

**DECISION
OF THE GOVERNMENT OF THE RUSSIAN FEDERATION
NO. 691 OF SEPTEMBER 23, 2002
ON THE APPROVAL OF THE REGULATIONS ON LICENSING
INDIVIDUAL KINDS OF ACTIVITY CONNECTED
WITH ENCODING (CRYPTOGRAPHIC) DEVICES**

See the [Reference Note](#) on the Rules for Licensing Individual Kinds of Activity

In conformity with the [Federal Law](#) on Licensing Individual Kinds of Activity, the Government of the Russian Federation hereby resolves:

1. To approve the hereto enclosed:

- [Regulations](#) on Licensing Activity Involved in the Spread of Encoding (Cryptographic) Devices;
- [Regulations](#) on Licensing Activity Involved in the Technical Servicing of Encoding (Cryptographic) Devices;
- [Regulations](#) on Rendering Services in the Sphere of Encoding Information;
- [Regulations](#) on Licensing the Development and Production of Encoding (Cryptographic) Devices Protected with the Use of the Encoding (Cryptographic) Devices of the Information and Telecommunication Systems.

2. To establish that licences for the performance of an activity in the sphere of protecting information with the use of encoding (cryptographic) devices issued before the adoption of the present Decision shall operate in respect of the kinds of activity enumerated in [Item 1](#) of the present Decision in the course of the time term indicated in them.

Chairman of the Government
of the Russian Federation

M. Kasyanov

[Regulations on Licensing Activity Involved in the Distribution of Encoding \(Cryptographic\) Devices;](#)
[Regulations on Licensing Activity Involved in the Technical Servicing of Coding \(Cryptographic\) Devices;](#)
[Regulations on Rendering Services in the Sphere of Encoding Information;](#)
[Regulations on Licensing the Development and Production of Encoding \(Cryptographic\) Devices Protected with the Use of the Coding \(Cryptographic\) Devices of Information and Telecommunication Systems](#)

**Regulations
on Licensing Activity Involved in the Distribution
of Encoding (Cryptographic) Devices
(approved by [Decision](#) of the Government of the Russian
Federation No. 691 of September 23, 2002)**

1. The present Regulations define the procedure for licensing activity involved in the distribution of encoding (cryptographic) devices, including their sale and transfer.

2. To the encoding (cryptographic) devices shall be referred:

a) **encoding devices** - the apparatus, software and apparatus-software devices, the systems and complexes, realizing the algorithms of the cryptographic transformation of information and intended for protecting information as it is transferred along the communication channels and (or) for protecting information from unsanctioned access in the course of its processing and storage;

b) **imitation protection devices** - the apparatus, software and apparatus-software devices, the systems and complexes realizing the algorithms of the cryptographic transformation of information

and intended for protection against imposing false information;

c) **devices for an electronic digital signature** - the apparatus, software and apparatus-software devices providing on the basis of cryptographic transformations for the discharge of any single one of the following functions: creation of an electronic digital signature with the use of a closed key of the electronic digital signature, confirmation with the use of an open key of the electronic digital signature of the authenticity of the electronic digital signature and creation of closed and open electronic digital signature keys;

d) **encoding devices** - devices realizing the algorithms of the cryptographic transformation of information with the performance of a part of the transformation by way of manual operations or with the use of automated appliances based on such operations;

e) **devices for the manufacture of key documents** (irrespective of the kind of the key information carrier);

f) **key documents** (irrespective of the kind of the key information carrier).

3. The present Regulations shall not be applied to an activity involved in the distribution of:

a) the encoding (cryptographic) devices which are components of those available for an unrestricted sale through retail trade, or of deals on postal bids, or of electronic deals, or of deals by telephone orders on software operational systems, the cryptographic potential of which cannot be changed by the users, which have been developed for installation by the user on his own without further essential support from the supplier and technical documentation (the description of the algorithms of the cryptographic transformations, the protocols on interaction, the description of interfaces, etc.) on which is available, including for checking;

b) personal credit cards with an inbuilt microcomputer whose cryptographic potential cannot be changed by the users;

c) portable or mobile radiotelephones for civilian uses (of the type of the radiotelephones intended for use in the commercial civilian cellular radio communication networks) which have no functions of a through encoding;

d) receiving apparatuses for radio broadcasting and for commercial television, or of other commercial kinds of apparatuses for broadcasting on a limited auditorium without encoding the digital signal, in which the encoding is restricted to the functions of controlling the video or the audio channels;

e) encoding (cryptographic) devices in the composition of the terminals of the single-piece sale (the cash dispensers), specially developed and applied only for banking and financial transactions whose cryptographic potential cannot be changed by the users;

f) encoding (cryptographic) devices for protecting the fiscal memory, especially developed and applied only in the composition of cash-control machines;

g) encoding (cryptographic) devices, irrespective of their profile, which realize symmetrical cryptographic algorithms and which have a maximum length of cryptographic key of less than 40 bits, as well as asymmetrical cryptographic algorithms based either on the decomposition of whole numbers into the multipliers, or on the computation of discrete logarithms in the multiplication group of the end field, or on a discrete logarithm in a group distinct from that mentioned above, with a 128-bit maximum length of the cryptographic key.

4. Licensing the activity involved in the distribution of the encoding (cryptographic) devices is performed by the Federal Agency for Governmental Communications and Information under the President of the Russian Federation (hereinafter referred to as the licensing body).

5. The following shall be seen as the licensing demands and terms in the distribution of encoding (cryptographic) devices:

a) fulfilment of the legal normative acts of the Russian Federation and observation of the state standards for the licensed activity;

b) fulfilment of the normative documents of the licensing body regulating the performance of the licensed activity, which are registered in accordance with the established order by the Ministry of Justice of the Russian Federation, and of the methodological documents on the licensed activity issued by the licensing body within the scope of its competence;

c) submitting to the licensing body of the list of the encoding (cryptographic) devices used in the

performance of the licensed activity (with the presentation at an inquiry of the technical documentation and /or/ of the samples of the encoding /cryptographic/ devices which do not possess the certificate of the Federal Agency for the Governmental Communication and Information under the President of the Russian Federation);

d) import to the territory of the Russian Federation in the order established in the legal normative acts of the Russian Federation of foreign-made encoding (cryptographic) devices which are supposed to be distributed in the Russian Federation;

