

ORDER
OF THE CENTRAL BANK OF THE RUSSIAN FEDERATION
NO. 02-378 OF OCTOBER 11, 1996
ON THE PUTTING INTO EFFECT OF THE PROVISIONAL PROCEDURE
FOR GRANTING PERMITS BY THE CHIEF ADMINISTRATION (NATIONAL BANKS)
OF THE CENTRAL BANK OF THE RUSSIAN FEDERATION
FOR PARTICULAR FOREIGN CURRENCY OPERATIONS

1. To endorse the Provisional Procedure for Granting Permits by the Chief Administrations (National Banks) of the Central Bank of the Russian Federation for Particular Foreign Currency Operations (hereinafter referred to as the Procedure).

2. To carry into effect the Procedure as of November 1, 1996.

3. To establish that the Procedure will operate from the date of its being put into effect to the time of the adoption of corresponding documents by the Central Bank of Russia.

First Deputy Chairman
of the Central Bank of Russia

A.A. Khandruyev

No. 341
October 11, 1996

PROVISIONAL PROCEDURE
FOR GRANTING PERMITS BY THE CHIEF ADMINISTRATIONS (NATIONAL BANKS)
OF THE CENTRAL BANK OF THE RUSSIAN FEDERATION FOR PARTICULAR FOREIGN
CURRENCY OPERATIONS

Section 1. General Provisions

Section 2. List of Documents Required for the Receipt of the Central Bank's Permit

Section 3. Conditions for the Consideration of Applications

Section 4. Registration of Permits

Section 5. Control and Reporting on Issued Permits

Section 6. Permit Termination

Section 7. The Responsibility of Authorized Banks for Breaking the Requirements of the Present Procedure

Appendix 1. List of Additional Documents Submitted to the Territorial Agencies of the Central Bank of Russia for the Receipt of Permits

Appendix 2. Description of Identified Codes of Permits

Appendix 3. Permits

Appendix 4. The Permit Accounting Card

Appendix 5. Procedure for Keeping the Electronic Database for the Record-keeping of Issued Permits

Appendix 6. Report on the Accounts of Representative Office in Non-resident Banks

Appendix 7. Control by the Territorial Agencies of the Central Bank of Russia Over the Observance of the Terms of the Permit for the Delayed Receipt of Export Payments

Appendix 8. Control by the Territorial Agencies of the Central Bank of Russia Over the Observance of the Terms of the Permit for the Preliminary Payment of Import

Appendix 9. Information About the Termination of the Permit for Foreign Currency Operations and for the Opening of the Representative Office's Account

The present Procedure for the Granting by the Chief Territorial Administrations (National Banks) of the Central Bank of the Russian Federation (hereinafter referred to as the territorial agencies) of permits for particular foreign currency operations associated with the movement of capital (hereinafter referred to as the Procedure) has been devised in keeping with [Item 2 of Article 6](#) of the Law of the Russian Federation on Foreign Currency Regulation and Foreign Currency Control. This Procedure shall regulate the powers of the territorial agencies of the Central Bank of Russia to issue permits, the conditions for the submission of applications for permits, the registration of permits and refusals to issue the Central Bank's permits.

The present Procedure is introduced to shorten the periods of considering applications for permits, to expand the powers of the territorial agencies of the Central Bank of Russia, and to tighten their control over the observance of currency legislation.

Section 1. General Provisions

1. The territorial agencies of the Central Bank of Russia may issue the following permits:

a) for currency operations associated with the movement of capital when exporting goods.

A permit may be issued to delay the receipt of payment for goods exported by a resident (provision of credit against goods) for a term of over 180 days from the date the goods have crossed the customs border of the Russian Federation (completion of customs clearance), if the sum of currency earnings subject to accrual does not exceed the sum equivalent to 10 (ten) million US dollars in accordance with the concluded contract;

b) for currency operations associated with the movement of capital when importing of goods.

Prepayment by a resident of imported goods for a term exceeding 180 days before they are brought into the Russian Federation under the customs treatment for release for free circulation and reimport, if the total sum of payments under a contract does not exceed the sum equivalent to 10 (ten) million US dollars in keeping with the concluded contract;

c) for the opening by residents of accounts in foreign currency with foreign banks in order to pay the current expenses on the maintenance of the representative offices of these residents (accounts of representative offices) located on the territory of foreign States.

2. Permits for currency operations that are not referred to in Item 1 of the present Procedure but are connected with the movement of capital, especially if the above said currency Operations exceed the sum equivalent to 10 million US dollars or if they include a number of interrelated currency operations, which, for example, provide for the receipt of credits, the opening of special accounts, the assignment of the right of claims, etc., and also permits for the opening by residents of other accounts in foreign currency, which are not provided for by Item 1 of the present Procedure, shall be issued by the Department of Foreign Currency and Foreign Currency Control of the Central Bank of Russia, unless otherwise stipulated by the normative acts of the Central Bank of Russia.

3. To get a permit for currency operations referred to in [Item 1](#) of the present Procedure, the resident legal entities shall apply to the territorial agencies of the Central Bank of Russia in the place of state registration of the legal entity.

This application shall be made before the moment of completion of the currency operation, referred to in Item 1 of this Procedure connected with the movement of capital, and the opening of an account (in foreign currency with a foreign bank).

4. The authorized banks of the Russian Federation shall fulfil the orders of residents for currency operations, indicated in the present Procedure, only upon the presentation to them of the originals of the permits of the Central Bank of Russia. On the original permit the high-ranking official shall make an entry about a currency operation and its amount, and also certify his signature with a seal.

Section 2. List of Documents Required for the Receipt

of the Central Bank's Permit

5. To get a permit for currency operations, referred to in [Item 1](#) of this Procedure, the residents shall submit to the territorial agency of the Central Bank of Russia in the place of their state registration their applications in a free form, signed by the manager, with the mandatory enclosure of the following documents:

- the notarized copies of the constituent instruments;
- the notarized copy of the document on state registration;
- the reference of the tax inspection team about rouble and foreign currency accounts opened by residents with the authorized banks of the Russian Federation;
- the reference of the tax body in the place of registration of the legal entity as a taxpayer about the absence of tax indebtedness and arrears of other compulsory payments and about the absence of breaches of the tax legislation; if the applicant has debts in the payment of taxes to budgets and state extra-budgetary funds, permits may be issued only with the consent of the Ministry of Finance of the Russian Federation or the State Tax Service of the Russian Federation (the respective tax inspection team);
- references from the authorized banks of the Russian Federation, in which residents have opened their current currency accounts, about the absence of debts in the receipt of currency earnings and the compulsory sale of their part, about breaches of the currency legislation, and also about the sufficiency of funds in accounts for remittance (for operations providing for the transfer of money). In this case the reference from the authorized bank of the Russian Federation about the absence of breaches of the repatriation of foreign currency earnings and about the compulsory sale of their part shall be drawn up for the applicant, and the reference shall indicate that it has been issued for the submission to the Central Bank of Russia;
- the balance-sheet, certified by a tax inspection team, over the last reporting year and as on the latest reporting date before the day the application was made to the Central Bank of Russia. The balance-sheet shall be signed by the manager and the chief accountant of the organization and their signatures shall be certified with a round seal; the balance-sheet shall be appended with the audit reports on the authenticity of the balance-sheet, if an audit has take place);
- the report, certified by a tax inspection team, on the financial results (profits or losses) over the last reporting year and on the latest reporting date before the day of the application to the Central Bank of Russia;
- the reference from the respective state statistics body on the conferment of codes on a resident.

Moreover, depending on the type of the received permit, the applicant shall submit the documents, referred to in [Appendix 1](#) to the present Procedure.

The applicant may also submit other documents, which in his opinion, may contribute to the consideration of the application on its merits.

The documents shall be sent to the chief of the territorial agency of the Central Bank of Russia by registered mail.

In case of necessity the territorial agency of the Central Bank of Russia shall have the right to request from the resident additional information and documents relating to the granting of a permit.

Section 3. Conditions for the Consideration of Applications

6. The territorial agencies of the Central Bank of Russia shall consider applications and issue permits with the observance by the applicant of the following conditions:

- a) the submission of a full and properly drafted set of documents that meet the requirements of the legislation of the Russian Federation and the present Procedure;
- b) the absence of breaches of the currency, customs and tax legislation of the Russian Federation;
- c) the absence of facts of violating the conditions of the earlier issued permits of the Central Bank of Russia.

Note: In Subitems (b) and (c) reference is to those breaches in which the applicant has not met the requirements of the customs or tax body, or the body of currency regulation and currency control and has defaulted on obligations to rectify the breaches (no fine has been paid, no reports have been submitted, etc.).

