

**LAW  
OF THE RUSSIAN FEDERATION  
NO. 3615-1 OF OCTOBER 9, 1992  
ON HARD CURRENCY REGULATION AND CONTROL  
(with the Amendments and Additions of December 29, 1998, July 5, 1999, May 31,  
August 8, 2001)**

<u>Section 1. General Provisions</u>	<u>(Article 1)</u>
<u>Section 2. Currency Regulation</u>	<u>(Articles 2 - 9)</u>
<u>Section 3. Currency Control</u>	<u>(Articles 10 - 15)</u>

Resolution of the Supreme Soviet of the Russian Federation  
No. 3617-1 of October 9, 1992 on the Enforcement of Law of  
the Russian Federation on Hard Currency Regulation and  
Control

Resolution of the Supreme Soviet of the Russian Federation  
No. 3616-1 of October 9, 1992 on a Repeat Review of Law of  
the Russian Federation on Hard Currency Regulation and  
Control

This Law shall determine the principles governing currency transactions on the territory of the Russian Federation, authority and functions of the currency regulation and currency control bodies, shall determine the rights and obligations of legal entities and natural persons regarding the ownership, utilization and disposal of currency values, and also shall determine the liability for violations of the legislation concerning the regulation and control of currency.

## **SECTION 1. BASIC CONCEPTS**

### **Article 1. Terms and Definitions**

The used in this Law, shall be understood as follows:

**1.** "The currency of the Russian Federation" shall mean:

- a) money in circulation, withdrawn or being withdrawn from circulation but subject to exchange, in the form of roubles issued as bank notes by the Central Bank of the Russian Federation, as well as coins;
- b) rouble funds in banks and other credit institutions of the Russian Federation;
- c) rouble funds in banks and other credit institutions outside the Russian Federation on the basis of agreements concluded by the Government of the Russian Federation and the Central Bank of the Russian Federation, with the corresponding bodies in foreign states, concerning the utilization of the currency of the Russian Federation on their territories as legal tender.

Federal Law No. 72-FZ of May 31, 2001 amended Item 2 of Article 1 of this Law. The amendments shall come into force upon the expiration of 30 days after the official publication of this Law

See the previous text of the Item

**2.** "Securities Denominated in Russian Currency" payment documents (cheques, bills of exchange and other payment documents), issue securities (in particular, shares and bonds), securities, issue securities derivatives (in particular notes of deposit), options bearing a right to purchase issue securities and other debentures denominated in Russian currency.

**3.** "Foreign currency" shall mean:

- a) money, in the form of bank notes, treasury notes and coins in circulation, which acts as legal tender on the territory of the relevant foreign state or group of states, as well as the money,

which has been or is being withdrawn from circulation, but is subject to exchange;

b) funds denominated in the currency of foreign states and in the international currency or settlement accounts.

4. "Currency values" shall be understood to mean:

a) foreign currency;

*Federal Law No. 72-FZ of May 31, 2001 amended subitem "b" of Item 4 of Article 1 of this Law. The amendments shall come into force upon the expiration of 30 days after the official publication of this Law*

See the previous text of the subitem

b) securities denominated in a foreign currency, payment documents (cheques, bills of exchange and other payment documents), issue securities (in particular shares and bonds), issue securities derivatives (in particular notes of deposit), options bearing a right to purchase issue securities and other debentures denominated in a foreign currency;

c) precious metals - gold, silver, platinum and metals of the platinum group (palladium, iridium, rhodium, ruthenium and osmium) in any form and state, excluding jewelry and household articles and also the scrap of such metals;

d) natural precious stones, both cut and uncut (diamonds, rubies, emeralds, sapphires, alexandrites), and also pearls, excluding jewelry and household articles and the scrap thereof.

The procedure and terms of referring of articles from precious metals and natural precious stones to jewelry and to other household articles and to the scrap thereof shall be established by the Government of the Russian Federation.

*See the procedure for referring articles containing precious metals to jewelry articles approved by Order of the Committee for Precious Stones and Metals of the Russian Federation No. 146 of October 30, 1996*

5. "Residents" shall be understood to mean:

a) private individuals, who permanently reside in the Russian Federation, including those temporarily residing outside the Russian Federation;

b) legal entities, established under Russian law and located on the territory of the Russian Federation;

c) enterprises and organizations, which are not legal entities, established under Russian legislation and located in the Russian Federation;

d) diplomatic and other official representatives of the Russian Federation located outside it;

e) branches and representative offices of the residents referred to in subparagraphs (b) and (c) of this paragraph located outside the Russian Federation.

6. "Non-residents" shall be understood to mean:

a) private individuals, who permanently reside outside the Russian Federation, including those who temporarily reside in the Russian Federation;

b) legal entities established under laws of foreign states and located outside the Russian Federation;

c) enterprises and organizations, which are not legal entities, established under the laws of foreign states and located outside the Russian Federation;

d) foreign diplomatic and other official representatives, international organizations, branches and representative offices thereof located on the territory of the Russian Federation;

e) branches and representative offices of the non-residents referred to in subparagraphs (b) and (c) of this paragraph, located in the Russian Federation.

