federation, positions in a municipal service, the persons who carry out organisational-managerial or administrative-economic functions in a body of a legal entity, the members of a board of directors (supervisory board), persons pursuing entrepreneurial activities without forming a legal entity, the persons pursuing private practice, or to coaches, sport medicine specialists or other specialists in the area of physical education and sport who occupy the positions included in the list approved in accordance with the legislation of the Russian Federation.

Article 4.1. General Rules for Imposing an Administrative Penalty

1. An administrative penalty for committing an administrative offence shall be imposed within the limits, established by the law stipulating the responsibility for the given administrative offence, in compliance with this Code.

2. When imposing an administrative penalty on a natural person, the nature of the administrative offence committed by him, the personality of the culprit, his property status, the circumstances mitigating the administrative responsibility and the

circumstances aggravating the administrative responsibility, shall be taken into account.

3. When imposing an administrative penalty on a legal entity, the nature of the administrative offence committed by it, the property and financial status of the legal entity, the circumstances mitigating the administrative responsibility and the circumstances aggravating the administrative responsibility, shall be taken into account.

3.1. In the cases provided for by Part 3 of Article 28.6 of this Code an administrative penalty shall be imposed in the form of an administrative fine. In this case, the amount of the administrative fine imposed shall be the least within the range of the sanction of the applicable article or part of article of the Special Part of the present Code, and in cases when the sanction of the applicable article or part of article of the Special Part of the present Code has a provision for an administrative penalty in the form of deprivation of the right to drive a vehicle or of an administrative arrest then the administrative penalty shall be ordered in the form of an administrative fine in the largest amount envisaged for citizens by Part 1 of Article 3.5 of the present Code.

4. Imposition of an administrative penalty shall not relieve a person, who has been penalized for failure to perform a duty, from carrying out this duty.

5. No one shall bear administrative responsibility twice for the same administrative offence.

Article 4.2. Circumstances Mitigating Administrative Responsibility

1. The following are deemed as circumstances mitigating administrative liability:

- 1) repentance by the person that has committed an administrative offence;
- 2) the voluntary termination of wrongful behaviour by the person that has committed an administrative offence;
- 3) the voluntary provision of information about an administrative offence by the person that has committed the administrative offence to a body empowered to carry out proceedings in a case of the administrative offence;
- 4) the assistance of the person that has committed an administrative offence rendered to a body empowered to carry out proceedings in a case of the administrative offence in establishing the circumstances that are to be established in the case of the administrative offence;

- 5) the prevention of harmful circumstances of an administrative offence by the person that has committed the administrative offence;
 - 6) voluntary compensation by the person that has committed an administrative offence for inflicted damage or voluntary elimination of inflicted harm;
 - 7) the voluntary performance by the person that has committed an administrative offence -- before the issuance of a decision in a case of the administrative offence - - of an order for elimination of committed offence issued by a body responsible for state control (supervision);
 - 8) the commission of an administrative offence in the state of strong mental agitation (heat of passion) or in grave personal or family circumstances;
 - 9) the commission of an administrative offence by a minor;
 - 10) the commission of an administrative offence by a pregnant woman or a woman having an infant.
2. A judge, body or official, while considering a case concerning an administrative offence, may deem as mitigating circumstances not indicated in this Code or in the laws of subjects of the Russian Federation on administrative offences.
 3. The present Code may provide for other circumstances mitigating administrative liability for the commission of specific administrative offences and also the details of taking account of the circumstances mitigating administrative liability when an administrative penalty is determined for the commission of specific administrative offences.

Article 4.3. Circumstances Aggravating Administrative Responsibility

1. The following circumstances shall be deemed as aggravating administrative responsibility:
 - 1) continuation of wrongful conduct, despite the demand of authorized persons to terminate it;
 - 2) repeated commitment of a similar administrative offence, in which the person has already been penalized for committing such an offence in respect of which the term, provided for by Article 4.6 of this Code, has not yet expired;
 - 3) drawing minors into the commitment of an administrative offence;
 - 4) committing of an administrative offence by a group of persons;
 - 5) committing an administrative offence during natural disasters or under other emergency circumstances;

6) committing an administrative offence in a state of alcoholic intoxication.

A judge, body or official, imposing an administrative offence, depending on the nature of the committed administrative offence, may not deem the given circumstance as aggravating.

2. The circumstances provided for by Part 1 of this Article, may not be deemed as aggravating in the event, if said circumstances are stipulated by the appropriate rules on administrative responsibility for committing an administrative offence as qualifying indicia of the administrative offence.

3. The present Code may provide for other circumstances aggravating administrative liability for the commission of specific administrative offences and also the details of taking account of the circumstances aggravating administrative liability when an administrative penalty is determined for the commission of specific administrative offences.

Article 4.5. Limitation on Holding a Person Administratively Responsible

1. A decision in respect of a case concerning an administrative offence may not be rendered upon the expiry of two months (in respect of a case on an administrative offence tried by a judge upon the expiry of three months) from the date of committing the administrative offence, in the event of violating the laws of the Russian Federation on export control, on internal sea waters, or on inland seas, or on the continental shelf, or on the economic exclusion zone of the Russian Federation, of the patent, antimonopoly, budgetary or currency laws of the Russian Federation and acts of the currency regulation bodies, on the protection of the environment, legislation on energy saving and improvement of energy efficiency, legislation of the Russian Federation, on public health care, on the population's sanitary-epidemiological safety, on road traffic safety (as regards administrative offences entailing the infliction of minor-gravity and medium gravity harm upon the victim's health), on copyright and neighbouring rights, on trademarks, service marks and names of the places of the origin of goods, of the laws of the Russian Federation on the use of atomic power, on taxes and fees, on the protection of consumers' rights, on the state regulation of prices (tariffs), on natural monopolies, on the fundamentals of regulation of public utility organisations' tariffs, on advertising, on electric-power industry, on lotteries, on elections and referendums, on participation in share construction of apartment houses and (or) other immovable property units, on counteracting the legalisation (laundering) of incomes received by way of crime and the financing of terrorism, on joint-stock companies, on limited liability companies, on the securities market, on investment funds, non-state pension funds, the legislation on countering the illegal use of inside information and market

manipulation, as well as in the event of violating the immigration rules, rules for engaging in labour activities in the Russian Federation foreign citizens and stateless persons (in particular, foreign workers), procedures of bidding obligatory in accordance with legislation of the Russian Federation (administrative offences provided by Article 7.32.4 of this Code), on the insolvency (bankruptcy), on placement of orders to supply goods, carry out works and render services for meeting state and municipal needs, on the organisation of activity in the sale of goods (performance of works or services) at retail markets, on fire safety, on industrial safety, such a decision may not be rendered after the expiration of one year as of the date of committing the administrative offence, for infringement of the customs legislation of the Customs union in the framework of EurAsEC (hereinafter - the Customs union) and (or) the legislation of the Russian Federation about customs business after two years from the date of committing the administrative offence, and for violating the legislation of the Russian Federation on counteraction against corruption upon the expiry of six years as from the date when an administrative offence is committed.

2. In the event of a continuous administrative offence, the terms provided for by Part 1 of this Article shall be calculated beginning from the date of detecting the administrative offence.

3. A person may be held administratively responsible for an administrative offence entailing the imposition of an administrative penalty in the form of disqualification within one year at the latest as of the date of committing the administrative offence, and if an administrative offence is continuous, this may be done within one year at the latest as of the date of detecting the administrative offence.

4. When there is a refusal to initiate criminal proceedings, or criminal proceedings are terminated but the indicia of an administrative offence are present in the actions of an individual, the terms, provided for by Part 1 of this Article, shall be calculated starting from the date of rendering the decision about the refusal to initiate criminal proceedings or to terminate them.

5. Where an application of a person, brought to trial for an administrative offence, for consideration of his case at the location of his residence, is allowed, the limitation for holding him administratively responsible shall be suspended from the moment of allowing this application to the moment of receipt of the case file by the judge, body, or official authorized to consider the case at the place of residence of the person brought to trial for the administrative offence.

5.1. The period of limitation for holding one accountable on administrative grounds for the administrative offences envisaged by Article 6.18 of the present Code, in as much as it concerns the use of a prohibited substance and/or prohibited method, begins from the day on which the all-Russia anti-doping organisation receives a

statement from a laboratory accredited by the World Anti-Doping Agency confirming the fact that a sportsman has used a prohibited substance and/or prohibited method.

6. The period of limitations for holding someone accountable under administrative law for the administrative offences envisaged by Articles 14.9, 14.31, 14.32, 14.33, 14.40 of the present Code shall be counted from the date of entry into force of the decision of the commission of the antimonopoly body that has established the fact of breach of the antimonopoly legislation of the Russian Federation.

Article 4.6. The Term within Which a Person Is Deemed to Be Administratively Penalized

A person punishable for committing an administrative offence shall be deemed to be administratively penalized for one year as of the date of terminating the execution of the decision on imposition of the administrative penalty.

Article 5.59. Violation of the Procedure for Consideration of Applications of Citizens

Violation of the procedure established by the legislation of the Russian Federation for consideration of applications of citizens by officials of the state bodies and bodies of local self-government, except in the instances stipulated by Article 5.39, 5.63 of this Code, -

shall entail the imposition of an administrative fine in an amount of five thousand to ten thousand roubles.

Article 7.32.4. Breaching the procedure of competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property, the procedure for concluding contracts upon the outcome of such competitive tendering and sales or if such competitive tendering is declared void

1. Failure to publish information in accord with the law of the Russian Federation about competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property, except cases specified in Articles 7.30 and 7.32.3 of the Code on Administrative Violations,

Is punishable by an administrative fine upon officials - from 40,000 RUB to 50,000 RUB; upon legal entities - from 50,000 RUB to 100,000 RUB.

2. Breaching the procedure of determining the form of competitive tendering, mandatory under the law of the Russian Federation, except cases specified in Articles 7.29 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 40,000 RUB to 50,000 RUB; upon legal entities - from 50,000 RUB to 100,000 RUB.

3. Publishing incorrect information about competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property or providing documentation that contains misinformation, except cases specified in Articles 7.31 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 40,000 RUB to 50,000 RUB; upon legal entities - from 50,000 RUB to 100,000 RUB.

4. Failure to meet the time limit for publishing information on competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property, except cases specified in Articles 7.30 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 20,000 RUB to 30,000 RUB; upon legal entities - from 50,000 RUB to 100,000 RUB.

5. Breaching the procedure for submitting documentation on competitive tendering, mandatory under the law of the Russian Federation, the procedure for explaining such documentation, accepting bids for tendering, accepting bids for taking part in sale of state or municipal property, except cases specified in Articles 7.30 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 12,000 RUB to 15,000 RUB; upon legal entities - from 20,000 RUB to 30,000 RUB.

6. Breaching the prequalification procedure, established by the law of the Russian Federation for competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property, except cases specified in Articles 7.30 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 30,000 RUB to 40,000 RUB; upon legal entities - from 30,000 RUB to 50,000 RUB.

7. Breaching the procedure for determining the winner of competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property, except cases specified in Articles 7.30 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 30,000 RUB to 40,000 RUB; upon legal entities - from 30,000 RUB to 50,000 RUB.

8. Failure to comply with the time limit for concluding the contracts upon the outcome of competitive tendering, mandatory under the law of the Russian

Federation, selling state or municipal property or if the competitive tendering is declared void, or when the trading authority, a seller of state or municipal property, an organizer of the sale of state or municipal property is reluctant to enter the contract, except cases specified in Article 7.32 of the Code,

Is punishable by an administrative fine upon officials - from 30,000 RUB to 40,000 RUB; upon legal entities - from 30,000 RUB to 50,000 RUB.

