

**FEDERAL LAW NO. 173-FZ OF DECEMBER 10, 2003 ON CURRENCY REGULATION AND  
CURRENCY CONTROL (with the Amendments and Additions of June 29, 2004, July 18, 2005, July  
26, December 30, 2006, May 17, July 5, October 30, 2007)**

**Adopted by the State Duma on November 21, 2003  
Endorsed by the Federation Council on November 26, 2003**

This Federal Law is aimed at ensuring the pursuance of a uniform state monetary policy, as well as the stability of the Russian currency and the steady state of the domestic currency market of the Russian Federation as factors of the national economy's progressive development and international economic cooperation.

**Chapter 1. General Provisions**

**Article 1. Basic Concepts Used in this Federal Law**

**1.** For the purposes of this Federal Law, the following basic concepts are used therein:

1) the Russian currency shall mean:

a) paper currency in the form of bank notes or coins of the Bank of Russia which are in circulation as a legal means of payment in cash on the territory of the Russian Federation, as well as the said money being withdrawn or withdrawn from circulation but subject to exchange;

b) funds kept on bank accounts and as bank deposits;

**2.** foreign currency shall mean:

a) paper currency in the form of bank notes, treasury notes and coins which are in circulation and which are legal means of payment in cash on the territory of the appropriate foreign state (a group of foreign states), as well as the said money being withdrawn or withdrawn from circulation but subject to exchange;

b) funds kept on bank accounts and as bank deposits in monetary units of foreign states and in international monetary units or units of accounts;

**3.** domestic securities shall mean:

a) emissive securities whose nominal value is shown in Russian currency and whose issue is registered in the Russian Federation;

b) other securities certifying the right to receive Russian currency issued on the territory of the Russian Federation;

4) external securities shall mean the securities, including those in non-documentary form, which under this Federal Law do not pertain to domestic securities;

5) currency values shall mean foreign currency and external securities;

**6.** residents shall mean:

a) natural persons who are citizens of the Russian Federation, except for citizens of the Russian Federation recognized as permanently residing in a foreign state in compliance with laws of this state;

b) foreign citizens and stateless persons permanently residing in the Russian Federation on the basis of the residence permit provided for by laws of the Russian Federation;

c) legal entities established in compliance with laws of the Russian Federation;

d) branches, representative offices and other subdivisions of the residents indicated in Subitem "c" of this Item which are situated outside the territory of the Russian Federation;

e) diplomatic representations, consular offices of the Russian Federation and other official representations of the Russian Federation which are situated outside the territory of the Russian Federation, as well as permanent representative offices of the Russian Federation at interstate or inter-governmental organizations;

f) the Russian Federation, the subjects of the Russian Federation and municipal formations which participate in the relations regulated by this Federal Law, other federal laws and other normative legal acts adopted in compliance with it;

**7.** non-residents shall mean:

a) natural persons who are not residents in compliance with Subitems "a" and "b" of Item 6 of this Part;

b) legal entities established in compliance with laws of foreign states and located outside the territory of the Russian Federation;

c) organizations not being legal entities which are established in compliance with laws of foreign states and which are located outside the territory of the Russian Federation;

d) diplomatic representations, consular offices of foreign states and permanent representative offices of said the states at interstate and inter-governmental organizations which are accredited with the Russian Federation;

- e) inter-state and inter-governmental organizations, branches and permanent representative offices thereof at the Russian Federation;
- f) branches, permanent representative offices and other separate or independent structural subdivisions of the non-residents indicated in Subitems "b" and "c" of this Item which are situated on the territory of the Russian Federation;
- g) other persons who are not indicated in Item 6 of this Part;
- 8) authorized banks shall mean credit organizations established in compliance with laws of the Russian Federation and entitled on the basis of licences issued by the Central Bank of the Russian Federation to make bank transactions with funds in a foreign currency, as well as branches of credit organizations established in compliance with laws of foreign states and entitled to make bank transactions with funds in foreign currency which operate on the territory of the Russian Federation in compliance with licences issued by the Central Bank of the Russian Federation;
- 9) currency transactions shall mean:
  - a) acquisition by a resident from a resident and alienation by a resident for the benefit of a resident of currency values on legal grounds, as well as the use of currency values as means of payment;
  - b) acquisition by a resident from a non-resident or by a non-resident from a resident and alienation by a resident for the benefit of a non-resident or by a non-resident for the benefit of a resident of currency values, Russian currency and domestic securities on legal grounds, as well as the use of currency values, Russian currency and domestic securities as means of payment;
  - c) acquisition by a non-resident from a non-resident and alienation by a non-resident for the benefit of a non-resident of currency values, Russian currency and domestic securities on legal grounds, as well as the use of currency values, Russian currency and domestic securities as means of payment;
  - d) import to the customs territory of the Russian Federation and export from the customs territory of the Russian Federation of currency values, the Russian Federation currency and domestic securities;
  - e) transfer of foreign currency, of the Russian Federation currency, domestic and external securities from an account opened outside the territory of the Russian Federation onto an account of the same person opened on the territory of the Russian Federation and from the account opened on the territory of the Russian Federation onto the account of the same person opened outside the territory of the Russian Federation;
  - f) transfer by a non-resident of the Russian Federation of currency, of domestic and external securities from an account (an account section) opened on the territory of the Russian Federation onto an account (an account section) of the same person opened on the territory of the Russian Federation;
- 10) abrogated from January 1, 2007;
- 11) currency exchanges shall mean legal entities established in compliance with laws of the Russian Federation which are engaged, along with other types of activities, in the arrangement of exchange sales in the procedure and under the terms and conditions established by the Central Bank of the Russian Federation.

2. The institutions, concepts and terms of civil and administrative laws of the Russian Federation, of other fields of Russian law which are used in this Federal Law, shall have the same meaning they have in these fields of Russian law, if not otherwise provided for by this Federal Law.

**Article 2. Scope of This Federal Law and Relations Regulated by This Federal Law**

This Federal Law shall establish the legal grounds and principles of currency regulation and currency control in the Russian Federation, the authority of currency regulation bodies, as well as determine the rights and duties of non-residents and residents in respect of possession, use and disposal of currency values, the rights and duties of non-residents in respect of possession, use and disposal of the Russian Federation currency and domestic securities, the rights and duties of currency control bodies and currency control agents (hereinafter referred to as currency control bodies and agents).

**Article 3. Principles of Currency Regulation and Currency Control**

The basic principles of currency regulation and currency control in the Russian Federation shall be as follows:

- 1) giving priority to economic measures in the implementation of state currency regulation policy;
- 2) excluding unreasonable interference of the State and bodies thereof into currency transactions of residents and non-residents;
- 3) uniformity of foreign and domestic monetary policy of the Russian Federation;
- 4) uniformity of the currency regulation and currency control system;
- 5) ensuring by the State the protection of the rights and economic interests of residents and non-residents when making currency transactions.

**Article 4. The Russian Federation Currency Regulation, Acts of Currency Regulation Bodies and Acts of Currency Control Bodies**

1. The Russian Federation currency legislation consists of this Federal Law and of the federal laws adopted in compliance with it (hereinafter referred to as acts of the Russian Federation currency legislation).

Currency regulation bodies shall only issue normative legal currency regulation acts (hereinafter referred to as acts of currency regulation bodies) in the instances provided for by this Federal Law.