7. "Foreign-exchange transactions" shall be understood to mean all transactions involving:

a) the transfer of the title and of other rights to currency values, including transactions involving the use of foreign currency as a means of payment and the payment documents in a foreign currency;

b) the importing and transferring to the Russian Federation from abroad, and exporting and

transferring from the Russian Federation, of [currency values](#);  
c) international money transfers.

[Federal Law No. 192-FZ of December 29, 1998 supplemented Item 7 of Article 1 of this Law with subitem \(d\)](#)

(d) settlements between residents and nonresidents in Russian Federation currency.

8. Transactions with [foreign currency](#) and with securities in foreign currency shall be divided into [current foreign-exchange transactions](#) and [foreign-exchange transactions connected with the movement of capital](#).

[Federal Law No. 192-FZ of December 29, 1998 amended Item 9 Article 1 of this Law](#)  
[See the previous text of the Item](#)

9. "Current foreign-exchange transactions" shall be understood to mean:

a) transfers of foreign currency to and from the Russian Federation for making settlements without deferment of payments for the export and import of goods (works, services, results of intellectual activity), and also for making settlements connected with the credits granted for not more than 90 days for export-import transactions;

b) the receipt and extension of financial credits for terms which do not exceed 180 days;

c) transfers to and from the Russian Federation of interest payments, dividends and other incomes on deposit, investments, credits and other transactions connected with the movement of capital;

[Federal Law No. 72-FZ of May 31, 2001 amended subitem "d" of Item 9 of Article 1 of this Law.](#)  
[The amendments shall come into force upon the expiration of 30 days after the official publication of this Law](#)

[See the previous text of the subitem](#)

d) non-trading transfers to the Russian Federation and out of the Russian Federation, in particular including the following:

the disbursements of wage/salary, stipend, pension, alimony, state benefit, allowance and compensation and also the disbursements of damages for a harm inflicted to an employee as the result of an accident or vocational disease on the job;

payment towards expenses relating to an employee's business trip abroad;

payments connected with the acceptance of an inheritance;

payments relating to the burial of a deceased;

the disbursement of monetary compensation to victims of political repression, the members of their families and heirs;

payment for the acquisition and construction of buildings outside of Russia's territory for the needs of diplomatic missions, consular institutions and Russia's permanent missions with international inter- state (inter-governmental) organisations;

funds allocated for maintaining diplomatic and other official missions of the state abroad;

payments relating to notarial and investigative actions, payments relating to court and arbitration costs, the payment of reimbursement of arbitration and administrative bodies' expenses and also the amounts of state duty paid in connection with the said actions and court case hearing;

the disbursement of monies under the judgements, decisions and rulings of court, investigation and other law-enforcement bodies;

payment for participation in international congresses, symposia, conferences, sports and culture events and also other international meetings, exhibitions and fairs, save investment expenses and other material costs;

payment for the education/training of citizens of one state in educational institutions of another state, the medical treatment of citizens of one state in the medical and preventive institutions of

another state;

the disbursement of royalty;

contributions/dues to international public associations;

expenses relating to actors' performing tours;

the other currency transactions enumerated in a list established by the government of the Russian Federation.

[Federal Law No. 192-FZ of December 29, 1998 amended Item 10 Article 1 of this Law](#)

[See the previous text of the Item](#)

**10.** "Currency transactions connected with the movement of capital" shall mean transactions connected with:

a) direct investments, i.e. the contribution of funds to the authorized capital of enterprises to earn incomes and to exercise the right to participate in the management of such enterprises;

*See the [Regulations for the Registration of Payment by Foreign Investors of the Participation in the Authorized \(Pooled\) Capital of Resident Organizations of the Russian Federation given by Letter of the Central Bank of Russia No. 482 of July 7, 1997](#)*

b) portfolio investments, i.e. the acquisition of securities;

c) money transfers to pay for the title to buildings, structures, and other property, including land and land resources, which under existing law of the country where these lie are construed as real estate, and also for other rights to real estate;

d) the granting and receiving of a payment deferment for more than 90 days for the export and import of goods (works, services, results of intellectual activity);

e) the extension and receipt of financial credits for terms which exceed 180 days;

f) any other [currency transactions](#), which are not [current currency transactions](#).

**11.** "Authorized banks" shall mean banks and other credit institutions which have obtained licenses from the Central Bank of the Russian Federation to engage in [currency transactions](#).

*[Federal Law No. 72-FZ of May 31, 2001 supplemented this Law with Items 12 and 13. The amendments shall come into force upon the expiration of 30 days after the official publication of this Law](#)*

**12.** "Freely convertible currency" is a the foreign currency specified in Item 3 of the present article which is exchanged, without restrictions, for the currency of another foreign state as current currency transactions are being accomplished.

**13.** For the purposes of the present Law payment terms are counted in case when goods export-related settlements are effected, beginning from the date when the exported goods cross the customs border of the Russian Federation.

## **SECTION 2. CURRENCY REGULATION**

**Article 2.** The Protection of the Currency of the Russian Federation

[Federal Law No. 192-FZ of December 29, 1998 amended Item 1 Article 2 of this Law](#)

[See the previous text of the Item](#)

**1.** Residents shall be free to effect unlimited settlements in the [currency of the Russian Federation](#).

Settlements between residents and nonresidents in Russian Federation currency shall be made in accordance with the procedure prescribed by the Central Bank of Russia.