e) presentation to the licensing body at its inquiry of samples of foreign-made encoding (cryptographic) devices which are supposed to be distributed in the Russian Federation, and of the documents defining their composition, characteristics and terms of operation (with an official translation thereof into the Russian language);

f) existence of the installations, premises, the technological, testing and control-measuring equipment and of the other objects necessary for the performance of the licensed activity in conformity with the established technological demands which belong to the licensee by the right of ownership or on some other legal ground;

g) correspondence of the above premises to the demands made on such premises by the technical documentation on the equipment contained in them;

h) servicing of the said equipment in conformity with the schedule envisaged in the operational documents;

i) carrying out a timely check-up of the technological, testing and control-measuring equipment used in the performance of the licensed activity;

j) the use of software for computers or of the data bases by third persons (by the users) on the grounds of a contract with the right-holder;

k) existence of the system for the by-the-piece recording of encoding (cryptographic) devices and of the documentation to them;

l) establishment of the order for an access of persons to confidential information connected with the performance of the licensed activity, and providing for the controlled access of the licensee's personnel to the works connected with such information;

m) providing for the security of the storage, processing and transfer along the communication channels of confidential information connected with the performance of the licensed activity;

n) application of the devices for processing information attested in conformity with the demands for the protection of information;

o) existence of the guards and (or) of the special equipment, as well as of the schedule of works precluding uncontrolled access to the encoding (cryptographic) devices;

p) storage of the encoding (cryptographic) devices, of their individual units and blocks, of the distributors of the software and the apparatus-software encoding (cryptographic) devices, of the installation diskettes and of the normative, operational and key documentation to them in store-rooms (in metal cases or in safes) equipped with mortise locks;

q) provision of the conditions precluding the possibility of uncontrolled access to the encoding (cryptographic) devices during their transportation, of their physical damage and of an external impact upon the key information carriers;

r) existence of the following qualified personnel:

- the manager and (or) the person authorized by him to direct the works in the licensed activity who have a higher professional education and (or) the professional training in the sphere of information security, as well as a work record in this sphere of at least two years;

- the engineering-technical personnel possessing a higher professional education or having passed through the re-training (through raising qualifications) in the sphere of information security, acquiring the specialization corresponding to the kind of encoding (cryptographic) devices.

6. To receive a licence, the licence seeker shall submit the following documents to the licensing body:

a) an application for an issue of a licence, with an indication of:

- the licensed activity;

- the name, the legal-organizational form and the place of location - for a legal entity;

- the surname, name and patronymic, the place of residence and the data of the document, identifying the person - for an individual businessman;

b) a copy of the constituent documents and certificates on the state registration of the licence seeker as a legal entity, or a copy of the certificate on the state registration of the licence seeker as an individual businessman (with the presentation of the original, if the copy is not notarially certified);

c) a copy of the certificate on the licence seeker being put onto the records in the tax body (with the presentation of the original, if the copy is not notarially certified);

d) the documents confirming the payment of the licence fee for the consideration of an application for an issue of a licence;

e) information on the qualifications of the licence seeker's workers, signed by the manager (by the person acting for him) and certified with the seal of the legal entity or of the individual businessman.

7. The documents shall be accepted in accordance with an inventory, a copy of which with a note on the date of acceptance of the documents shall be forwarded (handed in) to the licence seeker.

The licence seeker is held responsible for submitting unauthentic or distorted information in conformity with the legislation of the Russian Federation.

8. The licensing body has the right to request that the licence seeker supply confirmation that the licensed activity corresponds to the licensing demands and terms.

9. The licensing body shall adopt the decision on the issue or on the refusal in the issue of a licence within 60 days as from the day of arrival of the application with all the necessary documents, and shall forward (hand in) to the licence seeker the corresponding notification (in case of the refusal in the issue of a licence - with an indication of the reasons behind the refusal).

10. The decision on the issue or on the refusal to issue a licence shall be taken in accordance with the results of checking the authenticity of the submitted information and whether the licence seeker satisfies the licensing demands and terms.

If the information submitted in accordance with [Item 6](#) of the present Regulations, is insufficient, a check-up shall be carried out at the place of the licence seeker's location.

The check-up of the authenticity of submitted information and of the licence seeker's satisfaction of the licensing demands and terms at the place of his location shall be carried out by the official persons of the licensing body on the grounds of the licensing body's instructions within the time terms agreed with the licence seeker. The length of the check-up shall not exceed 30 days.

The licence seeker is obliged to ensure an unobstructed access for the inspectors to the necessary documentation connected with the licensed activity, to the objects at which or with the assistance of which the licensed activity is going to be performed, and to the documents on these objects; he shall also provide for the conditions necessary to carry out the check-up, and for the presence at it of the corresponding official persons.

11. The licence is issued for a term of five years.

After the end of the term of the licence validity, it may be extended at the licensee's application in the order envisaged for the reformalization of a licence.

12. The licensing body shall keep a register of licences, in which shall be pointed out:

a) the name of the licensing body;

b) information on the licensee:

- the name, the legal-organizational form and the place of location - for a legal entity;

- the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;

c) the licensee's code in accordance with the All-Russia Classifier of Enterprises and Organizations, and his taxpayer identification number;

d) the licensed activity;

e) the term of the licence validity;

f) the licence No.;

g) the date of adopting the decision on the issue of the licence;

h) the day of issue of the licence;

- i) information on the registration of the licence in the register of licences;
- j) the grounds for and the dates of the suspension and of the resumption of the licence validity;
- k) the grounds for and the time term of an extension of the licence validity;
- l) the grounds for and the date of the cancellation of the licence.

13. The register of licences shall be kept by the authorized official persons of the licensing body. The data shall be entered into the register not later than three days after the date of signing the licence or after the date of adoption by the licensing body's management of the decision on the suspension or on the resumption of the validity, or on the cancellation of the licence.

14. Control over the observation by the licensee of the licensing demands and terms shall be exerted in the form of check-ups carried out in accordance with the procedure defined by the head of the licensing body.

The licensing body shall inform the licensee about the forthcoming performance of a check-up not later than ten days before its start.

A planned check-up shall be carried out once every two years at the most, in accordance with the plan approved by the licensing body.