9. If an organizer of competitive tendering, mandatory under the law of the Russian Federation, a seller of state or municipal property, as well as when concluding or executing the contract a person that is a party to the contract changes the contract terms and conditions established in the tendering documentation, a notice about competitive tendering, an information statement about selling state or municipal property, draft contracts, by the parties' mutual consent or unilaterally if the federal law prohibits such changes, except cases specified in Article 7.32 of the Code,

It is punishable by an administrative fine upon members of the public - from 2,000 RUB to 3,000 RUB; upon officials - from 20,000 RUB to 30,000 RUB; upon legal entities - from 50,000 RUB to 300,000 RUB.

10. Breaching the procedure and rules, established by the law of the Russian Federation, for organizing and managing competitive tendering, mandatory under the law of the Russian Federation, selling state or municipal property, except cases specified in Parts 1 - 9 Article 7.32.4 and Articles 7.29 - 7.32 and 7.32.3 of the Code,

Is punishable by an administrative fine upon officials - from 3,000 RUB to 10,000 RUB; upon legal entities - from 20,000 RUB to 30,000 RUB.

Article 9.15. The Breach of Information Disclosure Standards by Entities Operating on a Wholesale Electric Energy and Power Market and on Retail Electric Energy Markets

The breach by an entity operating on a wholesale electric energy and power market or a retail electric energy markets of the procedure, methods or term established by information disclosure standards for the publication of information in the printed publications used according to federal laws and laws of subjects of the Russian Federation to publish official materials of governmental bodies, in electronic mass media and also the procedure, methods or term for the provision of information at a request in writing of persons concerned -

shall cause the imposition of an administrative fine at the rate of 20,000 to 30,000 roubles on the officials; and from 200,000 to 500,000 roubles on the legal entities.

Article 14.3. Violating the Legislation on Advertising

1. Violating by an advertiser, by an advertising producer or by an advertising agent the legislation on advertising, except as provided for by Parts 2 - 4 of this Article and Articles 14.37, 14.38 and 19.31 of this Code -

shall entail the imposition of an administrative fine on citizens in the amount of two thousand to two thousand five hundred roubles, on officials in the amount of four thousand to twenty thousand roubles, and on legal entities in the amount of one hundred thousand to five hundred thousand roubles.

2. Breaking the procedure for interruption by advertising of a TV- or radio-programme, of a TV- or radio-broadcasting or for combining advertising with a TV programme, exceeding the extent of advertising in TV- and radio-programmes permitted by the legislation on advertising, as well as including advertising in TV- and radio-programmes on the days of mourning declared in the Russian Federation -

shall entail the imposition of an administrative fine on officials in the amount of ten thousand to twenty thousand roubles and on legal entities in the amount of two hundred thousand to five hundred thousand roubles.

3. Exceeding the extent of advertising in periodical prints which is permitted by the legislation on advertising -

shall entail the imposition of an administrative fine on officials in the amount of four thousand to seven thousand roubles and on legal entities in the amount of forty thousand to one hundred thousand roubles.

4. Interrupting by advertising a film show while rendering cinematographic or video services, as well as combining advertising with a film show, religious TV broadcasting or TV broadcasting lasting less than 15 minutes, with broadcasting agitation materials disseminated in TV programmes and TV broadcastings in compliance with the legislation on elections and referendums by way of "running letters" or in some other way of its overwriting upon the frame of the film, TV programme or TV broadcasting being shown -

shall entail the imposition of an administrative fine on officials in the amount of ten thousand to twenty thousand roubles and on legal entities in the amount of two hundred thousand to five hundred thousand roubles.

Article 14.9. The Limitations on Competition Imposed by Governmental Bodies and Local Self-Government Bodies

1. The actions (omissions) of officials of federal executive governmental bodies, executive governmental bodies of subjects of the Russian Federation, local self-government bodies, the other bodies or organisations that carry out the functions of said persons and of state non-budget funds and also the organisations taking part in the provision of state or municipal services, which are inadmissible under the antimonopoly legislation of the Russian Federation and lead or can lead to the prevention, limitation or elimination of competition, and equally, to a limitation on the free movement of goods (works or services), the freedom of economic activities, except for the cases envisaged by Part 3 of Article 14.32 of the present Code -

shall cause the imposition of an administrative fine on the officials at the rate of 15,000 to 50,000 roubles.

2. The actions of the officials mentioned in Part 1 of this Article, which are inadmissible under the antimonopoly legislation of the Russian Federation and lead or can lead to the prevention, limitation or elimination of competition, and equally, to a limitation on the free movement of goods (works or services), the freedom of economic activities, if such officials have been earlier subjected to an administrative penalty for a similar administrative offence -

shall cause disqualification for a term of up to three years.

Article 14.31. Abuse of Dominance in a Commodity Market

1. The commission by an economic entity that dominates a commodity market, except for a natural monopoly entity of the actions deemed abuse of dominance and inadmissible under the anti-monopoly legislation of the Russian Federation, if such actions lead or can lead to an infringement on the interests of other persons/entities, and in this case the result of such actions is not and cannot be the prevention, restriction or elimination of competition.

shall cause the imposition of an administrative fine on officials at a rate from 15,000 to 20,000 roubles; on legal entities from 300,000 to 1,000,000 roubles.

2. The commission by an economic entity that dominates a commodity market of the actions deemed abuse of dominance and inadmissible under the anti-monopoly legislation of the Russian Federation, if the result of such actions is or can be the prevention, restriction or elimination of competition or the commission by a natural monopoly entity of the actions deemed abuse of dominance and inadmissible under the anti-monopoly legislation of the Russian Federation

shall cause the imposition of an administrative fine on officials at a rate from 20,000 to 50,000 roubles or disqualification for a term of up to three years; on legal entities from one hundredth to 15 hundredths of the sum of offender's proceeds from the sale of commodity (work or service) on whose market the administrative offence has been committed but not exceeding one fiftieth of the aggregate sum of the offender's

proceeds from the sale of all commodities (works or services) and not below 100,000 roubles, and if the sum of the offender's sum of proceeds from the sale of the commodity (work or service) on whose market the administrative offence has been committed exceeds 75 per cent of the aggregate sum of the offender's proceeds from the sale of all commodities (works or services) or the administrative offence has been committed on a market of the commodities (works or services) sold at prices (tariffs) regulated in accordance with the legislation of the Russian Federation, at a rate from three thousandths to three hundredths of the sum of the offender's proceeds from the sale of the commodity (work or service) on whose market the administrative offence has been committed but not exceeding one fiftieth of the aggregate sum of the offender's proceeds from the sale of all commodities (works or services) and not below 100,000 roubles.

Notes:

1. For the purposes of the present chapter "proceeds from the sale of commodities (works or services)" is defined in accordance with Articles 248 and 249 of the Tax Code of the Russian Federation.
2. When an administrative penalty is determined for the administrative offence envisaged by the present article or by Article 14.31.2 or 14.33 of the present Code one shall take into account the circumstances alleviating administrative liability as envisaged by Items 2-7 of Part 1 of Article 4.2 of the present Code.
3. When an administrative penalty is determined for the administrative offence envisaged by the present article or Article 14.31.2 or 14.33 of the present Code in respect of a legal entity one shall take into account the circumstances aggravating administrative liability as envisaged by Items 1 and 2 of Part 1 of Article 4.3 of the present Code as well as the following circumstances aggravating administrative liability:
 - 1) the commission of a continuous administrative offence whose duration exceeds one year;
 - 2) the infliction as the result of commission of the administrative offence of damage to citizens, organisations or the state in the amount of over 1,000,000 roubles or the gaining of an income as the result of commission of the administrative offence in the amount of over 5,000,000 roubles;
 - 3) the commission of the administrative offence by two and more persons/entities included in a group of persons/entities defined in accordance with the anti-monopoly legislation of the Russian Federation.
4. For the commission of the administrative offence envisaged by the present article or Articles 14.31.2, 14.32 or 14.33 of the present Code, given the lack of circumstances alleviating and aggravating administrative liability, an administrative

fine shall be imposed on the legal entity in the sum of minimum rate of the administrative fine envisaged for the commission of the given administrative offence and a half of the difference of the maximum rate of the administrative fine envisaged for the commission of the given administrative offence and the minimum rate of the administrative fine envisaged for the commission of the given administrative offence. If there are circumstances alleviating administrative liability the amount of the administrative fine imposed on the legal entity shall be reduced for each such circumstance by one eighth of the difference of the maximum rate of the administrative fine envisaged for the commission of the given administrative offence and the minimum rate of the administrative fine envisaged for the commission of the given administrative offence. If there are circumstances aggravating administrative liability the amount of the administrative fine imposed on the legal entity shall be increased for each such circumstance by one eighth of the difference of the maximum rate of the administrative fine envisaged for the commission of the given administrative offence and the minimum rate of the administrative fine envisaged for the commission of the given administrative offence.

5. A person, to whom a determination on transfer to the federal budget the revenue received from monopolistic activity or unfair competition is issued, cannot be administratively liable in accordance with this Article, Article 14.32, 14.33 of this Code if such a determination is executed.

Article 14.31.2. Price Manipulation in the Wholesale and/or Retail Electricity (Generating Capacity) Markets

1. Price manipulation on the wholesale and/or retail electricity (generating capacity) markets by participants in the wholesale and/or retail electricity (generating capacity) markets which do not dominate the relevant markets of electricity (generating capacity)

shall cause the imposition of an administrative fine on officials at a rate from 20,000 to 50,000 roubles; on legal entities from 500,000 to 1,000,000 roubles.

2. The commission of the administrative offence envisaged by Part 1 of the present article by an official who has been earlier subjected to an administrative penalty for a similar administrative offence

shall cause disqualification for a term of one year to three years.

Article 14.32. Conclusion of an Agreement on Limitation of Competition, the Commission of Coordinated Actions That Limit Competition and the Coordination of Economic Activities

1. The conclusion by an economic entity of an agreement which is inadmissible under the antimonopoly legislation of the Russian Federation, and equally, participation therein or the commission by an economic entity of coordinated actions that are deemed inadmissible under the antimonopoly legislation of the Russian Federation -

shall cause the imposition of an administrative fine at the rate of 20,000 to 50,000 roubles or disqualification for a term of up to three years for officials; and on legal entities from one hundredth to fifteen hundredths of the sum of the offender's proceeds from the sale of the product (work or service) in the market of which the administrative offence has been committed, or from one tenth to a half of the initial value of the subject matter of trading, but in any case not below in any case not below one twenty-fifth of the sum of the offender's proceeds from the sale of the product (work or service) and not below 100,000 roubles or if the sum of the offender's proceeds from the sale of the product (work or service) in the market of which the administrative offence has been committed exceed 75 per cent of the aggregate sum of the offender's proceeds from the sale of all products (works or services), or the administrative offence has been committed in the market of commodities (works or services) whose sale takes place at the prices (tariffs) regulated in accordance with the legislation of the Russian Federation, at the rate from three thousandths to three hundredths of the sum of the offender's proceeds from the sale of the product (work or service) in the market of which the administrative offence has been committed but in any case not below 100,000 roubles.