**2.** The procedure governing the acquisition and use by [non-residents](#) of [the currency of the Russian Federation](#) within its territory shall be determined by the Central Bank of the Russian

Federation in accordance with the laws of the Russian Federation

*The procedure of opening and conducting the accounts of non-residents in currency of the Russian Federation by the authorized banks stipulated by the [Instruction](#) of the Central Bank of Russia No.16 of July 16, 1993*

3. All exports and remittance of [the currency of the Russian Federation](#) and [securities denominated in its currency](#), as well as the import and remittance thereof shall be conducted by [residents](#) and [non-residents](#) in accordance with the procedure established by the Central Bank of the Russian Federation in conjunction with the Ministry of Finance of the Russian Federation and the State Customs Committee of the Russian Federation.

*On procedure for export and import of foreign currency and securities in foreign currency see:*

*[Letter](#) of the Central Bank of Russia No. 13 of April 19, 1993 and of the State Customs Committee of Russia No. 01-20/3371 of April 14, 1993 on Regulations for the Order of Bringing into the Russian Federation and Bringing out of the Russian Federation Foreign Currency and Securities in Foreign Currency by the Authorized Banks*

*[Order](#) of the State Customs Committee of the Russian Federation No. 197 of May 19, 1993 on the Procedure for the Bringing into the Russian Federation and the Bringing out of the Russian Federation of Foreign Currency and Foreign Currency Securities by Authorized Banks*

*See also [Order](#) of the State Customs Committee of the Russian Federation No. 768 of August 28, 2000 on the Peculiarities of Declaration of Foreign Currency and Securities Moved by Legal Entities*

4. Transactions, which violate the provisions of this Law, shall be invalid. All individuals, which have conducted such transactions, shall bear criminal, administrative, or other liability under the laws of the Russian Federation.

#### **Article 3.** The Right to Own Currency Values

1. Within the Russian Federation [currency values](#) may be owned by both [residents](#) and [non-residents](#).

The title to [currency values](#) within the territory of the Russian Federation shall be protected by the State along with other objects of property.

Types of compulsory [currency](#) payments to the state (taxes, fees, duties and other uncompensated payments) shall be determined by the laws of the Russian Federation.

2. The procedure governing transactions with precious metals and natural precious stones and pearls within the Russian Federation shall be established by the Government of the Russian Federation.

*On use and turnover of precious metals and of precious stones see [Federal Law](#) No. 41-FZ of March 26, 1998 on Precious Metals and Precious Stones*

*The [Rules](#) for Banks Executing the Deals of Sales of Standard Ingots of Precious Metals with Natural Persons were approved by [Decision](#) of the Government of the Russian Federation No. 772 of June 30, 1997*

*The [Regulations](#) for Transacting Business in Precious Metals on the Territory of the Russian Federation were approved by [Decision](#) of the Government of the Russian Federation No. 756 of June 30, 1994*

*The [Regulations](#) for Effecting Transactions in Natural Precious Stones on the Territory of the*

*Russian Federation were approved by [Decision](#) of the Government of the Russian Federation No. 759 of June 27, 1996*

**Article 4.** The Domestic Currency Market of the Russian Federation

1. [Residents](#) shall be entitled to buy [foreign currency](#) on the domestic currency market of the Russian Federation in accordance with the procedure and for the purposes determined by the Central Bank of the Russian Federation.

2. The purchase and sale of foreign currency in the Russian Federation shall be effected via authorized banks, in accordance with the procedure established by the Central Bank of the Russian Federation.

*On the Procedures to Be Followed by Resident Legal Entities in Operations Involving the Purchase and Resale of Foreign Exchange on the Domestic Currency Market of the Russian Federation See [Instruction](#) of the Central Bank of Russia No. 7 of June 29, 1992, [Direction](#) of the Central Bank of the Russian Federation No. 383-U of October 20, 1998, [Direction](#) of the Central Bank of Russia No. 519-U of March 22, 1999, [Direction](#) of the Central Bank of Russia No. 721-U of December 30, 1999*

*On the procedure and terms for holding tenders in us dollars for russian roubles during the single trading session at the interbank currency exchanges see [Regulation](#) of the Central Bank of Russia No. 77-P of June 16, 1999*

[Authorized banks](#) may buy and sell [foreign currency](#) via currency exchanges, which shall be established and operate in accordance with the procedure and conditions defined by the Central Bank of the Russian Federation, and also directly from and to each other.

Buying and selling [foreign currency](#) other than via [the authorized banks](#) shall be prohibited.

3. Transactions for the purchase and sale of [foreign currency](#) which violate the provisions of [paragraphs 1](#) and [2](#) of this Article shall not be valid.

4. To regulate the domestic currency market of the Russian Federation, the Central Bank of the Russian Federation may set the margin of difference between the rates at which [the foreign currency](#) is bought and sold and may also effect transactions on the purchase and sale of foreign currency.

**Article 5.** Residents' Foreign Currency Accounts

1. [Residents](#) shall be entitled to maintain [foreign currency accounts](#) at [authorized banks](#).

