

FEDERAL LAW
NO. 119-FZ OF JUNE 24, 1999
ON THE PRINCIPLES AND THE PROCEDURE FOR THE DEMARCATION
OF THE OBJECTS OF JURISDICTION AND OF THE POWERS
BETWEEN THE STATE POWER BODIES OF THE RUSSIAN FEDERATION
AND THE STATE POWER BODIES OF THE SUBJECTS OF THE RUSSIAN FEDERATION

Passed
by the State Duma

on June 4, 1999

Approved
by the Federation Council

on June 9, 1999

Chapter I. General Provisions

Article 1. The Limits of Operation of the Present Federal Law

The present Federal Law establishes the procedure for passing federal laws on the objects of joint jurisdiction of the Russian Federation and of the subjects of the Russian Federation, as well as the fundamental principles and the procedure for differentiating the objects of jurisdiction and the powers, when concluding agreements between the state power bodies of the Russian Federation and the state power bodies of the subjects of the Russian Federation on the demarcation of the objects of jurisdiction and of the powers, and covenants between the federal executive power bodies and the executive power bodies of the subjects of the Russian Federation, on passing over to each other the exercise of a part of their powers.

Article 2. The Basic Concepts, Used for the Purposes of the Present Federal Law

1. An object of jurisdiction of the Russian Federation the sphere of public relations, whose regulation is referred by the Constitution of the Russian Federation exclusively to the authority of the Russian Federation.

2. An object of joint jurisdiction of the Russian Federation and of the subject of the Russian Federation (hereinafter in the text referred to as an object of joint jurisdiction) - the sphere of public relations, whose regulation is referred by the Constitution of the Russian Federation both to the authority of the Russian Federation and to that of the subjects of the Russian Federation.

3. An object of jurisdiction of the subject of the Russian Federation - the sphere of public relations, whose regulation is referred by the Constitution of the Russian Federation to the authority of the subjects of the Russian Federation.

4. The authority of the state power body - an aggregate of powers of the state power body with respect to the objects of jurisdiction, laid down by the Constitution of the Russian Federation and approved in conformity with the Constitution of the Russian Federation by the Constitutions (the Statutes) of the subjects of the Russian Federation.

5. The powers of the state power body - the rights and duties of the state power body with respect to passing legal acts, and also with respect to the performance of other state-power

actions.

6. An agreement between the state power bodies of the Russian Federation and the state power bodies of the subject of the Russian Federation on the demarcation of the objects of jurisdiction and of the powers (hereinafter in the text referred to as an agreement) - the legal form of the demarcation of the objects of jurisdiction and of the powers between the state power bodies of the Russian Federation and the state power bodies of the subject of the Russian Federation.

7. A covenant between the federal executive power bodies and the executive power bodies of the subjects of the Russian Federation on passing the exercise of a part of their powers (hereinafter in the text - a covenant) - the legal form for the transfer to each other the exercising of a part of their powers by the federal executive power bodies and by the executive power bodies of the subjects of the Russian Federation.

8. An authorized person of the subject of the Russian Federation - the person, authorized by the Constitution (by the Statutes) or by the other normative legal act of the subject of the Russian Federation to represent the subject of the Russian Federation.

Article 3. The Principle of Constitutionality

1. The federal constitutional laws and the federal laws, as well as the constitutions, the statutes, the laws and the other normative legal acts of the subjects of the Russian Federation, the agreements and the covenants cannot pass over, exclude or in any other way redistribute the objects of jurisdiction of the Russian Federation and the objects of the joint jurisdiction, established by the Constitution of the Russian Federation.

2. No federal laws, the same as no constitutions, statutes, laws or the other normative legal acts of the subjects of the Russian Federation can be adopted, and no agreements or covenants can be concluded, if the adoption (the conclusion) of the said acts may lead to a change of the constitutional-legal status of the subject of the Russian Federation, to an infringement or to the loss of the rights and freedoms of man and citizen, established by the Constitution of the Russian Federation, or to a violation of the state integrity of the Russian Federation and of the unity of the state power system in the Russian Federation.

Article 4. The Principle of Supremacy of the Constitution of the Russian Federation and of the Federal Laws

If the provisions of the agreements and of the covenants are not consonant with the provisions of the Constitution of the Russian Federation, of the federal constitutional laws and of the federal laws, adopted on the objects of jurisdiction of the Russian Federation and on the objects of the joint jurisdiction, the provisions of the Constitution of the Russian Federation, of the federal constitutional laws and of the federal laws shall be applied.

