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Information Sheet

No. 04/2016

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This news release covers only individual changes in the legislation of the Russian Federation. The information provided is not comprehensive and does not constitute legal advice. In case of questions on the topics covered in this issue, please contact attorneys and lawyers of the Advocatory Bureau.

News of the month:**1. STATE MANAGEMENT BASICS**

- 1.1. Order of the President of the Russian Federation No. 156 dd. 05.04.2016 “On the Improvement of State Management in the Field of Monitoring the Turnover of Narcotic Drugs, Psychotropic Substances and Their Precursors and in the Field of Migration” transferred functions and powers of the specified agencies, as well as their staff number to the Ministry of Interior of Russia and provides for 30% reduction in the staff number of the Federal Migration Service of Russia. Organizational and staff events related to the implementation of this Order must be completed till June 1, 2016.

2. ADMINISTRATIVE LAW

- 2.1. The Federal Law No. 89-Φ3 dd. 05.04.2016 “On Amending Article 4.5 of the Code of the Russian Federation on Administrative Offenses in Terms of Increasing the Period of Limitation for the Institution of Administrative Proceedings for Violating the Currency Legislation of the Russian Federation and Orders of the Currency Regulation Authorities” increased the period of limitation for the institution of administrative proceedings for violating the currency legislation and orders of the currency regulation authorities from 1 to 2 years.
- 2.2. The Federal Law No. 114-Φ3 dd. 26.04.2016 “On Amending Article 26.7 of the Code of the Russian Federation on Administrative Offenses in Terms of Mandatory Inclusion of Materials of Photography and Filming, Sound and Video Recordings into Evidence in Cases on Administrative Offenses” provides for the acceptance of photos and videos, as well as other data carriers by the court for consideration as evidence in cases on administrative offenses.

3. COURT ORDERS AND PROCEDURAL LEGISLATION

- 3.1. The Federal Law No. 99-Φ3 dd. 05.04.2016 “On Amending Article 333.19 of Part 2 of the Tax Code of the Russian Federation” provides for addition of a link to subpar. 2 of par. 1 of Article 333.19 of the Tax Code of the Russian Federation, according to which state duty in the filing of a motion for judgment shall amount to 50% of the amount of state duty established by subpar. 1 of par. 1 of Article 333.19 of the Tax Code of the Russian Federation providing for the amount of state duty in the filing of a statement of claim of property character depending on the claimed amount.
- 3.2. The Federal Law No. 103-Φ3 dd. 05.04.2016 “On Amending the Administrative Court Procedure Code of the Russian Federation and Separate Legal Acts of the Russian Federation” added new Chapter 11.1 “Proceedings in Administrative Cases on Issuing Court Orders” to the Administrative Court Procedure Code of the Russian Federation. Provisions of the Administrative Court Procedure Code of the Russian Federation on mandatory court orders (Article 16 of the Administrative Court Procedure Code of the Russian Federation) apply to the final court order. The court order is simultaneously an executive document enforced in the manner established for the enforcement of court

judgments. The following was also defined: procedure for filing a motion for judgment, form and content of a motion for judgment; grounds for return or dismissal of a motion for judgment; procedure for rendering a court order, its content, procedure for cancellation of a court order and its appeal. The claimant, who missed the deadline for filing a court order for enforcement, may apply to the court, which rendered the appropriate court order, with a statement on the restoration of the missed deadline. The Federal Law enters into force 30 days after its official publication.

- 3.3. On 13.04.2016 Presidium of the Supreme Court of the Russian Federation approved Review of Judicial Practice of the Supreme Court of the Russian Federation No. 1 (2016). This Review reports that if one of the spouses concludes a loan agreement or performs other transaction related to the occurrence of a debt, such debt can be recognized common, if the court establishes that everything obtained by one of the spouses under obligations was used for family needs. The burden of proof of these circumstances shall be borne by the party claiming distribution of a debt. Besides, the first Review of Judicial Practice of the Supreme Court of the Russian Federation in 2016 reports other materials considered by the Judicial Panel for Civil Cases, as well as Judicial Panels for Economic Disputes, Criminal Cases, Administrative Cases and Military Affairs and the Disciplinary Board, explains different matters of judicial practice, consider matters of application of the Code of the Russian Federation on Administrative Offenses and cites practice of international contractual bodies of the United Nations and the European Court of Human Rights.