2. International treaties of the Russian Federation shall directly apply to the relations specified in Article 2 of this Federal Law, except for the instances when it follows from an international treaty of the Russian Federation that the issue of a domestic currency legislation act is required for applying it.

Where an international treaty of the Russian Federation establishes rules other than those provided for by this Federal Law, the rules of the said international treaty shall apply.

3. Acts of the Russian Federation currency legislation and acts of currency regulation bodies shall apply to the relations arising after the said acts' entry into force, except for the instances directly provided for by this Federal Law or other federal laws.

The said acts shall apply to the relations arising prior to entry into force of appropriate acts of the Russian Federation currency legislation and acts of currency regulation bodies, insofar as they concern the rights and duties arising after their entry into force.

4. Acts of the Russian Federation currency legislation and acts of the currency regulation bodies establishing new duties for residents and non-residents shall not have retroactive effect.

Acts of the Russian Federation currency legislation and acts of currency regulation bodies lifting restrictions in respect of making currency transactions or improving the position of residents and non-residents in any other way, may have retroactive effect where they directly provide for it.

Acts of the Russian Federation currency legislation and acts of the currency regulation bodies shall be subject to official publication.

Unpublished acts of the Russian Federation currency legislation and acts of the currency regulation bodies shall not apply. The requirements of this Paragraph shall not extend to acts and individual provisions of acts of the currency regulation bodies containing data constituting a state secret in compliance with Law of the Russian Federation No. 5485-I of July 21, 1993 on State Secrets.

5. Currency control bodies may only issue currency control acts concerning matters within the scope their authority (hereinafter referred to as acts of currency control bodies) in the instances and within the limits provided for by the Russian Federation currency legislation and acts of currency regulation bodies. Acts of currency control bodies do not have to contain provisions concerning matters of currency transactions' regulation.

6. All irremovable doubts, contradictions and ambiguities in the acts of the Russian Federation currency legislation, acts of currency regulation bodies and acts of currency control bodies shall be interpreted in favour of residents and non-residents.

## **Chapter 2. Currency Regulation**

### **Article 5. Currency Regulation Bodies**

1. Currency regulation bodies in the Russian Federation shall be the Central Bank of the Russian Federation and the Russian Federation Government.

2. In order to exercise the functions provided for by this Federal Law, the Central Bank of the Russian Federation and the Government of the Russian Federation shall issue within the scope of their authority currency regulation acts which shall be binding for residents and non-residents.

Where the procedure for making currency operations, the procedure for using accounts (including the establishment of the requirement to use a special account) are not established by currency regulation bodies in compliance with this Federal Law, currency transactions shall be made, accounts shall be opened and operations on accounts shall be made without any limitations. When establishing a requirement to use a special account, currency regulation bodies shall not be entitled to impose restrictions which are not provided for by this Federal Law.

3. There shall not be allowable the establishment by currency regulation bodies of the requirement to receive individual permits by residents and non-residents.

There shall not be allowable the establishment by currency regulation bodies of the requirement concerning preliminary registration, except for the instances established by Part 3 of Article 12 and Part 5 of Article 15 of this Federal Law.

4. The Central Bank of the Russian Federation shall establish single registration and report forms for currency transactions, the procedure for and time for their submission, and shall prepare and publish statistical data on currency transactions.

5. The Central Bank of the Russian Federation, the Government of the Russian Federation, as well as the federal executive bodies specially authorized to do so by the Government of the Russian Federation, shall make without any restrictions all types of currency transactions regulated by this Federal Law.

**Article 6. Currency Transactions between Residents and Non-Residents**

Currency transactions between residents and non-residents shall be made without any restrictions, except for the currency transactions provided for by Articles 7, 8 and 11 of this Federal Law, in respect of which restrictions are established for the purpose of preventing a major reduction of gold and foreign currency reserves and abrupt fluctuations of the Russian Federation currency, as well as for sustaining the stability of the payment balance of the Russian Federation. The said restrictions shall be of non-discriminative nature and shall be lifted by currency regulation bodies as the circumstances causing their establishment are eliminated.

**Article 7.** Abrogated from July 1, 2006.

**Article 8. Regulation of Currency Transactions Related to Capital Flow by the Central Bank of the Russian Federation**

1. Abrogated from January 1, 2007.
2. Abrogated from January 1, 2007.
3. Abrogated from January 1, 2007.
4. Abrogated from January 1, 2007.
5. Abrogated from July 1, 2006.
6. Abrogated from July 1, 2006.
7. Abrogated from July 1, 2006.
8. Abrogated from January 1, 2007.
9. Abrogated from January 1, 2007.
10. Abrogated from July 1, 2006.
11. Abrogated from January 1, 2007.

**Article 9. Currency Transactions between Residents**

1. Currency transactions between residents shall be forbidden, except for:
  - 1) the operations provided for by Parts 2 and 3 of this Article, Part 6 of Article 12 and Part 3 of Article 14 of this Federal Law;
  - 2) transactions connected with settlements in duty-free shops, as well as with settlements when selling goods and rendering services to passengers along the lines of transport vehicles in international carriage;
  - 3) transactions between brokers (agents, attorneys) and consignors (principals, grantors), when rendering by brokers (agents, attorneys) services connected with making and executing contracts made with non-residents on delivery of commodities, on carrying out works, on rendering services, on the provision of information and results of intellectual activity, including exclusive rights thereto;
  - 4) transactions under contracts of transport forwarding, carriage and affreightment (charter), when rendering by forwarders, carriers and freighters services connected with carriage of freight imported to the Russian Federation and exported from the Russian Federation, with transit traffic over the territory of the Russian Federation, as well as under contracts of the said freight insurance;
  - 5) transactions in external securities which are made through trade promoters on the securities market of the Russian Federation, on condition of registering rights to such securities with depositories established in compliance with laws of the Russian Federation;
  - 6) transactions in external securities on condition of registering the rights to such securities with depositories established in compliance with laws of the Russian Federation and making settlements in the Russian Federation currency;
  - 7) transactions connected with making obligatory payments (taxes, fees and other payments) to the federal budget, the budget of a subject of the Russian Federation and a local budget in foreign currency in compliance with the laws of the Russian Federation.
  - 8) transactions connected with payments on external securities (including on mortgage deeds), except for bills of exchange;
  - 9) transactions related to the covering and (or) reimbursement of outlays of a natural person connected with his business trip abroad from the Russian Federation, as well as transactions related to repayment of an unspent advance payment paid in connection with his business trip;
  - 10) transactions connected with settlements and transfers when administering budgets of the budget system of the Russian Federation in compliance with the budget legislation of the Russian Federation;
  - 11) transactions providing for settlements and transfers when exercising activities by diplomatic representative offices, consular offices of the Russian Federation and by other official representative offices of the Russian Federation located outside the Russian Federation, as well as by permanent representative offices of the Russian Federation at inter-state or inter-governmental organizations;

12) transfers by a resident natural person from the Russian Federation to the benefit of other resident natural persons onto the accounts thereof opened with banks which are located outside the Russian Federation in the amount not exceeding within one trading day through one authorised bank the amount equivalent to 5 000 US dollars at the official exchange rate established by the Central Bank of the Russian Federation on the date of writing monetary funds off the account of a resident natural person, except for the cases indicated in Item 17 of this Part;

13) transfers by a resident natural person in the Russian Federation from the accounts opened with banks located outside the Russian Federation to the benefit of other resident natural persons onto their accounts opened with authorised banks;

14) operations related to covering and (or) reimbursement of the expenses connected with business trips behind the boundaries of the Russian Federation of the employees whose regular work is carried out en route or is connected with travelling;

15) the operations provided for by this Part and Part 3 of this Article made by trust managers;

16) operations connected with settlements between transport organisations and natural persons and also branches, representative offices and other units of legal entities created in accordance with the legislation of the Russian Federation under agreements of carriage of passengers that are beyond the borders of the territory of the Russian Federation;

17) transfers by resident natural persons from their accounts opened in authorised banks in favour of other resident natural persons who are their spouses or near relatives (relatives by the direct line of ascent and descent (parents and children, grandparents and grandchildren), brothers and sisters (including half-brothers and half-sisters), adopters and adoptees) to accounts of the said persons opened in authorised banks or in banks situated beyond the territory of the Russian Federation.