[Foreign currency](#) receipts of [resident](#) enterprises (organizations) must be placed in their accounts with [authorized banks](#) unless otherwise stipulated by the Russian Federation Central Bank.

*Concerning control over transfer on the accounts in the authorized banks all the foreign currency proceeds from export of goods see [Order](#) of the State Customs Committee of the Russian Federation No. 467 of July 24, 1995, [Letter](#) of the State Customs Committee of the Russian Federation No. 01-13/16645 of November 24, 1995*

2. [Residents](#) may open [foreign currency](#) accounts at banks outside the Russian Federation in the cases and according to the conditions established by the Central Bank of the Russian Federation.

*On Natural Persons' Bank Accounts outside of the Russian Federation, see [Instructions](#) of the Central Bank of the Russian Federation No. 100-I of August 29, 2001*

*[Federal Law](#) No. 72-FZ of May 31, 2001 supplemented Item 2 of Article 5 of this Law with the following paragraphs. The amendments [shall come into force](#) upon the expiration of 30 days after the official publication of this Law*

Residents may have accounts denominated in a foreign currency which is not a freely convertible currency, in banks outside of the territory of the Russian Federation for the purpose of effecting settlements under international construction subcontracts concluded with subcontractors performing specific types of works (services), settlements relating to the purchase of goods required for performance under the said subcontracts and settlements with specialists being Russian nationals who are sent on a business trip effected under these subcontracts. The residents shall notify the tax bodies at the place of their registration of the opening of the said accounts under the said subcontracts and shall provide monthly reports to these tax bodies on the movement of cash on these accounts, with bank account statements being attached thereto.

For the purposes of the Law the "foreign currency not being a freely convertible currency" means the foreign currency specified in Item 3 Article 1 of the present Law which cannot be exchanged, without restrictions, for the currency of another foreign state when current currency transactions are being accomplished.

A foreign currency shall be classified as "currency not being a freely convertible currency" and also the procedure for opening the accounts specified in Paragraph 2 of the present item and for the provision of information on these accounts shall be set forth by the Central Bank of the Russian Federation.

*List of foreign states (territories) and their currencies not being free convertible ones where the residents may open accounts outside the Russian Federation according to the notification procedure to ensure payments under international construction contracts was approved by [Direction](#) of the Central Bank of Russia No. 1010-U of August 3, 2001*

**3.** The procedure for the opening and maintaining of [resident foreign currency](#) accounts by [the authorized banks](#) shall be established by the Central Bank of the Russian Federation.

#### **Article 6.** Residents' Currency Transactions in the Russian Federation

*On the procedure for the residents of the Russian Federation drawing and repaying financial credits and loans in a foreign currency, received from non-residents for a term of over 180 days see [Letter](#) of the Central Bank of Russia No. 527 of October 6, 1997*

*On residents' currency transactions in the Russian Federation see also: [Regulations](#) of the Central Bank of Russia No. 32 of December 15, 1995 for the Procedure of Effecting Insurance and Reinsurance Foreign Currency Transactions*

*[Regulations](#) for Conducting of Currency Transactions at Moscow Interbank Currency Exchange [Telegram](#) of the Central Bank of Russia No. 51-93 of March 25, 1993*

**1.** [Residents](#) shall be entitled to freely conduct [current currency transactions](#).

*See the [list](#) of currency operations which shall be performed without the permits of the Bank of Russia*

*[Federal Law](#) No. 72-FZ of May 31, 2001 amended Item 2 of Article 1 of this Law. The amendments [shall come into force](#) upon the expiration of 30 days after the official publication of this Law*

*[See the previous text of the Item](#)*

settlements for the export of the goods specified in Sections XVI, XVII, XIX of the Commodity Classification of Foreign Economic Activities of the Russian Federation, on condition that foreign currency proceeds repatriation term for these exported goods does not exceed three years after the date when these goods actually cross the customs border of the Russian Federation;

settlements for the construction and subcontractual works performed by residents outside of

the Russian Federation where payment terms under the contracts concluded exceed 90 days, on condition that foreign currency proceeds repatriation term for the completed construction and subcontractual works does not exceed five years after the date of the contract;

settlements relating to insurance and re-insurance premiums and indemnities payable within the effective term of a relevant policy, on condition that the effective term of the policy does not exceed five years after the date when it is concluded;

the transfer of foreign currency to the Russian Federation and out of the Russian Federation by a natural person in an amount not exceeding 75,000 US dollars, effected within the calendar year for the purposes of "a resident natural person's acquiring rights to foreign currency-denominated securities or for the purposes of the resident natural person's exercising his/her rights relating to the said securities. The said transfer shall be carried out by a resident natural person through an account in an authorised bank, with the procedure for opening and keeping such an account being set forth by Russian law. Where a resident natural person effects a transfer of foreign currency to acquire a right to foreign currency-denominated securities this person and the authorised bank through which the transfer is effected shall within ten business days after the date of the transfer notify accordingly the tax body at the place of registration of the resident natural person which has accomplished this transfer, with bank account statements being attached to the notice.