An extra-ordinary check-up shall be launched by the licensing body, if:

- it receives information on the licensee's violation of the licensing demands and terms from the legal entities, the individual businessmen or the state power bodies;
- the citizens, legal entities or individual businessmen file complaints against the violation of their rights and lawful interests as a result of the licensees' action (lack of action) connected with the latter's failure to satisfy the licensing demands and terms.

The length of a check-up shall not exceed 30 days.

The licensee is obliged to ensure for the inspectors an unobstructed access to the necessary documentation, to the objects at which or with the assistance of which the licensed activity is performed, and to the documentation on these objects; he shall also be obliged to provide for the proper conditions for carrying out the check-up and for the presence of the corresponding official persons.

In accordance with the results of the check-up shall be formalized an act, in which shall be indicated the specific violations and the time term fixed for their elimination.

The licensee must be acquainted with the act on the check-up.

15. The licensee shall notify the licensing body about the elimination of the violations of the licensing demands and terms within the time term fixed in the check-up act.

By decision of the licensing body, the elimination by the licensee of the violations of the licensing demands and terms shall be checked within 15 days as from the day of receiving from the licensee a notification on their elimination.

16. Decisions on the issue, re-formalization, suspension of the validity or on the cancellation of a licence shall be adopted, and the licensing fees shall be collected in accordance with the procedure, established by the [Federal Law](#) on Licensing the Individual Kinds of Activity.

Regulations
on Licensing an Activity Involved in the Technical
Servicing of Encoding (Cryptographic) Devices
(approved by [Decision](#) of the Government of the Russian
Federation No. 691 of September 23, 2002)

1. The present Regulations establish the procedure for licensing an activity involved in the technical servicing of encoding (cryptographic) devices.

2. To the encoding (cryptographic) devices are referred:

a) **encoding devices** - the apparatus, software and apparatus-software devices, and the systems and complexes realizing the algorithms of the cryptographic transformation of information and intended for protecting information as it is transferred along the communication channels and (or) for protecting information from unsanctioned access in the course of its processing and storage;

b) **imitation protection devices** - the apparatus, software and apparatus-software devices and

the systems and complexes realizing the algorithms of the cryptographic transformation of information and intended for protection against imposing false information;

c) **devices for an electronic digital signature** - the apparatus, software and apparatus-software devices, providing on the basis of cryptographic transformations for any one of the following functions: creation of an electronic digital signature with the use of a closed key of the electronic digital signature, confirmation with the use of an open key of the electronic digital signature of the authenticity of the electronic digital signature and creation of closed and open keys of the electronic digital signature;

d) **encoding devices** - appliances realizing the algorithms of the cryptographic transformation of information with the performance of a part of the transformation by way of manual operations or with the use of the automated appliances based on such operations;

e) **devices for the manufacture of key documents** (irrespective of the kind of the key information carrier);

f) **key documents** (irrespective of the kind of the key information carrier).

3. An activity involved in the technical servicing of encoding (cryptographic) devices incorporates:

a) the assembly, installation and adjustment of encoding (cryptographic) devices;

b) the repairs and servicing of encoding (cryptographic) devices;

c) the utilization and destruction of encoding (cryptographic) devices;

d) works involved in the servicing of encoding (cryptographic) devices envisaged in the technical and operational documentation on these devices (with the exception of cases when the said works are performed to provide for the internal needs).

4. The present Regulations shall not be spread to an activity involved in the technical servicing of:

a) encoding (cryptographic) devices which are the components of those available for unrestricted sale through the retail trade, or of the deals on the bids made by mail, or of electronic deals, or of the deals on telephone orders for the software operational systems the cryptographic potential of which cannot be changed by the users which have been developed for installation by the user on his own without further essential support from the supplier and technical documentation (the description of the algorithms of the cryptographic transformations, the protocols on interaction, the description of interfaces, etc.) on which is available, including for checking;

b) personal credit cards with inbuilt microcomputers, whose cryptographic potential cannot be changed by the users;

c) portable or mobile radio-telephones for civilian use (of the type of the radio-telephones intended for use in the commercial civilian cellular radio communication networks) having no function of a through encoding;

d) receiving apparatuses for radio broadcasting and for commercial television or of other commercial-type apparatuses for broadcasting on a limited auditorium without encoding the digital signal, in which the encoding is restricted to the functions of monitoring the video or the audio channels;

e) encoding (cryptographic) devices in the composition of the terminals for a single-piece sale (cash dispensers), specially developed and applied only for banking and financial transactions, whose cryptographic potential cannot be changed by the users;

f) encoding (cryptographic) devices for protecting the fiscal memory, specially developed and applied only in the composition of cash-control machines;

g) encoding (cryptographic) devices, irrespective of their profile, realizing symmetrical cryptographic algorithms and having a maximum length of cryptographic key of less than 40 bits, as well as asymmetrical cryptographic algorithms, based either on the decomposition of whole numbers into the multipliers, or on the computation of discrete logarithms in the multiplication group of the end field, or on a discrete logarithm in a group distinct from that mentioned above, with the 128-bit maximum length of the cryptographic key.

5. Licensing an activity involved in the technical servicing of encoding (cryptographic) devices is performed by the Federal Agency for Governmental Communications and Information under the

President of the Russian Federation (hereinafter referred to as the licensing body).

6. The following shall be seen as the licensing demands and terms in the performance of an activity involved in the technical servicing of encoding (cryptographic) devices:

a) fulfilment of the legal normative acts of the Russian Federation and observation of the state standards for the licensed activity;

b) fulfilment of the normative documents of the licensing body regulating the performance of the licensed activity which are registered in accordance with the established order by the Ministry of Justice of the Russian Federation, and of the methodological documents on the licensed activity issued by the licensing body within the scope of its competence;

c) submitting to the licensing body the list of the encoding (cryptographic) devices used in the performance of the licensed activity (with presentation at an inquiry of the technical documentation and /or/ of the samples of the encoding /cryptographic/ devices which do not possess the certificate of the Federal Agency for Governmental Communication and Information under the President of the Russian Federation);

d) utilization of foreign-made encoding (cryptographic) devices under the condition that these devices were imported to the territory of the Russian Federation and were spread in accordance with the order established by the legal normative acts of the Russian Federation;

e) existence of the installations, premises, of the technological, testing and control-measuring equipment, and of other objects necessary for carrying out the licensed activity in conformity with the established technological demands which belong to the licensee by right of ownership or on other legal grounds;