2. Currency transactions related to transactions between authorized banks made by them on their behalf and at their own expense shall be made in the procedure established by the Central Bank of the Russian Federation.

3. There shall be made without any restrictions the currency transactions between residents and authorized banks which are connected with the following:

1) with receiving and paying back credits and loans paying the amounts of interest and punitive measures under the appropriate contracts;

2) with entering residents' monetary funds onto bank accounts (to bank deposits) (demand deposits and time deposits) and receiving residents' monetary funds from bank accounts (from bank deposits) (demand deposits and time deposits);

3) with bank guarantees, as well as with residents' discharge of commitments under contracts of guarantee and pledge;

4) with residents' acquiring from authorized banks promissory notes issued by these and other authorized banks, with their presenting for payment, with receiving payments under them, and likewise by way of recourse, with recovery of penalties imposed on them, as well as with alienation by residents of the said promissory notes by authorized banks in the procedure established by Federal Law No. 48-FZ of March 11, 1997 on Bill of Exchange and Note;

5) with purchase and sale by natural persons of foreign currency in cash and on a non-cash basis and cheques (including circular cheques) whose nominal value is shown in foreign currency, for Russian currency and foreign currency, as well as with the exchange and replacement of bank notes of a foreign state (group of foreign states), with acceptance for transferring for collection to banks outside the territory of the Russian Federation foreign currency in cash and cheques (including circular cheques) whose nominal value is shown in foreign currency for purposes other than exercising business activities by natural persons;

6) with payment of commission fees to authorized banks;

7) with other currency transactions referred to bank operations under laws of the Russian Federation;

#### **Article 10. Currency Transactions Made between Non-Residents**

1. Non-residents shall be entitled to transfer without any restrictions to transfer foreign currency between them from accounts (from deposits) opened with banks outside the territory of the Russian Federation to bank accounts (to bank deposits) opened with authorized banks and from bank accounts (bank deposits) opened with authorized banks to accounts (to deposits) opened with banks outside the territory of the Russian Federation or with authorized banks.

2. Non-residents shall be entitled to make currency transactions between them in domestic securities on the territory of the Russian Federation subject to the requirements established by the anti-monopoly laws of the Russian Federation and the Russian Federation laws on the securities market.

3. Currency transactions between non-residents on the territory of the Russian Federation in Russian currency shall be made through bank accounts (bank deposits) opened on the territory of the Russian Federation in the procedure provided for by Article 13 of this Federal Law.

**Article 11. Domestic Currency Market of the Russian Federation**

1. Foreign currency and cheques (including circular cheques) whose nominal value is shown in foreign currency, shall be only sold and purchased through authorized banks.

2. The Central Bank of the Russian Federation shall establish for credit organizations requirements in respect of drawing up the documents for purchasing and selling foreign currency and cheques (including circular cheques) whose nominal value is shown in foreign currency.

The establishment of the requirement to identify the person when selling and purchasing by natural persons foreign currency in cash and cheques (including circular cheques) whose nominal value is shown in foreign currency shall not be allowable except for the instances provided for by federal laws.

Data identifying the person may be entered to the documents drawn up, when selling or purchasing by a natural person foreign currency in cash and cheques (including circular cheques), whose nominal value is shown in foreign currency, at the request of this natural person

3. Abrogated from July 1, 2006.

4. Abrogated from July 1, 2006.

5. Abrogated from July 1, 2006.

6. Abrogated from July 1, 2006.

**Article 12. Residents' Accounts Opened with Banks Situated Outside the Territory of the Russian Federation**

1. Residents shall open without any restrictions accounts (deposits) in foreign currency with banks situated on the territories of foreign states which are members of the Organization for Economic Cooperation and Development (OECD) or the Financial Task Force on Money Laundering (FATF).

2. Residents shall be obliged to notify the tax authorities at the place of their registration of opening (closing) the accounts (making the deposits) and of changing the requisite elements of the accounts (deposits) cited in Part 1 of this Article at latest in one month as of the date of accordingly making (dissolution) or changing the requisite elements of such accounts (deposits) opened (made) with banks situated outside the territory of the Russian Federation according to the form endorsed by the federal executive body in charge of control and supervision in respect of taxes and fees.

3. Abrogated from January 1, 2007.

4. Residents shall be entitled to transfer onto their accounts (to the deposits thereof) opened with banks outside the territory of the Russian Federation funds from their accounts (from deposits) made with authorized banks or from their other accounts (deposits) opened with banks outside the territory of the Russian Federation.

Residents' transfer of funds to their accounts (to their deposits) opened with banks outside the territory of the Russian Federation from their accounts (from their deposits) opened with authorized banks shall be effected on condition of presenting to the authorized bank when making the first transfer, a notice of the tax body at the place of the resident's registration on opening the account with a note on the acceptance of said notice except for the operations required under laws of the foreign state and connected with the terms of opening the said accounts (making deposits).

5. Along with the instances specified in Part 4 of this Article, funds gained in the instances established by Items 10-12, 16 and 17 of Part 1 of Article 9, paragraph six of Part 2 of Article 14 and also Items 1-3 and 6 of Part 2 of Article 19 of this Federal Law may be entered to the residents' accounts (deposits) opened with banks outside the territory of the Russian Federation.

To the accounts of residents opened with banks located on the territories of the foreign member states of the Organisation for Economic Cooperation and Development or of the Financial Task Force on Money Laundering may be entered the amounts of credits and loans in foreign currency received under credit contracts and loan contracts made with non-resident organizations acting as agents of the governments of foreign states, as well as under credit contracts and loan contracts made with residents of member states of the Organisation for Economic Cooperation and Development and the Financial Task Force on Money Laundering for a term exceeding two years.

6. Resident legal entities shall be entitled to make without any restrictions currency transactions in the funds entered in compliance with this Federal Law onto the accounts (to the deposits) opened with banks outside the territory of the Russian Federation, except for currency transactions between residents, except for the currency transactions specified in Part 6.1 of this Article.

Resident natural persons shall be entitled to make without any restrictions currency operations which are not connected with the delivery of property and rendering services on the territory of the Russian Federation, using the funds entered under this Federal Law onto the accounts (to the deposits) opened with banks outside the territory of the Russian Federation.