The period of the examination of applications and the adoption of decisions on the issue (refusal to issue) of permits shall not exceed one month since the date of the registration of the application by the territorial agency of the Central Bank of Russia in the presence of a full set of properly drafted documents.

If the applicant has submitted an incomplete set of documents or improperly drafted documents, the territorial agency of the Central Bank of Russia shall send to the applicant its request for missing documents or for properly drafted documents within 10 days from the date of the registration of the application by the territorial agency of the Central Bank of Russia.

In case of receipt of the documents requested by the territorial agency of the Central Bank of Russia, the period of time referred to in this Item for the consideration of the application shall be calculated from the date of the registration of the demanded set of documents.

Section 4. Registration of Permits

7. In accordance with the identification code whose description is given in [Appendix 2](#) to the present Procedure each issued permit shall have its own number.

8. The issued permits shall meet the requirements of Article 45 of the Fundamentals of the Russian Federation on Notary Offices;

- permits shall not have erasures, additions, crossed out words or other unspecified corrections, and also texts written by pencil;

- the text of the permit shall be written clearly and succinctly, figures and time-limits shall be designated in words at least once, while the names of legal entities shall be given without abbreviation, with an indication of the addresses of their management bodies, and the people's surnames, names and patronymics and their places of residence shall be written in full;

- in the document whose size exceeds one sheet, all the sheets shall be stitched, numbered and affixed with a seal.

9. Permits issued by the territorial agencies of the Central Bank of Russia shall correspond to the standard forms, cited in Appendix 3 to the present Procedure and contain the following necessary information: the names and addresses of residents and their contracting parties; a concrete amount and the time-limit of the currency operation to which a permit is issued; the numbers of contracts for the fulfilment of which it is necessary to receive permits; the term of validity of a license, and also the requirements for reporting and periods of submitting reports.

10. Permits shall be signed by the heads of the Chief Administrations (Chairmen of the National Banks) of the Central Bank of the Russian Federation or their deputies, chosen in conformity with the order and shall be certified by the seal of the territorial agency of the Central Bank of Russia.

11. Registered permits shall be sent by registered mail or issued to the applicant's representative in the presence of the corresponding power of attorney.

Section 5. Control and Reporting on Issued Permits

12. When a permit is issued, the territorial agency of the Central Bank shall fill in the Permit Accounting Card (PAC) for realizing a currency operation according to the form cited in [Appendix 4](#).

The original of open PAC shall remain in the territorial agency of the Central Bank of Russia.

Copies of PAC, issued for the past month, shall be sent every month, not later than the 10th of the month succeeding the reporting one, to the Department of Foreign Currency Regulation and Foreign Currency Control of the Central Bank of the Russian Federation along the electronic channels of communication and may be sent on paper by request alone.

13. A dossier shall be formed for each issued permit to include the following documents:

- a set of documents submitted by the applicant;

- a copy of the issued permit;

- a permit accounting card;
- reports on the execution of the permit;
- day-to-day correspondence on the given case.

After the termination of the validity of the permit the dossier for each permit shall be handed over to the record-keeping office in accordance with the established order and shall be kept in custody for five years from the date of the termination of the permit's term of validity.

14. The territorial agencies of the Central Bank of Russia shall keep an electronic database of issued permits on the basis of the permit accounting cards and in conformity with the order set forth in [Appendix 5](#).

15. The form of reporting by residents when they open their accounts with foreign banks to keep settlements of representative offices abroad and the procedure for reporting are set forth in [Appendix 6](#).

16. The text of the permit for a delayed in the receipt of export payments shall include a clause on the necessity of the submission by the resident to the territorial agency of the Central Bank of Russia of the copies of all the accounting cards (AC) of customs-bank control under the given contract, which are received from the State Customs Committee of the Russian Federation with the appended account abstracts. The copies of the AC, approved by the authorized bank and appended with abstracts of the account, shall be sent to the territorial agency of the Central Bank of Russia quarterly before the 18th of the month succeeding the reporting period.

The territorial agencies of the Central Bank of Russia shall exercise control over the observance of the conditions of the issued permit for a currency operation associated with the movement of capital in the event of export of goods in the order set forth in [Appendix 7](#).

17. The text of the permit for an advance payment for an importation shall include a clause on the need for the submission by a resident to the territorial agency of the Central Bank of Russia of the copies of all the accounting cards of imported goods (ACIG), received from the State Customs Committee of the Russian Federation under the given contract, and also of the payment cards corresponding to the accounting cards. The copies of ACIG, approved by the authorized bank, and the payment cards shall be sent to the territorial agency of the Central Bank of Russia quarterly, before the 15th of the month succeeding the reporting period.

The territorial agencies of the Central Bank of Russia shall exercise control over the observance of the conditions of the issued permit for the currency operation associated with the movement of capital in the event of import of goods in the order set forth in [Appendix 8](#).

Section 6. Permit Termination

18. The validity of the permit shall terminate due to the following circumstances:

- (a) the cessation of the term of validity of the permit;
- (b) the completion of all operations stipulated by the permit;
- (c) the recall of the permit by the territorial agency of the Central Bank of Russia that has issued

it in the event of revealing breaches of the order, established by the permit, of operations in foreign currency and associated with the export and import of goods, and also the recall of the order, established by the permit, of accounts in foreign banks for keeping settlements of representative offices abroad.

19. The territorial agencies of the Central Bank of Russia shall submit information to the Department of Foreign Currency Regulation and Foreign Currency Control of the Central Bank of Russia on the termination of the validity of a permit according to the form set forth in [Appendix 9](#).

In cases provided for by [Subitems \(a\) and \(b\)](#) of Item 18 of the present Procedure, information shall be submitted quarterly before the 20th of the month succeeding the reporting period. In the case provided for by Subitem (c) of Item 18 of the present Procedure information shall be submitted within three working days after the adoption of a relevant decision.

20. In case of the revelation of breaches of the order, established by the permit, of conducting operations in foreign currency associated with the export and import of goods, and also of breaches of the order of accounts, as established by the permit, in foreign banks for keeping settlements of

representative offices abroad, the territorial agency of the Central Bank of Russia shall apply sanctions in keeping with legislation up to the recall of the issued permit from the resident enterprise.

Section 7. The Responsibility of Authorized Banks for Violating the Requirements of the Present Procedure

21. For the non-fulfilment of [Item 4 of Section 1](#) of the present Procedure the authorized banks shall bear responsibility in the form of a fine in the amount of 0.1 per cent of the minimum authorized capital. The fine shall be imposed in keeping with current legislation.

Fines shall be recovered by the territorial agency of the Central Bank of Russia on the basis of [Article 75](#) of the Federal Law on the Central Bank of the Russian Federation. A decision on the recovery of the said fine shall be taken by the head of the territorial agency of the Central Bank of Russia in the place of registration of the authorized bank or its affiliated branch, if a breach has taken place in the latter.

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

First Deputy Chairman
of the Central Bank of Russia

A.A. Khandruev

Appendix 1

LIST OF ADDITIONAL DOCUMENTS SUBMITTED TO THE TERRITORIAL AGENCIES OF THE CENTRAL BANK OF RUSSIA FOR THE RECEIPT OF PERMITS

1. To get a permit for currency operations associated with the movement of capital in the export and import of goods, it is necessary to submit the following additional documents:

- copies of contracts between the resident and the non-resident with addenda and amendments (in Russian and in the language of the original);
- copies of cargo customs declarations confirming the importation or exportation of goods;
- information from the authorized bank about the monetary funds actually remitted within the framework of the contracts (with the appended copies of payment documents);
- notarized copies of permits for the sale of particular goods, for the engagement in specified types of activity in cases provided for by legislation.

2. To get a permit for the opening of an account of a representative office with a foreign bank, it is necessary to submit the following additional documents:

- the certificate on the availability and source of means in foreign currency to pay for expenditures for the maintenance of the representative office, this reference being certified by the manager and the chief accountant of a resident legal entity;
- the document confirming the financial stability and solvency of a resident legal entity (report by an independent auditing firm);
- a notarized copy of the regulations for the representative office;
- the estimate of expenditure on the upkeep of a representative office, approved by the manager and the chief accountant of a resident legal entity, with an indication of the time of remittance of money;
- a translation of the extract from the legislation of the country or registration of the representative office on the legal status of the non-resident representative offices.

Appendix 2

DESCRIPTION OF IDENTIFICATION CODES OF PERMITS

The code of the type of the issued permit consists of two categories.

Figure 1 or 2, or 3 shall be put down in the first category, which mean:

- 1 - legal entities which are not authorized banks of the Russian Federation;
- 2 - authorized banks of the Russian Federation;
- 3 - natural persons.

Figure 1 or 2, or 3 shall be put down in the second category, which means:

- 1 - transactions with the countries of the Commonwealth of Independent States;
- 2 - transactions with the other foreign countries;
- 3 - transactions inside Russia.