f) the correspondence of the above premises to the demands made on such premises by the technical documentation on the equipment contained in them;

g) servicing of the said equipment in conformity with the schedule envisaged in the operational documents;

h) carrying out a timely check-up of the technological, testing and control-measuring equipment used for the performance of the licensed activity;

i) the use of the software for computers or of the databases by third persons (the users) on the grounds of a contract with the right-holder;

j) existence of the system for the by-the-piece recording of encoding (cryptographic) devices and of the documentation to them;

k) establishment of the order for people's acces to confidential information connected with the performance of the licensed activity, and ensuring controlled access for the licensee's personnel to the works involved in such information;

l) providing for the security of the storage, processing and transfer along the communication channels of confidential information connected with the performance of the licensed activity;

m) application of the devices for processing information attested in conformity with the demands for the protection of information;

n) existence of guards and (or) of special equipment, as well as of the schedule of works precluding uncontrolled access to the encoding (cryptographic) devices;

o) storage of the encoding (cryptographic) devices, of their individual units and blocks, of the distributors of software and the apparatus-software encoding (cryptographic) devices, of the installation diskettes and of the normative, operational and key documentation to them in store-rooms (in metal cases or in safes), equipped with mortise locks;

p) existence of the following qualified personnel:

- the manager and (or) the person authorized by him to guide the works involved in the performance of the licensed activity who have a higher professional education and (or) a professional training in the sphere of informational security, as well as a work record in this sphere of at least five years;

- the engineering-technical personnel possessing higher professional education or who have passed through the re-training (through raising their qualifications) in the sphere of information security acquiring a specialization corresponding to the kind of the encoding (cryptographic) devices.

7. To receive a licence, the licence seeker shall submit to the licensing body the following

documents:

- a) an application for the issue of a licence, with an indication of: - the licensed activity;
- the name, the legal organizational form and the place of location - for a legal entity;
- the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;
- b) the copies of the constituent documents and of the certificates on the state registration of the licence seeker as a legal entity, or a copy of the certificate on the state registration of the licence seeker as an individual businessman (with the presentation of the original, if the copy is not notarially certified);
- c) a copy of the certificate on the licence seeker being put onto the records with the tax body (with the presentation of the original, if the copy is not notarially certified);
- d) the document confirming the payment of the licence fee for the consideration of an application for the issue of a licence;
- e) information on the qualifications of the licence seeker's workers, signed by the manager (by the person acting for him) and certified with the seal of the legal entity or of the individual businessman.

8. The documents shall be accepted in accordance with an inventory, a copy of which, with a note on the date of acceptance of the documents, shall be forwarded (handed in) to the licence seeker.

The licence seeker shall be held responsible for submitting unauthentic or distorted information in conformity with the legislation of the Russian Federation.

9. The licensing body has the right to demand from the licence seeker the confirmation that the licensed activity corresponds to the licensing demands and terms.

10. The licensing body shall adopt the decision on the issue or on the refusal to issue a licence within 60 days as from the day of arrival of the application with all the necessary documents, and shall forward (hand in) to the licence seeker a notification on the issue of the licence or on the refusal to issue a licence, with an indication of the reasons behind the refusal.

11. The decision on the issue or on the refusal to issue the licence shall be taken in accordance with the results of checking the authenticity of information supplied by the licence seeker, and whether the licence seeker satisfies the licensing demands and terms.

If the information submitted in accordance with [Item 7](#) of the present Regulations is insufficient, a check-up shall be carried out at the place of the licence seeker's location.

The check-up of the authenticity of submitted information and of the satisfaction by the licence seeker of the licensing demands and terms at the place of his location shall be carried out by the official persons of the licensing body on the grounds of the licensing body's instructions within the time terms agreed with the licence seeker. The length of the check-up shall not exceed 30 days.

The licence seeker is obliged to ensure unobstructed access for the inspectors to the necessary documentation connected with the licensed activity to the objects at which or with the assistance of which the licensed activity is going to be performed, and to the documentation on these objects; he shall also provide for the conditions necessary to carry out the check-up, and for the presence of the corresponding official persons.

12. The licence is issued for a term of five years.

After the end of the term of the licence validity, it may be extended at the licensee's application in the order envisaged for the reformatization of a licence.

13. The licensing body shall keep a register of licences, in which shall be pointed out:

- a) the name of the licensing body;
- b) information on the licensee:
 - the name, the legal-organizational form and the place of location - for a legal entity;
 - the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;
- c) the licensee's code in accordance with the All-Russia Classifier of Enterprises and Organizations, and his identification number of the tax payer;
- d) the licensed activity;

- e) the term of the licence validity;
- f) the licence No.;
- g) the date of adopting the decision on the issue of the licence;
- h) the date of issue of the licence;
- i) information on the registration of the licence in the register of licences;
- j) the grounds for and the dates of the suspension and of the resumption of the licence validity;
- k) the grounds for and the time term of an extension of the licence validity;
- l) the grounds for and the date of the cancellation of the licence.

14. The register of licences shall be kept by the authorized official persons of the licensing body. The data shall be entered into the register not later than three days after the date of signing the licence or after the date of adoption by the licensing body's management of the decision on the suspension or on the resumption of the validity, or on the cancellation of the licence.

15. Control over the observation by the licensee of the licensing demands and terms shall be exerted in the form of check-ups, carried out in accordance with the procedure defined by the head of the licensing body.

The licensing body shall inform the licensee of the forthcoming performance of a check-up not later than ten days before its start.

A planned check-up shall be carried out once every two years at the most, in accordance with the plan approved by the licensing body.

An extraordinary check-up shall be launched by the licensing body, if:

- it receives information on the licensee's violation of the licensing demands and terms from legal entities, individual businessmen or state power bodies;
- citizens, legal entities or individual businessmen shall file complaints against the violation of their rights and lawful interests as a result of the licensees' actions (lack of action), connected with the latter's failure to satisfy the licensing demands and terms.

The length of a check-up shall not exceed 30 days.

The licensee shall be obliged to ensure for the inspectors unobstructed access to the necessary documentation, to the objects, at which or with the assistance of which the licensed activity is performed, and to the documentation on these objects; he shall also provide for the proper conditions for carrying out the check-up and for the presence of the corresponding official persons.

In accordance with the results of the check-up shall be formalized an act in which the concrete violations and the time term fixed for their elimination shall be pointed out.