6.1. The following currency transactions shall be made without limits between residents with the funds specified in Part 6 of this Article:

1) transactions of paying wages to the personnel of diplomatic representative offices, consular offices of the Russian Federation and other official representative offices of the Russian federation

located outside the Russian Federation, as well as of permanent representative offices of the Russian Federation at inter-state or inter-governmental organizations;

2) transactions of paying wages to the personnel of the representative office of a resident legal entity located outside the Russian Federation;

3) operations of covering and (or) reimbursing the expenses connected with sending the employees specified in Items 1 and 2 of this Part to the territory of the country where the representative offices, institutions and the organizations specified in Items 1 and 2 of this Part are located and abroad, except for the territory of the Russian Federation;

4) the transactions specified in Items 10, 11 and 16 of Part 1 of Article 9 and also paragraph six of Item 2 of Article 14 of this Federal Law.

7. Residents, except for resident natural persons, diplomatic missions, consular offices of the Russian Federation and other official representative offices of the Russian Federation located outside the territory of the Russian Federation, as well as permanent representative offices of the Russian Federation under interstate or intergovernmental organisations, shall submit to tax bodies at the place of their registration reports on the movement of funds on accounts (in the deposits) made with banks outside the territory of the Russian Federation proved by bank documents attachable thereto in the procedure established by the Government of the Russian Federation by approbation of the Central Bank of the Russian Federation.

8. The requirements with regard to the procedure for opening accounts (making deposits) with banks outside the territory of the Russian Federation and for making currency transactions on the said accounts (deposits), as well as for submitting reports on funds' movement on these accounts (deposits), established by this Article, shall not apply to authorized banks and currency exchanges which open accounts (make deposits) with banks outside the territory of the Russian Federation, make currency transactions on them and submit reports in the procedure established by the Central Bank of the Russian Federation.

#### **Article 13. Non-Residents' Accounts Opened on the Territory of the Russian Federation**

1. Non-residents on the territory of the Russian Federation shall only be entitled to open bank accounts (to make bank deposits) in foreign currency and in the Russian Federation currency with authorized banks.

2. The procedure for opening and keeping of non-residents' bank accounts (bank deposits) opened on the territory of the Russian Federation, including special accounts, shall be established by the Central Bank of the Russian Federation, if not otherwise provided for by this Federal Law.

3. Non-residents shall be entitled to transfer without any restrictions foreign currency and Russian currency from their bank accounts (bank deposits) opened with banks outside the territory of the Russian Federation to their bank accounts (bank deposits) opened with authorized banks.

4. Non-residents shall be entitled to transfer without any restrictions foreign currency from their bank accounts (bank deposits) opened with authorized banks to their accounts (deposits) opened with banks outside the territory of the Russian Federation.

5. Abrogated from July 1, 2006.

6. Abrogated from July 1, 2006.

#### **Article 14. Residents' Rights and Duties When Making Currency Transactions**

1. Residents shall be entitled to open without any restrictions with authorized banks' bank accounts (bank deposits) in foreign currency, if not otherwise established by this Federal Law.

2. If not otherwise provided for by this Federal Law, settlements, when making currency operations, shall be effected by resident legal entities through bank accounts at authorized banks, opened and kept in the procedure established by the Central Bank of the Russian Federation.

Settlements, when making currency transactions, may be effected by resident legal entities through the accounts opened in compliance with Article 12 of this Federal Law with banks outside the territory of the Russian Federation, at the expense of the funds entered to these accounts in compliance with this Federal Law.

Resident legal entities may make settlements in cash without using bank accounts at authorised banks with non resident natural persons in the currency of the Russian Federation under contracts of retail purchase and sale of commodities, as well as settlements when rendering to non-resident natural persons on the territory of the Russian Federation transport, accommodation and other services provided to the population.

Resident legal entities may make settlements in cash without using bank accounts at authorised banks with non-residents in foreign currency and in the currency of the Russian Federation for the maintenance of aircraft of foreign states at airports, ships of foreign states at river and sea ports and also in the payment by non-residents of aeronavigation, airport and port fees on the territory of the Russian Federation.

Resident legal entities can, without using bank accounts in authorised banks, carry out settlements in ready foreign currency and in ready currency of the Russian Federation with non-residents for the maintenance of aircraft of such legal entities at airports of foreign states, other transport vehicles of such legal entities when they are on the territories of foreign states and also in the payment by such legal entities of aeronavigation, airport, port fees and other obligatory fees on the territories of foreign states connected with ensuring the activity of such legal entities.

Resident legal entities can, without using bank accounts in authorised banks, carry out settlements in foreign currency and in the currency of the Russian Federation with resident natural persons and also with branches, representative offices and other units of legal entities created in accordance with the legislation of the Russian Federation that are beyond the territory of the Russian Federation, and with non-resident natural persons under agreements of carriage of passengers, and also settlements in foreign currency and in the currency of the Russian Federation with resident natural persons that are beyond the borders of the territory of the Russian Federation and with non-resident natural persons under agreements of carriage of cargoes carried by natural persons for personal, family, household and other needs not connected with the carrying out of business activity.

**3.** Settlements, when making currency transactions, shall be effected by resident natural persons through bank accounts at authorized banks opened and kept in the procedure established by the Central Bank of the Russian Federation, except for the following currency transactions made in compliance with this Federal Law:

- 1) a resident natural person's presenting the Russian Federation, a subject of the Russian Federation and (or) a municipal formation with currency values;
- 2) presenting a spouse and close relatives with currency values;
- 3) giving currency values by a will or receiving them by succession;
- 4) a resident natural person's acquiring or alienating them for the purpose of collecting individual bank notes and coins;

- 5) a resident natural person's transmitting them from the Russian Federation and a resident natural person's receiving in the Russian Federation a transfer without opening bank accounts in the procedure established by the Central Bank of the Russian Federation which may only provide for the limitation of the amount to be transmitted, including that to be transmitted by a postal order;

- 6) a resident natural person's purchasing from an authorized bank or selling to an authorized bank foreign currency in cash, exchanging or replacing bank notes of a foreign state (a group of foreign state), as well as accepting foreign currency in cash for transmitting for collection to banks outside the territory of the Russian Federation.

- 7) settlements made by resident natural persons in foreign currency in duty-free shops, as well as when selling commodities and rendering services to resident natural persons in transport vehicles for international carriage;

- 8) settlements carried out by resident natural persons in accordance with Point 16 of Item 1 of Article 9 of this Federal Law.";

**4.** Settlements, when making currency transactions, may be effected by a resident natural person through the accounts opened in compliance with Article 12 of this Federal Law with banks outside the territory of the Russian Federation at the expense of the funds entered to these accounts in compliance with this Federal Law.

**5.** Abrogated from July 1, 2006.

**6.** Abrogated from July 1, 2006.

**7.** Residents may effect settlements through the bank accounts thereof in any foreign currency making, where necessary, conversion operations at the exchange rate coordinated with the authorized bank, regardless of what currency the bank account has been opened in.

**8.** Professional traders on the securities market shall open special discretionary accounts with authorized banks for recording non-residents' monetary funds.

Authorized banks acting as professional traders on the securities market shall independently open and keep special discretionary accounts for recording monetary funds of non-resident clients thereof.