The following two digit figures shall be filled in for the code of the type of transaction:

- 61 - the delayed receipt of payment for the export of goods for a term of over five years;
- 62 - the delayed receipt of payment for the export of goods for a term of less than five years;
- 71 - prepayment of the import of goods for a term of over five years;
- 72 - prepayment of the import of goods for a term of less than five years;

82 - the opening of accounts of representative offices with foreign banks abroad in a currency quoted by the Central Bank of Russia;

91 - the opening of accounts of representative offices with foreign banks abroad in a currency which is not quoted by the Central Bank of Russia.

The ordinal number of the permit means that it is necessary to put down the ordinal four-digit number (e.g. 0025 or 0120).

The year of the issue of the permit shall be filled in as a two-digit number (e.g. 96 or 97).

The CRATA *) code of the territorial agency of the Central Bank of Russia which has issued a permit shall be filled in with the four-digit number of a region in keeping with the table of codes of regions, given below.

The symbol identifier means the symbol that defines the type of the issued document.

P is used for permits.

Example: 12-82-0001/96/1125p means the permit for the opening of a current account by a legal entity in a far-off foreign country, issued by the Chief Administration of the Central Bank of Russia for the Irkutsk Region in 1996.

Table of codes of regions

Code	Name of the region
1101	Altai Territory
1110	Amur Region
1111	Archangel Region
1112	Astrakhan Region
1114	Belgorod Region
1115	Bryansk Region
1117	Vladimir Region
1118	Volgograd Region
1119	Vologda Region
1120	Voronezh Region
1199	Jewish Autonomous Region
1124	Ivanovo Region
1125	Irkutsk Region
1183	Kabardinian-Balkar Republic
1127	Kaliningrad Region
1129	Kaluga Region
1130	Kamchatka Region
1191	Karachai-Circassian Republic

1132	Kemerovo Region
1133	Kirov Region
1134	Kostroma Region
1103	Krasnodar Territory
1104	Krasnoyarsk Territory
1137	Kurgan Region
1138	Kursk Region
1141	Leningrad Region
1142	Lipetsk Region
1144	Magadan Region
1146	Moscow Region
1147	Murmansk Region
1122	Nizhny Novgorod Region
1149	Novgorod Region
1150	Novosibirsk Region
1152	Omsk Region
1153	Orenburg Region
1154	Orel Region
1156	Penza Region
1157	Perm Region
1105	Primoriye Territory
1158	Pskov Region
1179	Republic of Adygeya
1184	Republic of Altai
1180	Republic of Bashkortostan
1181	Republic of Buryatiya
1182	Republic of Daghestan
1126	Republic of Ingushetiya
1185	Republic of Kalmykiya - Khalmg Tangch
1186	Republic of Karelia
1187	Republic of Komi
1188	Republic of Marii El
1189	Republic of Mordovia
1198	Republic of Sakha (Yakutia)
1192	Republic of Tatarstan
1193	Republic of Tyva
1195	Republic of Khakasiya
1160	Rostov Region
1161	Ryazan Region
1136	Samara Region
1163	Saratov Region
1164	Sakhalin Region
1165	Sverdlovsk Region
1190	Republic of Northern Ossetia
1166	Smolensk Region
1107	Stavropol Region
1168	Tambov Region
1128	Tver Region
1169	Tomsk Region
1170	Tula Region
1171	Tyumen Region
1194	Udmurt Republic
1173	Ulyanovsk Region
1108	Khabarovsk Territory

1175	Chelyabinsk Region
1196	Chechen Republic
1176	Chita Region
1197	Chuvash Republic
1177	Chukotka Autonomous Area
1178	Yaroslavl Region
1140	The City of St.Petersburg
1145	The City of Moscow

Appendix 3

Name of the organization: _____

Address: _____

Permit No. 12-82.....

The Central Bank of the Russian Federation permits
 _____ to open its account in
 (name of the organization)
 _____ with the bank _____
 (name of currency) (name of the foreign bank,
 _____ for the purpose of paying the expenditure of
 its address)
 the representative office of _____
 (name of the organization,

_____ place of location of its representative office)
 without the status of a legal entity.

When conducting currency Operations with the said account of

_____ (name of the organization)
 shall observe the following conditions.

The following monetary funds may be placed in the account:

- funds in foreign currency transferred from current currency
 accounts of _____

(name of the organization)

in the authorized banks of the Russian Federation within the estimates of
 expenditure, approved by the management of

_____ (the name of the organization)

and to be used for the maintenance of the representative office of

_____ (name of the organization)

in _____;

(the place of location)

- unused foreign currency in cash, which was earlier drawn from the said account;

- interest added by a foreign bank to the balance of money in the account, and also interest
 added by a foreign bank on money kept in deposits.

In this case the total sum of the transfer of money to the given account during one year may not
 exceed the amount of the annual estimate of expenditure on the upkeep of a representative office.
 The Central Bank of Russia shall fix the limit of the balance of money on the account in the amount of
 one-sixth of the annual estimate of expenditure on the upkeep of the representative office. If the limit
 exceeds the balance of money, this excess shall be taken into account in the reduction of the sum of
 money to be transferred to the given account in the next month.

The following monetary funds may be charged off the account:

- remittances in payment for the expenditure on the upkeep of the representative office

_____ (name of the organization)
in _____ ;
(place of location of the representative office)

- available foreign currency drawn from the account for the purpose of payment of wages and salaries, travelling expenses and daily allowances;
- expenditure on the management of the account.

Real estate lease operations may be carried out with the account without a separate permit of the Central Bank of Russia. In the event of concluding contracts for the purchase of real estate

_____ (name of the organization)
shall be obliged to apply to the Central Bank of Russia (Department of Foreign Currency Regulation and Foreign Currency Control).

The drawing of available funds for the purposes other than those indicated above shall not be allowed.

The exchange of currency in the resident's account in the authorized bank of the Russian Federation for currency of the country of registration of a representative office and the other way round shall be effected in a non-cash order with the observance of the rules accepted in

_____ (the country of location of the representative office)

The organization _____

(name of the organization)

shall have the right to place money received by the said account on deposits for a term of up to 180 days.

The liabilities of third persons may not be paid from the funds kept on the account, opened for the payment of the expenses of the representative office of

_____ in
(name of the organization)

_____ (country of location)

The conditions for the management of the account, referred to in the present permit, shall be communicated by

_____ (name of the organization)

to a foreign bank.

All subsequent changes in the conditions of the account shall be introduced by agreement with the Central Bank of the Russian Federation.

The rights following from the present permit shall not be subject to transfer to third persons.

The monetary means in the said account shall be included in the total balance-sheet of

_____ (name of the organization)
Within five days from the date of opening an account with

_____ (name of the foreign bank)

_____ (name of the organization)

shall bring information about the opening of the account to the notice of the respective tax body in the Russian Federation, in which the

_____ (name of the organization)
has been registered as a taxpayer. A copy of the notification with the note of the tax body about its reception shall be submitted by

(name of the organization)
to the territorial agency of the Central Bank of Russia together with the first report on the account.

Quarterly not later than the 25th of the month succeeding the reporting quarter,

(name of the organization)
shall submit to the territorial agency of the Central Bank of Russia its reports according to the form, indicated in the annex to the present permit.

(name of the organization)
shall also be obliged to submit information as soon as it is demanded by the territorial agency of the Bank of Russia to its address about the operations carried out by

(name of the organization)
and envisaged by the conditions of the account in keeping with the present permit.

The present permit may be recalled by the written notification of this to

(name of the organization)
in the event of the non-observance of the conditions set forth in the permit, and also of the breach by

(name of the organization)
of the currency legislation of the Russian Federation.

The term of validity of the present permit is up to

Chief of the territorial administration
of the Russian Federation

Name of the organization: _____
Address: _____
Permit No. 12-91.....

The Central Bank of the Russian Federation permits
_____ to open an account in the currency of
(name of the organization)
_____ in the bank _____
(name of currency) _____ (name of the foreign bank,
_____ for the purpose of paying the expenditure of
its address)
the representative office of _____
(name of the organization,

_____ place of location of its representative office)
without the status of a legal entity.
When conducting operations with the said account

(name of the organization)
shall observe the following conditions.

The following monetary funds may be placed on the account:

- funds in foreign currency, formed as a result of the exchange of freely converted currency (at the expense of the monetary means in the account opened in keeping with the Central Bank's license

No. 12-82 of);

- unused available foreign currency, which was earlier drawn from the said account;
- interest added by a foreign bank to the balance of money on the account, and also interest added by a foreign bank on money kept in deposits.