2. The coordination of the economic activities of economic entities which is inadmissible according to the antimonopoly legislation of the Russian Federation -

shall cause the imposition of an administrative fine on officials at the rate of 20,000 to 50,000 roubles or disqualification for a term of up to three years; and on legal entities from on hundredth to fifteen hundredth of the sum of the offender's proceeds from the sale of the product (work or service) in the market of which the administrative offence has been committed but in any case not below 100,000 roubles or if the sum of the offender's proceeds from the sale of the products (work or service) in the market of which the administrative offence has been committed exceeds 75 per cent of the aggregate sum of the offender's proceeds from the sale of all products (works or services), or the administrative offence has been committed in a market of commodities (works or services) whose sale takes place at the prices (tariffs) regulated in accordance with the legislation of the Russian Federation, at the rate of three thousandths to three hundredths of the sum of the offender's proceeds from the sale of the product (work or service) in the market of which the

administrative offence has been committed but in any case not below 100,000 roubles.

3. If a federal executive governmental body, an executive governmental body of a subject of the Russian Federation, a local self-government body, another body or organisation that carries out the functions of said bodies or a state non-budget fund has concluded an agreement which is inadmissible according to the antimonopoly legislation of the Russian Federation or if said bodies or organisations have performed coordinated actions which are inadmissible in accordance with the antimonopoly legislation of the Russian Federation -

it shall cause the imposition of an administrative fine on officials at the rate of 20,000 to 50,000 roubles or disqualification for a term of up to three years.

Notes:

1. A person (a group of persons defined in accordance with the anti-monopoly legislation of the Russian Federation) that has voluntarily applied to the federal antimonopoly body or its territorial body to report that he/she/it has concluded an agreement which is inadmissible according to the antimonopoly legislation of the Russian Federation or has committed coordinated actions which are inadmissible in accordance with the antimonopoly legislation of the Russian Federation shall be relieved of administrative accountability for the administrative offences envisaged by Parts 1 and 3 of the present Article, provided the following conditions are observed in their entirety:

as of the time of the person's report the antimonopoly body did not have relevant information and documents concerning the administrative offence committed;

the person has refused to take part or to continue taking part in the agreement or to implement or continue implementing the coordinated actions;

the information and documents that have been presented are sufficient for the purpose of establishing the event of the administrative offence.

Relief from administrative accountability shall be granted to the person that was the first to comply with all the conditions set out in the present note.

2. No consideration shall be given to an application filed simultaneously on behalf of several persons that have concluded an agreement which is inadmissible in accordance with the antimonopoly legislation of the Russian Federation or that have committed coordinated actions which are inadmissible in accordance with the antimonopoly legislation of the Russian Federation.

3. When an administrative penalty is determined for the commission of the administrative offence envisaged by the present article then in respect of a legal entity account shall be taken of the circumstances alleviating administrative liability

envisaged by Items 2-7 of Part 1 of Article 4.2 of the present Code and also the following circumstances alleviating administrative liability:

1) the person that has committed the administrative offence is not an organiser of competition-restricting agreement or agreed actions and/or has received binding directions to take part in them;

2) the person that has committed the administrative offence has not commenced to perform the competition-restricting agreement concluded by the person.

4. When an administrative penalty is determined for the commission of the administrative offence envisaged by the present article then in respect of a legal entity account shall be taken of the circumstances aggravating administrative liability envisaged by Items 1 and 2 of Part 1 of Article 4.3, Items 1 and 2 of Note 3 to Article 14.31 of the present Code and also the following circumstances aggravating administrative liability:

1) the person that has committed the administrative offence has organised a competition-restricting agreement or agreed actions;

2) the person that has committed the administrative offence has coerced other persons to commit an administrative offence or to continue participation in a competition-restricting agreement or agreed actions.

5. For committing an administrative violation under Parts 1 and 3 Article 14.32, a legal entity is imposed an administrative fine equal to the minimum administrative fine for such administrative violations if the legal entity voluntarily reported to the federal antimonopoly body, its regional body about concluding an agreement prohibited by the antimonopoly law of the Russian Federation (a cartel) and met the following conditions in their totality:

- The legal entity admitted the fact of committing an administrative violation

- The legal entity refused to take part or continue participating in the agreement (cartel)

- The presented information and documents are sufficient to ascertain an event of an administrative violation.

An administrative fine in the amount specified in the Note is imposed upon the legal entities that were the second and the third to meet the conditions of the Note. The Note is not applicable to a legal entity that arranged an agreement prohibited by the antimonopoly law of the Russian Federation (a cartel).

6. To determine an administrative fine under Article 14.32, calculated on the basis of the initial costs of the subject of competitive tendering organized to conclude an agreement (a contract) when the contract term exceeds one year, the initial costs of

the object of such competitive tendering are prorated to the costs of the subject of competitive tendering per year

Article 14.33. Unfair Competition

1. Unfair competition, unless such actions contain a criminally punishable act, except for the cases stipulated by Article 14.3 of this Code and by Item 2 of this Article, -

shall entail the imposition of an administrative fine on officials in the amount of twelve thousand to twenty thousand roubles; on legal entities - from one hundred thousand to five hundred thousand roubles.

2. Unfair competition expressed in the introduction into turnover of a commodity with illegal use of the results of intellectual activity and equivalent means of the individualisation of a legal entity, means of the individualisation of products, works, services -

shall entail the imposition of an administrative fine on officials in an amount of twenty thousand roubles or disqualification for a period of up to three years; on legal entities - from one hundredth to fifteen hundredths of the size of the amount of the receipts of the infringer from the realisation of a commodity (work, service) on whose market the infringement has been committed but not less than one hundred thousand roubles.

Article 14.40. Infringing the Antimonopoly Rules Established by Federal Law While Exercising Trading Activity

1. The creation by an economic agent, engaged in the trade activities of selling food products by way of setting up a trade network, or by an economic agent engaged in supplying food products to trade networks, of discriminatory conditions, in particular through the creation of obstacles for access to a commodity market or for exit from a commodity market of other economic agents, except as provided for by Article 14.31 of this Code -

shall entail the imposition of an administrative fine on officials in the amount of twenty thousand to forty thousand roubles and on legal entities in the amount of two million to five million roubles.

2. The dictating by an economic agent, engaged in the trade activities of selling food products by way of setting up a trade network, or by an economic agent, engaged in supplying food products to trade networks, to a contractor thereof of terms and conditions which are prohibited by federal law, except as provided for by Article 14.31 of this Code -

shall entail the imposition of an administrative fine on officials in the amount of thirty thousand to fifty thousand roubles and on legal entities in the amount of two million five hundred thousand to five million roubles.

3. Exercising by an economic agent, engaged in the trade activities of selling food products by way of setting up a trade network, and/or by an economic agent, engaged in supplying food products to trade networks, wholesale trade activities on the basis of a commission agency contract or of a mixed contract containing major terms and conditions of a commission agency contract -

shall entail the imposition of an administrative fine on officials in the amount of ten thousand to fifty thousand roubles and on legal entities in the amount of one million five hundred thousand to four million five hundred thousand roubles.

Note. The administrative liability provided for by Part 3 of this article shall be established depending on the degree of guilt of the agent, engaged in the trade activities of selling food products by way of setting up a trade network, or of an economic agent, engaged in supplying food products to trade networks.

Article 19.5. Failure to Perform in Due Time a Lawful Instruction (Decree, Order, Presentation, Decision) of a Body (Official), Exercising State Supervision (Control)

1. Failure to perform in due time a lawful Instruction (decree, presentation, decision) of a body (official), exercising state supervision (control), to eliminate violations of the law -

shall entail the imposition of an administrative fine upon citizens in the amount of three hundred to five hundred roubles; upon official persons - from one thousand to two thousand roubles or disqualification for a term of up to three years; upon legal entities - from ten thousand to twenty thousand roubles.

2. Failure to follow within the established term a lawful direction, decision of a body authorised in the field of export control or its territorial body -

shall entail the imposition of an administrative fine upon official persons in the amount of five thousand to ten thousand roubles or disqualification for a term of up to three years; upon legal entities - from two hundred thousand to five hundred thousand roubles.

2.1. Non-fulfilment, at the established time, of a legal decision or instruction of the federal antimonopoly body or its territorial body on termination of competition-restraining and/or coordinated actions and on the performance of actions aimed at ensuring competition, or of a legal decision or order of the federal antimonopoly body or its territorial body issued in the exercise of control over the use of state or

municipal preference on the performance of actions stipulated by the antimonopoly legislation of the Russian Federation -

shall entail the imposition of an administrative fine on officials in the amount of eighteen thousand to twenty thousand roubles or disqualification for a period of up to three years; on legal entities - from three hundred thousand to five hundred thousand roubles.

2.2. Non-fulfilment, at the established time, of a legal decision or order of the federal antimonopoly body or its territorial body on termination of abuse by an economic entity of the dominating position on the commodity market and on the performance of actions stipulated by the antimonopoly legislation of the Russian Federation and aimed at ensuring competition -

shall entail the imposition of an administrative fine on officials in the amount of sixteen thousand to twenty thousand roubles or disqualification for a period of up to three years; on legal entities - from three hundred thousand to five hundred thousand roubles.

2.3. Non-fulfilment, at the established time, of a legal decision or order of the federal antimonopoly body or its territorial body on termination of infringement of the rules for non-discriminatory access to goods (works, services), or of a legal decision or order of the federal antimonopoly body or its territorial body, issued in the exercise of state control over the economic concentration, on the performance of actions stipulated by the antimonopoly legislation of the Russian Federation and aimed at ensuring competition -

shall entail the imposition of an administrative fine on officials in the amount of twelve thousand to twenty thousand roubles or disqualification for a period of up to three years; on legal entities - from three hundred thousand to five hundred thousand roubles.

2.4. Non-fulfilment, at the established time, of a legal decision or order of the federal antimonopoly body or its territorial body on termination of infringement of the legislation of the Russian Federation on advertising or of a legal decision or order of the federal antimonopoly body or its territorial body on repeal or amendment of an act of a federal body of executive, act of the body of executive power of an entity of the Russian Federation or act of a body of local self-government that is contrary to the legislation of the Russian Federation on advertising -

shall entail the imposition of an administrative fine on officials in the amount of twelve thousand to twenty thousand roubles or disqualification for a period of up to three years; on legal entities - from three hundred thousand to five hundred thousand roubles.

2.5. Non-fulfilment, at the established time, of a legal decision or order of the federal antimonopoly body or its territorial body on termination of unfair competition -

shall entail the imposition of an administrative fine on officials in the amount of ten thousand to twenty thousand roubles; on legal entities - from one hundred thousand to three hundred thousand roubles.

2.6. Non-fulfilment, at the established time, of a legal decision or instruction of the federal antimonopoly body or its territorial body on termination of infringement of the antimonopoly legislation of the Russian Federation, the legislation of the Russian Federation on natural monopolies, of a legal decision or order of the federal antimonopoly body or its territorial body on termination or prevention of competition-restraining actions or of a legal decision or order of the federal antimonopoly body or its territorial body on the performance of actions stipulated by the legislation of the Russian Federation, except for the cases stipulated by Items 2.1-2.5 of this Article -

shall entail the imposition of an administrative fine on officials in the amount of eight thousand to twelve thousand roubles or disqualification for a period of up to three years; on legal entities - from one hundred thousand to five hundred thousand roubles.

2.7. Failure to execute in due time an order of the federal antimonopoly agency or of a regional agency thereof on reversal or amendment of an act contravening the legislation on the fundamentals of the state regulation of trade activities in the Russian Federation and/or on termination of actions (omission to act) of an executive power body of a constituent entity of the Russian Federation, local self-government body or other body or organisation exercising the functions of the cited bodies which are leading or can lead to the establishment in a commodity market of the trading rules that do not satisfy the requirements established by the legislation on the fundamentals of the state regulation of trade activities in the Russian Federation -

shall entail the imposition of an administrative fine on officials in the amount of fifty thousand or disqualification thereof for a term of one year to three years.