**7. Currency transactions connected with the movement of capital** shall be conducted by residents in accordance with the procedure established by the Central Bank of the Russian Federation. In such a case the following currency transactions shall be accomplished without restrictions:

*On the transactions, no permission of the Bank of Russia shall be required for implementing which, see: Regulations of the Central Bank of Russia No. 157-P of October 24, 2001; Regulations of the Central Bank of Russia No. 142-P of July 5, 2001; Regulations of the Central Bank of Russia No. 129-P of December 21, 2000; Direction of the Central Bank of Russia No. 660-U of October 8, 1999, Regulations of the Central Bank of Russia No. 82-P of July 20, 1999, Article 34 of the Federal Law No. 164-FZ, Direction of the Central Bank of Russia No. 611-U of July 21, 1999*

The procedure whereby residents grant and/or obtain a payment deferment for more than 90 days for the export and/or import of goods (works, services, results of intellectual activity) shall be prescribed by the Government of the Russian Federation by agreement with the Central Bank of Russia.

*On the Procedure for resident legal entities to accomplish currency transactions relating to the receipt and repayment of credits and loans in foreign currency granted by non-residents for a term exceeding 180 days, see Direction of the Central Bank of the Russian Federation No. 1030-U of September 10, 2001, which shall come into force as of October 1, 2001*

*On the procedure for registration by authorized banks of residents' currency transactions involved in foreign currency credits and loans received from non-residents and foreign currency loans granted to non-residents see Instructions of the Central Bank of the Russian Federation No. 101-I of September 10, 2001*

**3. Residents** shall be entitled to freely remit, import and transfer currency values to the Russian Federation with the due observance of customs rules.

The procedure governing the compulsory transfer, import and remittance to the Russian Federation of residents' foreign currency and securities denominated in foreign currencies shall be established by the Central Bank of the Russian Federation.

The procedure governing the obligatory import and remittance to the Russian Federation of residents' precious metals and natural precious stones and pearls shall be established by the Government of the Russian Federation.



4. **Residents** shall be entitled to sell **foreign currency** for the **Russian Federation's currency** on the domestic currency market of the Russian Federation in accordance with **Article 4** of this Law.

*Federal Law No. 130-FZ of August 8, 2001 reworded Item 5 of Article 6 of this Federal Law  
[See the previous text of the Item](#)*

5. Fifty per cent of the foreign currency proceeds of residents from the export of goods (works, services, the results of intellectual activity) shall be compulsorily soled via **authorised banks** at the market **exchange rates** of the foreign currency to the Russian currency in the domestic currency market of the Russian Federation within seven calendar days after the receipt of the said foreign currency proceeds in compliance with the procedure established by the Central Bank of the Russian Federation.

The privileges concerning the procedure for compulsory sale of **residents'** foreign currency proceeds from the export of goods (works, services, the results of intellectual activity) established by the present item and also the relief of residents from their duty to sell foreign currency proceeds from the export of goods (works, services, the results of intellectual activity) are established by the present Law.

The procedure for residents' compulsorily selling **foreign currency** proceeds in the domestic currency market of the Russian Federation shall be established by the President of the Russian Federation.

6. Private individuals, who are **residents**, shall be entitled to transfer, export, and remit from the Russian Federation **currency values**, which have been previously transferred, imported or remitted to the Russian Federation, with the due observance of the customs rules within the limits specified in the customs declaration or any other document, which confirms the transfer, import or remittance thereof to the Russian Federation.

*According to **Regulations** of the Central Bank of Russia and the State Customs Committee of the Russian Federation Nos 105-P, 01-100/1 of January 12, 2000, as the ground to permit a non-resident natural person to take out of the Russian Federation foreign currency in cash which he had earlier brought into the Russian Federation shall be seen the Certificate, **Form No. 0406007** issued to such non-resident natural person by an authorized bank on whose current currency account aforesaid foreign currency in cash had been entered*

*Federal Law No. 72-FZ of May 31, 2001 supplemented this Law with Article 6.1. The amendments **shall come into force** upon the expiration of 30 days after the official publication of this Law*

#### **Article 61.** The Issuance of the Permission to a Resident

1. The foreign currency control bodies, acting within their competence, shall be responsible for considering the question of issuance of the permission to a resident as required by the currency legislation, within two months after the date when the permission application is filed.

2. If the resident fails to provide a complete set of the documents required under the established procedure the currency control body shall within one month after the filing of the permission application by the resident ask the resident to file the documents which were lacking so that the documents be filed by the resident within ten days after the date of the request.

3. The currency control body shall issue a relevant permission or a substantiated refusal to issue such a permission to the resident within two months after the date when the resident filed his permission application.

7. The Central Bank of the Russian Federation shall, together with the State Customs Committee of the Russian Federation determine the procedure governing the export and remittance from the Russian Federation of **currency values** by **residents**, except for those cases stipulated for by **Paragraph 6** of this Article.

*Federal Law No. 128-FZ of July 5, 1999 supplemented Item 7 of Article 6 of this Federal Law with the following paragraph:*

In such a case resident natural persons may take out, as a one-off action, from the Russian Federation foreign currency in cash in an amount not exceeding the amount equivalent to USD 10,000, given the observance of the customs rules, including among other things, the cases specified under [Item 6](#) of the present article. The one-off taking out of foreign currency in cash from the Russian Federation by resident natural persons in an amount exceeding the amount equivalent to USD 10,000 shall be effected only on the permission of the Central Bank of the Russian Federation issued in accordance with the procedure established by the Central Bank of the Russian Federation on the approval of the Government of the Russian Federation, including among other things, in the cases specified under [Item 6](#) of the present article.