The following monetary funds may be charged off the account:

- the funds transferred in payment for the expenditure on the upkeep of the representative office of

_____ (name of the organization)

in _____;

_____ (place of location of the representative office)

- monetary funds exchanged for freely convertible currency for purposes of placing the received money in Account No. _____, opened in keeping with the Central Bank's license N o. 18-82 of _____;

- available money drawn from the account for the purpose of paying wages and salaries, travelling expenses and daily allowances;

- expenses on the management of the account.

The drawing of available funds for purposes other than those indicated above shall not be allowed.

Real estate lease operations may be carried out with the account without a separate permit of the Central Bank of Russia. In the event of concluding contracts for the purchase of real estate

_____ (name of the organization)

shall be obliged to apply to the Central Bank of Russia (Department of Foreign Currency Regulation and Foreign Currency Control).

The exchange of currency quoted by the Central Bank of Russia for _____ and the other way round shall be

_____ (name of currency)

effected in a non-cash order with the observance of the rules accepted in

_____ (the country of location of the representative office)

_____ (name of the organization)

shall have the right to place money received by the said account on deposits for a term of up to 180 days.

The liabilities of third persons may not be paid for from the funds kept on the account, opened for the payment of the expenses of the representative office of

_____ in

_____ (name of the organization)

_____ (country of location)

The conditions for the management of the account, referred to in the present permit, shall be communicated by

_____ (name of the organization)

to a foreign bank. All subsequent changes in the conditions of the account shall be introduced by agreement with the Central Bank of the Russian Federation.

The rights following from the present permit shall not be subject to transfer to third persons.

The monetary means on the said account shall be included in the total balance-sheet of

_____ (name of the organization)

Within five days since the date of opening an account with bank _____

(name of the foreign bank)
the organization _____

(name of the organization)
shall bring information about the opening of the account to the notice of
the respective tax body in the Russian Federation, in which

_____ (name of the organization)
has been registered as a taxpayer. A copy of the notification with the
note of the tax body about its reception shall be submitted by

_____ (name of the organization)
to the territorial agency of the Central Bank of Russia together with the
first report on the status of the account.

Quarterly not later than the 25th of the month succeeding the reporting
period _____

_____ (name of the organization)
shall submit to the territorial agency of the Central Bank of Russia its
reports according to the form, indicated in the annex to the present
permit. The organization _____

_____ (name of the organization)
shall also be obliged to submit when first requested to the territorial
agency of the Bank of Russia at its address information about the
operations carried out by _____

_____ (name of the organization)
and envisaged by the conditions of the account in conformity with the
present permit.

The present permit may be recalled by the written notification of

_____ (name of the organization)
in the event of the non-observance of the conditions set forth in the
permit, and also of the breach by _____

_____ (name of the organization)
of the currency legislation of the Russian Federation.

The term of validity of the present permit is up to

Chief of the Territorial Administration
of the Russian Federation

Name of the organization: _____
Address: _____
Permit No. 12-71.....

The Central Bank of the Russian Federation hereby permits
_____ to carry out settlements under

_____ (name of the organization)
the import contract _____
_____ (number of the contract, the date of its conclusion)

with _____
_____ (foreign partner, its address)

on the following terms:

- the total amount of the contract _____ (the sum in words) in
_____;

- (name of currency)
- the amount of prepayment for the import of goods _____
(the amount in _____ in _____;
words) (name of currency)
 - the period of delayed receipt of imported goods _____;
 - the cancellation of the delay _____ (the
schedule of receipts of imported goods);
 - the last date of completing settlements under the contract

The rights and obligations of the organization which follow from the present permit shall not be transferred fully and/or partially to other juridical or natural persons.

The importing organization shall be obliged to submit to the respective territorial agency of the Central Bank of Russia the copies of all the accounting cards of imported goods (ACIG), filled in or prepared by the authorized bank for the dispatch to the State Customs Committee of the Russian Federation, and also the copies of the appropriate payment cards relating to the given contract. The copies of ACIG and payment cards, signed by the manager and the chief accountant and affixed with the seal of the importing organization and initialled by the responsible persons of the authorized bank, shall be sent by the organization to the Chief Administration or the National Bank of the Central Bank of the Russian Federation quarterly before the 15th of the month succeeding the reporting period.

Prepayment and delayed receipt of imported goods under the said contract shall be allowed only on the terms set forth in the present permit.

With the change in the terms of the said contract, set forth in the present permit, the present permit shall become invalid.

The present permit may be recalled with the written notification of this to _____ in the event of the non-observance of the (the organization) terms forth in the permit, and also in the event of a breach by _____ of the currency legislation of the Russian Federation. (the organization)

The term of validity of the present permit is up to

Chief of the territorial administration
of the Russian Federation

Name of the organization: _____
Address: _____
Permit No. 12-61... or 12-62...

The Central Bank of the Russian Federation hereby permits _____ to carry out settlements under (name of the organization) the import contract _____ (number of the contract, the date of its conclusion) with _____ (foreign partner, its name and address) on the following terms:

- the total amount of the contract _____ (the sum in words) in _____;
(name of currency)
- the amount for which the delayed payment for export goods is

granted _____ (the sum in words) in

(name of currency)
- the period of delayed payment for export goods _____;
- the interest added to the sum of the delayed payment _____
_____ per cent per annum;
- the cancellation of the delayed payment _____
(the schedule of receipts or remittances of money in the repayment of
debts;
- the ultimate date of completing settlements under the contract
_____.

The rights and obligations of the organization following from the present permit shall not be transferred fully and/or partially to other juridical and/or natural persons.

The exporting organization shall be obliged to submit to the respective territorial agency of the Central Bank of Russia the copies of all completed (prepared by the authorized bank for forwarding to the State Customs Committee of the Russian Federation) accounting cards of customs and bank control relating to the present contract.

The copies of the AC, signed by the manager and the chief accountant and affixed with the seal of the exporting organization and initialled by the responsible persons of the authorized bank with the appended account abstracts shall be sent by the exporting organization to the Chief Administration (National Bank) of the Central Bank of the Russian Federation quarterly, before the 15th of the month succeeding the reporting period.

A delayed payment under the said contract shall be allowed only on the terms set forth in the present permit.

With the change in the terms of the present contract, set forth in the present permit, the present permit shall become invalid.

The present permit may be recalled with the written notification of this to

_____ in the event of the non-observance of the terms set
(the organization)
forth in the permit, and also in the event of a breach by
_____ of the currency legislation of the Russian Federation.
(the organization)

The validity term of the present permit is up to

Chief of the Territorial Administration
of the Russian Federation

Appendix 4

THE PERMIT ACCOUNTING CARD

1. The name of the transaction _____
2. The date of the receipt of an application by the executor _____
3. The date of the receipt of the last additional documents from the applicant upon the inquiry of the Chief Administration (National Bank) of the Central Bank of the Russian Federation _____
4. Full name of the resident enterprise and its legal address (telephone and fax - this line shall be filled in, provided these data are available in the submitted documents) _____
5. The CRATA code of a resident enterprise _____

6. The ACEO code of a resident enterprise _____

7. Full names of non-residents and contracting parties to

8. The countries of the place of location of non-residents and contacting parties to the transaction

9. Reference number of the letter on the issue of a permit _____

10. Number of a permit _____

11. Date of the issue of a permit _____

12. Term of validity of a permit _____

13. * Name of a non-resident Bank or its affiliated branch

14.* The country of location of a foreign bank _____

15.** The amount of a currency transaction in units of relevant currency

Name of currency	Numerical code of currency	Amount of monetary funds
1	2	3

* To be filled in with the issue of a permit for opening an account of a representative office with a non-resident bank.

** To be filled in with the issue of a permit for currency transactions associated with the movement of capital; not to be filled with the issue of a permit for opening an account of a representative office with a non-resident bank.

16. The number of the file and volume in which is located copy of a permit by the Chief Administration or the National Bank of the Central Bank of Russia.

17. _____
Periodicity of reports 1(single), 2(monthly), 3(quarterly),

4(yearly) to strike out what is not required

18. Identification information:

- Name of the institution that has issued a permit

- Executor (full name) _____ signature _____

19. Note _____

PROCEDURE FOR FILLING IN A PERMIT ACCOUNTING CARD

Filling the accounting card shall begin at the stage of the receipt and registration of an application for getting a permit for a currency transaction and for opening an account with a foreign

bank.

After the perusal of documents, the executor shall fill in Items 1 - 8 of the accounting card.

In Item 1 it is necessary to indicate the relevant type of the transaction in keeping with the Classifier ([Appendix 2](#)).

In Item 2 it is necessary for the executor to pinpoint the day, month and year of the primary receipt of a set of documents for getting a permit.

In Item 3 it is necessary to indicate the day, month and year of the receipt by the executor of the last documents, which are necessary for the drawing up a permit at the request of the Chief Administration of the National Bank of the Central Bank of Russia.