The procedure for opening and keeping special discretionary accounts for recording monetary funds of non-residents shall be established by the Central Bank of the Russian Federation and may provide for establishing the requirement for authorized banks, where the said accounts are opened, to obligatorily keep in whole or in part the balance of monetary funds on the correspondent account opened with the Central Bank of the Russian Federation which is equal to the aggregate balance of the monetary funds on special discretionary accounts.

**Article 15.** Import to the Russian Federation and Export from the Russian Federation of Currency Values, Russian Federation Currency and Domestic Securities



1. Foreign currency and (or) currency of the Russian Federation, as well as travellers' cheques, external and (or) domestic securities in a documentary form shall be imported to the Russian Federation by residents and non-residents without any restrictions on condition of respecting the requirements of the customs laws of the Russian Federation.

In the event of importing at one time to the Russian Federation by resident natural persons and non-resident natural persons foreign currency and (or) the Russian Federation currency in cash, as well as travellers' cheques, external and (or) domestic securities in a documentary form in the amount exceeding the equivalent of 10 000 US dollars, the imported foreign currency and (or) the Russian Federation currency in cash, as well as travellers' cheques, external and (or) domestic securities in a documentary form, shall be subject to declaring to the customs authority by way of filing a written customs declaration for the total amount of imported foreign currency and (or) the Russian Federation currency in cash, as well as for travellers' cheques, external and (or) domestic securities in a documentary form.

2. Resident natural persons and non-resident natural persons shall be entitled to export from the Russian Federation foreign currency, the Russian Federation currency, travellers' cheques, external and (or) domestic securities in a documentary form, previously imported or transmitted to the Russian Federation, on condition of respecting the requirements of the customs laws of the Russian Federation, within the limits indicated in the customs declaration or other document proving their import or transmittance to the Russian Federation.

3. Resident natural persons and non-resident natural persons shall be entitled to export from the Russian Federation at one time foreign currency and (or) the Russian Federation currency in cash in the amount equivalent to 10 000 US dollars or not exceeding this sum. With this, it shall not be necessary to submit to the customs body the documents proving that exportable foreign currency in cash and (or) the Russian Federation currency has been previously imported or transmitted to the Russian Federation or acquired in the Russian Federation.

In the event of exporting at one time from the Russian Federation by resident natural persons and non-resident natural persons foreign currency in cash and (or) the Russian Federation currency in the amount equivalent to 3 000 US dollars or not exceeding this sum, exportable foreign currency and (or) the Russian Federation currency shall not be declarable with a customs body.

In the event of exporting at one time from the Russian Federation by resident natural persons and non-resident natural persons foreign currency in cash and (or) the Russian Federation currency in the amount exceeding the equivalent of 3 000 US dollars, exportable foreign currency in cash and (or) the Russian Federation currency shall be declarable with a customs body by filing in a customs declaration in writing in respect of the total amount of exportable foreign currency in cash and (or) the Russian Federation currency.

Exportation at once from the Russian Federation by resident natural persons and non-resident natural persons of foreign currency in cash and (or) the Russian Federation currency in the amount exceeding the equivalent of 10 000 US dollars shall not be allowable, except for the instances provide for by Part 2 of this Article.

3.1. In the event of importing at one time to the Russian Federation by resident natural persons and non-resident natural persons travellers' cheques in the amount exceeding the equivalent of 10 000 US dollars, the imported travellers' cheques shall be subject to declaring to the customs authority by way of filing a written customs declaration.

4. In the event of exporting at one time from the Russian Federation by residents and non-residents foreign currency, the Russian Federation currency, travellers' cheques, external and (or) internal securities in a documentary form, except for the instances specified in Parts 2, 3 and 3.1 of this Article, exportable foreign currency, the Russian Federation currency, travellers' cheques, external and (or) internal securities in a documentary form shall be declarable with a customs body by way of filing a customs declaration in writing.

5. In the instances specified by Parts 1, 3 and 3.1 of this Article, the foreign currency, the Russian Federation currency, travellers' cheques, external and (or) domestic securities in a documentary form shall be converted into US dollars at the official exchange rate established by the Central Bank of the Russian Federation on the date of their declaring to the customs authority. For the purpose of declaring to the customs authority external and (or) domestic securities in a documentary form the following shall be taken:

- 1) for emissive securities - the nominal value of the securities;
- 2) for other securities certifying the right to receiving Russian Federation currency or foreign currency - the appropriate amount in the Russian Federation currency or in foreign currency which the said security entitles to receive.

#### **Article 16. Forming Reserves**

1. Abrogated from January 1, 2007.
2. Abrogated from July 1, 2006.
3. Abrogated from July 1, 2006.

4. Abrogated from July 1, 2006.
5. Abrogated from July 1, 2006.
6. Abolished.
7. Abrogated from July 1, 2006.
8. Abrogated from January 1, 2007.
9. Abrogated from January 1, 2007.
10. Abrogated from January 1, 2007.
11. Abrogated from July 1, 2006.
12. Abrogated from January 1, 2007.
13. Abrogated from January 1, 2007.
14. Abrogated from July 1, 2006.
15. Abrogated from January 1, 2007.

**Article 17.** Abrogated from July 1, 2006.

**Article 18.** Abrogated from January 1, 2007.

### **Chapter 3. Repatriation of Foreign Currency and the Russian Federation Currency By Residents and Obligatory Sale of Part of Currency Receipts**

**Article 19.** Repatriation of Foreign Currency and Russian Currency by Residents

1. When exercising foreign trade activities, residents shall be obliged, if not otherwise provided for by this Federal Law, to ensure the following within the time periods provided for by foreign trade agreements (contracts):

1) non-residents' entering to their bank accounts opened with authorized banks the foreign currency or the Russian Federation currency due to them under the terms and conditions of the said agreements (contracts) for commodities delivered to non-residents, works carried out for them, services rendered to them, information and results of intellectual activities delivered to them, including exclusive rights thereto;

2) return to the Russian Federation of the monetary funds paid by non-residents for commodities not imported to the customs territory of the Russian Federation (not received on the customs territory of the Russian Federation) for works which are not carried out, services which are not rendered, information and results of intellectual activities which are not delivered, including the exclusive rights thereto.

2. Residents shall not be entitled to enter onto their bank accounts opened with authorized banks foreign currency or the Russian Federation currency in the following instances:

1) when entering currency receipts to accounts of resident legal entities or third persons opened with banks outside the territory of the Russian Federation - for the purpose of discharging commitments of resident legal entities under credit contracts and loan contracts made with non-resident organizations being agents of governments of foreign states, as well as under credit contracts and loan contracts made with residents of member states of the OECD or the FATF for a term exceeding two years;

2) when covering by non-resident customers residents' local outlays connected with residents' implementing construction projects on the territories of foreign states - for the period of construction works, upon termination of which the assets left shall be transmittable to residents' accounts opened with authorized banks;

3) when using foreign currency derived by residents from arranging exhibitions, sporting, cultural and other similar events outside the territory of the Russian Federation for covering the outlays related to their arrangement - for the period of conducting these events;

4) when offsetting counter claims related to commitments between residents and non-residents engaged in fishery outside the customs territory of the Russian Federation, that render services outside the customs territory of the Russian Federation to the said residents under agency contracts (agreements) made with them, and also between resident and non-resident transport organisations rendering beyond the borders of customs territory of the Russian Federation services to such residents under agreements (contracts) concluded with them and also in the conduct of the offset of the counter demands under the obligations between resident and non-resident transport organisations in the event that the settlements between them are carried out through specialised settlement organisations created by international organisations in the field of international carriage of which such resident transport organisations are members;

5) when offsetting counterclaims related to commitments resulting from the contracts of re-insurance or contracts of rendering services connected with making and executing contracts of reinsurance made by a non-resident and resident that are insurance organizations or insurance brokers;

6) in the entering of the currency receipts to accounts of resident transport organisations in banks beyond the borders of the territory of the Russian Federation - for the purpose of payment of expenses arising with such transport organisations beyond the territory of the Russian Federation and connected

with the payment of aeronavigation, airport, port fees and other obligatory fees on the territories of foreign states, expenses connected with the maintenance of aircraft, river, sea ships and other transport vehicles that are beyond the borders of the territory of the Russian Federation of such transport organisations and their passengers and also expenses for ensuring the activity of branches, representative offices and other units that are beyond the borders of the territory of the Russian Federation of such transport organisations.