Article 5. The Principle of the Equality of Rights of the Subjects of the Russian Federation in the Demarcation of the Objects of Jurisdiction and of the Powers

All the subjects of the Russian Federation shall enjoy equal rights in mutual relations with the state power bodies of the Russian Federation in the demarcation of the objects of jurisdiction and of the powers, including when preparing and concluding the agreements and the covenants.

Article 6. The Principle of Inadmissibility of an Infringement on the Rights

and the Interests of the Subjects of the Russian Federation

When demarcating the objects of jurisdiction and the powers with respect to one of the subjects of the Russian Federation, an infringement on the rights and the interests of the other subjects of the Russian Federation shall be inadmissible.

Article 7. The Principle of Coordinating the Interests of the Russian Federation and the Interests of the Subjects of the Russian Federation

In the course of adopting federal laws and the laws of the subjects of the Russian Federation, and also of concluding the agreements and the covenants, the interests of the Russian Federation and the interests of the subjects of the Russian Federation shall be coordinated in accordance with the procedure, established by the present Federal Law, by the other federal laws and by the other normative legal acts of the Russian Federation.

Article 8. The Principle of Voluntariness in Concluding Agreements and Covenants

The conclusion of agreements and of covenants shall be effected on the voluntary basis.

Article 9. The Principle of the Sufficiency of the Resources

When demarcating the objects of jurisdiction and the powers, the question shall be resolved of providing the corresponding state power bodies with the financial, the material and technical, and the other resources, necessary for the said bodies to exercise their powers.

Article 10. The Principle of Openness in Concluding Agreements and Covenants

The preparation and the conclusion of the agreements and the covenants shall be performed openly, in accordance with the procedure, established by the present Federal Law.

Chapter II. On the Forms for Exercizing the Powers by the Objects of Jurisdiction of the Russian Federation and on the Procedure for Passing Federal Laws on the Objects of Joint Jurisdiction of the Russian Federation and of the Subjects of the Russian Federation

Article 11. The Forms for Exercizing the Powers by the Objects of Jurisdiction of the Russian Federation

The legal regulation on the objects of jurisdiction of the Russian Federation shall be effected by the federal constitutional laws and by the federal laws, which have a direct action across the entire territory of the Russian Federation.

Article 12. The Powers of the Russian Federation and of the Subjects of the Russian Federation on the Objects of Joint Jurisdiction

1. On the questions, referred by the first part of Article 72 of the Constitution of the Russian Federation to the objects of the joint jurisdiction of the Russian Federation and of the subjects of the Russian Federation, shall be issued the federal laws, which would define the foundations (the general principles) of the legal regulation, including the principles of demarcating the powers between the federal state power bodies and the state power bodies of the subjects of the Russian Federation, as well as the federal laws, directed towards the exercise of the powers of the federal

state power bodies.

2. Until the adoption of the federal laws on the issues, referred to the objects of the joint jurisdiction, the subjects of the Russian Federation shall have the right to effect their own legal regulation on such issues. After the corresponding federal law is passed, the laws and the other normative legal acts of the subjects of the Russian Federation shall be adjusted to the newly adopted federal law.

Article 13. Participation by the Subjects of the Russian Federation in the Federal Legislative Process

1. The draft federal laws on the objects under the joint jurisdiction shall be coordinated with the state power bodies of the subjects of the Russian Federation in accordance with the procedure, established by the present Article.

2. The draft federal laws on the objects of joint jurisdiction, after they are submitted to the State Duma by the subjects of the right of legislative initiative, and after they are passed by the State Duma in the first reading, shall be forwarded, in conformity with the Regulations of the State Duma of the Federal Assembly of the Russian Federation (hereinafter in the text referred to as the Regulations of the State Duma) to the state power bodies of the subjects of the Russian Federation for a probable making, within a month's term, of proposals and remarks. Until an expiry of the said term, no consideration of the draft law in the second reading shall be admissible.

3. The proposals and the remarks, concerning the draft federal laws on the objects of the joint jurisdiction, which are submitted within an established term by the state power bodies of the subjects of the Russian Federation, shall be subject to an obligatory consideration by the corresponding State Duma Committee and shall be either accepted or rejected, in accordance with the procedure, laid down by the Regulations of the State Duma. If the state power bodies of over one third of the subjects of the Russian Federation raise their voices against the said draft federal law as a whole, a conciliatory commission shall be set up by the decision of the State Duma, with the participation of the State Duma Deputies and of representatives from the state power bodies of the interested subjects of the Russian Federation.

