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News Bulletin

№ 05/2014

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**News of the month:****1. CIVIL LAW**

- 1.1. Directive of the Bank of Russia dd. 07.10.2013 # 3073-U “On the fulfillment of cash payments”, which establishes the rules of cash payments in compliance with the requirements of currency legislation. Requirements are specified relating to compliance with the maximum amount of cash payments (in the amount not exceeding 100 thousand rubles) under a single contract.
- 1.2. Federal law dd. 05.05.2014 # 106-FZ “On the amendments to certain legislative acts of the Russian Federation”, which amended the procedure for accreditation of branches, representative offices of foreign legal entity, as well as the order of personal accreditation of foreign nationals who are their employees.
- 1.3. Federal law dd. 05.05.2014 # 107-FZ “On the amendments to the Federal law “On state registration of legal entities and individual entrepreneurs”, which specifies the procedure for submission by applicant documents for the state registration of legal entities and individual entrepreneurs and their receiving.
- 1.4. Federal law dd. 05.05.2014 # 129-FZ “On the amendments to the article 90 of the Civil code of the Russian Federation and the article 16 of the Federal law “On limited liability companies”, which specifies the procedure of paying up of charter capital of limited liability company. In particular it is stipulated that every company founder must pay in full the share in the charter capital of the company during the period, which is defined by the agreement on the incorporation of the company or in the case of incorporation of company by one person by the decision of company incorporation. Term of such payment shall not exceed 4 months from the date of state registration.
- 1.5. Federal law dd. 05.05.2014 # 99-FZ “On the amendments to the chapter 4 of the Civil code of the Russian Federation and the annulment of certain provisions of legislative acts of the Russian Federation”, which amended legal norms concerning questions of legal forms of legal entities and non-profit corporate organizations.

2. LABOR LAW

- 2.1. Federal law dd. 05.05.2014 # 116-FZ “On the amendments to certain legislative acts of the Russian Federation”, according to which personnel leasing in Russia is banned starting from 01.01.2016. It is explained that personnel leasing is work, carried out by employee under the order of employer but in the interests, under the direction and control of an individual or legal entity that are not employers of the employee.

3. CRIMINAL LAW

- 3.1. Federal law dd. 05.05.2014 # 105-FZ “On the amendments to certain legislative acts



of the Russian Federation”, which criminalizes the misappropriation of state license plate of the vehicle.

- 3.2. Federal Law dd. 05.05.2014 # 104-FZ “On the amendments to certain legislative acts of the Russian Federation”, which clarified rules of parole and replacement of the unserved part of the punishment with a milder penalty.

4. JUDICIAL PRACTICE AND PROCEDURAL LAW

- 4.1. Judicial review of court practice regarding parole (approved by the Presidium of the Supreme Court as of 04.29.2014), which summarized court practice on parole.
- 4.2. Federal law dd. 05.05.2014 # 123-FZ “On the amendments to the article 430 of the Civil procedure code of the Russian Federation”, which specifies the procedure for issuing the duplicate writ of execution.
- 4.3. Survey of resolutions of the Presidium of the High Arbitrazh Court of the Russian Federation on topical issues of private law (February 2014). The High Arbitrazh Court of the Russian Federation has prepared another compilation of the main findings contained in the rulings of the Presidium of the High Arbitrazh Court of the Russian Federation on specific cases and related to the issues of private law, in particular on the following issues: duty of illegally elected member of the board of directors to act in its interests; registration of ownership of the fencing of the land; calculation of three-year limitation period to file claims against the issuer of a promissory note; invalidation of loan agreements, aimed at increasing the debt of the borrower; calculation of the limitation period for claims on recovery of damages arising from the failure of the contract agreement; invalidation (void) sublicense agreement; withdrawal of claims in part under settlement agreement.
- 4.4. Survey of resolutions of the Presidium of the High Arbitrazh Court of the Russian Federation on topical issues of private law (March 2014). The High Arbitrazh Court of the Russian Federation has prepared another compilation of the main findings contained in the rulings of the Presidium of the High Arbitrazh Court of the Russian Federation on specific cases and related to the issues of private law, in particular on the following issues: obligation to specify the concrete address of general meeting of shareholders; non-gratuitousness of sale and purchase agreement which provides for the payment by means of promissory notes; protection of the rights and legitimate interests of land owners from putting on their sites of unauthorized constructions; recovery of penalty under the lease, which expired; possibility of foreclosure on the only mortgaged dwelling of citizen debtor; creating a parody of an audiovisual work.
- 4.5. Survey of resolutions of the Presidium of the High Arbitrazh Court of the Russian Federation on topical issues of private law (April 2014). The High Arbitrazh Court of the Russian Federation has prepared another compilation of the main findings contained in the rulings of the Presidium of the High Arbitrazh Court of the Russian Federation on specific cases and related to the issues of private law, in particular on the following issues: inability to use facsimile when signing promissory note; the legal nature of a single payment

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for subsoil use; disputing by beneficiary of deceased husband his decision on the introduction of new participant in the participants of the company; determination of the amount of losses of the seller from the resale of goods at a lower price than previously provided for in the contract of sale and purchase, that was canceled due to the breach of obligations by the buyer; calculation of the limitation period for claims against the insurer on the recovery of insurance payment.

- 4.6. Resolution of the Plenum of the High Arbitrazh Court of the Russian Federation dd. 16.05.2014 # 28 "On some issues related to challenging of major transactions and interested party transactions", which contains explanations of the Plenum of the High Arbitrazh Court of the Russian Federation regarding features of challenging of major transactions and interested party transactions.

5. INTERNATIONAL LAW

- 5.1. Federal law dd. 05.05.2014 # 86-FZ "On Russia's accession to the UNIDROIT Convention on international factoring operations", according to which Russia acceded to the UNIDROIT Convention dd. 28.05.1988 on international factoring operations.
- 5.2. Federal law dd. 05.05.2014 # 89-FZ "On ratification of the Protocol on the establishment of the general insurance market of the states-members of the Eurasian Economic Community", which ratified the protocol on the establishment of the general insurance market of the states-members of the Eurasian Economic Community signed on 27.11.2009 in Minsk.