3. The foreign currency entered under Items 1 and 3 of Part 2 of this Article onto accounts of residents or third persons opened with banks outside the territory of the Russian Federation has to be used for the purpose of residents' discharging their commitments provided for by Items 1 and 3 of Part 2 of this Article accordingly or to be transmitted to residents' accounts opened with authorized banks.

#### **Article 20. Transaction Passport**

1. The Central Bank of the Russian Federation, for the purpose of ensuring recording of, and reporting on, currency transactions under this Federal Law, may establish uniform rules of drawing up by residents with authorized banks transaction passports when making currency transactions between residents and non-residents.

2. The transaction passport has to contain data which is necessary for ensuring the recording of, and reporting on, currency transactions between residents and non-residents. Said data shall be shown in transaction passports on the basis of residents' proving documents.

3. The transaction passport may be used by currency control bodies and agents for the purpose of exercising currency control under this Federal Law.

**Article 21.** Abrogated from January 1, 2007.

### **Chapter 4. Currency Control**

#### **Article 22. Currency Control in the Russian Federation, Currency Control Bodies and Agents**

1. Currency control in the Russian Federation shall be exercised by the Government of the Russian Federation, currency control bodies and agents in compliance with this Federal Law and other federal laws.

2. Currency control bodies in the Russian Federation shall be the Central Bank of the Russian Federation and the federal executive body (bodies) authorized by the Government of the Russian Federation.

3. Currency control agents shall be authorized banks accountable to the Central Bank of the Russian Federation, the State Corporation Bank of Development and of Foreign Economic Activities (Vneshekonombank)', as well as professional securities market-makers which are not authorized banks, including register holders (registrars) accountable to the federal executive body responsible for the securities market, customs authorities and tax authorities.

4. Control over making currency transactions by credit organizations, as well as over currency exchanges, shall be exercised by the Central Bank of the Russian Federation.

5. Control over making currency transactions by residents and non-residents which are not credit organizations or currency exchanges shall be exercised within the scope of their authority by federal executive bodies which are currency control bodies and by currency control agents.

6. The Government of the Russian Federation shall ensure coordination of currency control activities of the federal executive bodies which are currency control bodies, as well as their interaction with the Central Bank of the Russian Federation.

The Government of the Russian Federation shall ensure the interaction of the professional traders on the securities market, customs and tax agencies which are not authorized banks as currency control agents with the Central Bank of the Russian Federation.

The Central Bank of the Russian Federation shall interact with other currency control bodies and shall ensure interaction with them and also with customs and tax authorities of authorized banks as currency control agents in compliance with laws of the Russian Federation.

The authorised banks as agents of foreign currency control shall transfer to customs and tax authorities for the discharge of their functions of agents of foreign currency control information in the scope and in the order established by the Central Bank of the Russian Federation.

#### **Article 23. Rights and Duties of Currency Control Bodies and Agents, and Officials Thereof**

1. Currency control bodies and agents, and officials thereof, shall be entitled within the scope of their authority and in compliance with laws of the Russian Federation:

1) to inspect observance by residents and non-residents of acts of the Russian Federation currency legislation and acts of currency regulation bodies;

2) to inspect the completeness and reliability of records and reports concerning currency operations of residents and non-residents;

3) to obtain on request the documents and information related to making currency transactions, opening and keeping accounts. The obligatory time period for submitting documents in response to the requests of currency control bodies and agents may not be less than seven working days as of the date of making a request.

2. Currency control bodies and officials thereof within the scope of their authority shall be entitled:

1) to issue orders to eliminate detected violations of currency legislation acts of the Russian Federation and acts of currency regulation bodies;

2) to take the punitive measures established by the laws of the Russian Federation for violating currency legislation acts of the Russian Federation and acts of currency regulation bodies.

3. The procedure for presenting by residents and non-residents supporting documents and information, when making currency transactions by currency control agents, shall be established:

1) for presenting to currency control agents, except for authorized banks - by the Government of the Russian Federation;

2) for presenting to authorized banks - by the Central Bank of the Russian Federation.

4. For the purpose of exercising currency control, currency control agents shall be entitled within the scope of their authority to obtain by request from residents and non-residents the following documents (copies of the following documents) connected with making currency transactions, with opening and keeping accounts:

1) the documents certifying the identity of a natural person;

2) the document of the state registration of a natural person as an individual businessman;

3) the documents certifying the status of a legal entity - for nonresidents, the document of the state registration of a legal entity - for residents;

4) the certificate of registration with a tax body;

5) the documents certifying the rights of persons to immovable property;

6) the documents certifying non-residents' rights to making currency transactions, opening accounts (deposits) drawn up and issued by bodies of the country of residence (the place of registration) of a non-resident, if the non-resident's receiving such document is provided for by laws of the foreign state;

7) a notice to the tax body at a resident's place of registration on opening an account (deposit) with a bank outside the territory of the Russian Federation;

8) registration documents in the instances when the preliminary registration is provided for in compliance with this Federal Law;

9) the documents (draft documents) serving as grounds for making currency transactions, including agreements (contracts), letters of attorney, extracts from the record of a general meeting or of other managerial body of a legal entity; the documents containing data on the results of tenders (if they are held); the documents proving the fact of delivering commodities (carrying out works, rendering services), information and results of intellectual activities, including exclusive rights thereto, and acts of state bodies;

10) the documents drawn up and issued by credit organizations, including bank abstracts; the documents which prove making currency transactions;

11) customs declarations, the documents proving import to the Russian Federation the currency of the Russian Federation, foreign currency and external and domestic securities in a documentary form;

12) the transaction passport;

13) documents confirming that natural persons are spouses or near relatives, including documents issued by bodies of registry for acts of civil status (marriage certificate, birth certificate), judicial decisions which have entered into legal force on the establishment of a fact of family or ancestral relationship, on adoption, on the establishment of paternity, and also entries in passports about children, about the spouse and other documents stipulated by the legislation of the Russian Federation.

5. Currency control agents shall be only entitled to demand presentation of the documents which directly relate to the currency transaction being made.

All the documents have to be valid on the date of their presenting to currency control agents. There shall be presentable at the request of a currency control agent properly attested translations into the Russian language of the documents drawn up in whole or in part in a foreign language. Documents issued by state bodies of foreign states proving the status of non-resident legal entities have to be legalized in the established procedure. Foreign official documents may be presented without legalization thereof in the instances provided for by an international treaty of the Russian Federation.