*On the procedure for taking foreign cash out of the Russian Federation by natural persons see [Regulations](#) of the Central Bank of Russia and the State Customs Committee of the Russian Federation Nos 105-P, 01-100/1 of January 12, 2000*

**Article 7.** Non-resident Accounts in Foreign Currency and the Currency of the Russian Federation

1. [Non-residents](#) shall be entitled to open accounts in [foreign currency](#) and in [the currency of the Russian Federation](#) with the [authorized banks](#).

2. The procedure for the opening and maintaining by [authorized banks](#) of [non-resident](#) accounts in [foreign currency](#) and [the currency of the Russian Federation](#) shall be established by the Central Bank of the Russian Federation.

*On special non-residents' S-type accounts see [Instructions](#) of the Central Bank of Russia No. 96-I of December 28, 2000*

*On the Procedure for Authorised Banks Opening Russian Currency Accounts for Non-Residents and Accomplishing Transactions on These Accounts see [Instructions](#) of the Central Bank of Russia No. 93-I of October 12, 2000*

**Article 8.** Non-resident Currency Transactions

*On Non-resident Currency Transactions see also [Instruction](#) No. 4 of the Central Bank of the RF of April 16, 1992 on the Procedure for Selling Foreign Currency for Roubles by Legal Persons Non-Resident to Maintain Their Representations on the Territory of the Russian Federation*

1. [Non-residents](#) shall be entitled to freely import, transfer and remit [currency values](#) to the Russian Federation with the due observance of customs rules.

2. [Non-residents](#) shall be entitled to buy and sell [foreign currency](#) in exchange for [the currency of the Russian Federation](#) in accordance with the procedure established by the Central Bank of the Russian Federation.

*Concerning the Procedure for Organization of the Work of Exchange Offices in the Territory of the Russian Federation, the Performance and Accounting of Foreign Exchange Operations by the Authorized Banks see [Instructions](#) of the Central Bank of the Russian Federation No. 27 of February 27, 1995*

3. [Non-residents](#) may freely export, transfer and remit from the Russian Federation [currency values](#), previously imported, transferred or remitted to the Russian Federation or acquired on its territory in accordance with the conditions stipulated for by the provisions of [Paragraph 2](#) of this Article and with the due observance of customs rules, and also in other cases in accordance with

the existing legislation of the Russian Federation.

*Federal Law No. 128-FZ of July 5, 1999 supplemented Item 3 of Article 8 of this Federal Law with the following paragraph:*

In such a case non-resident natural persons may take out from the Russian Federation, given the observance of the customs rules, foreign currency in cash in an amount not exceeding the amount of foreign currency that was earlier brought in, transferred or sent to the Russian Federation, with the documents whereby the currency's having been brought in, transferred or sent to the Russian Federation is being confirmed.

*According to Regulations of the Central Bank of Russia and the State Customs Committee of the Russian Federation Nos 105-P, 01-100/1 of January 12, 2000, as the ground to permit a non-resident natural person to take out of the Russian Federation foreign currency in cash which he had earlier brought into the Russian Federation shall be seen the Certificate, Form No. 0406007 issued to such non-resident natural person by an authorized bank on whose current currency account aforesaid foreign currency in cash had been entered*

*On accomplishing transactions exclusively in foreign currency by non-residents see Regulations of the Central Bank of Russia No. 93-P of October 14, 1999*

**4.** The Central Bank of the Russian Federation shall, together with the State Customs Committee of the Russian Federation, determine the procedure governing the export, transfer, and remittance from the Russian Federation of currency values by non-residents, except in the cases stipulated for by the provisions of Paragraph 3 of this Article.

*On the procedure for taking foreign cash out of the Russian Federation by natural persons see Regulations of the Central Bank of Russia and the State Customs Committee of the Russian Federation Nos 105-P, 01-100/1 of January 12, 2000*

**Article 9.** The Central Bank of the Russian Federation as a Currency Regulation Authority

**1.** The Central Bank of the Russian Federation shall act as the main currency regulation authority in the Russian Federation.

**2.** The Central Bank of the Russian Federation shall within the jurisdiction of this Law:

a) define the sphere and procedure governing the circulation of foreign currency and securities in foreign currency on the territory of the Russian Federation;

*On the cessation in the territory of the Russian Federation of payments in foreign currency for the goods (work, services) to be realized to individuals see Regulations of the Central Bank of Russia No.503 of August 15, 1997*

*On changes to the procedure for circulation of foreign currency on the territory of the Russian Federation see Letter of the Central Bank of Russia No. 56 of October 1, 1993*

b) pass normative acts which shall be binding in the Russian Federation on residents and non-residents;

c) effect all types of currency transactions;

d) establish the rules for effecting resident and non-resident transactions with foreign currency and securities in foreign currency in the Russian Federation, and also non-resident transactions with the currency of the Russian Federation and securities denominated in the currency of the Russian Federation;

*See Regulations of the Central Bank of Russia No. 55-P of September 1, 1998 on Foreign Exchange Settlements Conducted by Residents of the Russian Federation Against Export and*