The licensee must be acquainted with the act on the check-up.

16. The licensee shall notify the licensing body about the elimination of the violations of the licensing demands and terms within the time term fixed in the check-up act.

By decision of the licensing body, the elimination by the licensee of the violations of the licensing demands and terms shall be checked within 15 days as from the day of receiving from the licensee the notification about their elimination.

17. Decisions on the issue, re-formalization, suspension of the validity or on the cancellation of a licence shall be adopted, and the licensing fees shall be collected in accordance with the procedure, established by the [Federal Law](#) on Licensing Individual Kinds of Activity.

Regulations
on Rendering Services in the Sphere of the Encoding
of Information
(approved by [Decision](#) of the Government of the Russian
Federation No. 691 of September 23, 2002)

1. The present Regulations define the procedure for licensing the rendering of services in the sphere of encoding information.

2. To the encoding (cryptographic) devices shall be referred:

- a) **encoding devices** - the apparatus, software and apparatus-software devices, the systems and complexes realizing the algorithms of the cryptographic transformation of information and

intended for protecting information as it is transferred along the communication channels, and (or) for protecting information from unsanctioned access in the course of its processing and storage;

b) **imitation protection devices** - the apparatus, software and apparatus-software devices, systems and complexes realizing the algorithms of the cryptographic transformation of information and intended for protection from imposing false information;

c) **devices for electronic digital signature** - the apparatus, software and apparatus-software devices providing on the basis of cryptographic transformations for any one of the following functions: creation of an electronic digital signature with the use of a closed key of the electronic digital signature, confirmation with the use of an open key of the electronic digital signature of the authenticity of the electronic digital signature and creation of closed and open keys of the electronic digital signature;

d) **encoding devices** - devices realizing the algorithms of the cryptographic transformation of information and carrying out a part of the transformation by way of manual operations or with the use of the automated appliances based on such operations;

e) **devices for manufacturing key documents** (irrespective of the kind of the key information carrier);

f) **key documents** (irrespective of the kind of key information carrier).

3. An activity involved in rendering services in the sphere of the encoding of information incorporates:

a) encoding of information which does not contain that comprising a state secret, with the use of encoding (cryptographic) devices in the interest of legal entities and natural persons;

b) imitation protection of information which does not contain any data comprising a state secret, with the use of encoding (cryptographic) devices in the interest of legal entities and natural persons;

c) providing for the legal entities and natural persons the communication channels protected with the use of encoding (cryptographic) devices for the transfer of information which does not contain any data comprising a state secret;

d) providing the users of the system of the electronic documents turnover with key information (including its formulation and distribution), regardless of the kind of key information carrier intended for protecting information which does not comprise a state secret.

4. The present Regulations shall not extend to rendering services in the sphere of encoding information with the use of:

a) the encoding (cryptographic) devices which are components of those available for unrestricted sale through the retail trade, or of deals made on the bids by mail, or of electronic deals, or of the deals made on telephone orders for the software operational systems, the cryptographic potential of which cannot be changed by users which have been developed for installation by the user on his own without further essential support from the supplier and the technical documentation (the description of the algorithms of cryptographic transformations, protocols on the interaction, description of the interfaces, etc.) on which is available, including for checking;

b) personal credit cards with inbuilt microcomputers whose cryptographic potential cannot be changed by the users;

c) portable or mobile radio-telephones for civilian uses (of the type of the radio-telephones intended for use in the commercial civilian cellular radio communication networks) which have no function of a through encoding;

d) receiver apparatuses for radio broadcasting and commercial television, or of other commercial kinds of apparatuses for broadcasting to a limited auditorium without encoding the digital signal, in which the encoding is restricted to the functions of controlling the video or the audio channels;

e) encoding (cryptographic) devices in the composition of the terminals of a single-piece sale (the cash dispensers), specially developed and applied only for banking and financial transactions, whose cryptographic potential cannot be changed by the users;

f) encoding (cryptographic) devices for protecting the fiscal memory, specially developed and applied only in the composition of cash-control machines;

g) encoding (cryptographic) devices, irrespective of their thrust, which realize symmetrical

cryptographic algorithms and have a maximum length of cryptographic key of less than 40 bits, as well as asymmetrical cryptographic algorithms based either on the decomposition of whole numbers into multipliers, or on the computation of discrete logarithms in the multiplication group of the end field, or on a discrete logarithm in a group distinct from that mentioned above, with the 128-bit maximum length of the cryptographic key.

5. Licensing of the rendering of services in the sphere of encoding information is performed by the Federal Agency for Governmental Communications and Information under the President of the Russian Federation (hereinafter referred to as the licensing body).

6. The following shall be seen as the licensing demands and terms in rendering services in the sphere of the encoding of information:

a) fulfilment of the legal normative acts of the Russian Federation and observation of the state standards for the licensed activity;

b) fulfilment of the normative documents of the licensing body regulating the performance of the licensed activity which are registered in accordance with the order established by the Ministry of Justice of the Russian Federation, and of the methodological documents on the licensed activity issued by the licensing body within the scope of its competence;

c) submitting to the licensing body of the list of the encoding (cryptographic) devices used in the performance of the licensed activity (with the presentation at an inquiry of the technical documentation and /or/ of the samples of the encoding /cryptographic/ devices which do not possess the certificate of the Federal Agency for Governmental Communication and Information under the President of the Russian Federation);

d) utilization of foreign-made encoding (cryptographic) devices, under the condition that these devices were imported to the territory of the Russian Federation and were spread in accordance with the order stipulated in the legal normative acts of the Russian Federation;

e) existence of the installations, premises, the technological, testing and control-measuring equipment and of the other objects necessary for the performance of the licensed activity in conformity with the established technological demands, which are owned by the licensee by right of ownership or on another legal ground;

f) correspondence of the above-said premises to the demands made on such premises by the technical documentation on the equipment contained in them;

g) servicing of the said equipment in conformity with the schedule, presented in the operational documents;

h) carrying out a timely check-up of the technological, testing and control-measuring equipment used in the performance of the licensed activity;

i) the use of the software for computers or of databases by third persons (users) on the grounds of a contract with the right-holder;

j) existence of the system for the by-the-piece recording of the encoding (cryptographic) devices and of the documentation to them;

k) establishment of the order for people's access to confidential information connected with the performance of the licensed activity, and providing for the controlled access for the licensee's personnel to the works involved in such information;