In Items 4 - 6 it is necessary to bring in identification information about the enterprise-applicant. The first four figures from the CRATA code shall be identified to show the territory on which the resident enterprise has been registered.

In Items 7 it is necessary to give the names of all the non-residents taking part in a currency transaction.

In Item 8 it is necessary to indicate the numerical codes and names of the countries where all non-residents are located and take part in a transaction in keeping with the Codes of the names of Countries (State Standard 7.67-94, Publishing House of Standards, 1995). The country is understood to mean independent States, trust and special territories.

It is necessary to fill in Items 9 - 12 of the accounting card after the adoption of a decision on the question of granting a permit for a currency transaction and for opening an account with a foreign bank.

In Item 9 it is necessary to show the reference number of registration of the document which notifies the resident about the issue of a permit. This is to be done in conformity with the procedure of clerical work used by the Chief Administration or the National Bank.

In Item 10 it is necessary to indicate the number of a permit, consisting of 15 digits, in keeping with the Description of the Identified Codes of Permits ([Appendix 2](#)).

In Item 11 it is necessary to indicate the day, month and year of the completion of a permit by the Chief Administration of the National Bank.

In Item 12 it is necessary to indicate the date (day, month and year) of the cessation of the validity of the permit (the end of all transactions, calculations, payments and customs clearance).

It is necessary to fill in Items 13 and 14 in the event of drawing up a permit for opening an account of the representative office with a non-resident bank.

In Item 13 it is necessary to give the full name of the non-resident bank or its affiliated branch in which an account is opened. In Item 14 it is necessary to show the numerical code, and the name of the country where the said non-resident bank or its branch is located in keeping with the Codes of the Names of Countries (State Standard 7.67-94, Publishing House of Standards, 1995).

Item 15 shall be filled in the event of the issue of a permit for a delayed receipt of export payments and for prepayment of import.

In columns 1 and 2 it is necessary to give the name and codes of all currencies in which under the contract terms it is planned to pay for goods in accordance with the All-Russia Classifier of Currencies OR 014-94.

In column 3 it is necessary to indicate all the contractual amounts of supplies of goods in appropriate currencies.

In Item 16 it is necessary to give the number of the file in keeping with the procedure of clerical work which is used by the Chief Administration of the National Bank. A set of documents on the issued permit is kept in this file.

In Item 17 it is necessary to note the indicators of periodicity of reports by a resident enterprise as envisaged by the issued permit.

A quarterly (3) form of reporting is introduced for all the types of permits, cited in Item 1 of the present Procedure.

In Item 18 it is necessary to bring in identification information about the agency of the Central Bank of Russia which has issued a permit and about the direct executor of the permit. The surname, name and patronymic of the executor shall be given in full.

Item 19 shall be filled in after the end of the term of validity of the permit.

In Item 19 it is necessary to cite the following information:

- the date (day, month and year) of the end of the validity of the permit;
- the code of the reason of the end of the validity of the permit:

01 is the end of the term of validity of the permit or the completion all the transactions provided for by the permit;

02 is the recall of the permit on account of a revealed breach of the permitted procedure for currency operations:

- brief information about the revealed breaches, the amount of the non-received export earnings, the value of imported goods which have not passed customs clearance on the territory of the Russian Federation.

Appendix 5

PROCEDURE FOR KEEPING THE ELECTRONIC DATABASE FOR THE RECORD-KEEPING OF ISSUED PERMITS

The electronic database (ED) for the record-keeping of the issued permits functions in the system of control of databases (SCD) FOXPPO. Software (S) for keeping the electronic database has been devised with the aid of built - in software FOXPPO by the specialists of the Department of Informatization of the Central Bank of Russia. Information in the base is formed in DBF-format.

The ED keeps information about the issued permits that fully corresponds to information written in the permit accounting card (PAC) ([Appendix 4](#)), which means that an electronic copy of PAC is in the ED.

The Department of Foreign Currency Regulation and Foreign Currency Control will transfer to each Chief Administration (National Bank) of the Central Bank of Russia software, with the aid of which ED will be kept.

ED is filled with information about issued permits in the following way:

- after the permit is prepared and signed by the management of the Chief Administration (National Bank) it is necessary to fill in Items 9 - 18 of PAC will be filled in;
- the data with the filled in PAC shall be entered in the ED, after that the PAC is included in a file (dossier) together with a copy of the permit.

If any changes are introduced to the text of the earlier issued permit, the executor shall fill in the PAC with said changes with a note in the upper right corner of the card "changes to the permit". In the ED it is necessary to take out a card of the necessary permit and introduce changes in keeping with the submitted PAC.

Every month, not later than the 10th of the month succeeding the reporting one, all information about issued permits over the past month shall be prepared with the aid of the programme for keeping the ED in the form of a DBF-file and transferred to the Department of Foreign Currency Regulation and Foreign Currency Control (DFCR and FCC) for recording it in the overall ED. It is necessary to send information through the REMART telecommunication network with the use of an option about notification. The transferred files shall have the following names:

OPEN yymm DBF, SUM yym, DBF,

where OPEN and SUM are the general names for files of information about permits and are formed with the aid of software,

yy is the two-digit number of the respective territorial agency of the Central Bank of Russia (constant number) and is formed once with the aid of software.

mm is the two-digit number of the month, for which information has been sent (variable number from month to month) and is formed with the aid of software each time files are being prepared for the dispatch to the Department of Foreign Currency Regulation and Foreign Currency Control.

The address of DFCR and FCC in the REMART system is UBR.

The name of the catalog to which it is necessary to send files is OPEN yymm, DBF, SUM yymm,

DBF - GUVR-IN.

[Order of the State Customs Committee of the Russian Federation No. 676 of July 16, 2001 reworded Appendix 6 to this Order](#)
[See the previous text of the Appendix](#)

Appendix 6

Regulations on Monitoring Foreign Economic Activities in Respect of Dual-Purpose Equipment and Materials and Also Relevant Technologies Applied for Nuclear Purposes

1. The present Regulations elaborated for the purpose of protecting the national interests and ensuring the implementation of international obligations of the Russian Federation concerning the non-proliferation of nuclear weapons sets out a procedure for monitoring foreign economic activities in respect of the equipment, materials and technologies included in the [List](#) of Dual-Purpose Equipment and Materials and Relevant Technologies Used for Nuclear Purposes Which Are Subject to Export Control endorsed by [Decree](#) of the President of the Russian Federation No. 228 of February 21, 1996 (hereinafter, 'the List').

2. The present Regulations shall be binding on all legal entities and natural persons under the jurisdiction of the Russian Federation pursuing foreign economic activities (hereinafter, 'Russian participants in foreign economic activity' in respect of the equipment, materials and technologies included in the List as subject to export control (hereinafter, 'controlled equipment, materials and technologies').

3. Control over foreign economic activities in respect of controlled equipment, materials and technologies shall include the following:

a) a permissive procedure for the accomplishment of foreign economic transactions envisaging export from the Russian Federation (except for export under the regime of transit) and/or transfer of controlled equipment, materials and technologies (in particular, transfer of equipment and technologies in the form of specific components) to foreign persons, international organisations or representatives of such organisations (hereinafter, 'foreign persons') in any way, in particular, by mail or via telecommunication channels;

b) customs control and customs formalities completed in respect of controlled equipment, materials and technologies moved across the customs border of the Russian Federation in the form of technical data, except as otherwise established by federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation.

4. Draft international treaties of the Russian Federation, draft acts of the President of the Russian Federation and the Government of the Russian Federation laid before the Government of the Russian Federation which envisage the export from the Russian Federation of controlled equipment, materials and technologies or their transfer to foreign persons on the territory of the Russian Federation or set out a procedure for the accomplishment of foreign economic transactions in them different from a procedure established by the present Regulations shall be referred to the Ministry of Economic Development and Trade of the Russian Federation or other federal executive bodies concerned to be approved by them.

5. Controlled equipment, materials and technologies are prohibited for being transferred to foreign persons:

- a) to be used in the pursuance of activity of creation of nuclear explosive devices;
- b) to be used in states not possessing nuclear weapons in the pursuance of activities in the nuclear fuel cycle field which has not been placed under the guarantee of the International Atomic Energy Agency (IAEA);
- c) in the case of existence of an unacceptable risk of their being used for the purposes specified in Sub-items "a" and "b" of the present item;
- d) in cases when the transfer runs contrary to the goal of nonproliferation of nuclear weapons.

The "activity of creating nuclear explosive devices" means scientific research, development, design, manufacture, testing, operation or maintenance of any nuclear explosive device, subsystems or components of such a device.