3. Failure to follow within the established term a lawful direction, decision of the body, regulating natural monopolies or of a territorial agency thereof -

shall entail the imposition of an administrative fine upon official persons in the amount of five thousand to ten thousand roubles or disqualification for a term of up to three years; upon legal entities - from two hundred thousand to five hundred thousand roubles.

4. A failure to follow within the established time period of a lawful order of the body in charge of control and supervision in the area of share construction of apartment houses and (or) other immovable property units -

shall cause the imposition of an administrative fine on officials in the amount of ten thousand to fifteen thousand roubles; on legal entities in the amount of from one hundred thousand to two hundred thousand roubles.

5. A failure to follow at the established time a lawful order or decision of a body authorized in the area of the state tariff regulation -

shall entail imposition of an administrative fine upon officials in the amount of fifty thousand roubles or disqualification for a term up to three years and upon legal entities from one hundred thousand to one hundred and fifty thousand roubles.

6. Failure to follow within the established time period a lawful order of the federal executive body or executive bodies of constituent entities of the Russian Federation authorised to exercise governmental building supervision -

shall entail the imposition of an administrative fine on citizens in the amount of one thousand five hundred to two thousand five hundred roubles, on officials in the amount of five thousand to ten thousand roubles, on persons engaged in business activity without forming a legal entity in the amount of five thousand to ten thousand roubles or an administrative suspension of their activity for a time period up to ninety days and on legal entities in the amount of fifty thousand to one hundred thousand roubles or an administrative suspension of their activity for a term up to ninety days.

7. Failure to execute in due time a lawful order or requirements of the executive body authorized to exercise control in respect of placement of orders to supply commodities, carry out works and render services for meeting customers' needs or of a territorial agency thereof -

shall entail imposition of an administrative fine on officials in the amount of fifty thousand roubles and upon legal entities in the amount of five hundred thousand roubles.

8. Non-fulfilment at the established time of legitimate demands of persons authorised to exercise state veterinary supervision, for conducting anti-epizootic and other measures committed in the period of carrying out restrictive measures (quarantine) on the respective territory -

shall entail the imposition of an administrative fine on citizens in an amount of one thousand to one thousand five hundred roubles; on officials - from five thousand to seven thousand roubles; on persons carrying out business activity without the formation of a legal entity - from five thousand to seven thousand roubles or an administrative suspension of activity for a period of up to ninety days; on legal entities - from ninety thousand to one hundred thousand roubles or an administrative suspension of activity for a period of up to ninety days.

9. Failure to follow in due time a lawful Instruction of the federal executive body in charge of financial markets or of a regional agency thereof -

shall entail the imposition of an administrative fine on officials in the amount from twenty thousand to thirty thousand roubles and on legal entities in the amount from five hundred thousand to seven hundred thousand roubles.

10. Failure to satisfy in due time a lawful Instruction or demand of the executive body authorised to exercise control (supervision) in the area of transport safety -

shall entail the imposition of an administrative fine on citizens in the amount of five thousand roubles, on officials in the amount of twenty thousand to thirty thousand roubles and on legal entities of twenty thousand to fifty thousand roubles.

11. Default on performance within the established term or the improper performance of a legal order of the federal executive governmental body in charge of state control and supervision in the area of safe conduct of works relating to the use of sub-soil, industrial safety and the safety of hydraulic engineering facilities -

shall cause the imposition of an administrative fine on officials in an amount from 30,000 to 50,000 roubles or disqualification for a term of from one year to three years; on legal entities from 400,000 to 700,000 roubles.

12. Failure to execute in due time a legal order of the body exercising the state fire supervision -

shall entail the imposition of an administrative fine on citizens in the amount of one thousand five hundred to two thousand roubles, on officials in the amount of three thousand to four thousand roubles and on legal entities in the amount of seventy thousand to eighty thousand roubles.

13. Failure to execute in due time a legal order of the person exercising the state fire supervision at the protected facilities where the activities in the field of public health care, education and social service are exercised -

shall entail the imposition of an administrative fine on citizens in the amount of two thousand to three thousand roubles, on officials in the amount of five thousand to six thousand roubles and on legal entities in the amount of ninety thousand to one hundred thousand roubles.

14. Repeated commission of the administrative offence provided for by Part 12 or 13 of this article -

shall entail the imposition of an administrative fine on citizens in the amount of four thousand to five thousand roubles, on officials in the amount of fifteen thousand to twenty thousand roubles or disqualification for a term up to three years and on legal

entities in the amount of one hundred and fifty thousand to two hundred thousand roubles.

15. The non-performance by a manufacturer (contractor, seller or a person carrying out the functions of a foreign manufacturer), a certification body or a testing laboratory (centre) within the established term of a lawful decision, order of the federal executive governmental body empowered to exercise state control (supervision) over the observance of the provisions of technical regulations in respect of products, for instance buildings and structures, or products (products released for the first time) and the processes -- relating to the requirements applicable to the products -- of designing (including prospecting), manufacturing, constructing, erecting, adjusting, operating, storing, transporting, selling or disposing -

shall cause the imposition of an administrative fine on officials at the rate of 30,000 to 50,000 roubles; on legal entities from 300,000 to 500,000 roubles.

17. Non-fulfilment within a fixed time term of the lawful instruction of the federal executive power body, fulfilling the functions involved in the exertion of control and supervision in the area of security in the use of nuclear power, -

entails imposition of an administrative fine upon officials in an amount of from thirty thousand roubles to fifty thousand roubles, or disqualification for a term of from one year to three years; upon legal entities - from forty hundred thousand roubles to seven hundred thousand roubles.

Note. For the administrative offences envisaged by Part 11 of the present article the persons pursuing entrepreneurial activities without the formation of a legal entity shall be held administratively liable as legal entities.

Article 19.8. The Non-presentation of Requests, Notices (Statement), Data (Information) to the Federal Antimonopoly Body, Its Territorial Bodies, the Bodies Regulating Natural Monopolies or the Bodies Authorised in the Field of Export Control

1. The non-presentation of requests, notices (statement), data (information) to the bodies for the regulation of natural monopolies, if the presentation of such requests and notices (statements) is obligatory in accordance with the legislation of the Russian Federation on natural monopolies, the submission of requests and notices (statements) containing obviously unreliable information, and likewise a breach of the procedure and the terms for filing requests and notices (statements), established by the legislation of the Russian Federation on natural monopolies -

shall involve the imposition of an administrative fine on citizens in the amount of one thousand five hundred to two thousand five hundred roubles; on officials - from three thousand to five thousand roubles; on juridical persons - from one hundred thousand to five hundred thousand roubles.

2. The non-presentation of data (information) to the bodies regulating natural monopolies or the bodies authorised in the field of export control, if the presentation of such data (information) is obligatory in accordance with the legislation of the Russian Federation on natural monopolies, on export control or the submission of the obviously unreliable information, except for the cases provided for by the first part of the present Article, -

involves the imposition of an administrative fine on citizens in the amount of one thousand to one thousand five hundred roubles; on officials - from two thousand to three thousand roubles; on juridical persons - from fifty thousand to one hundred thousand roubles.

3. Non-submission to the federal antimonopoly body or its territorial body of applications stipulated by the antimonopoly legislation of the Russian Federation or submission of applications containing knowingly unreliable information, as well as infringement of the procedure and time established by the antimonopoly legislation of the Russian Federation for submission of applications -

shall entail the imposition of an administrative fine on citizens in the amount of one thousand five hundred to two thousand five hundred roubles; on officials - from fifteen thousand to twenty thousand roubles; on legal entities - from three hundred thousand to five hundred thousand roubles.

4. Non-submission to the federal antimonopoly body or its territorial body of the notifications stipulated by the antimonopoly legislation of the Russian Federation or submission of notifications containing knowingly unreliable information, as well as infringement of the procedure and time established by the antimonopoly legislation of the Russian Federation for submission of notifications -

shall entail the imposition of an administrative fine on citizens in the amount of eight hundred to one thousand two hundred roubles; on officials - from five thousand to seven thousand five hundred roubles; on legal entities - from one hundred and fifty thousand to two hundred and fifty thousand roubles.

5. Failure to provide or late providing to the federal antimonopoly body or its territorial body of the data (information) stipulated by the antimonopoly legislation of the Russian Federation, including non-submission of data (information) at the request of the said bodies, except for the cases stipulated by Items 3 and 4 of this Article, as well as the submission of knowingly unreliable data (information) to the federal antimonopoly body or its territorial body -

shall entail the imposition of an administrative fine on citizens in the amount of one thousand five hundred to two thousand five hundred roubles; on officials - from ten thousand to fifteen thousand roubles; on legal entities - from three hundred thousand to five hundred thousand roubles.

6. Failure to present to the federal antimonopoly body or to a regional agency thereof the data (information) provided for by the legislation on advertising, as well as incomplete or distorted presentation of such data (information) or presentation of unreliable data (information) -

shall entail the imposition of an administrative on officials in the amount of two thousand to ten thousand roubles, and on legal entities in the amount of twenty thousand to two hundred thousand roubles.

Article 19.8.2. Failure to Provide Petitions, Notices (Information) and Intelligence (Information) to the Federal Executive Governmental Body Empowered to Carry out the Functions of Control over Foreign Investments in the Russian Federation

1. Failure to provide the federal executive governmental body empowered to carry out the functions of control over foreign investments in the Russian Federation with the petitions envisaged by the legislation on foreign investment on the territory of the Russian Federation, the filing of petitions comprising deliberately false information or breach of the procedure and term for filing petitions established by the legislation on foreign investment on the territory of the Russian Federation

shall cause the imposition of an administrative fine on citizens at a rate from 3,000 to 5,000 roubles; on officials from 30,000 to 50,000; on legal entities from 500,000 to 1,000,000 roubles.

2. Failure to provide the federal executive governmental body empowered to carry out the functions of control over foreign investments in the Russian Federation with the notices (information) envisaged by the legislation on foreign investments on the territory of the Russian Federation, the provision of notices (information) comprising deliberately false information or breach of the procedure and term for filing notices (providing information) established by the legislation on foreign investment on the territory of the Russian Federation

shall cause the imposition of an administrative fine on citizens at a rate from 2,000 to 3,000 roubles; on officials from 15,000 to 30,000 roubles; on legal entities from 250,000 to 500,000 roubles.

3. Failure to provide the federal executive governmental body empowered to carry out the functions of control over foreign investment in the Russian Federation with the intelligence (information) envisaged by the legislation on foreign investment on the territory of the Russian Federation, for instance failure to provide intelligence (information) on the demand of said body, except for the cases envisaged by Parts 1 and 2 of the present article, or the provision of deliberately unreliable intelligence (information) to said body

shall cause the imposition of an administrative fine on citizens at a rate from 3,000 to 5,000 roubles; on officials from 30,000 to 50,000 roubles; on legal entities from 500,000 to 1,000,000 roubles.

Article 20.25. Evading the Performance of an Administrative Penalty

1. Failure to pay the administrative fine within the time limit fixed by this Code, - shall involve the imposition of the double amount of the unpaid administrative fine, but at least a thousand roubles, or an administrative arrest for a period of up to fifteen days.

2. Willful departure from the place of serving an administrative arrest shall involve an administrative arrest for a period of up to fifteen days.