l) providing for the security of the storage, processing and transfer along the communication channels of confidential information connected with the performance of the licensed activity;

m) application of the devices for processing information attested in conformity with the demands made on the protection of information;

n) existence of guards and (or) of special equipment, as well as of the schedule of works precluding uncontrolled access to the encoding (cryptographic) devices;

o) recording and storage of key information carriers and of installation diskettes containing the encoding software, by the specially appointed official persons who work with them and are held personally responsible for the security of the key information carriers and of the installation diskettes containing the encoding software;

p) keeping records of the key information made for the users, and the registration of the issue of key documents, of their return and destruction in the journals especially intended for this purpose;

q) storage of the encoding (cryptographic) devices, of their individual units and blocks, of the distributors of software and apparatus-software encoding (cryptographic) devices, of the installation diskettes and of the normative, operational and key documentation to them in store-rooms (in metal cases or in safes) equipped with mortise locks;

r) provisions for a separate safe storage of the working and the reserve key information carriers intended for use in case of the compromise of the working key information; provisions for the conditions precluding unintentional destruction or other application not stipulated in the normative and operational documentation on the encoding (cryptographic) devices, of the key information carriers and the installation diskettes containing the encoding software, if these are kept in the same depository as the other documents;

s) guaranteeing the destruction of the initial key information by way of the physical destruction of the key information carrier on which it is placed, or by way of erasing (destroying) the initial key information without damaging the carrier (in order to ensure the possibility of its multiple use) in conformity with the operational and technological documentation, and also with the instructions of the organization which has logged the initial key information;

t) providing for the conditions precluding the possibility of uncontrolled access to the encoding (cryptographic) devices during their transportation, of their physical damage and of external impact upon the key information carriers;

u) provisions for the security, integrity and workability of the encoding (cryptographic) devices operating together with the encoding (cryptographic) devices of the equipment, as well as of the used software;

v) existence of the following qualified personnel:

- the manager and (or) the person authorized to guide the works in the performance of the licensed activity, who has a higher professional education and (or) the professional training in the sphere of information security, as well as a work record in this sphere of at least five years; - the engineering-technical personnel possessing a higher professional education or having gone through re-training (raising the qualifications) in the sphere of information security with acquiring a specialization corresponding to the kind of encoding (cryptographic) devices.

7. To receive a licence, the licence seeker shall submit to the licensing body the following documents:

a) an application for the issue of a licence, with an indication of: - the licensed activity; - the name, the legal organizational form and the place of location - for a legal entity; - the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;

b) the copies of the constituent documents and of the certificate on the state registration of the licence seeker as a legal entity, or a copy of the certificate on the state registration of the licence seeker as an individual businessman (with the presentation of the original, if the copy is not notarially certified);

c) a copy of the certificate on the licence seeker being put onto the records in the tax body (with the presentation of the original, if the copy is not notarially certified);

d) the document confirming the payment of the licence fee for the consideration of an application for the issue of a licence;

e) information on the qualifications of the licence seeker's workers, signed by the manager (by the person acting for him) and certified with the seal of the legal entity or of the individual businessman.

8. The documents shall be accepted in accordance with an inventory, a copy of which, with a note on the date of acceptance of the documents, shall be forwarded (handed in) to the licence seeker.

The licence seeker is held responsible for submitting unauthentic or distorted information in conformity with the legislation of the Russian Federation.

9. The licensing body has the right to demand from the licence seeker the confirmation that the licensed activity corresponds to the licensing demands and terms.

10. The licensing body shall adopt the decision on the issue or refusal to issue a licence within

60 days from the day of arrival of the application with all the necessary documents, and shall forward (hand in) to the licence seeker a notification on the issue of the licence or on the refusal to issue a licence, with an indication of the reasons behind the refusal.

11. The decision on the issue or refusal to issue the licence shall be taken in accordance with the results of checking the authenticity of information supplied by the licence seeker, and whether the licence seeker satisfies the licensing demands and terms.

If the information, submitted in accordance with [Item 7](#) of the present Regulations is insufficient, a check-up shall be carried out at the place of the licence seeker's location.

The check-up of the authenticity of the submitted information and of whether the licence seeker satisfies the licensing demands and terms at the place of his location shall be carried out by the official persons of the licensing body on the grounds of the licensing body's instructions within the time terms agreed with the licence seeker. The length of the check-up shall not exceed 30 days.

The licence seeker is obliged to ensure an unobstructed access for the inspectors to the necessary documentation, connected with the licensed activity to the objects at which or with the assistance of which the licensed activity is going to be performed, and to the documentation on these objects; he shall also provide for the conditions necessary for carrying out the check-up, and for the presence of the corresponding official persons.

12. The licence is issued for a term of five years.

After the end of the term of the licence validity, it may be extended at the licensee's application in the order envisaged for the reformatization of a licence.

13. The licensing body shall keep a register of licences in which shall be pointed out:

- a) the name of the licensing body;
- b) information on the licensee:
 - the name, the legal-organizational form and place of location - for a legal entity;
 - the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;
- c) the licensee's code in accordance with the All-Russia Classifier of Enterprises and Organizations, and his taxpayer identification number;
- d) the licensed activity;
- e) the term of the licence validity;
- f) the licence No.;
- g) the date of adopting the decision on the issue of the licence;
- h) the date of issue of the licence;
- i) information on the registration of the licence in the register of licences;
- j) the grounds for and the dates of the suspension and of the resumption of the licence validity;
- k) the grounds for and the time term of an extension of the licence validity;
- l) the grounds for and the date of the cancellation of the licence.

14. The register of licences shall be kept by the authorized official persons of the licensing body. The data shall be entered into the register not later than three days after the date of signing the licence or after the date of adoption by the licensing body's management of the decision on the suspension, on the resumption of the validity, or on the cancellation of the licence.

15. Control over the observation by the licensee of the licensing demands and terms shall be exerted in the form of check-ups carried out in accordance with the procedure defined by the head of the licensing body.

The licensing body shall inform the licensee of the forthcoming performance of a check-up not later than ten days before its start.

A planned check-up shall be carried out once every two years at the most in accordance with the plan approved by the licensing body.

