

**REGULATIONS  
OF THE CENTRAL BANK OF RUSSIA  
NO. 157-P OF OCTOBER 24, 2001  
ON THE PROCEDURE FOR SETTLING ACCOUNTS BETWEEN RESIDENTS AND  
NON-RESIDENTS UNDER CONTRACTS OF CARRYING OUT WORKS, RENDERING  
SERVICES OR TRANSFER OF INTELLECTUAL ACTIVITIES' RESULTS**

See [Informational Letter](#) of the Central Bank of Russia No. 21 of December 27, 2002 "Summarizing the Practice of Enforcing Normative Acts of the Bank of Russia Concerning Currency Regulation and Currency Control"

On application of the present Regulation see [Informational Letter](#) of the Central Bank of Russia No. 21 of December 27, 2002

1. General Provisions

2. Procedure for Settling Accounts under Contracts

3. Liability for Violating the Requirements of These Provisions

4. Final Provisions

Under [Article 4](#) of Federal Law No. 394-1 of December 2, 1990 on the Central Bank of the Russian Federation (the Bank of Russia) (Vedomosti Syezda Narodnikh Deputatov RSFSR i Verkhovnogo Soveta RSFSR, No. 27, 1990, Article 356; Sobraniye Zakonodatelstva Rossiyskoy Federatsii, No. 18, 1995, Article 1593; No. 31, 1995, Article 2991; No. 1, 1996, Article 3; No. 1 1996, Article 7; No. 2, 1996, Article 55, No. 26, 1996, Article 3032; No. 9, 1997, Article 1028; No. 18, 1997, Article 2099; No. 10, 1998, Article 1147; No. 31, 1998, Article 3829; No. 28, 1999, Article 3472), as well as under [Articles 6](#) and [9](#) of Law of the Russian Federation No. 3615-1 of October 9, 1992 on the Hard Currency Regulation and Control (Vedomosti Cyezda Narodnikh Deputatov RSFSR i Verkhovnogo Soveta RSFSR, No. 45, 1992, Article 2542; Sobraniye Zakonodatelstva Rossiyskoy Federatsii, No. 1, 1999, Article 1, No. 28, Article 3461; No. 23, 2001, Article 2290; Rossiyskaya Gazetta, Nos from 153 to154, August 10, 2001), the Bank of Russia established the following procedure for settling accounts in foreign currency between residents and non-residents under contracts of carrying out works, rendering services or transfer of intellectual activities' results.

At present is valid [Federal Law](#) No. 86-FZ of July 10, 2002 on the Central Bank of the Russian Federation (the Bank of Russia)

## 1. General Provisions

**1.1.** These Regulations shall extend to settling accounts in foreign currency between legal entities, natural persons registered as individual businessmen who are residents in compliance with [Item 5 of Article 1](#) of the Law of the Russian Federation on the Hard Currency Regulation and Control (hereafter referred to as residents) and non-residents under Contracts of carrying out works, rendering services or transfer of intellectual activities' results that provide for settling accounts in foreign currency for carrying out works, rendering services or transfer of intellectual activities' results including agency contracts, contracts of commission agency and contracts of agency (hereinafter mentioned as Contracts).

**1.2.** These Regulations shall not extend to settling accounts for works and services carried out on the territory of the Russian Federation by natural persons who are not individual businessmen.

**1.3.** Authorized banks shall settle accounts in foreign currency without any limitations in their own name and at their own expense under the Contracts connected with banking activities exercised under the [laws](#) on banks and banking.

## 2. Procedure for Settling Accounts under Contracts

**2.1.** Settling accounts in foreign currency under Contracts shall be effected by written order with the use of accounts of residents in authorized banks.

**2.2.** Without permissions to hard currency transactions connected with movement of capital issued in the procedure established by the laws of the Russian Federation (hereafter referred to as permissions) there shall be settled accounts in foreign currency under the Contracts stipulating the following:

**2.2.1.** Entry in the account of a resident in an authorized bank of foreign currency received from a non-resident as a prepayment, regardless of the time period between the date of the entry of the monetary funds in the account and the date of carrying out works, rendering services or transfer of intellectual activities' results.

**2.2.2.** Transfer by a resident of foreign currency from the Russian Federation, as well as to the personal account of a non-resident in an authorized bank, as a payment for works previously carried out, services previously rendered or results of intellectual activities previously transferred, regardless of the time period between the date of carrying out the works, rendering the services or the transfer of intellectual activities' results and the date of writing the monetary funds off the account.