### *Import Contracts*

e) establish the procedure governing the compulsory transfer, import and remittance to the Russian Federation of resident foreign currency and securities, and also stipulate the cases and conditions for opening resident accounts in foreign currency at banks outside the Russian Federation;

*On the procedure for effecting the remittance of foreign currency from residents' foreign currency accounts and the entry of foreign currency in residents' foreign currency accounts see Direction of the Central Bank of Russia No. 535-U of April 9, 1999*

f) define the general rules for issuing currency transactions licenses and also issue such licenses to banks and to other credit institutions;

g) establish accounting and reporting standards and forms of documents and statistical reports concerning currency transactions, including those for authorized banks, and define the procedure and time limits of their submission;

h) prepare and publish statistical reports concerning currency transactions in the Russian Federation in accordance with internationally-accepted standards;

i) perform other functions envisaged by this Law.

### **SECTION 3. CURRENCY CONTROL**

*Concerning the Procedure for Exercising Currency Control see Regulations of the Central Bank of the Russian Federation and the State Customs Committee of the Russian Federation Nos. 148-P, 01-11/22 of August 16, 2001*

*Concerning the execution of currency control see Instructions of the Central Bank of Russia Nos 86-I, 01-23/26541 of October 13, 1999*

#### **Article 10. Objectives and Areas of Currency Control**

**1.** Currency control shall be geared to supervising the provisions of currency legislation during transactions with currency values.

**2.** The main areas of currency control shall include the supervision of:

a) the compliance of currency transactions with existing legislation and the verification of the requisite licenses and permits;

b) the fulfilment by residents of their obligations in foreign currency before the State, and also with regard to the sale of foreign currency on the domestic currency market of the Russian Federation;

c) the validity of payments effected in foreign currency;

*See also Order of the State Customs Committee of Russia No. 1056 of November 21, 2000 on additional measures to ensure foreign currency payments for imported goods are justified*

*On the Procedure for Exerting Customs Control over the Substantiation of the Residents' Payment for Imported Commodities, see 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*

d) full and objective accounts and reports on currency transactions and non-residents' operations in the currency of the Russian Federation.

Federal Law No. 72-FZ of May 31, 2001 reworded Article 11 of this Law. The amendments shall come into force upon the expiration of 30 days after the official publication of this Law

See the previous text of the Article

**Article 11.** The Currency Control Bodies and Currency Control Agents

1. Currency control in the Russian Federation shall be carried on by the Government of the Russian Federation, currency control bodies and currency control agents under Russian law.

2. The currency control bodies in the Russian Federation are the Central Bank of the Russian Federation, the federal executive bodies within the competence established by federal laws and also the federal executive body authorised by the Government of the Russian Federation.

3. The currency control agents are the authorised banks reporting to the Central Bank and also the organisations reporting to the federal executive bodies under Russian law.

4. The Central Bank of the Russian Federation shall be responsible for exercising control over the accomplishment of foreign currency transactions by lending institutions and currency markets.

5. The federal executive bodies being currency control bodies, acting within their competence, and currency control agents shall be responsible for exercising control over the accomplishment of foreign currency transactions by the residents and non-residents not being lending institutions or currency markets.

6. The Government of the Russian Federation shall ensure the delineation of the functions and the interaction of the federal executive bodies in the field of currency control and also their interaction with the Central Bank of the Russian Federation.

7. The Central Bank of the Russian Federation shall carry on interaction with the other currency control bodies within their competence and shall ensure their interaction with the authorised banks as currency control agents.

**Article 12.** The Authority of Currency Control Bodies and Agents

1. Currency control bodies shall, within the terms of their reference, issue regulations binding on all residents and non-residents in the Russian Federation.

2. Exchange control bodies and agents within their competence shall:

a) exercise control over currency transactions effected by residents and non-residents in the Russian Federation and ensure the compliance of such transactions with the relevant laws, terms of licenses and permits, as well as the observance of the acts issued by currency control bodies;

b) conduct audits of currency transactions effected by residents and non-residents in the Russian Federation;

3. Currency control bodies shall establish the procedure and standards of accounting and reporting and the forms of documents concerning currency transactions conducted by residents and non-residents.

**Article 13.** The Rights and Responsibilities of Residents and Non-residents

1. Residents and non-residents, engaged in currency transactions in the Russian Federation, as well as non-residents, engaged in transactions with the currency of the Russian Federation and securities denominated in the currency of the Russian Federation, shall have the following rights:

a) to know the results of audits conducted by the bodies and agents of currency control;

b) to appeal against the currency control agents' actions at the relevant currency control authorities, in accordance with the existing legislation of the Russian Federation, and also against the decisions of such authorities;

c) other rights established under this Law and by other legislation of the Russian Federation.

2. Residents and non-residents, engaged in currency transactions in the Russian Federation, as well as non-residents, engaged in transactions with the currency of the Russian Federation and securities denominated in the currency of the Russian Federation, are obliged to:

a) submit to the currency control bodies and agents all the required documents and information about their currency transactions;

b) furnish explanations to the currency control bodies and agents during audits, and also with regard to the results of such audits;

c) in the event of a disagreement with the results of the audits conducted by the currency control bodies and agents, furnish a written explanation for the refusal to sign the auditors' statement;

- d) maintain accounts and reports on their [currency transactions](#) and ensure that such records are preserved for at least five years;
- e) comply with the requirements (instructions) of the currency control bodies on the elimination of the revealed violations
- f) fulfill the other obligations established by the laws of the Russian Federation.