4. The representatives of the subjects of the Russian Federation, authorized by the state power bodies of the subjects of the Russian Federation, shall enjoy the right to take part, with the right of a deliberative vote, in the work of the draft federal laws on the objects of the joint jurisdiction in the committees and the commissions of the State Duma, and also in that of the work groups, set up by the State Duma and by its committees and commissions.

Chapter III. Procedure for Concluding the Covenants and the Agreements

Article 14. The Limits of Demarcation of the Objects of Jurisdiction and of the Powers

1. An agreement may be concluded:

- a) if in the federal Law on the object of the joint jurisdiction there is a direct indication of the admissibility of concluding an agreement on the given object of the joint jurisdiction;
- b) if there is no federal law on the object of the joint jurisdiction - under the condition that the said agreement will be adjusted to the federal law on the given issue of the joint jurisdiction after such federal law is passed.

2. An agreement may concretize the objects of the joint jurisdiction, with an account for the political, economic, social, geographical, ethnical and other specifics of the subjects of the Russian Federation.

3. A covenant may be concluded on the ground of a federal law on the objects of the joint jurisdiction, or of an agreement.

Article 15. The Parties to an Agreement

Seen as the parties to an agreement shall be the federal state power bodies and the state power bodies of the subjects of the Russian Federation, authorized by the law of the corresponding subject of the Russian Federation.

Article 16. The Parties to a Covenant

Seen as the parties to a covenant shall be the federal executive power bodies and the executive power bodies of the subjects of the Russian Federation.

Article 17. The Objects of an Agreement

Seen as the objects of an agreement may be:

- the concretization of the objects of jurisdiction and of the powers, established by the Constitution of the Russian Federation and by the federal laws;
- the terms and the procedure for the performance of the powers, demarcated by the agreement;
- the forms of interaction and of cooperation in the execution of the provisions of the agreement;
- the other issues, involved in the execution of the provisions of the agreement.

Article 18. The Objects of a Covenant

Seen as the objects of a covenant may be:

- the transfer of the exercise of a part of the powers;
- the terms and the procedure for the transfer of the exercise of a part of the powers;
- the material and financial base for the transfer of the exercise of a part of the powers;
- the forms of interaction and of cooperation in the execution of the provisions of the covenant;
- the other issues, involved in the execution of the provisions of the covenant.

Article 19. The Term of Operation of an Agreement and of a Covenant

1. In an agreement may be contained the provisions on the term of operation of the agreement, and on the procedure for extending the term of operation of the agreement, as well as for its pre-schedule termination.

2. In a covenant shall be defined the term of operation of the covenant, and the terms and the procedure for its pre-schedule termination.

Article 20. The Language of an Agreement and of a Covenant

Seen as the language of an agreement and of a covenant shall be the Russian language. If necessary, an agreement or a covenant shall be made out and signed in the Russian language and in the state language of the Republic, whose state power bodies are a party to the agreement or to the covenant.

Article 21. Responsibility of the Parties to an Agreement or to a Covenant

1. An agreement and a covenant may envisage the parties' responsibility for the non-execution or for an improper execution of the provisions of the agreement or of the covenant.

2. An agreement or a covenant may envisage a unilateral annulment of the agreement or of the covenant, and also an obligation to recompense the damage, caused by the non-execution or by an improper execution of the agreement or of the covenant.

Article 22. Procedure for Preparing an Agreement or a Covenant

1. The procedure for the preparation, for the preliminary consideration and for the coordination of a draft agreement and a draft covenant, shall be laid down by the President of the Russian Federation.

Article 23. Approval or Rejection of a Draft Agreement

1. A draft agreement shall be directed for consideration, before it is signed by the President of the Russian Federation, to the legislative (representative) state power body of the subject of the Russian Federation, and to the Federation Council.

2. A draft agreement shall be submitted to the Federation Council by the President of the Russian Federation, and to the legislative (representative) state power body of the subject of the Russian Federation - by the authorized person of the subject of the Russian Federation.

3. A draft agreement shall be considered in the legislative (representative) state power body of the subject of the Russian Federation in conformity with the procedure and within the term, established by the Constitution (by the Statutes) and (or) by the law of the subject of the Russian Federation.

The results of the consideration of the draft agreement in the legislative (representative) state power body of the subject of the Russian Federation shall be reported to the authorized person of the subject of the Russian Federation. The authorized person of the subject of the Russian Federation shall report on the results of the consideration of the draft agreement in the legislative (representative) state power body of the subject of the Russian Federation to the Federation Council.