3. The evasion of a foreign citizen or stateless person of performance an administrative penalty in the form of administrative expulsion from the Russian Federation in the form of his/her exit from the Russian Federation on his/her own under control

shall cause the imposition of an administrative fine at a rate from 3,000 to 5,000 roubles and enforced expulsion from the Russian Federation.

Article 23.1. Judges

1. Judges shall try cases concerning the administrative offences provided for by Articles from 5.1 to 5.26, by Part 2 of Article 5.27, by Articles 5.37-5.43, 5.45-5.52, 5.56-5.63, 6.1, 6.2, 6.8, 6.9, 6.11-6.6.16, 6.18, 7.5, 7.12, 7.15, 7.17, 7.19, part 2 of Article 7.23.1, Articles 7.24, 7.27, 7.27.1, 7.28, Part 2 of Article 7.31, Part 2 of Article 8.28, by Parts 3 and 4 of Article 8.40, Part 3 of Article 9.1 (in as much as it concerns blunt breach of the terms of licences to pursue types of activity in the area of industrial safety), Articles 9.13, 9.14, 10.5.1, 10.11, by Part 2 of Article 11.3, Part 7 of Article 11.5, by Part 2 of Article 11.15.1, by Part 4 of Article 11.17, by Articles 11.21, 11.22, 11.24, by Part 4 of Article 12.2, by part 2.1 of Article 12.3, by Parts 1, 2 and part 3 (in case of unlawful plotting of the colour-graphic scheme of a taximeter passenger car) of Article 12.4, by Parts 3, 4 - 7 of Article 12.5, by Part 2 of Article 12.7, Article 12.8, Part 3 of Article 12.10, Part 4 of Article 12.15 (except for the cases when an administrative offence is recorded by special automatic technical facilities featuring photographic and cine-shooting or video-recording functions or by photographic and cine-shooting or video-recording facilities), Article 12.26, Parts 2 and 3 of Article 12.27, Article 12.35, by Parts 1 and 2 of Article 13.5, by Articles 13.10, 13.11, by Part 5 of Article 13.12, Articles 13.14-13.16, 13.20, 13.21, 13.23,

by Part 2 of Article 13.25, by Articles 13.27, 13.28, 14.1, 14.1.1, from 14.10 to 14.14, by Parts 1 and 2 of Article 14.16, by Parts 1, 3 and 4 of Article 14.17, Articles 14.18, 14.23, Parts 1, 2 and 4 of Article 14.25, Article 14.27, Parts 1 and 5 of Article 14.34, by Articles 14.35-14.37, 14.43-14.49, Articles from 15.3 to 15.12, by Part 11 of Article 15.23.1, by Article 15.26, Part 5 of Article 15.27, Articles 15.32, 15.33, Part 2 of Article 16.1, Articles 17.1-17.13, Parts 2 and 2.1 of Article 17.14, Article 17.16, Articles from 18.11 to 18.13, 19.1, by Parts 1, 3-5 of Article 19.3, by Parts 1 and 3 of Article 19.4, by Article 19.4.1, by Parts 1 and 12-15 of Article 19.5, by Articles 19.6, 19.6.1, 19.7, by Part 3 of Article 19.7.1, by Parts 1 and 2 of Article 19.7.5-1, Part 2 of Article 19.8.1, by Articles 19.9, 19.11-19.13, by Articles 19.20, 19.21, 19.23, 19.26-19.30, 19.32, 19.33, 20.2, 20.3, 20.5-20.7, Parts 2 and 6 of Article 20.8, Articles 20.9, 20.13, 20.15, 20.18, 20.19, 20.23, by Article 20.24 (in respect of private detectives (security guards), by Articles 20.25-20.30 of this Code.

2. Cases concerning the administrative offences provided for by Part 1 of Article 5.27, part 3 of Article 5.35, Articles 5.53, 6.3 - 6.6, 6.13, 8.2 and 8.3, by Part 2 of Article 8.6, by Part 2 of Article 8.12, by Part 2 of Article 8.13, by Part 1 of Article 8.14, by Articles 8.17 to 8.20, by Parts 1 and 3 of Article 8.21, by Parts 2 and 3 of Article 8.31, by Parts 2 and 3 of Article 8.26, 8.34, 8.35, 8.37 - 8.39, Articles 9.1 - 9.3, parts 2 and 3 of Article 9.4, Article 9.5, by Part 3 of Article 9.5.1, by Articles 9.6 and 9.9, 9.11, Parts 1 and 2 of Article 9.16, Articles 9.17, 9.18, 10.3, 10.6, 10.8, 11.1, 11.4, Parts 1-3 and 5 of Article 11.5, Parts 1-3 of Article 11.7, Articles 11.9, Part 6 of Article 11.17, Article 11.20, by Part 2 of Article 12.2, by Part 4 of Article 12.9, by Part 1 of Article 12.10, by Part 3 of Article 12.16, by Part 2 of Article 12.17, by Parts 1 and 2 of Article 12.21.1, Part 1 of Article 12.21.2, by Article 12.24, by Articles 13.2 - 13.4, 13.6 - 13.8, by Parts 2 and 4 of Article 13.12, by Articles 13.13, 13.22, 14.2, by Part 2 of Article 14.4, by Parts 1 and 2 of Article 14.6, by Part 2 of Article 14.9, by parts 2.1 and 3 of Article 14.16, by Part 1 of Article 14.20, Articles 14.26, 14.29, 14.31-14.33, by Parts 1 and 2 of Article 15.19, Article 15.21, by Parts 1 and 2 of Article 15.22, by Parts 1 - 10 of Article 15.23.1, Article 15.24.1, Parts 2 and 3 of Article 15.27, by Parts 1 - 7, 9-11 of Article 15.29, by Article 15.30, Parts 1 and 3 of Article 16.1, Article 16.2, Part 2 of Article 16.3, Article 16.7, Part 1 of Article 16.9, Article 16.16, Part 1 of Article 16.18, Parts 1 - 3 of Article 16.19, Part 1 of Article 16.20, Article 16.21, part 2 of Article 16.24, by Parts 2 and 3 of Article 18.1, by Part 2 of Article 18.3, by Part 2 of Article 18.4, by Articles 18.7, 18.8, 18.10, 18.15-18.17, by Item 2 of Article 19.3, by Parts 2 - 2.3, 2.6, 2.7, 3, 5, 6, 8, 11 and 17 of Article 19.5, by Articles 19.7.3, part 1 of Article 19.24, Part 1 of Article 19.27, by Article 20.1, by Part 5 of Article 20.4, parts 3 - 5 of Article 20.8, by Article 20.10, by Parts 1 and 3 of Article 20.12, 20.14 and 20.21 of this Code, shall be considered by judges, if the body or the official, which has received a case concerning such administrative offences, transfers it to a judge for consideration.

3. Cases concerning administrative offences, indicated in Parts 1 and 2 of this Article and committed by military servicemen or citizens called up for military refresher training, shall be tried by garrison military tribunals.

Cases concerning the administrative offences, which are indicated in Parts 1 and 2 of this Article and which are tried in the form of an administrative investigation, as well as cases concerning the administrative offences which entail an administrative deportation from the Russian Federation, the administrative suspension or disqualification of the persons who occupy positions of the federal state civil service, positions of the state civil services of a subject of the Russian Federation or positions of a municipal service, shall be considered by judges of district courts.

Judges of arbitration courts shall consider cases concerning the administrative offences provided for by Articles 7.24, parts 2 and 3 of Article 9.4, Articles 9.5, 9.5.1, 14.1, from 14.10 to 14.14, by Parts 1 and 2 of Article 14.16, by Parts 1, 3 and 4 of Article 14.17, by Articles 14.18, 14.23, 14.27, 14.36, 14.37, 14.43-14.49, 14.50, Part 1 of Article 15.10, Parts 2 and 2.1 of Article 17.14, by Parts 6 and 15 of Article 19.5 and by Article 19.33 of this Code, committed by legal entities, as well as by individual businessmen.

Judges of arbitration courts shall hear cases of the administrative offences envisaged by Articles 14.9, 14.31, 14.31.2, 14.32 and 14.33 of the present Code.

All other cases concerning the administrative offences indicated in Parts 1 and 2 of this Article, shall be tried by justices of the peace.

Article 23.48. The Federal Antimonopoly Body and Its Territorial Agencies

1. The federal antimonopoly body and its territorial agencies shall try cases on the administrative offences provided for by Articles 7.32.4, 9.15, Parts 6 and 12 of Article 9.16, by Articles 9.21, 14.3, Part 1 of Article 14.9, Articles 14.31-14.33, 14.38, 14.40-14.42, Parts 2.1-2.7 of Article 19.5, Article 19.8 (within the scope of its authority) and by Article 19.31 of this Code.

2. The following are entitled to consider cases of administrative offences on behalf of the bodies specified in Part 1 of the present article:

- 1) the head and the deputy heads of the federal anti-monopoly body;
- 2) the heads and the deputy heads of the structural units of the federal anti-monopoly body, except for cases of the administrative offences envisaged by Articles 14.3, 14.9, 14.31, Part 1 of Article 14.31.2, Articles 14.32, 14.33 of the present Code;
- 3) the heads and the deputy heads of the territorial bodies of the federal anti-monopoly body.

Article 23.78. The Federal Executive Governmental Body Empowered to Carry out the Functions of Control over Foreign Investment in the Russian Federation

1. The federal executive governmental body empowered to carry out the functions of control over foreign investments in the Russian Federation shall consider cases of the administrative offences envisaged by Article 19.8.2 of the present Code.
2. On behalf of the body specified in Part 1 of the present article the head and the deputy heads of the federal executive governmental body empowered to carry out the functions of control over foreign investments in the Russian Federation are entitled to consider cases of administrative offences.

Article 24.5. Circumstances Under Which Proceedings in a Case Concerning an Administrative Offence May Not Be Carried Out

1. Proceedings in a case concerning an administrative offence may not be started, and such proceedings, if they have been started, are subject to termination, in the presence of at least one of the following circumstances:
 - 1) absence of occurrence of an administrative offence;
 - 2) absence of formal components of an administrative offence, including where a natural person has not attained, by the moment of committing unlawful actions (omissions), the age provided for by this Code for holding him administratively responsible, or where a natural person, who has committed unlawful actions, is insane;
 - 3) actions of a person in a state emergency;
 - 4) issue of an amnesty act where such act eliminates the imposition of an administrative penalty;
 - 5) repeal of the law establishing administrative responsibility;
 - 6) expiration of a limitation period for holding anyone administratively responsible;
 - 7) presence in respect of one and the same fact of committing unlawful actions (omissions) by a person, who is put on trial in connection with an administrative offence, of a decision to impose an administrative penalty, or of a decision to terminate proceedings in a case concerning an administrative offence, or of a decision to initiate criminal proceedings against him;
 - 8) death of a natural person who is put on trial in connection with an administrative offence.

2. If an administrative offence is committed by the person specified in Part 1 of Article 2.5 of the present Code, except for cases when this person generally bears administrative liability for such administrative offence, proceedings on a case of the administrative offence shall be terminated after all the circumstances of the administrative offence have been cleared up, so that the person be held accountable under disciplinary law.

Article 25.1. Person Who Is On Trial in Connection with a Case Concerning an Administrative Offence

1. A person who is on trial in connection with a case concerning an administrative offence shall be entitled to familiarize themselves with all the materials of the case, to give explanations, to present evidence, to make petitions and objections, to have the legal assistance of a defense counsel, as well as to enjoy other procedural rights in compliance with this Code.

