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## News Bulletin

# № 11/2009

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## News of the month:

### 1. BANKING LAW

- 1.1. Direction of the Central Bank of Russia dated 24.11.2009 N 2336-Y "On Amount of Refinancing Rate of the Bank of Russia", according to which the amount of refinancing rate of the Bank of Russia was made up 9% per annum starting from 25.11.2009.
- 1.2. Federal Law N 280-Φ3 dated 25.11.2009 "On Amendment to Article 4 of the Federal Law "On Amendments to Article 11 of the Federal Law on the Insurance of Deposits of Individuals in the Banks of the Russian Federation and Certain Other Legislative Acts of the Russian Federation", according to which the authority of the Bank of Russia to restrict deposits' interest rates is prolonged until 31.12.2010.

### 2. TAX LAW

- 2.1. Order of the Federal Tax Service dated 02.11.2009 N MM-6/534@ "On Approval of the Methodic Recommendations on the Organization of Electronic Document Turnover for the Cases of Submission of Tax Declarations (Estimates) in the Electronic Form over Telecommunication Channels", which defines the procedure of filing of electronic tax declaration and requirements for electronic document storage.
- 2.2. Federal Law dated 28.11.2009 N 287-Φ3 "On Amendments to Articles 149 and 162 of the Part Two of the Tax Code of the Russian Federation", which enlarges the list of activities, absolved from VAT.

### 3. LABOUR LAW

- 3.1. Decision of the Government of the Russian Federation dated 11.11.2009 N 916 "On Amendments to Item 16 of the Regulation on the Particulars of Calculation of the Average Wages" which explains the procedure of increasing of the average wages of the employee in cases of increasing of tariff rates, salaries, monetary rewards in company (branch office, department of the company).

### 4. BANKRUPTCY

- 4.1. Information Letter of the Presidium of the Higher Arbitration Court of the Russian Federation dated 05.11.2009 N 133 "On Application of Article 5 of the Federal Law dated 19.07.2009 N 195-Φ3 "On Amendments to Certain Legislative Acts of the Russian Federation", which explains issues on the amount of fee of arbitration manager and expenses on bankruptcy procedure.



## 5. CIVIL LAW

- 5.1. Information Letter of the Presidium of the Higher Arbitration Court of the Russian Federation dated 05.11.2009 N 134 “On Certain Issues of Application of the Federal Law on the Particulars of Alienation of Immovable Property Owned by the Regions of the Russian Federation or Municipalities and Leased by Small and Medium-Size Enterprises and on the Amendments to Certain Legislative Acts of the Russian Federation”, which explains certain issues, concerning the priority right of a leaseholder to purchase leased real estate and determines the list of conditions when such right appears.

## 6. CRIMINAL LAW

- 6.1. Federal Law dated 03.11.2009 N 245-Φ3 “On Amendments to the Criminal Code of the Russian Federation and to Article 100 of the Criminal Procedure Code of the Russian Federation”, which toughens the criminal liability for creation of a criminal community and for participation thereof.
- 6.2. Decision of the Constitutional Court of the Russian Federation dated 19.11.2009 N 1344-O-P “On Interpretation of Section 5 of the Operative Part of the Decision of the Constitutional Court of the Russian Federation dated 02.02.1999 N 3-П on the Case of Verifying the Constitutionality of Provisions of Article 41 and part 3 of Article 42 of the Criminal Procedure Code of the RSFSR, Sections 1 and 2 of the Decision of the Supreme Soviet of the Russian Federation dated 16.07.1993 “On the Order of Execution of the Law of the Russian Federation “On Amendments to the Law of the of the RSFSR “On Judicial System of RSFSR”, Criminal Procedure Code of RSFSR, Criminal Code of the RSFSR, Code of Administrative Offences of the RSFSR”, which clarifies application of capital punishment in connection with implementation of jury trial all over the Russian Federation.

## 7. ADMINISTRATIVE LAW

- 7.1. Decision of the Government of the Russian Federation dated 16.11.2009 N 936 “On Amendments to the Typical Regulations of the Internal Structure of the Federal Executive Bodies”, which obliges the state authorities to public information regarding its activity in the Internet and defines the requirements for technological, programming, and linguistic means of publication of such information.
- 7.2. Decision of the Government of the Russian Federation dated 24.11.2009 N 953 “On Access to the Information on Activity of the Government of the Russian Federation and the Federal Executive Bodies” which provides new requirements for



content и means of publication of the information on activity of the Government of the Russian Federation, subject to obligatory publication in the Internet.

- 7.3. Federal Law dated 25.11.2009 N 265-ФЗ “On Amendments to Article 10 of the Law of the Russian Federation “On Police”, which stipulates the amendments to the authorities of the police on inspection of companies’ security departments with special charter tasks and units of departmental guard.
- 7.4. Federal Law dated 25.11.2009 N 273-ФЗ “On Amendments to Article 3.2 of the Federal Law “On the Entry into Force of the City Planning Code of the Russian Federation” and Certain Legislative Acts of the Russian Federation”, according to which licensing of certain types of construction activities is abolished from 01.01.2010.
- 7.5. Federal Law dated 28.11.2009 N 305-ФЗ “On Amendments to Article 14.28 of the Code of Administrative Offences of the Russian Federation”, which broadens the conditions of imposing administrative liability in construction sphere.
- 7.6. Federal Law dated 09.11.2009 N 249-ФЗ “On Amendments to the Code of Administrative Offences of the Russian Federation”, which specifies issues on bringing a person to administrative responsibility without drawing up a report.
- 7.7. Decision of the Government of the Russian Federation dated 10.11.2009 N 913 “On Amendments to the Decision of the Government of the Russian Federation dated 15.01.2007 N 9”, which adjusts the rules on migration registration for foreigners and stateless persons to a new wording of the Law on Migration Registration.

## **8. COURT SYSTEM**

- 8.1. Federal Constitutional Law dated 09.11.2009 N 4-ФКЗ “On the Disciplinary Judicial Tribunal”, which determines the structure, authorities and procedure of member election in a new special judicial body, that deals with appeals on decisions of the Supreme Qualification Board of Judges of the Russian Federation and regional qualification boards of judges concerning pre-term ceasing of authorities of judges due to disciplinary offences.
- 8.2. Federal Constitutional Law dated 09.11.2009 N 5-ФКЗ “On Amendments to the Federal Constitutional Law “On Arbitration Courts in the Russian Federation” and Articles 4 and 15 of the Federal Constitutional Law “On Judicial System of the Russian Federation”, which changes certain provisions of the federal constitutional laws on the arbitration courts and on the judicial system in connection with creation of the Disciplinary Judicial Tribunal.

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- 8.3. Federal Law dated 09.11.2009 N 248-Φ3 “On Amendments to Articles 13 and 14 of the Law of the Russian Federation “On Judge Status in the Russian Federation”, which adds the list of the grounds for suspension and ceasing of authorities of judges.
- 8.4. Federal Law dated 09.11.2009 N 246-Φ3 “On Amendments to Certain Legislative Acts of the Russian Federation in Connection with Improvement of the Legislation on Disciplinary Liability of Judges”, which provides the amendments to the legislative acts of the Russian Federation regulating judicial system.

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