4. A draft agreement shall be considered in the Federation Council within a three-month term from the day of receiving the information on the results of its consideration in the legislative (representative) state power body of the subject of the Russian Federation. On the results of the consideration of the draft agreement in the Federation Council shall be informed the President of the Russian Federation.

The results of the consideration of the draft agreement in the Federation Council shall be taken into account, when resolving the issue of signing the agreement.

Article 24. Approval or Rejection of a Draft Agreement

A draft agreement shall be approved or rejected by the Government of the Russian Federation not later than within a three-month term from the day of submitting the said draft agreement.

Article 25. Signing of an Agreement

An agreement shall be signed by the President of the Russian Federation and by the official

person (by the official persons), authorized for signing the agreement by the subject of the Russian Federation.

Article 26. Signing of a Covenant

A covenant, whose draft was approved by the Government of the Russian Federation, shall be signed by the head of the corresponding federal executive power body and by the official person, authorized for signing the covenant by the subject of the Russian Federation.

Article 27. Introduction of the Amendments and Addenda into an Agreement or into a Covenant

The amendments and addenda shall be introduced into an agreement or into a covenant in accordance with the procedure, established by the present Federal Law for concluding an agreement or a covenant.

Article 28. Publication and Enforcement of an Agreement and of a Covenant

1. An agreement and the amendments and addenda to the agreement shall come into force upon an expiry of ten days after the day of their official publication in full volume, together with the legal acts on their approval, unless a different procedure for their enactment has been established by the agreement.

2. A covenant and the amendments and addenda to the covenant shall come into force upon an expiry of ten days after their official publication in full volume together with the legal acts on their approval, unless the covenant has established a different procedure for their enforcement.

3. Neither an agreement nor a covenant shall be subject to application until they have come into force.

Chapter IV. Conciliatory Procedures and Resolution of the Disputes

Article 29. Conciliatory Procedures

1. The disputes, involved in the demarcation of the objects of jurisdiction and of the powers, and also in the transfer of the exercise of a part of the powers, shall be resolved by the interested parties by way of conducting the talks and by making use of the other conciliatory procedures.

2. In the case of need, the parties to an agreement or to a covenant may set up conciliatory commissions.

3. In conformity with the Constitution of the Russian Federation, the President of the Russian Federation may make use of the conciliatory procedures for resolving the disputes between the state power bodies of the Russian Federation and the state power bodies of the subjects of the Russian Federation on the issues, involved in the demarcation of the objects of jurisdiction and of the powers, and in the transfer of the exercise of a part of the powers. If a coordinated decision cannot be reached, the President of the Russian Federation may pass over the dispute for consideration to the corresponding court.

Article 30. Resolution of the Disputes by the Courts

1. In the cases, envisaged by the Constitution of the Russian Federation and by the Federal Constitutional Law on the Constitutional Court of the Russian Federation, the disputes, involved

in the demarcation of the objects of jurisdiction and of the powers, as well as in the transfer by the executive power bodies to each other of the exercise of a part of their powers, shall be considered by the Constitutional Court of the Russian Federation.

2. The disputes, connected with the demarcation of the objects of jurisdiction and of the powers, may be forwarded for consideration to the courts of general jurisdiction and to the arbitration courts, in accordance with their authority.

Chapter V. Final Provisions

Article 31. Enforcement of the Present Federal Law

The present Federal Law shall come into force upon an expiry of one month from the day of its official publication.

Article 32. Bringing the Legislation of the Russian Federation and the Legislation of the Subjects of the Russian Federation, and the Agreements and the Covenants into Correspondence with the Present Federal Law

1. To propose to the President of the Russian Federation and to the Government of the Russian Federation, and to order to the federal executive power bodies that they adjust their legal acts to the present Federal Law in the course of six months from the day of its coming into force.

2. The agreements and the covenants, which have been operating on the territory of the Russian Federation before the enforcement of the present Federal Law, shall be brought into correspondence with the present Federal Law in the course of three years from the day of its coming into force.

3. The subjects of the Russian Federation shall adjust their laws and other normative legal acts to the present Federal Law in the course of twelve months from the day of its coming into force.

4. The laws and the other normative legal acts, which have been operating on the territory of the Russian Federation before the enforcement of the present Federal Law, shall be applied in the part, not contradicting the present Federal Law.

President
of the Russian Federation

B. Yeltsin

Moscow, the Kremlin