2. A case concerning an administrative offence shall be considered with the participation of the person who is on trial in connection with the case on the administrative offence. In the absence of said persons the case may be only tried if it is provided for by Part 3 of Article 28.6 of this Code or if there is evidence of proper notification of the persons about the place and time of consideration of the case, or if these persons have not made a petition to postpone consideration of the case, or if such petition has not been allowed.

3. A judge, body, or official, which tries a case concerning an administrative offence, shall be entitled to regard the presence of the person, who is on trial in this case, while considering it, as obligatory.

When trying a case concerning an administrative offence entailing administrative arrest or administrative deportation from the Russian Federation of a foreign citizen or stateless person, the presence of the person, who is on trial in connection with this case shall be obligatory.

4. A minor, who is on trial in connection with a case concerning an administrative offence, may be sent away for the term of consideration of the circumstances of the case the discussion of which may have a negative effect on said person.

Article 25.3. Legal Representatives of a Natural Person

1. The rights and legitimate interests of a natural person put on trial in connection with a case concerning an administrative offence, or of an aggrieved person, who are minors or are not able to exercise their rights because of their physical or mental condition, shall be protected by the legal representatives thereof.

2. The legal representatives of a natural person shall be his parents, adoptive parents, trustees and guardians.
3. Blood relations or appropriate powers of persons, who are legal representatives of a natural person, shall be certified by the documents provided for by law.
4. Legal representatives of a natural person, who is on trial in connection with a case concerning an administrative offence, and of an aggrieved person, shall enjoy the rights and carry out the duties provided for by this Code in respect of the persons whom they represent.
5. When trying a case concerning an administrative offence committed by a person who is under the legal age, a judge, body, or official trying the case concerning the administrative offence, shall be entitled to regard the presence of a legal representative of said person as obligatory.

Article 25.4. Legal Representatives of a Legal Entity

1. The rights and legitimate interests of a legal entity, which is on trial in connection with a case concerning an administrative offence, or of a legal entity, which is an aggrieved party, shall be protected by the legal representatives thereof.
2. In compliance with this Code, the legal representatives of a legal entity shall be its head, as well as any other person recognized under the laws or under constituent documents thereof as a body of the legal entity. Powers of the legal representative of a legal entity shall be attested by documents certifying the official status thereof.
3. A case, concerning an administrative offence committed by a legal entity, shall be tried with the participation of the legal representative or of the defense counsel thereof. In the absence of said persons the case may be only tried in the cases envisaged by Part 3 of Article 28.6 of this Code or if there is evidence of the proper notification of persons about the place and time of consideration of the case, or if they have not made a petition to postpone consideration of the case, or if such petition has not been allowed.
4. When trying a case concerning an administrative offence committed by a legal entity, a judge, body, or official who is trying the case concerning the administrative offence shall be entitled to regard the presence of the legal representative of the legal entity as obligatory.

Article 25.5. Defense Counsel and Representative

1. A defense counsel may participate in proceedings in a case concerning an administrative offence in order to render legal assistance to the person who is on trial

in connection with the case on the administrative offence, and a representative may participate therein for the purpose of rendering legal assistance to the aggrieved party.

2. A lawyer or some other person shall be allowed to participate in proceedings in a case concerning an administrative offence as a defense counsel or a representative.

3. The authority of a lawyer shall be certified by an order issued by a relevant solicitors'/barristers' entity. The authority of other person rendering legal assistance shall be certified by a power of attorney drawn up in compliance with the law.

4. A defense counsel and a representative shall be allowed to participate in proceedings in a case concerning an administrative offence as of the moment of initiation of proceedings in case of the administrative offence.

5. A defense counsel and a representative, allowed to participate in proceedings in a case concerning an administrative offence, shall be entitled to familiarize themselves with all the materials of the case, to present evidence, to make petitions and protests, to take part in consideration of a case, to complain against measures taken for the purpose of facilitating proceedings in the case or against a decision thereupon, as well as to exercise other procedural rights under this Code.

Article 25.15. Notifying the Persons Deemed Party to Proceedings in the Case of an Administrative Offence

1. The persons involved in proceedings in the case of an administrative offence and also witnesses, experts, specialists and translators shall be notified or summoned to the court, the body or the official responsible for proceedings in the case by a registered letter with return receipt requested or telephone message or telegram, by fax or by means of other means of communication and delivery making sure that the notification or subpoena and delivery to the addressee are recorded.

2. Notices addressed to citizens, for instance individual entrepreneurs, shall be sent to their residential addresses. In this case, the residential address of an individual entrepreneur shall be determined according to an excerpt from the comprehensive state register of individual entrepreneurs.

3. The whereabouts of a legal entity, its branch or representative office shall be determined according to an excerpt from the comprehensive state register of legal entities. If a legal entity deemed party to proceedings in the case of an administrative offence is represented by a representative a notice shall also be sent to the location (residence) of the representative.

4. If a person deemed party to proceedings in the case of an administrative offence has filed a petition for notification to another address then the court, body or official

responsible for proceedings in the case shall also send a notice to that address. In this case the notice shall be deemed delivered to the person deemed party to proceedings in the case of the administrative offence if the notice has been delivered to the address provided by such person.

Article 26.1. Circumstances Subject to Clarification with Respect to a Case Concerning an Administrative Offence

Subject to clarification with respect to a case concerning an administrative offence shall be:

- 1) presence of the occurrence of an administrative offence;
- 2) person who has committed unlawful actions (omissions) which are administratively liable under this Code or under a law of a subject of the Russian Federation;
- 3) administrative guilt of the person;
- 4) circumstances commuting administrative liability and circumstances aggravating administrative liability;
- 5) nature and amount of damage caused by an administrative offence;
- 6) circumstances preventing proceedings in a case concerning an administrative offence;
- 7) other circumstances that are important for correct resolution of a case, as well as reasons for and circumstances of an administrative offence.

Article 28.1. Initiating Proceedings in a Case Concerning an Administrative Offence

1. The following shall be deemed causes for initiating administrative proceedings:
 - 1) direct detection by the officials, authorised to draw up records of administrative offenses, of sufficient data showing the occurrence of an administrative offence;
 - 2) materials containing data that indicate the presence of an administrative offence, which have been received from law-enforcement bodies, as well as from other state agencies, from bodies of local self-government and from social associations;
 - 3) reports and applications of natural persons and legal entities, as well as reports in mass media containing data which indicate the occurrence of an administrative offence (except for the administrative offences provided for by Part 2 of Article 5.27, by Articles 14.12 and 14.13 of this Code);

4) recording of a road traffic administrative offence or an administrative offence in respect of land improvement provided for by a law of a constituent entity of the Russian Federation which is made with the use of a transport vehicle by special automatically operated technical devices which can perform the functions of photography, cinematographic recording and video recording or by photographic, cinematographic and video recording equipment;

5) confirmation of the data contained in a report or application of the owner (possessor) of a transport vehicle that in the cases provided for by Item 4 of this part the transport vehicle was in possession or use of another person.

1.1. As causes for initiation of the administrative proceedings provided for by Articles 14.12, 14.13 and 14.23 of this Code shall be deemed the ones cited in Items 1 and 2 of Part 1 of this article, as well as reports and applications of the owner of property of a unitary enterprise, managerial bodies of a legal entity and bankruptcy commissioner or, when trying a bankruptcy case, of a meeting (committee) of creditors.

1.2. The taking of a decision by the commission of the anti-monopoly body establishing the fact of a breach of the antimonopoly legislation of the Russian Federation shall be the ground for bringing action in cases of the administrative offences envisaged by Articles 14.9, 14.3, 14.31.1-14.33 of the present Code.

2. The materials, information and applications indicated in Parts 1 and 1.1 of this Article shall be subject to consideration by the officials authorised to draw up records of administrative offences.

3. Proceedings in a case concerning an administrative offence may be initiated by the official authorised to draw up records of administrative offences only in the presence of at least one of the causes indicated in Parts 1 and 1.1 of this Article and of sufficient data indicating to the occurrence of the administrative offence.

4. Proceedings in a case on an administrative offence shall be regarded as initiated as of the time of:

1) drawing up the record of the view of the place of committing the administrative offence;

2) drawing up the first record of taking measures to secure proceedings in the case on the administrative offence which are provided for by Article 27.1 of this Code;

3) drawing up the record of the administrative offence or issuing a decision by a prosecutor to initiate proceedings on the case concerning the administrative offence;

4) issuing a ruling to initiate proceedings on the case concerning the administrative offence, where it is necessary to carry out an administrative investigation provided for by Article 28.7 of this Code;

5) abrogated;

6) issuing a decision in respect of the case on the administrative offence as provided for by Part 1 or 3 of Article 28.6 of this Code.

5. In the event of the refusal to initiate proceedings on a case concerning an administrative offence and in the presence of the materials, information and applications indicated in Items 2 and 3 of Part 1 of this Article, the official, who has considered said materials, information and application, shall issue a motivated ruling regarding the refusal to initiate a case concerning the administrative offence.

Article 28.2. A Record of an Administrative Offence

1. A record on the committing of an administrative offence, shall be drawn up, safe for the instances provided for by Article 28.4 and Parts 1 and 3 of Article 28.6 of this Code.

2. The record of an administrative offence shall indicate the date and place of drawing it up, the office, family name and initials of the person who drew it up, information about the person who is on trial in connection with the administrative offence, the family names, first names, patronymics and addresses of witnesses and victims, where there are witnesses and victims, the place and time of committing, and the occurrence of, the administrative offence, the article of this Code or of the law of a subject of the Russian Federation stipulating administrative liability for this administrative offence, an explanation of the natural person or of a lawful representative of the legal entity, which are on trial in connection with the administrative offence, and other data necessary for settling the case.

3. When drawing up a record of an administrative offence, the rights and duties of the natural person and of a lawful representative of the legal entity, which are put on trial in connection with the administrative offence, as well as of other participants of proceedings on the case, provided for by this Code, shall be explained to them, and a relevant entry shall be made in the record thereof.

4. The natural person or a lawful representative of the legal entity, which are put on trial in connection with a case concerning an administrative offence, should be provided with an opportunity to familiarize themselves with the record of the case. Said person shall be entitled to submit explanations and remarks regarding the contents of the record thereof which shall be attached thereto.

4.1. If the natural person, or a legal representative of the natural person or a legal representative of the legal entity in respect of which administrative proceedings are being carried out fails to appear, provided that they are notified in the established procedure, the record of the administrative offence shall be drawn up in the absence

thereof. A copy of the record of the administrative offence shall be sent to the person in respect of which it has been drawn up within three days as of the date of drawing up the said record.

5. A record of an administrative offence shall be signed by the official who drew it up and by the natural person or a lawful representative of the legal entity which are put on trial in connection with the administrative offence. In the event of the refusal of said persons to sign the record, an appropriate entry shall be made therein.

6. To the natural person or a legal representative of the legal entity, which are put on trial in connection with an administrative offence, as well as of the victim thereof, a copy of the record, and also as provided by Part 4.1 of this Article, of the administrative offence shall be delivered against their acknowledgement of receipt.