'Activities in nuclear fuel cycle fields not placed under the guarantee of the International Atomic Energy Agency" means scientific research, development, design, manufacture, testing, operation and maintenance of any reactor, critical assembly, conversion plant, nuclear fuel production and processing plant, original or special fissionable material separation plant, a separate plant for the storage thereof (in case when there is no obligation to assume guarantees of the International Atomic Energy Agency for a specific facility or plant containing an original or special fissionable material) or a heavy water production plant (in cases when there is no obligation to assume guarantees of the International Atomic Energy Agency for any nuclear material produced or used in connection with the production of heavy water at this plant or if such an obligation is not honoured).

6. The following shall be indicated in an agreement (contract, accord) envisaging a transfer of controlled equipment, materials and technologies to a foreign person:

a) the purpose and place of use of the controlled equipment, materials and technologies;

b) the end user of the controlled equipment, materials and technologies;

c) the foreign person's obligation to the effect that the controlled equipment, materials and technologies received by the person:

shall be used solely for the purposes declared as not relating to the activity of creation of nuclear explosive devices;

shall not be copied, modified, re-exported or transferred to anybody without the written consent of the Russian participant in foreign economic activity agreed upon by the Ministry of Economic Development and Trade of the Russian Federation.

7. In cases when controlled equipment, materials and technologies are transferred to foreign persons of states not possessing nuclear weapons, a special clause shall be included in the agreement (contract, accord) comprising the foreign person's obligation to the effect that the controlled equipment, materials and technologies received by the person or copies thereof shall not be used to pursue activities in the field of nuclear fuel cycle which have not been placed under the guarantee of the International Atomic Energy Agency.

8. If the foreign person is a mediator, the obligations specified in [Items 6 and 7](#) of the present Regulation shall be also assumed by the end user of the controlled equipment, materials and technologies and in such cases the obligations may be made in the form of a separate document.

9. The provisions of [Items 6 - 8](#) of the present Regulations in as much as it concerns the assumption of obligations by a foreign person (end user) shall not apply in the event of transfer of materials and equipment under a list in compliance with [Annex No. 1](#).

10. When controlled equipment, materials and technologies in the form of technical data are transferred to a foreign person of a state not being participant in the Group of Nuclear Suppliers, the obligations of a foreign person stipulated in Items 6 and 7 of the present Regulations shall be confirmed by a document issued by an empowered body of the state where the controlled equipment, materials and technologies in the form of technical data are going to be used (hereinafter, 'end use states').

In other cases the need for compliance with the said provision shall be determined by the Ministry of Economic Development and Trade of the Russian Federation according to the results of a state expert examination of the foreign economic transaction.

11. On the basis of the results of the foreign economic deal the Ministry of Economic Development and Trade of the Russian Federation shall be entitled to set as a condition sine qua non for the transfer of controlled equipment, materials and technologies in the form of technical data to the foreign person the assumption of an obligation by the end user thereof to provide the following to the Russian participant in foreign economic activity:

the right to verify the uses of the received controlled equipment, materials and technologies in the form of technical data;

a certificate of delivery or another document issued by an empowered body of the end use state to acknowledge the import of the controlled equipment, materials and technologies in the form of

technical data onto the territory of the state.

12. Foreign economic transactions in controlled equipment, materials and technologies envisaging their transfer to foreign persons shall be accomplished under one-off or general licences issued by the Ministry of Economic Development and Trade of the Russian Federation (except for the cases stipulated in [Item 29](#) of the present Regulations).

13. To obtain a one-off licence a Russian participant in foreign economic activity shall file the following documents with the Ministry of Economic Development and Trade of the Russian Federation:

- a) a licence application;
- b) for a legal entity: copies of the constituent documents;
for a natural person: a copy of personal identity document and a document containing information on the employer and the position occupied;
- c) for a legal entity: a copy of the state registration certificate and a statement by a tax body confirming registration for taxation purposes;
for a natural person being an individual entrepreneur: a copy of a state registration certificate as bearing the rubber stamp of the tax body;
- d) documents stating that the controlled equipment, materials and technologies being exported (transferred) are (or are not) carriers of information classified as state secrets.

14. When foreign economic transactions are being implemented as envisaging a transfer of controlled equipment, materials and technologies in the form of technical data to a foreign person, the Russian participant in foreign economic activity shall file the following documents apart from those stipulated in [Item 13](#) of the present Regulations with the Ministry of Economic Development and Trade of the Russian Federation:

- a) a copy of the agreement (contract, accord) complete with all annexes thereto (including the indication of the date of issue of the copy and an annotation stating the place where the original is kept);
- b) a copy of the agreement between the applicant and manufacturer (owner) of the equipment or materials or the developer (owner) of the technology if the applicant is not their manufacturer (developer);
- c) the obligation of the end user stipulated in [Item 8](#) of the present Regulations, unless it is available in the agreement (contract, accord);
- d) the document of the empowered body of the end use state specified in [Item 10](#) of the present Regulations;
- e) a copy of the licence for the pursuance of activity in the field of atomic energy use issued by the Federal Nuclear and Radiation Safety Supervisory Agency of Russia to the manufacturer of the radioactive substances and articles containing such substances being transferred;
- f) a document acknowledging that the documents required for settling issues concerning legal protection of the results of intellectual activity used in the creation of the product transferred to the foreign person, if the right thereto is owned by the state, have been forwarded by the Russian participant in foreign economic activity to the Ministry of Justice of the Russian Federation.

15. In the event of transfer (disclosure) to a foreign person of controlled technologies in the form of technical assistance, in particular, by means of training, announcing at a conference, symposium and during other events, the Russian participant in foreign economic activity shall file the following documents with the Ministry of Economic Development and Trade of the Russian Federation apart from those specified in [Item 13](#) of the present Regulations:

- a) a letter containing information on the method, place and time of transfer (disclosure) of the technologies and also on the foreign persons to which the technology is going to be transferred (disclosed);
- b) a copy of the agreement or other document under which the transfer (disclosure) of the technologies is going to be effected;
- c) materials disclosing the nature and content of the technologies to be transferred (disclosed) complete with a reference to the items of the [List](#).

16. The export of controlled equipment, materials and technologies from the Russian Federation

in the form of technical data for the purpose of temporary use on the territory of a foreign state without their being transferred to the foreign person but with a subsequent return to the Russian Federation shall be effected under a decision of the Export Control Commission of the Russian Federation (hereinafter, 'the permit').

17. To obtain the permit a Russian participant in foreign economic activities shall file the following documents with the Ministry of Economic Development and Trade of the Russian Federation:

a) a letter asking for the application (including the indication of a description, the characteristics, purposes and place of use of the controlled equipment, materials and technologies exported in the form of technical data);

b) the documents specified in Sub-items "b", "c" and "d" of [Item 13](#) of the present Regulations;

c) a document confirming the purpose of export and duration of stay on the territory of the foreign state of the controlled equipment, materials and technologies in the form of technical data;

d) a written obligation to return the controlled equipment, materials and technologies exported in the form of technical data to the territory of the Russian Federation;

e) a copy of the licence for the pursuance of activity in the field of atomic energy use issued by the Federal Nuclear and Radiation Safety Supervisory Agency of Russia to the manufacturer of exported radioactive substances and articles containing such substances.

18. The decision to issue or refuse the issuance of a one-off licence of the Ministry of Economic Development and Trade of the Russian Federation or a permit of the Export Control Commission of the Russian Federation shall be made on the basis of the results of a state expert examination of the foreign economic transaction conducted in the established manner by the Ministry of Economic Development and Trade of the Russian Federation jointly with the Ministry of Defence of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, the Ministry of Atomic Energy of the Russian Federation, and if necessary the other federal executive bodies concerned, within ten days after the date of completion of the expert examination, but as a rule within 45 days after the date of receipt of the necessary documents. The Ministry of Economic Development and Trade of the Russian Federation shall notify the Russian participant in foreign economic activities of the decision so made, within three business days after the date of the decision.

A written notice of refusal to grant a one-off licence or a permit shall be forwarded (delivered) as including the indication of reasons for such a refusal to the Russian participant in foreign economic activities.

19. General licences shall be issued for the export of controlled equipment and materials to the member states of the Group of Nuclear Suppliers.

The grounds for the issuance of a general licence shall be a decision of the Government of the Russian Federation.

General licences shall be issued to legal entities which have set up an in-house export control programme and received in the established manner a certificate of state accreditation.

The Ministry of Economic Development and Trade of the Russian Federation shall be responsible for preparing draft decisions of the Government of the Russian Federation on matters concerning the issuance of general licences and presenting them in the established manner.