The documents shall be presentable to currency control agents in the original or in the form of a properly attested copy thereof. Where part of a document is only relevant to making a currency transaction, there may be submitted an attested extract therefrom.

Authorized banks shall deny making a currency transaction in the event of failure of a person to submit the documents required on the basis of Part 4 of this Article and this Part, or in the event of submitting unreliable documents.

Originals of the documents shall be accepted by currency control agents for familiarization with them and shall be returned to the persons which have submitted them. In such case, copies thereof attested by a currency control agent shall be added to currency control materials.

**6.** Tax bodies effecting under this Federal Law the preliminary registration shall be obliged within the scope of their authority to consider residents' applications for the preliminary registration required in compliance with this Federal Law and to decide on the preliminary registration or on the refusal to effect the preliminary registration.

**7.** Currency control agents and officials thereof shall be obliged:

1) to exercise control over the observance by residents and non-residents of acts of the Russian Federation currency legislation and acts of currency regulation bodies;

2) to present to currency control bodies information on the currency transactions made with their participation, in the procedure established by acts of the Russian Federation currency legislation and acts of the currency regulation bodies.

**8.** Currency control bodies and agents and officials thereof shall be obliged to keep under laws of the Russian Federation commercial, banking and official secrets which have become known to them while exercising their powers.

**9.** Currency control bodies and agents, in the presence of information on violation of acts of the Russian Federation currency legislation and acts of currency regulation bodies by a person making currency transactions, or on opening an account (deposit) with the bank outside the territory of the Russian Federation to which sanctions are applied under laws of the Russian Federation by another currency control body, shall deliver to the currency control body empowered to apply sanctions to this person, the following information:

1) in respect of a legal entity - the denomination thereof, the taxpayer's identification number, the place of state registration, its legal and postal address, the contents of the violation with the indication of the violated normative legal act, the date of making it, and the amount of, the illegal currency transaction or the violation;

2) in respect of a natural person - the family name, first name and patronymic thereof, data of the documents certifying the person's identity, the residence address, the contents of the violation with the indication of the violated normative legal act, the date of committing, and the amount of, the illegal currency transaction or said violation.

**10.** Authorized banks shall deliver information in compliance with Part 9 of this Article in the procedure established by the Central Bank of the Russian Federation.

**11.** Currency control bodies and agents shall present to the currency control body authorized by the Government of the Russian Federation the documents and information required for exercising its functions, in the volume and in the procedure established by the Government of the Russian Federation by approbation of the Central Bank of the Russian Federation.

**12.** Currency control bodies and agencies, and officials thereof, shall be liable under the laws of the Russian Federation for failure to exercise the functions established by this Federal Law, as well as for violating the rights of residents and non-residents by them.

#### **Article 24. Rights and Duties of Residents and Non-Residents**

**1.** Residents and non-residents making currency transactions in the Russian Federation shall be entitled:

1) to familiarise themselves with reports of inspections made by currency control bodies and agents;

2) to appeal against decisions and actions (omission to act) of currency control bodies and agents, and officials thereof, in the procedure established by laws of the Russian Federation;

3) to reparation of real damages caused by wrongful actions (omission to act) of currency control bodies and agents, and by officials thereof.

**2.** Residents and non-residents making currency operations in the Russian Federation shall be obliged:

1) to present to currency control bodies and agents the documents and information which are provided for by Article 23 of this Federal Law;

2) to keep records in the established procedure and make reports in respect of the currency transactions made by them ensuring the safekeeping of the appropriate documents and materials within at least three years as of the date of making an appropriate currency transaction, but not earlier than the time of a contract's execution;

3) to follow the orders of currency control bodies on the elimination of detected violations of acts of the Russian Federation currency legislation and acts of currency regulation bodies.

**Article 25. Liability for Violating Acts of the Russian Federation Currency Legislation and Acts of Currency Regulation Bodies**

Residents and non-residents violating provisions of acts of the Russian Federation currency legislation and acts of currency regulation bodies shall be liable under laws of the Russian Federation.

**Chapter 5. Final Provisions**

**Article 26. Entry of This Federal Law into Force**

1. This Federal Law shall enter into force on the expiry of six months as of the date of official publication thereof, except for:

1) Part 2 of Article 22 of this Federal Law which shall enter into force as of the date of official publication of this Federal Law;

2) Part 3 of Article 5, Article 12, Paragraph Two of Part 2 of Article 14 of this Federal Law in respect of the procedure for opening and using accounts of resident legal entities opened with banks outside the territory of the Russian Federation which shall enter into force with regard to the said procedure on the expiry of one year as of the date of this Federal Law's entry into force.

2. Pending the entry into force of Part 3 of Article 5, Article 12, Paragraph Two of Part 2 of Article 14 of this Federal Law in respect of the procedure for opening and using accounts of resident legal entities opened with banks outside the territory of the Russian Federation, resident legal entities shall open accounts with banks outside the territory of the Russian Federation in the procedure established by Paragraph One of Item 2 of Article 5 and Article 6.1 of Law of the Russian Federation No. 3615-I of October 9, 1992 on Currency Regulation and Currency Control.

3. Item 10 in the first part of Article 1, the first-fourth parts, the eighth, ninth and eleventh parts of Article 8, the third part and the fourth paragraphs in the fourth part of Article 12, the first part, the eighth - tenth, twelfth, thirteenth and fifteenth parts of Article 16, Article 18 and 21 of the present Federal Law shall be valid until January 1, 2007.

As of January 1, 2007, Part 2 of Article 12 of this Federal Law shall be effective in respect of all accounts opened by residents with banks outside the territory of the Russian Federation.

Article 7, the fifth-seventh parts and the tenth part of Article 8, the third - sixth parts of Article 11, the second paragraph of the fourth part of Article 12, the fifth and sixth parts of Article 13, the fifth and sixth parts of Article 14, the second - fifth parts, the seventh, eleventh and fourteenth parts of Article 16, and Article 17 of the present Federal Law shall be valid till July 1, 2006.

**Article 27. Declaring Invalidated Legislative Acts (Individual Provisions of Legislative Acts) of the Russian Federation**

1. As of the date of official publication of this Federal Law, there shall be declared invalidated:

1) Item 2 of Article 11 of Law of the Russian Federation No. 3615-I of October 9, 1992 on Currency Regulation and Currency Control (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 45, 1992, Article 2542);

2) Paragraph Four of Item 5 of Article 1 of Federal Law No. 72-FZ of May 31, 2001 on Amending the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 23, 2001, Article 2290).