**Article 14.** Liability for the Violation of Currency Control Laws

**1.** [Residents](#), including [authorized banks](#) and [non-residents](#), which violate the provisions of [Articles 2 to 8](#) of this Law, shall bear the following liability:

- a) receipts from the transactions, not valid under this law, shall be confiscated by the State;
- b) receipts from illegitimate actions, not from a transaction, shall be confiscated by the State.

**2.** [Residents](#), including [authorized banks](#), and [non-residents](#) shall be liable for any failure to keep or for the incorrect maintenance of the accounting of [currency transactions](#), and they shall also be liable for the failure to submit documents and information on time to the currency control bodies and agents, as provided for by [paragraph 2](#) of Article 13 of this Law. Violators shall be fined within the limits of the amount left out of the account or such amount in respect of which the relevant documents and information have not been duly made available. The procedure for action in the cases referred to herein shall be established by the Russian Federation Central Bank pursuant to the applicable Russian Federation laws.

**3.** In the event of repeated violations of the provisions of this Article, and also in the event of the non-fulfilment or inappropriate execution of the instructions of the currency control bodies, [residents](#), including [authorized banks](#) and [non-residents](#) shall bear the following liability:

- a) the amounts stated in [Paragraph 1](#) of this Article shall be charged by the State, and a fine equal to a fivefold amount thereof shall be levied by the Central Bank of the Russian Federation in accordance with the laws of the Russian Federation;
- b) licenses and permits issued by the currency control bodies to [residents](#), including to the [authorized banks](#) or to [non-residents](#) shall be suspended or withdrawn.
- c) other sanctions established by the existing legislation of the Russian Federation may be imposed.

*According to [Direction](#) of the Central Bank of Russia No. 500-U of February 12, 1999 should an authorized bank violate this Direction a sanction may be applied to the authorized bank through the imposition of a restriction on the implementation of a foreign currency purchase/sale transaction in cash and cashless forms*

*[Federal Law](#) No. 72-FZ of May 31, 2001 reworded Item 4 of Article 14 of this Law. The amendments [shall come into force](#) upon the expiration of 30 days after the official publication of this Law*

[See the previous text of the Item](#)

**4.** The penalties specified herein shall be collected by the decision of relevant currency control bodies, in particular, by a decision issued on a currency control agent's proposal, from natural persons by means of court proceedings and from legal entities under the procedure established by the Code of Administrative Offences of the RSFSR.

A decision whereby a penalty is imposed for a breach of the currency legislation shall be subject to a court appeal by the person in respect of which it has been returned.

A complaint relating to a decision whereby a penalty has been imposed for a breach of the currency legislation and a prescription for the elimination of the breach of the currency legislation may be filed within ten days after the delivery of the decision and prescription and it shall be considered by the bodies empowered to do so within ten days after receipt.

A timely appeal of the said decision or prescription shall suspend performance under them beginning from the date when the said complaint is accepted to commence proceedings.

The amounts so payable shall be paid within 30 days after the entry into force of the decision whereby the penalty is imposed for the breach of the currency legislation or within 15 days after the

dismissal of the complaint if appeal is taken from the said decision.

If no appeal is taken from the decision whereby the penalty was imposed for the breach of the currency legislation and no voluntary payment is made when due of the amount payable for the breach of the currency legislation this penalty shall be collected without court proceedings.

**5.** The executives of resident legal entities, including authorized banks, and non-resident legal entities, as well as citizens, who have violated the currency control laws, shall bear civil, administrative, and criminal liability in accordance with the procedure established by the existing legislation of the Russian Federation.

**Article 15.** The Rights and Responsibilities of the Staff Members of Currency Control Bodies and Agents. Appeals Against the Actions of Staff Members of Currency Control Bodies

**1.** The staff members of the currency control bodies and agents shall enjoy the following rights within the terms of reference of such bodies:

a) to audit all the documents connected with the discharge of their currency control functions; to obtain the requisite explanations, references and information pertaining to all questions which may arise during such audits; to seize documents which bear evidence to violations of the currency control legislation;

b) to suspend authorized bank account transactions in the event of any failure to submit the aforementioned documents and information;

*On the application by the bodies and agents of the currency control of Letter (b) of Item 1 of Article 15 of this Law see Joint Statement of the Government of the Russian Federation and the Central Bank of Russia*

c) to suspend or withdraw permits and licenses, issued to residents, including to the authorized banks and to non-residents, enabling them to engage in currency transactions;

d) to exercise other rights established by the legislation of the Russian Federation.

**2.** The currency control bodies and agents and members of their staff shall not disclose the residents' and non-residents' commercial secrets, which became known to them during the discharge of currency control functions.

**3.** In the event of the inappropriate discharge of their functions, the currency control bodies and members of their staff may be made liable in accordance with the procedure established by the existing legislation of the Russian Federation.

President of the Russian Federation

Boris Yeltsin