Article 28.7. An Administrative Investigation

1. Where, after detecting an administrative offence stipulated by the antimonopoly, patent laws, the legislation on natural monopolies, the laws on advertising, the legislation on joint-stock companies, on the securities market and on investment funds, the legislation on elections and referendums, the legislation on counteracting the legalisation (laundering) of incomes received by way of crime and the financing of terrorism, the legislation on counteracting corruption, the legislation on countering the illegal use of inside information and market manipulation, legislation on narcotic drugs and psychotropic substances and on their precursors, of the legislation on physical education and sport in as much as it concerns the prevention of doping in sports and fight against doping, migration legislation, the currency laws of the Russian Federation and acts of currency regulation bodies, the laws on protecting consumers' rights, on public health care, on copyright and neighbouring rights, on trademarks, service marks and names of the places of the origin of goods, or an administrative offence in the area of taxes and fees, of the population's sanitary-epidemiological safety, customs business, export control, the state regulation of prices (tariffs) of commodities (services), on the fundamentals of regulation of tariffs of public utility organizations in the field of environmental protection, production and sale of ethyl alcohol, of alcohol and alcoholcontaining products, fire safety, industrial safety, road traffic and on transport, insolvency (bankruptcy), placement of orders to supply goods, carry out works and render services for meeting state and municipal needs, an expert examination or other time-consuming procedural actions are carried out, an administrative investigation shall be conducted.

2. A decision to institute proceedings in a case concerning an administrative offence and to conduct an administrative investigation shall be issued by the official, authorised under Article 28.3 of this Code to draw up a record of the administrative

offence, in the form of a ruling, and by a prosecutor in the form of a decision, immediately after detecting the fact of committing the administrative offence.

3. A ruling prescribing the institution of proceedings in a case concerning an administrative offence and conducting an administrative investigation shall indicate the date and place of drawing up the ruling, the office, family name and initials of the person who has drawn it up, the cause for instituting proceedings in the case concerning the administrative offence, the data indicating the occurrence of the administrative offence, the Article of this Code or of the law of the subject of the Russian Federation stipulating administrative liability for this administrative offence. Upon the delivery of a ruling on the institution of administrative proceedings and conducting an administrative investigation against a natural person or the legal representative of a juridical person, and also against other participants in administrative proceedings the court shall explain their rights and duties as envisaged by the present Code, whereof a record shall be made in the ruling.

3.1. A copy of the ruling on the institution of administrative proceedings and conducting an administrative investigation shall be served on the natural person during a day against receipt or sent to the legal representative of the juridical person, against whom the ruling was delivered, and also to the victim.

4. An administrative investigation shall be conducted on the scene of committing or at the place of detecting an administrative offence. An administrative investigation of a case of administrative offence commenced by an official empowered to draw up reports on administrative offences shall be conducted by the said official, or by a decision of the head of the body responsible for the proceedings of the case of administrative offence, or a deputy thereof, by another official of this body who is empowered to draw up reports on administrative offences.

5. The period for conducting an administrative investigation may not exceed one month from the moment of initiation of a case on an administrative offence. On extraordinary occasions, the cited time period may be extended on the basis of a request in writing of the official trying a case:

- 1) by decision of the head of the body that has taken over a case on an administrative offence or by a deputy thereof - by at most one month;
- 2) by decision of the head of a superior customs authority or of a deputy thereof or by decision of the head of the federal executive power body authorised in respect of customs affairs that has taken over a case on an administrative offence, or of a deputy thereof - by at most six months;
- 3) by decision of the head of a superior body in respect of cases on violations the Road Traffic Rules or the rules for operation of a transport vehicle which have

caused infliction of light or medium-gravity harm to the victim's health - by at most six months.

5.1. The decision on the prolongation of the period for conducting an administrative investigation shall be taken in the form of a ruling. The ruling on the prolongation of the period for conducting an administrative investigation shall indicate the date and place of the drawing up of the ruling, the post, the surname and initials of the person who has drawn up the ruling, the grounds for prolonging the period for conducting the administrative investigation, and the date until which the conduct of the administrative investigation has been prolonged. The ruling on the prolongation of the period for conducting an administrative investigation shall be signed by the head who has rendered it in accordance with Part 5 of this Article or by his deputy.

5.2. A copy of the ruling on prolonging the period for conducting an administrative investigation shall, within twenty-four hours, be handed over against a receipt or shall be sent to the natural person or to the legal representative of the legal entity in whose respect the administrative investigation is being conducted, and also to the injured person.

6. Upon termination of an administrative investigation a record of the administrative offence shall be drawn up or a decision to terminate the proceedings in respect of an administrative offence shall be issued.

Article 29.7. The Procedure for Trying a Case Concerning an Administrative Offence

1. When considering a case concerning an administrative offence:

1) it shall be announced, who is trying the case, which case is subject to consideration, who and under what law is held administratively responsible;

2) there shall be established the fact of appearance of the natural person, or of a lawful representative of the natural person or of a lawful representative of the legal entity which are put on trial in connection with the case concerning the administrative offence, except as provided for by Part 3 of Article 28.6 of the Code, as well as of other persons participating in proceedings in the case;

3) powers of lawful representatives of the natural person or the legal entity, of the defense counsel and of the representative shall be verified;

4) it shall be ascertained whether participants of proceedings in the case have been notified in the established procedure, and the reasons for failure of other participants in proceedings to appear shall be clarified and a decision to try the case in the absence of said persons or to postpone consideration thereof shall be taken;

- 5) the rights and duties of the persons participating in proceedings in the case shall be explained to them;
- 6) objections made and petitions filed shall be considered;
- 7) a ruling to postpone the consideration of a case shall be issued in the event of:
 - a) receiving an application for self-rejection of, or for challenging, the judge, a member of the collegiate body, or the official trying the case, where challenge thereof impedes the consideration of the case on its merits;
 - b) challenging a specialist, an expert or a translator, where said challenge impedes the consideration of the case on its merits;
 - c) necessity for the person, participating in proceedings on the case, to appear, or necessity of demanding additional materials in respect of the case and for ordering an expert examination;
- 8) a ruling to bring by force a person, whose presence during the consideration of the case is regarded as obligatory, shall be issued pursuant to Part 3 of Article 29.4 of this Code;
- 9) a ruling to transfer the case for consideration in compliance with the jurisdiction thereof shall be issued pursuant to Article 29.5 of this Code.

2. If proceedings in a case concerning an administrative offence continue, a record of the administrative offence and, where necessary, other materials of the case shall be announced. Explanations of the natural person or of a lawful representative of the legal entity, which is put on trial in connection with the case concerning the administrative offence, testimonies of other persons participating in proceedings in the case, explanations of a specialist and a report of an expert shall be heard, other evidence shall be examined and an opinion of a prosecutor shall be heard, if he participates in the proceedings on the case.

3. Where necessary, other procedural actions shall be undertaken in compliance with this Code.

Article 29.8. A Record of Proceedings in a Case Concerning an Administrative Offence

1. A record of proceedings in a case concerning an administrative offence shall be drawn up, where the case is tried by a collegiate body.
2. In a record of proceedings on a case concerning an administrative offence the following shall be indicated:
 - 1) the date and place of trying the case;

- 2) the name and composition of the collegiate body trying the case;
 - 3) an occurrence of the administrative offence under consideration;
 - 4) data about the appearance of the persons participating in proceedings in the case and about notifying those who are absent in the established procedure;
 - 5) challenges, petitions and the results of considering them;
 - 6) explanations, testimonies, explanations and opinions of appropriate persons participating in proceedings in the case;
 - 7) documents which have been examined, while trying the case.
3. A record of proceedings in a case concerning an administrative offence shall be signed by the chairman and the secretary of a session of the collegiate body.

Article 29.9. Types of Decisions and Rulings in Respect of a Case Concerning an Administrative Offence

1. According to the results of consideration of a case of an administrative offence a decision may be issued:
 - 1) on the ordering of an administrative penalty;
 - 2) on the termination of proceedings in the case of the administrative offence.
- 1.1. A decision on the termination of proceedings in a case of an administrative offence shall be issued if:
 - 1) there exists at least one of the circumstances envisaged by Article 24.5 of the present Code;
 - 2) an oral reprimand is announced in accordance with Article 2.9 of the present Code;
 - 3) proceedings in the case are terminated and case materials are sent to a prosecutor, a preliminary investigation body or inquiry body if the actions (omissions) have signs of a crime;
 - 4) a person is relieved of administrative accountability for the administrative offences envisaged by Articles 6.8, 6.9 and 14.32 of the present Code in accordance with the notes on said Articles.
2. On the basis of the results of trying a case concerning an administrative offence a ruling shall be issued:

- 1) to deliver the case to the judge, body, or official authorised to impose administrative penalties of other types or amounts, or to take other measures in compliance with the laws of the Russian Federation;
- 2) to transfer the case for consideration in compliance with the jurisdiction thereof, if it has been clarified that trying this case is not within the jurisdiction of the judge, body, or official which has considered it.

Article 29.10. A Decision with Regard to a Case Concerning an Administrative Offence

1. In a decision with regard to a case concerning an administrative offence the following should be indicated:

- 1) the office, family name, first name and patronymic of the judge or of the official, the name and composition of the collegiate body which issued the decision, their address;
- 2) the date and place of considering the case;
- 3) data about the person who has been put on trial in connection the case;
- 4) circumstances established during consideration of the case;
- 5) the article of this Code or of a law of a subject of the Russian Federation which provides for administrative liability for committing the administrative offence, or the reasons for terminating proceedings on the case;
- 6) a reasoned exposition of the case;
- 7) the term and procedure for appealing against the decision.

1.1. In case of importation of an administrative fine, in the decision on a case concerning an administrative offence, apart from the information indicated in Item 1 of this Article, there must be indicated the information on the recipient of the fine necessary in accordance with the rules for filling in the accounting documents for the transfer of the amount of an administrative fine.

2. Where a judge is to impose an administrative penalty simultaneously with settling the question of reimbursement for property damage, in a decision with regard to a case concerning an administrative offence the amount of damage subject to reimbursement and the terms and procedure therefor shall be indicated.

If the judge inflicts an administrative punishment in the form of an administrative suspension of the activity, the issue of measures shall be resolved, necessary to

provide for the execution of the given administrative punishment and amounting to the prohibition of the activity of the persons engaged in business activity without creating a legal entity, of legal entities, of their affiliates, representations and structural subdivisions, of production sectors, as well as of the running of aggregates, objects, buildings or structures, of the performance of the individual kinds of activity (of works) and of rendering services, and if an administrative suspension of the activity is imposed by way of administrative punishment for violating the legislation of the Russian Federation on the counteraction to legalising (laundering) incomes derived illegally, and to financing terrorism, the issue of measures necessary for the suspension of transactions on the accounts shall also be resolved.

When rendering a ruling on a case concerning an administrative offence, the judge shall decide the issue of returning the pledge for the arrested vessel to the pledger or of recovering the pledge for the arrested vessel into the revenue of the state, which shall be mentioned in the ruling on the case concerning the administrative offence.

When an order is issued in the case of an administrative offence in respect of a foreign citizen or stateless person the judge shall take a decision on the placement of the foreign citizen or stateless person in a special institution if the judge orders an administrative penalty for such persons in the form of enforced expulsion from the Russian Federation.

3. A decision with regard to a case concerning an administrative offence should settle the questions in respect of the articles and documents which have been seized, in respect of articles which have been placed under arrest, if an administrative penalty in the form of confiscation, and also on depositing a pledge for the arrested vessel has not been imposed and may not be imposed in respect of them. In so doing:

- 1) articles and documents, which are not withdrawn from circulation, shall be subject to return to the lawful owner thereof or shall be transferred to state ownership in compliance with the laws of the Russian Federation, when the owner thereof is not established;
- 2) articles and documents withdrawn from circulation shall be subject to transfer to appropriate organisations, or to destruction;
- 3) documents being material evidence shall remain in the case file for the whole term of keeping the case file or shall be transferred to persons concerned;
- 4) seized orders, medals and badges of honorary titles of the Russian Federation, the RSFSR and the USSR shall be subject to return to lawful owners thereof, or shall be delivered to the Administration of the President of the Russian Federation, when the owner thereof is not known.