2. As of the date of entry into force of this Federal Law, there shall be declared invalidated:

1) Law of the Russian Federation No. 3615-I of October 9, 1992 on Currency Regulation and Currency Control (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 45, 1992, Article 2542), safe for Paragraph One of Item 2 of Article 5 and Article 6.1 in respect of the rules regulating the procedure for opening by resident legal entities accounts opened with banks outside the territory of the Russian Federation;

2) Article 20 of Federal Law No. 192-FZ of December 29, 1998 on Immediate Measures Concerning Budget and Tax Policies (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 1, 1999, Article 1);

3) Federal Law No. 128-FZ of July 5, 1999 on Introducing Addenda into the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 28, 1999, Article 3461);

4) Items 1 to 3, 5 and 6 of Article 1 of Federal Law No. 72-FZ of May 31, 2001 on Introducing Amendments and Addenda into the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 23, 2001, Article 2290);

5) Federal Law No. 130-FZ on Introducing Amendments into Some Legislative Acts of the Russian Federation Concerning Currency Regulation Issues (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 33, 2001, Article 3432);

6) Paragraphs from 14 to 18 of Article 3 of Federal Law No. 196-FZ of December 30, 2001 on Enacting the Code of the Russian Federation of Administrative Offences (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 1, 2002, Article 2);

7) Article 5 of Federal Law No. 187-FZ of December 31, 2002 on Introducing Amendments and Addenda into Part Two of the Tax Code of the Russian Federation and Some Other Legislative Acts of the Russian Federation (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 1, 2003, Article 2);

8) Federal Law No. 192-FZ of December 31, 2002 on Introducing Addenda into Article 5 of the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 1, 2003, Article 7);

9) Federal Law No. 28-FZ of February 27, 2003 on Introducing Amendments and Addenda into Articles 6 and 8 of the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 9, 2003, Article 804);

10) Federal Law No. 116-FZ of July 7, 2003 on amending Article 6 of the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 28, 2003, Article 2885).

**3.** As of the date of entry into force of Part 3 of Article 5, Article 12, Paragraph 2 of Part 2 of Article 14 of this Federal Law, there shall be declared invalidated in respect of the procedure for opening and using accounts of resident legal entities opened with banks outside the territory of the Russian Federation:

1) Law of the Russian Federation No. 3615-I of October 9, 1992 on Currency Regulation and Currency Control (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 45, 1992, Article 2542);

2) Decision of the Supreme Soviet of the Russian Federation No. 3616-I of October 9, 1992 on Reconsideration of the Law of the Russian Federation on Currency Regulation and Currency Control (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 45, 1992, Article 2543);

3) Decision of the Supreme Soviet of the Russian Federation No. 3617-I of October 9, 1992 on Bringing into Operation the Law of the Russian Federation on Currency Regulation and Currency Control (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 45, 1992, Article 2544);

4) Federal Law No. 72-FZ of May 31, 2001 on introducing Amendments and Addenda into the Law of the Russian Federation on Currency Regulation and Currency Control (Sobranie Zakonodatelstva Rossiyskoy Federatsii, No. 23, 2001, Article 2290).

**Article 28.** Making Currency Transactions, Opening Accounts with Banks Outside the Territory of the Russian Federation and Making Transactions on These Accounts, Non-Entry of Foreign Currency onto Resident's Accounts Opened with Authorized Banks in Compliance with Permits Obtained Prior to Entry of this Federal Law into Force

**1.** The restrictions imposed in compliance with this Federal Law shall not apply to currency transactions, to residents' accounts (including the regime thereof) opened with banks outside the territory of the Russian Federation, or to instances of non-entry onto a resident's account opened with authorized banks of foreign currency receivable by them, if prior to entry of this Federal Law into force the currency control body's permits have been received for making the currency operations for opening such account, as well as for non-entry of foreign currency by a non-resident.

In this case, residents within the validity term of the said permits have to follow their terms and conditions subject to the specifics established by this Article.

Permits obtained by residents prior to the entry of this Federal Law into force shall not extend to currency operations, the procedure for opening accounts with banks outside the territory of the Russian Federation and to making transactions on them, or to instances of non-entry of foreign currency, if they are not directly provided for by these permits.

**2.** The operation of this Article shall extend to permits obtained by residents prior to the entry of this Federal Law into force, if the following remains unchanged in the permits:

1) a resident who has obtained the permit (except for instances of changing a natural person's family name, first name and (or) patronymic in the procedure established by laws of the Russian Federation, or other data of the document certifying the identity, changing the denomination, organizational and legal form and other data of a legal entity, including data on the state registration thereof, the taxpayer's identification number, codes, the federal state statistical observation forms);

2) the contents of the currency operation;

3) the amount of the currency operation;

4) the time of making the currency operation or opening the account;

5) the account's regime;

6) the resident's contractors indicated in the permit (except for instances of a natural person's changing their family name, first name and (or) patronymic in the procedure established by laws of the Russian Federation or of a foreign state, or other data of the document certifying the identity, changing the denomination, organizational and legal form and other data of a legal entity, including data on the

state registration thereof, the taxpayer's identification number, codes of the federal state statistical observation forms);

7) the terms of non-entry of foreign currency receivable by a resident on his accounts opened with authorized banks.

3. A resident shall be obliged to submit the information provided for by the permits in the procedure established by these permits.

4. The rights and duties under the permits indicated in this Article may not to be assigned to third persons.

5. Currency control bodies shall not be entitled to introduce amendments and addenda into the permits issued to them, or to prolong the term of their validity as of the date of this Federal Law's entry into force.

6. When amending any of the terms and conditions specified in the permits, a resident, to whom the permit has been issued shall be obliged in the instances allowable under Part 2 of this Article to report new data to the body that has issued the permit within 10 working days as of the date of their changing, with copies of the appropriate documents attached thereto.

7. The terms and conditions of the permits indicated in this Article shall be interpreted in compliance with the normative legal acts effective on the date of issuing these permits.

8. On the expiry of the validity term of the permits the restrictions established in compliance with this Federal Law shall apply to the currency transactions and procedure for using accounts which will be made or used in future.

Permits whose validity term is not fixed shall be valid up to the date established by Paragraph One of Part 3 of Article 26 of this Federal Law.

9. In the event of a resident's making currency transactions, his opening accounts with banks outside the territory of the Russian Federation, making transactions on them, as well as in the event of non-entry of foreign currency onto a resident's accounts opened with authorized banks in defiance of the provisions of this Article and conditions of the permit obtained prior to the entry of this Federal Law into force, the currency control body shall withdraw this permit by its act that may be also issued on the proposal of another currency control body.

Along with the instances specified in Paragraph One of this Part, the validity of the permit may be terminated by a currency control body on the basis of an application of the resident that has obtained this permit.

In the instances provided for by this Part, an act on the termination of the validity of the permit shall be issued by the currency control body that has issued this permit or by the currency control body authorized by the Government of the Russian Federation. The permits issued by the Central Bank of the Russian Federation or by a territorial institution thereof shall be cancelled on the basis of an act of the Central Bank of the Russian Federation.

In the event of cancellation of permits in compliance with this Article the rules established by Part 8 of this Article shall apply.

10. After termination of the permit to open by a resident an account with a bank located outside the territory of the Russian Federation and to make transactions on it except the cases of termination of the permits specified in Part 9 of this Article the resident shall be entitled to continue making transactions on such account in compliance with Article 12 of this Federal Law.

In this instance, a resident shall be obliged to notify the availability of such account the tax authorities at the place of its registration at the latest in one month as of the date of termination of the said permit according to the form endorsed by the federal executive body in charge of control and supervision in respect of taxes and fees, submitting without fail a copy of the appropriate permit to open an account with a bank outside the territory of the Russian Federation and to make transactions on it.

In the event of closing by a resident an account in compliance with the terms and conditions of the permit to open an account with a bank located outside the territory of the Russian Federation and to make transactions on it, it shall not be necessary for the resident to notify the tax authorities on it.

President of the Russian Federation

V. Putin

The Kremlin, Moscow  
December 10, 2003  
No. 173-FZ