20. For the purposes of preparation of a draft decision of the Government of the Russian Federation, a Russian participant in foreign economic activities shall forward a letter to the Ministry of Economic Development and Trade containing a request for consideration of a possibility of issuance a general licence, such a letter containing the following information:

a) the full name of the legal entity, its legal address, code according to the All-Russia Classification of Enterprises and Organisations, phone (fax) number;

b) a description, the characteristics of controlled equipment and materials, quantity and codes according to the Commodity [Classification](#) for Foreign Economic Activity of the Russian Federation, item numbers according to the List and also the full names and legal addresses of their manufacturers;

c) the names of the states to which the controlled equipment and materials are going to be exported;

d) the declared effective term of the licence;
e) documents stating that the equipment and materials intended for being exported from the Russian Federation are (are not) carriers of information classified as state secrets.

21. If controlled equipment or materials contain radioactive substances the Russian participant in foreign economic activities shall file copies of licences for the pursuance of activity in the field of atomic energy use issued by the Federal Nuclear and Radiation Safety Supervisory Agency of Russia to the manufacturers of the controlled equipment and materials, with the Ministry of Economic Development and Trade of the Russian Federation apart from the letter specified in [Item 20](#) of the present Regulations.

22. The Ministry of Economic Development and Trade of the Russian Federation shall be entitled to ask in the established manner Russian participants in foreign economic activities to provide additional information and documents required for consideration of the issue of the possibility of issuing a general licence.

23. The Ministry of Economic Development and Trade of the Russian Federation shall within ten days after the date of receipt of the documents specified in [Items 20](#) and [21](#) of the present Regulations from a Russian participant in foreign economic activities prepare a draft decision of the Government of the Russian Federation on the issuance of a general licence for the purposes of seeking approval for the licence from the Ministry of Foreign Affairs of the Russian Federation, the Ministry of Defence of the Russian Federation, the Ministry of Atomic Energy of the Russian Federation, the State Customs Committee of the Russian Federation and if necessary from other federal executive bodies concerned.

The term for securing an approval for the said draft decision of the Government of the Russian Federation or for issuing a substantiated statement of refusal to grant approval shall not exceed ten days after the date of receipt of such a draft by a relevant federal executive body. The Ministry of Economic Development and Trade of the Russian Federation shall in the established manner lay the draft decision before the Government of the Russian Federation within five days after the date of approval completion.

24. The standards governing the way licences and licence applications are drawn up shall be set by the Ministry of Economic Development and Trade of the Russian Federation.

25. The amount of 3,000 roubles shall be charged for the making of a one-off licence, and of 15,000 roubles for the making of a general licence.

26. The licence shall be issued within ten days after the date when the Russian participant in foreign economic activities presents a document to the Ministry of Economic Development and Trade of the Russian Federation confirming that payment has been made for the making of the licence.

27. The permit shall be executed according to the format provided in [Annex No. 2](#) within five days after the date of the decision whereby it is issued and it shall be forwarded by the Ministry of Economic Development of the Russian Federation to the Russian participant in foreign economic activities and to the State Customs Committee of the Russian Federation.

28. In the event of a change in the terms and conditions of an agreement (contract, accord) concerning controlled equipment, materials and technologies, the declared purpose and place of the use thereof, the end user or a change envisaging an increase in the term of stay of temporarily exported controlled equipment, materials and technologies in the form of technical data the one-off licence or permit issued to the Russian participant in foreign economic activity shall be subject to remake in the manner established for the obtaining of such a licence or permit.

29. In the following cases there shall be no need for executing a licence of the Ministry of Economic Development and Trade of the Russian Federation:

a) the export from the Russian Federation of controlled equipment which has been exported by a Russian participant in foreign economic activities before and imported into the Russian Federation for the purpose of undergoing repair or being replaced with identical equipment under warranties set out the agreement (contract, accord);

b) the export from the Russian Federation of controlled equipment which has been imported by a Russian participant in foreign economic activities before for the purpose of undergoing repair or being replaced with identical equipment under warranties set out in the agreement (contract, accord);

c) the transfer of the equipment and materials specified in [Annex No. 1](#) hereto.

30. The availability of legal grounds for effecting a licence-free export (transfer) of controlled equipment and materials under [Item 29](#) of the present Regulations shall be confirmed in writing by the Ministry of Economic Development and Trade of the Russian Federation.

31. While accomplishing the foreign economic transactions specified in Item 29 of the present Regulations, a Russian participant in foreign economic activities shall forward copies of relevant [cargo customs declarations](#) to the Ministry of Economic Development and Trade of the Russian Federation within five days after the date of export (transfer) of controlled equipment or materials.

32. If a foreign person is in breach of the obligations specified in [Items 6, 7](#) and [11](#) of the present Regulations the Ministry of Economic Development and Trade of the Russian Federation shall suspend the one-off licences issued and suspend the making of new one-off licences for the transfer of controlled equipment, materials and technologies for this foreign person until this breach is eliminated.

Russian participants in foreign economic activities being licensees shall immediately inform the Ministry of Economic Development and Trade of the Russian Federation of breaches of the obligations specified in Items 6, 7 and 11 of the present Regulations by a foreign person.

33. A licence and a permit may be annulled or suspended by the body that has issued them if:

- a) the licensee or the owner of the permit files an application to this effect;
- b) the legal entity to which the licence or permit have been issued is liquidated;
- c) the licensee or the owner of the permit violates the terms and conditions of the licence or permit;
- d) the licensee or the owner of the permit violates Russian law;
- e) other grounds stipulated by Russian export control law occur.

34. The decision whereby a licence or permit is suspended or annulled shall be forwarded by the Ministry of Economic Development and Trade of the Russian Federation to the licensee or the owner of the permit and a relevant customs body within three business days after the date of such a decision.

If the circumstances which have caused the suspension of a licence or permit have been eliminated, the relevant body shall within 20 days after the date of receipt of documents confirming this fact adopt a decision to resume the licence or permit.

35. The State Customs Committee of the Russian Federation shall immediately inform the Ministry of Economic Development and Trade of the Russian Federation of violations of the conditions set out in a licence or permit.

36. When controlled equipment, materials and technologies in the form of technical data are exported from the Russian Federation, except for the export of technologies in the form of technical data via telecommunication channels, shall be subject to customs processing and customs control in the manner established by the legislation of the Russian Federation.

The condition sine qua non for the performance of customs processing and customs control shall be a Russian participant in foreign economic activities holding a licence or permit (except for the cases specified in [Item 29](#) of the present Regulations).

37. The prolongation of the effective term of temporary export of controlled equipment, materials and technologies in the form of technical data exported under the customs regime of [temporary import \(export\)](#) shall be effected by the customs bodies in the manner established by the State Customs Committee of the Russian Federation. In such cases the condition sine qua non for the customs bodies to make a decision to prolong the effective term of export of this equipment, materials and technologies shall be the presentation of a licence including an indication of their return term or a document confirming the consent of the Export Control Commission of the Russian Federation to prolongation of the term of their stay outside the customs territory of the Russian Federation.

38. The transfer to a foreign person of legal title to controlled equipment, materials and technologies in the form of technical data exported out of the Russian Federation for temporary use on the territory of a foreign state and also the transfer to a foreign person for temporary use of such equipment, materials and technologies exported out of the Russian Federation under [Item 16](#) of the present Regulations shall be effected under a licence permitting such a transfer, without their being

brought onto the territory of the Russian Federation on the condition that the customs legislation of the Russian Federation is observed.

39. A permit for re-export (transfer to a third person) of controlled equipment, materials and technologies in the form of technical data exported from the Russian Federation shall be issued to a foreign person by the Russian participant in foreign economic activities in agreement with the Ministry of Economic Development and Trade of the Russian Federation.

40. For the purposes of securing approval for the re-export (transfer to a third person) of controlled equipment, materials and technologies in the form of technical data, a Russian participant in foreign economic activities shall file the following documents with the Ministry of Economic Development and Trade of the Russian Federation:

a) a letter containing a relevant request and descriptions, the characteristics, purposes and place of use of the controlled equipment, materials and technologies in the form of technical data being the object of re-export (transfer to a third person), information about the consignee (end user) and the number of the licence under which the said products have been exported from the Russian Federation;

b) the original or a copy attested by a notary public of a document containing the obligations of the consignee (end user) of the object of re-export (transfer to a third person) stipulated in Item 8 of the present Regulations;

c) the original or a copy attested by a notary public of the document of the authorised body of the end user state stipulated in [Item 10](#) of the present Regulations.

41. The copies of documents filed in keeping with [Items 13 - 15, 17, 21](#) and [40](#) of the present Regulations shall be attested by the Russian participant in foreign economic activities in compliance with the legislation of the Russian Federation.

Documents in foreign languages shall be filed together with their attested translation into Russian.

42. The decision whereby approval is granted or refused in respect of re-export (transfer to a third person) of controlled equipment, materials and technologies in the form of technical data shall be made by the Ministry of Economic Development and Trade of the Russian Federation according to the results of a state expert examination conducted by that ministry in the established manner jointly with the Ministry of Defence of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, the Ministry of Atomic Energy of the Russian Federation and if necessary other federal executive bodies concerned within five business days after the date of completion of the examination.