**2.2.3.** Entry in the account of a resident in an authorized bank of foreign currency received from a non-resident as a payment for works previously carried out (except for construction works and works by Contract carried out behind the boundaries of the Russian Federation), services previously rendered or results of intellectual activities previously transferred, under the condition that the time period between the date of carrying out the works, rendering the services or the transfer of intellectual activities' results and the date of entry of monetary funds in the account does not exceed 90 days.

**2.2.4.** Transfer by a resident of foreign currency from the Russian Federation, as well as to the personal account of a non-resident in an authorized bank as a prepayment, under the condition that the time period between the date of writing the monetary funds off the account and the date of carrying out works, rendering services or transfer of intellectual activities' results will not exceed 90 days;

**2.2.5.** Entry in the account of a resident in an authorized bank or transfer by a resident to the account of a non-resident of foreign currency returned in the event of failure to fulfil or improper fulfillment of the commitments under Contracts.

**2.2.6.** Entry in the account of a resident in the authorized bank or transfer by a resident to the account of a non-resident of foreign currency in the form of penalties for failure to fulfil or improper fulfillment of the commitments under Contracts;

**2.2.7.** Entry in the account of a resident in the authorized bank of foreign currency received from a non-resident a payment for construction works and works by Contract, under the condition that the time period between the date of making a Contract and the date of entry of monetary funds in the account of the resident does not exceed five years.

*On the procedure for the opening and the keeping by resident juridical persons of accounts in foreign currency beyond the confines of the Russian Federation for payments under international building contracts see [Regulations of the Central Bank of Russia No. 200-P of October 16, 2002](#)*

**2.2.8.** Transfer by a commission merchant (agent, attorney) to the account of a consignor (principal, grantor) of foreign currency on account of fulfilling a Contract, as well as transfer by a consignor (principal, grantor) to the account of a commission merchant (agent, attorney) of foreign currency for making a transaction under the conditions of a Contract.

**2.2.9.** Entry in the account of a commission merchant (agent, attorney) of foreign currency received on account of fulfilling a Contract.

**2.2.10.** Settlements connected with fees and payments regarding insurance and reinsurance made within the effective period of a Contract.

**2.3.** Settlements in foreign currency under Contracts in cases not indicated in [Item 2.2](#) of these Regulations shall be made by residents on the basis of Permissions, if not otherwise provide for by laws of the Russian Federation or normative acts of the Bank of Russia.

**2.4.** Carrying out works, rendering services or transfer of intellectual activities' results under Contracts shall be confirmed by the documents determined by the [List](#) endorsed by the Ministry of Foreign Economic Relations and Trade of the Russian Federation on July 1, 1997, No. 10-83/2508, the Federal Currency and Export Control Service on July 3, 1997, No. 07-26/3628, the State Customs Committee of the Russian Federation on July 9, 1997, No. 01-23/13044( it is agreed with the Bank of Russia on June 30, 1997 (Vestnik Banka Rossiya, No. 59 of September 16, 1997) and does not need the state registration - the letter of the Ministry of Justice of the Russian Federation of July 7, 1997), as well as by other documents in compliance with the laws of the Russian Federation.

### **3. Liability for Violating the Requirements of These Regulations**

**3.1.** Upon residents violating the requirements of the laws regarding currency and other normative legal acts there shall be imposed the penalties provided by [Article 14](#) of the Law of the Russian Federation on the Currency Regulation and Control.

**3.2.** Upon authorized banks violating the procedure for settling accounts established by these Regulations there may be imposed the penalties provided by [Article 75](#) of the Federal Law on the Central Bank of the Russian Federation (the Bank of Russia).

*At present is valid [Federal Law No. 86-FZ of July 10, 2002 on the Central Bank of the Russian Federation \(the Bank of Russia\)](#)*

### **4. Final Provisions**

**4.1** The procedure for registration and submission to the Central Bank by authorized banks of report data regarding currency transactions connected with carrying out works, rendering services and transfer of intellectual activities' results shall be established by the Bank of Russia.

**4.2** These Regulations shall enter into force as of the date of [publication](#) thereof in the "Vestnik Banka Rossiya".

Chairman of the Central Bank  
of the Russian Federation

V.V. Gerashenko

Registered by the Ministry of Justice of the Russian Federation on November 26, 2001.  
Registration No. 3054