An extra-plan check-up shall be launched by the licensing body, if:

- it receives information on the licensee's violation of the licensing demands and terms from the legal entities, the
- the citizens, legal entities or individual businessmen file complaints against the violation of their rights and lawful interests as a result of the licensees' actions (lack of action) connected with the

latter's failure to fulfil the licensing demands and terms.

The length of a check-up shall not exceed 30 days.

The licensee shall be obliged to ensure for the inspectors unobstructed access to the necessary documentation connected with the licensed activity to the objects at which or with the assistance of which the licensed activity is performed, and of the documentation on these objects; he shall also ensure the proper conditions for carrying out the check-up and the presence of the corresponding official persons.

In accordance with the results of the check-up shall be formalized an act in which the concrete violations and the time term fixed for their elimination shall be pointed out.

The licensee must be acquainted with the act on the check-up.

16. The licensee shall notify the licensing body about the elimination of the violations of the licensing demands and terms within the time term fixed in the check-up act.

By decision of the licensing body, the elimination by the licensee of the violations of the licensing demands and terms shall be checked within 15 days as from the day of receiving from the licensee the notification about their elimination.

17. Decisions on the issue, re-formalization, suspension of the validity or on the cancellation of a licence shall be adopted, and the licensing fees shall be collected in accordance with the procedure established by the [Federal Law](#) on Licensing Individual Kinds of Activity.

Regulations
on Licensing the Development and Production of Encoding
(Cryptographic) Devices Protected with the Use of
Encoding (Cryptographic) Devices of Information
and Telecommunication Systems
(approved by [Decision](#) of the Government of the Russian
Federation No. 691 of September 23, 2002)

1. These Regulations define the procedure for licensing the development and production of encoding (cryptographic) devices protected with the use of encoding (cryptographic) devices of information and telecommunication systems.

2. To the encoding (cryptographic) devices shall be referred:

a) **encoding devices** - the apparatus, software and apparatus-software devices, the systems and complexes realizing the algorithms of the cryptographic transformation of information and intended for protecting information as it is transferred along the communication channels and (or) for protecting it from unsanctioned access in the course of its processing and storage;

b) **imitation protection devices** - the apparatus, software and apparatus-software devices, the systems and complexes realizing the algorithms of the cryptographic transformation of information and intended for the protection from imposing false information;

c) **devices for electronic digital signature** - the apparatus, software and apparatus-software devices providing for any one of the following functions on the basis of cryptographic transformations: creation of an electronic digital signature with the use of a closed key of the electronic digital signature, confirmation of the authenticity of the electronic digital signature with the use of an open key of the electronic digital signature and creation of closed and open keys of the electronic digital signature;

d) **encoding devices** - the devices realizing the algorithms of the cryptographic transformation of information and carrying out part of the transformation by way of manual operations or with the use of the automated appliances based on such operations;

e) **devices for the manufacture of key documents** (irrespective of the kind of key information carrier);

f) **key documents** (irrespective of the kind of key information carrier).

3. The licensed activity incorporates:

a) development of the encoding (cryptographic) devices, mentioned in [Item 2](#) of the present Regulations;

b) development of the information systems protected with the use of encoding (cryptographic) devices;

c) development of the telecommunication systems protected with the use of encoding (cryptographic) devices;

d) production of the encoding (cryptographic) devices pointed out in Item 2 of the present Regulations;

e) manufacture of articles intended for the confirmation of the rights (the powers) for access to information and (or) to the equipment in the information and telecommunication systems, with the use of encoding (cryptographic) devices.

4. The present Regulations shall not extend to the development and production of:

a) portable or mobile radio-telephones for civilian uses (including those intended for the use in the commercial civilian cellular radio communication networks), which have no function of a through encoding;

b) receiver apparatuses for radio broadcasting and commercial television, or of other commercial kinds of apparatuses for broadcasting to a limited auditorium without encoding the digital signal, in which the encoding is restricted to the functions of monitoring the video or audio channels;

c) encoding (cryptographic) devices in the composition of the terminals of the single-piece sale (the cash dispensers) applied only for banking and financial transactions whose cryptographic potential cannot be changed by the users;

d) encoding (cryptographic) devices, irrespective of their profile, which realize symmetrical cryptographic algorithms and have a maximum length of cryptographic key of less than 40 bits, as well as asymmetrical cryptographic algorithms, based either on the decomposition of whole numbers into the multipliers or on the computation of discrete logarithms in the multiplication group of the end field, or on a discrete logarithm in a group distinct from that mentioned above, with the 128-bit maximum length of the cryptographic key.

5. Licensing the development and production of the encoding (cryptographic) devices protected with the use of the encoding (cryptographic) devices of the information and telecommunication systems is performed by the Federal Agency for Governmental Communications and Information under the President of the Russian Federation (hereinafter referred to as the licensing body).

6. The following shall be seen as the licensing demands and terms in carrying out the development and the production of encoding (cryptographic) devices protected with the use of the encoding (cryptographic) devices of the information and telecommunication systems: a) fulfilment of the legal normative acts of the Russian Federation and observation of the state standards for the licensed activity;

b) fulfilment of the normative documents of the licensing body regulating the performance of the licensed activity which are registered in accordance with the order established by the Ministry of Justice of the Russian Federation, and of the methodological documents on the licensed activity issued by the licensing body within the scope of its competence;

c) existence of the installations, the premises, the technological, testing and control-measuring equipment and of the other objects necessary for the performance of the licensed activity in conformity with the established demands;

d) correspondence of the above premises to the demands made on such kind of premises in the technical documentation on the equipment contained in them;

e) servicing of the said equipment in conformity with the schedule stipulated in the operational documents;

f) carrying out a timely check-up of the technological, testing and control-measuring equipment used in the performance of the licensed activity;

g) the use of software for computers and of databases by third persons (users) on the grounds of a contract with the right-holder;

h) the use in carrying out the licensed activity of the cryptographic algorithms approved as the state standards or defined in the lists approved by the Government of the Russian Federation at the presentation of the Federal Agency for Governmental Communications and Information under the President of the Russian Federation;

i) existence of the system for the by-the-piece recording of the encoding (cryptographic) devices and of the documentation to them;

j) establishment of the order for people's access to confidential information connected with the performance of the licensed activity and ensuring controlled access for the licensee's personnel to the works involved in such information;

k) providing for the security of the storage, processing and transfer along the communication channels of confidential information connected with the performance of the licensed activity;

l) application of the devices for processing information attested in conformity with the demands for the protection of information;

m) equipment with the controlling appliances for opening the apparatus and software-apparatus encoding (cryptographic) devices, as well as the systems blocks of computers with installed encoding (cryptographic) devices;

n) existence of guards and (or) of special equipment, as well as of a schedule of works precluding uncontrolled access to the encoding (cryptographic) devices;

o) storage of the encoding (cryptographic) devices, of their individual units and blocks, of the distributors of software and apparatus-software encoding (cryptographic) devices, of the installation diskettes, of the normative, operational and key documentation to them in store-rooms (in metal cases or safes) equipped with mortise locks;

p) existence of the following qualified personnel:

- the manager and (or) person authorized by him to guide the works in the licensed activity who have a higher professional education and (or) professional training in the sphere of information security, as well as a work record in this sphere of at least five years;

- the engineering-technical personnel possessing a higher professional education or having gone through the re-training (raising qualifications) in the sphere of informational security and acquiring a specialization corresponding to the kind of the encoding (cryptographic) devices.

7. To receive a licence, the licence seeker shall submit the following documents to the licensing body:

a) an application for the issue of a licence with an indication of:

- the licensed activity;

- the name, the legal organizational form and the place of location - for a legal entity;

- the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;

b) the copies of the constituent documents and of the certificate on state registration as a legal entity, or a copy of the certificate on the state registration of the licence seeker as an individual businessman (with the presentation of the original, if the copy is not notarially certified);

c) a copy of the certificate on the licence seeker being put onto the records in the tax body (with the presentation of the original, if the copy is not notarially certified);

d) the document confirming the payment of the licence fee for the consideration of an application for the issue of a licence;

e) information on the qualifications of the licence seeker's workers, signed by the manager (by the person acting for him) and certified with the seal of the legal entity or of the individual businessman.

8. The documents shall be accepted in accordance with an inventory, a copy of which with a note on the date of acceptance of the documents shall be forwarded (handed in) to the licence seeker.

The licence seeker is held responsible for submitting unauthentic or distorted information in conformity with the legislation of the Russian Federation.

9. The licensing body has the right to demand from the licence seeker the confirmation that the licensed activity corresponds to the licensing demands and terms.

10. The licensing body shall adopt the decision on the issue or on the refusal to issue a licence within 60 days from the day of arrival of the application with all the necessary documents, and shall forward (hand in) to the licence seeker the corresponding notification (in case of the refusal to issue a licence - with an indication of the reasons behind the refusal).

11. The decision on the issue or on the refusal to issue a licence shall be taken in accordance with the results of checking the authenticity of information supplied by the licence seeker, and whether the licence seeker satisfies the licensing demands and terms.

If information submitted in accordance with [Item 7](#) of the present Regulations is insufficient, a check-up shall be carried out at the place of the licence seeker's location.

The check-up of the authenticity of the submitted information and of the licence seeker's satisfaction of the licensing demands and terms at the place of his location shall be carried out by the official persons of the licensing body on the grounds of the licensing body's instructions within the time terms agreed with the licence seeker. The length of the check-up shall not exceed 30 days.

The licence seeker is obliged to ensure unobstructed access for the inspectors to the necessary documentation connected with the licensed activity, to the objects at which or with the assistance of which the licensed activity is going to be performed, and to the documentation on these objects; he shall also provide for the conditions necessary to carry out the check-up, and for the presence of the corresponding official persons.

12. The licence is issued for a term of five years.

After the end of the term of the licence validity, it may be extended at the licensee's application in the order envisaged for the reformatization of a licence.

13. The licensing body shall keep a register of licences, in which is to be supplied:

- a) the name of the licensing body;
- b) information on the licensee:
 - the name, the legal-organizational form and the place of location - for a legal entity;
 - the surname, name and patronymic, the place of residence and the data of the document identifying the person - for an individual businessman;
- c) the licensee's code in accordance with the All-Russia Classifier of Enterprises and Organizations, and his identification number of the tax payer;
- d) the licensed activity;
- e) the term of the licence validity;
- f) the licence No.;
- g) the date of adopting the decision on the issue of the licence;
- h) the date of issue of the licence;
- i) information on the registration of the licence in the register of licences;
- j) the grounds for and the dates of the suspension and of the resumption of the licence validity;
- k) the grounds for and the time term of an extension of the licence validity;
- l) the grounds for and the date of the cancellation of the licence.

14. The register of licences shall be kept by the authorized official persons of the licensing body. The data shall be entered into the register not later than three days after the date of signing the licence or after the date of adoption by the licensing body's management of the decision on the suspension or on the resumption of the validity, or on the cancellation of the licence.

15. Control over the observation by the licensee of the licensing demands and terms shall be exerted in the form of check-ups, which shall be carried out in accordance with the procedure defined by the head of the licensing body.

The licensing body shall inform the licensee about the forthcoming performance of a check-up not later than ten days before its start.

A planned check-up shall be carried out once every two years at the most in accordance with the plan approved by the licensing body.

An extraordinary check-up shall be launched by the licensing body if:

- it receives information on the licensee's violation of the licensing demands and terms from the legal entities, individual businessmen or state power bodies;
- the citizens, legal entities and individual businessmen file complaints against the violation of their rights and lawful interests as a result of the licensees' actions (lack of action) connected with the latter's failure to meet the licensing demands and terms.

The length of a check-up shall not exceed 30 days.

The licensee shall be obliged to ensure for the inspectors unobstructed access to the necessary

documentation on the licensed activity, to the objects at which or with the assistance of which the licensed activity is performed, and to the documentation on these objects; he shall also provide for the proper conditions for carrying out the check-up and for the presence of the corresponding official persons.

In accordance with the results of the check-up shall be formalized an act in which the concrete violations and the time term fixed for their elimination is to be pointed out.

The licensee must be acquainted with the act on the check-up.

16. The licensee shall notify the licensing body of the elimination of the violations of the licensing demands and terms within the time term fixed in the check-up act.

By decision of the licensing body, the elimination by the licensee of the violations of the licensing demands and terms shall be checked within 15 days as from the day of receiving from the licensee the notification about their elimination.

17. Decisions on the issue, re-formalization, suspension of the validity or on the cancellation of a licence shall be adopted, and the licensing fees shall be collected in accordance with the procedure established in the [Federal Law](#) on Licensing the Individual Kinds of Activity.