4. A decision with regard to a case concerning an administrative offence, issued by a collegiate body, shall be adopted by a simple majority of votes cast by the members of the collegiate body who are present at the session thereof.
5. A decision with regard to a case concerning an administrative offence shall be signed by the judge presiding over the session of the collegiate body, or by the official who issued the decision.
6. In the cases envisaged by Part 3 of Article 28.6 of the present Code a decision concerning a case of administrative offence together with materials obtained through the use of special automatic facilities featuring photographic and cine-shooting or video-recording functions or photographic and cine-shooting or video-recording facilities shall be drawn up in the form of an electronic document whose legal effect is confirmed by an electronic digital signature according to the legislation of the Russian Federation.
7. A copy of the decision concerning the case of administrative offence together with the materials obtained through the use of special automatic facilities featuring photographic and cine-shooting or video-recording functions or photographic and cine-shooting or video-recording facilities shall be prepared by means of translating the electronic document into a paper-medium document.

Article 29.11. Announcement of a Decision with Regard to a Case Concerning an Administrative Offence

1. A judgement in the case of an administrative offence shall be announced immediately upon the completion of the case hearing. In exceptional cases by a decision of the person (body) hearing the case of the administrative offence the preparation of a substantiated judgement may be postponed by up to three days after the termination of the case hearing, except for cases of the administrative offences mentioned in Parts 3-5 of Article 29.6 of the present Code, and in this case the resolution part of the judgement shall be announced immediately upon the completion of the case hearing. The day on which the judgement is prepared in full shall be deemed the date of the judgement.
2. A copy of a decision with regard to a case concerning an administrative offence shall be handed in against a receipt to the natural person or to a lawful representative of the natural person, or lawful representative of the legal entity, in respect of which it has been issued, as well as to the victim at the request thereof, or shall be sent to said persons by registered post within three days as of the date of issuing said decision.

A copy of the decision passed by the judge on a case concerning an administrative law offence, shall be forwarded to the official person, who has compiled a protocol on the administrative law offence, within three days as from the day of passing the above-said decision.

3. For the cases concerning the administrative offences provided for by Articles 20.8, 20.9 and 20.12 of this Code, a copy of a decision to impose a penalty on a person, to whom firearms and ammunition (cartridges) thereto have been committed in connection with discharge of their official duties or have been transferred by an organisation for temporary use, shall be sent to the appropriate organisation.

Article 29.12. A Ruling with Regard to a Case Concerning an Administrative Offence

1. In a ruling with regard to a case concerning an administrative offence there the following shall be indicated:

- 1) office, family name and initials of the judge and the official, the name and composition of the collegiate body, which issued the ruling;
- 2) date and place of considering an application, petition and materials of the case;
- 3) data about the person, who has filed an application or petition, or in respect of whom the materials of the case have been considered;
- 4) the contents of an application or petition;
- 5) the circumstances established while considering an application, petition or materials of the case;
- 6) a decision taken on the basis of the results of considering the application, decision and materials of the case.

2. A ruling with regard to a case, concerning an administrative offence, which has been issued by a collegiate body, shall be adopted by a simple majority of votes of the members of the collegiate body present at the session thereof.

3. A ruling with regard to a case concerning an administrative offence shall be signed by the judge presiding over the session of the collegiate body, or by the official who issued the ruling.

Article 29.12.1. Correction of Lapses, Misprints and Arithmetic Errors

1. The judge, body or official that has rendered a decision or ruling in respect of a case on an administrative offence is entitled on the basis of an application filed by the persons cited in Articles 25.1-25.5 and 25.11 of this Code, the bailiff, body or official executing the decision or ruling on the case on the administrative offence or

on their own initiative to correct lapses, misprints and arithmetic errors therein without changing the decision or ruling.

2. Lapses, misprints and arithmetic errors shall be corrected in the injunction or decision adopted on the basis of the results of considering complaints or protests against the injunction or decision on a case on an administrative offence in the procedure established by this article.

3. A lapse, misprint and arithmetic error shall be corrected in form of a ruling.

4. A copy of the ruling on the corrections made in the injunction or ruling on a case on an administrative offence, a copy of the ruling on the corrections made in the injunction or decision adopted on the basis of the results of considering complaints and protests against the injunction or decision on a case on an administrative offence shall be forwarded within three days as from the date of rendering the appropriate ruling to the persons cited in Articles 25.1-25.5 and 25.11 of this Code, to the bailiff, body or official executing the decision or ruling on the case on the administrative offence, should they file an appropriate application.

5. A copy of the ruling on the corrections made in the decision on an administrative offence adopted by a judge shall be forwarded to the official who has drawn up a record of the administrative offence within three days as from the date when the appropriate ruling is issued.

Article 30.2. The Procedure for Filing an Appeal against a Decision with Regard to a Case Concerning an Administrative Offence

1. An appeal against a decision with regard to a case concerning an administrative offence shall be filed to a judge, body, or official which issued the decision with regard to the case and which shall be obliged within three days, as of the date of receipt of the appeal, to send it together with all the materials of the case to the appropriate court, superior body or superior official.

2. An appeal against a decision of a judge to impose an administrative penalty or the administrative expulsion in the form of administrative arrest shall be subject to submission to a superior court on the day of the appeal's receipt.

3. An appeal may be submitted directly to the court, or to the superior body, or to the superior official which is authorised to consider it.

4. Where consideration of an appeal does not fall within the jurisdiction of the judge or of the official, with whom a decision with regard to a case concerning an administrative offence has been appealed, the appeal shall be submitted for consideration in compliance with the jurisdiction thereof within three days.

5. An appeal against a decision with regard to a case concerning an administrative offence shall be exempted from state duty.

6. A complaint filed against the judge's decision on meting out an administrative punishment in the form of an administrative suspension of the activity shall be directed to a higher court as on the day of receiving this complaint.

Article 30.3. Term for Appealing against a Decision with Regard to a Case Concerning an Administrative Offence

1. An appeal against a decision with regard to a case concerning an administrative offence may be submitted within ten days, as of the date of delivery or receipt of a copy of the decision.

2. In the event of missing the term provided for by Part 1 of this Article, said term, on the petition of the person who has filed the appeal, may be restored by the judge or by the official authorised to consider the appeal.

3. Appeals against decisions on cases concerning the administrative offences provided for by Articles from 5.1 to 5.25, from 5.45 to 5.52, 5.56, 5.58 of this Code may be filed within a five-day term as of the date of delivery or receipt of these decisions' copies.

4. A ruling shall be issued in the case of the rejection of a petition for restoration of the term for appeal against a decision with regard to a case concerning an administrative offence.

Article 30.9. Review of a Determination in Respect of an Appeal against a Decision in a Case Concerning an Administrative Offence

1. A decision with regard to a case concerning an administrative offence, rendered by an official, and (or) a determination of a superior official in respect of an appeal against this decision may be appealed at a court at the place of considering the appeal and then at a superior court.

2. A decision with regard to a case concerning an administrative offence, which has been rendered by a collegiate body or by a body established in compliance with a law of a subject of the Russian Federation and (or) a determination of a judge in respect of an appeal against this decision, may be appealed at a superior court.

3. Submission of further appeals against a decision with regard to a case concerning an administrative offence and (or) against a determination in respect of an appeal against this decision, as well as consideration and settlement thereof, shall be carried

out in the procedure and within the terms established by Articles from 30.2 to 30.8 of this Code.

4. Copies of decisions shall be directed to the persons indicated in Article 30.8 of this Code within a three-day term as of the date of rendering the decisions.

5. Apart from the persons mentioned in Part 1 of Article 30.1 of this Code an appeal may be made against court decision on a complaint in respect of a decision issued by an official concerning a case of an administrative offence by the official who has issued the decision.

Article 30.12. The Right to Appeal or Protest in the Exercise of Supervisory Powers against a Decision in Respect of a Case on an Administrative Offence and against Effective Decisions Taken on the Basis of the Results of Consideration of Appeals or Protests

1. An effective decision in respect of a case on an administrative offence or effective decisions taken on the basis of the results of consideration of appeals or protests may be appealed against in the exercise of supervisory powers by the persons cited in Articles 25.1-25.5 of this Code.

2. An effective decision in respect of a case on an administrative offence or effective decisions taken on the basis of the results of consideration of appeals or protests may be appealed against by a prosecutor in the exercise of supervisory powers.

3. The right to lodge a protest in the exercise of supervisory powers shall be vested with prosecutors of constituent entities of the Russian Federation and deputies thereof, with the Procurator General of the Russian Federation and deputies thereof, as well as - as regards military servicemen and citizens called for refresher military training - with prosecutors of military circuits, fleets and with prosecutors equated to them, as well as with the Chief Military Prosecutor and with deputies thereof.

4. Appeal in line of supervision may be taken from the decision that has become final on the results of consideration of a complaint or protest in respect of a judgement in the case of an administrative offence by the official that has issued the judgement.

Article 31.1 Entry into Legal Force of a Decision in a Case Concerning an Administrative Offence

A decision with regard to a case concerning an administrative offence shall enter into legal force:

- 1) upon the expiry of the term established for appealing against a decision in a case concerning an administrative offence, if an appeal or a protest has not been lodged against said decision;
- 2) upon the expiry of the term established for appealing against a determination in respect of an appeal or a protest, if an appeal or a protest has not been lodged against said determination, except for the instances when the determination reverses the decision rendered;
- 3) immediately after rendering a determination without appeal in respect of an appeal or a protest, except for the cases when the determination reverses the decision rendered.

Article 31.2 Binding Character of a Decision in a Case Concerning an Administrative Offence

1. A decision in a case concerning an administrative offence shall be binding for execution by all state bodies, bodies of local self-government, officials and their associations, and by legal entities.
2. A decision with regard to a case concerning an administrative offence shall be subject to execution, as of the moment of entry thereof into legal force.

Article 32.2. Executing a Decision to Impose an Administrative Fine

1. An administrative fine shall be paid by the person, held administratively responsible, in thirty days at the latest, as of the date of entry of the decision to impose the administrative fine into legal force, or as of the date of expiry of the term of stay of or the term of spreading execution thereof provided for by Article 31.5 of this Code.
2. Where a minor does not earn his living independently, an administrative fine shall be recovered from parents and other legal representatives thereof.
3. The sum of the administrative fine shall be paid or transferred by the person brought to the administrative responsibility to the credit institution i.a. with the involvement of the bank payment agent or the bank payment subagent that carry out the activity according to the Federal Law on the National Payment System, the organisation of the federal postal service or to the payment agent who carries out the activity according to the Federal Law No. 103-FZ of June 3, 2009 on Activity on the Reception of Payments of Natural Persons Carried out by Payment Agents.
4. Abrogated from January 1, 2008.

5. In the absence of the document certifying payment of the administrative fine, upon expiration of the time-limit specified in the first part of this Article, the judge, authority official who have made the decision shall send within 72 hours the decision on imposition of an administrative fine bearing a note that it has not been paid to the court bailiff for its execution in the procedure provided for by the federal legislation. Moreover, the official of a federal executive body, structural unit or territorial body, and also of any other state body that has tried a case on an administrative offence, or an authorized person of the collective body that has tried a case on an administrative offence, shall draw up a record of the administrative offence provided for by Part 1 of Article 20.25 of this Code in respect of the person that has failed to pay an administrative fine. The record of the administrative offence provided for by Part 1 of Article 20.25 of this Code in respect of the person that has not paid an administrative fine in connection with a case on the administrative offence tried by a judge shall be drawn up by the court bailiff.