The approval of re-export (transfer to a third person) of controlled equipment, materials and technologies in the form of technical data shall be drawn up in the form of a letter signed by an official of the Ministry of Economic Development and Trade of the Russian Federation authorised to do so.

43. For the purposes of keeping statistical record and analysis of the activity of export of controlled equipment and materials under issued general licences, the owner of these licences shall quarterly, not later than the 10th day of the month following the last month of the accounting quarter present reports to the Ministry of Economic Development and Trade of the Russian Federation on the deliveries accomplished under such licences, according to the format established by the ministry, together with copies of export contracts.

44. The State Customs Committee of the Russian Federation shall furnish information to the Ministry of Economic Development and Trade of the Russian Federation on the export from the Russian Federation of controlled equipment, materials and technologies in the form of technical data, on the basis of information on the licences and permits issued which is provided by the ministry.

The said information shall be presented in the approved format quarterly within 30 days after the end of the quarter and it shall in particular include the information contained in the [cargo customs declaration](#).

45. Controlled equipment, materials and technologies being carriers of information classified as state secrets shall be taken out of the Russian Federation or transferred to a foreign person in compliance with the legislation of the Russian Federation on [state secrets](#) and the present Regulations.

Annex No. 1
to [Regulations](#)
on Monitoring Foreign Economic Activities
in Respect of Dual-Purpose Equipment and Materials
and Also Relevant Technologies Applied for Nuclear Purposes

List
of the Materials and Equipment Which Do Not Require
the Assumption of an Obligation by Foreign Consignees (End Users)
and the Making of a Licence of the Ministry of Economic Development
and Trade of the Russian Federation in the Case of Their Transfer

1. Products and devices containing radium-226 in any form in an amount not exceeding 0.37 GBq (10 mCi) ([Item 2.13](#) of the List).
2. Products and devices containing tritium in any form in an amount not exceeding $1.48 \times 10^{(3)}$ GBq (40 Ci) ([Item 8.3](#) of the List).
3. Products and devices containing less than 1 g of helium-3 in any form ([Item 8.6](#) of the List).
4. Products and devices containing any of the alpha-emitting radionuclides specified in [Item 8.7](#) of the List with total alphaactivity of less than 3.7 GBq (100 mCi).
5. The oscilloscopes and transient processes recorders and components specifically developed for them, in particular, replaceable units, external amplifiers, preamplifiers, signal pickup devices and cathode-ray tubes for analogue oscilloscopes specified in [Items 7.1.1 7.1.4](#) of the List and also the technologies intended for development, manufacture or use thereof.
6. Controlled equipment and materials transferred under effective agreements with the International Atomic Energy Agency.

Note. The aggregate quantitative characteristics of products and devices (except for closed ionising radiation sources intended for use in acquired merchantable state) transferred during the calendar year to an end use state without the assumption of obligations by the foreign consignee (end user) and the making of a relevant licence shall not exceed the values indicated in the present list.

Annex No. 2
to [Regulations](#)
on Monitoring Foreign Economic Activities
in Respect of Dual-Purpose Equipment and Materials
and Also Relevant Technologies Applied for Nuclear Purposes

Exports Control Commission of the Russian Federation

Permit No. _____
for the Temporary Export of Equipment
(Material, Technology) from the Russian Federation

Issued to _____
(the name of the legal entity (the full name and details of
_____ a personal identity document of the natural person
_____ performing export)
on application No. _____ of _____
for export of _____

(description and characteristics of exported equipment

 (material, technology), quantity (volume) and also other
 information

 required for customs purposes)
 under _____
 (agreement (contract, accord etc., number and date thereof))
 for _____
 (the purpose and place of use of the exported equipment

 (material, technology) and also other conditions (requirements)

 of compulsory nature for export purposes)

_____ (position) _____ (signature) _____ (full name)

_____ 200 _____ seal

Appendix 7 to this [Provisional Procedure](#) is not given

Appendix 8

**PROCEDURE
 FOR CONTROL BY THE TERRITORIAL AGENCIES
 OF THE CENTRAL BANK OF RUSSIA OVER THE OBSERVANCE
 OF THE TERMS OF THE PERMIT FOR THE PREPAYMENT FOR AN IMPORTATION**

1. In compliance with the [Instructions](#) of the Central Bank of Russia No. 30 of July 26, 1995 on the Procedure for Implementing Currency Control of Valid Payments in Foreign Currency of Currency for Imported Goods, the resident enterprise, which has a permit for the prepayment for an importation, shall identify payments for imported goods in the batch indicated in AC after the receipt from the authorized bank of the xerocopy of the accounting card of imported goods (AC) under the given contract, and also of the corresponding payment cards. After getting agreement from the authorized bank of the variants of filling in the AC's and the payment cards the copies of AC's and the payment cards initialled by the bank's responsible persons shall be sent by the resident enterprise to the Chief Administration (National Bank) of the Central Bank of Russia quarterly, before the 15th of the month succeeding the reporting period.

[Instructions](#) of the Central Bank of Russia and the State Customs Committee of the Russian Federation No. 01-11/28644/91-I of October 4, 2000 abolished [Instructions](#) of the Central Bank of Russia and the State Customs Committee of the Russian Federation Nos. 30, 01-20/10538 of July 26, 1995 from January 1, 2001

2. The AC's and the payment cards, received by the Chief Administration (National Bank) shall be identified and the compliance of the payments made and goods received shall be verified with the conditions of the issued permit and thereupon the AC's and the payment cards shall be included in the respective dossier for the given permit.

3. As soon as information about the completed customs clearance of the last batch of goods brought into the territory of the Russian Federation under the given contract or about the return of the means of the resident enterprise transferred as payment for imported goods is received by the Chief

Administration (National Bank) of the Central Bank of Russia, the validity of the permit ceases.

It is necessary to fill in Item 19 of the permit accounting card for a currency operation associated with the movement of capital and to open an account with a foreign bank, following which the permit accounting card shall be deemed to be "closed".

The dossier shall be handed over to the record-keeping office of the Chief Administration (National Bank) and shall be kept in custody for five years after the cessation of the permit's validity.

In the event of the revelation of breaches of the permitted procedure for operations associated with the movement of capital in foreign currency in the case of importation of goods, the territorial agency of the Central Bank of Russia shall recall the said permit from the resident enterprise.

In this case, also after Item 19 of the permit accounting card is filled in, the latter shall be deemed to be "closed". The dossier shall be handed over to the record-keeping office of the Chief Administration (National Bank) and shall be kept in custody for five years after the cessation of the permit's validity.

Appendix 9

INFORMATION ABOUT THE CESSATION OF THE VALIDITY OF THE PERMIT FOR CURRENCY OPERATIONS AND FOR THE OPENING OF AN ACCOUNT OF THE REPRESENTATIVE OFFICE

This is presented by _____
(name of the Chief Administration (National

Bank) of the Central Bank of Russia

To _____ the
Central Bank of the Russian Federation _____ the
Department of Foreign Currency Regulation and Foreign Currency Control

Code of			Number of per- mits	Date of comp- leting permit	Date of termi- nation of per- mit	Code of the reason of the termi- nation of pe- rmit *
Territories according to CRATA	Enterprises according to ACEO	Foreign State (territories)				
1	2	3	4	5	6	7

* 01 is the end of the validity term of the permit or the completion of all the operations provided for by the permit;

02 is the recall of the permit for revealed breaches of the procedure of currency transactions provided for by it.

Additional information:

1. Data on the nature of revealed breaches _____

2. The amount (value) of the export earnings (imported goods) **, which have not been received

in time on the territory of the Russian Federation.

Thousands of units of relevant currency

Nos	Indicator	In currency of the transaction	in terms of US dollars
1	2	3	4
0	Code of currency		840
2.	The amount of the earnings from the export of goods which have not received for not valid reasons to the transit account of the resident (Sum "T" - Sum "B" - valid)		
3.	The value of goods under the given contract which have not been cleared by customs on the territory of the Russian Federation		

** To be filled in on the basis of the AC (AC's) and the payment cards (Instructions of the Central Bank of Russia and the State Customs Committee of Russia [No. 19](#) of October 12, 1993 and [No. 30](#) of July 26, 1995).

Chief of the Administration/Department
of Foreign Currency Control

(signature)

Executor _____ Full name
(telephone)

Seal

* Classifier of Regions, Autonomies, Territories and Areas - Tr.

** All-Russia Classifier of Enterprises and Organizations - Tr.

*** To be filled in with the issue of a permit for opening an account by a representative office with a non-resident bank.

**** To be filled in with the issue of a permit for currency transactions associated with the movement of capital; not to be filled in with the issue of a permit.