

# FEDERAL LAW NO. 59-FZ OF MAY 2, 2006 ON THE PROCEDURE FOR HANDLING APPLICATIONS OF CITIZENS OF THE RUSSIAN FEDERATION

Passed by the State Duma on April 21, 2006

Approved by the Federation Council on April 26, 2006

## Article 1. Scope of This Federal Law

1. This Federal Law regulates the legal relationships associated with the exercise by citizen of the Russian Federation (hereinafter referred to as citizen) of the right vested in him or her by the Constitution of the Russian Federation to apply to state bodies and local self-government bodies and also specifies the procedure for handling applications of citizens by state bodies, local self-government bodies and officials.

2. The procedure prescribed under this Federal law for handling applications of citizens shall apply to any and all applications filed by citizens, except for applications which shall be considered in the procedure laid down under federal constitutional laws and other federal laws.

3. The procedure for handling applications of citizens established under this federal law shall extend to legal relationships associated with the handling of applications filed by foreign nationals and stateless persons, except for instances specified under an international agreement of the Russian Federation or Federal law.

## Article 2. The Right of Citizens to Application

1. Citizens shall have the right to apply in person and also to submit individual and collective applications to state bodies, local self-government bodies and officials.

2. Citizens shall exercise their right to application freely and voluntarily. The exercise by citizens of the right to application shall not violate the rights and freedoms of other persons.

3. The handling of applications made by citizens shall be free of charge.

## Article 3. Legal Regulation of Legal Relationships Associated with Handling Applications by Citizens

1. The legal relationships associated with handling applications of citizens shall be subject to the Constitution of the Russian Federation, international agreements of the Russian Federation, federal constitutional laws, this Federal law and other Federal laws.

2. The laws and other regulatory legal acts of the subjects of the Russian Federation may establish regulations for the protection of the right of citizens to application, and establish the guarantees of the right of citizens to application further to guarantees envisaged under this Federal Law.

## Article 4. Basic Terms Used in This Federal Law

For purposes of this Federal law, use shall be made of the following basic terms:

1) **application of a citizen (hereinafter referred to as application)** shall mean a proposal, petition or complaint submitted in writing to a state body, local self-government body or official in writing and also oral application of citizen to a state body, local self-government body;

2) **proposal** shall mean recommendations made by a citizen to improve laws and other regulatory legal acts, the activity of state bodies and local self-government bodies, to promote social relations, to improve the socio-economic and other spheres of activity of the state and society;

3) **petition** shall mean a request of a citizen for assistance in realising his or her constitutional rights and freedoms or the constitutional rights and freedoms of other persons or information about the violation of laws and other regulatory legal acts, flaws in the work of state bodies, local self-government bodies and officials or criticism of the activity of the said bodies and officials;

4) **complaint** shall mean a request of citizen for restitution or protection of his or her rights, freedoms or legitimate interests or the rights, freedoms or legitimate interests of other persons that have been violated;

5) **official** shall mean a person who is, either permanently, temporarily or under special authorisation, performing the functions of a representative of authority or is exercising organisational-commanding, administrative-managing functions at a state body or local self-government body.

## Article 5. Rights of Citizen in Handling an Application

When an application is handled by a state body, local self-government body or an official, a citizen shall have the right :

1) to submit additional documents and materials or to make a request that they be furnished;

2) to familiarise himself or herself with documents and materials concerning the handling of application unless that affects rights, freedoms and legitimate interests of other persons and unless the said documents and materials include data constituting state secrets or other secrets protected under a federal law;

3) to receive a response in writing regarding the essence of issues raised in an application, except for instances specified in Article 11 of this Federal law, a notification that a written application has been re-forwarded to a state body, local self-government body or an official whose competency includes decision making regarding the issues raised in the application;

4) to lodge a complaint against a decision that has been taken on application or against actions (inaction) in connection with the handling of application in the administrative and/or judicial procedure as is provided under the legislation of the Russian Federation;

5) to file an application for ceasing the handling of application.

#### **Article 6. Guarantees of Security of a Citizen in Connection with His or Her Application**

1. A citizen shall not be prosecuted in connection with his or her application to a state body, local self-government body or an official with criticism of the activity of said bodies or official or for the purposes of restitution or protection of his or her rights, freedoms and legitimate interests or the rights, freedoms and legitimate interests of other persons.

2. In handling an application, it is forbidden to disclose data contained in an application and also data concerning the private life of a citizen without his or her consent thereto. Filing a written application to a state body, local self-government body or to an official whose competency includes decision-making in respect of issues raised in the application shall not be disclosure of those data.

#### **Article 7. Requirements for a Written Application**

1. A citizen, in his or her written application, shall without fail indicate either the name of a state body or local self-government body to which he or she submits a written application or the family name, first name and patronymic of an appropriate official or the post of an appropriate person and also his or her family name, first name and patronymic (if available), mail address for response, a notice that the application has been re-addressed, state the essence of a proposal, petition or complaint, and affix his or her personal signature and date.

2. Citizen shall attach to a written application such documents and materials or copies thereof as may be necessary to support his or her arguments.

3. Application received by a state body, local self-government body or an official through public use informational systems shall be considered in the procedure established under this Federal Law.

#### **Article 8. Submission and Registration of Written Application**

1. A citizen shall forward a written application directly to a state body, local self-government body or official whose competency includes decision-making of issues raised in the application.

2. A written application shall be subject to obligatory registration within three days from the receipt thereof by a state body, local self-government body or official.

3. A written application raising issues the decision-making of which falls outside the competency of the said state body, local self-government body or official shall be forwarded within 7 (seven) days of its registration to an appropriate body or official whose competency includes decision-making of issues raised in the application by notifying a citizen who sent an application that it has been re-forwarded, except for instance specified under Part 4 of Article 11 of this Federal law.

4. When decision-making of issues raised in a written application falls under the competence of several state bodies, local self-government bodies or officials, a copy of application shall, within seven days from its registration, be forwarded to appropriate state bodies, local self-government bodies or appropriate officials.

5. A state body, local self-government body or an official shall have the right, when referring a written application for consideration to other state body, local self-government body or official, to request, if need be, that the said bodies or an official present documents and materials on the results of examination of the written application.

6. It is forbidden to forward a complaint for consideration of a state body, local self-government body or official whose decision or action (inaction) is being appealed.

7. Should, in connection with the ban stipulated under Part 6 of this Article, it be impossible to forward a complaint for consideration to a state body, local self-government body or an official whose competency includes decision-making in respect of issues raised in the application, the complaint shall be returned to a citizen with explanations regarding his or her right to appeal a corresponding decision or action (inaction) in the established procedure in court.

#### **Article 9. Obligatory Acceptance of Application for Consideration**

1. Application received by a state body, local self-government body or official shall, in accordance with their respective competence, be subject to obligatory consideration.

2. If need be, a state body, local self-government body or official that are considering an application may have it examined on the spot.

**Article 10. Handling an Application**

1. A state body, local self-government body or official shall:
  - 1) ensure the objective, overall and timely examination of an application, involving, if need be, the presence of a citizen who submitted the application;
  - 2) request for documents and materials that may be required to examine an application from other state bodies, local self-government bodies and from other officials, except for courts, agencies in charge of preliminary inquest and pretrial investigation;
  - 3) take measures to restore or protect the rights, freedoms and legitimate interests of the citizen that have been violated;
  - 4) provide a response in writing on the merits of the issues raised in an application, except for the instances specified in Article 11 of this Federal Law;
  - 5) notify a citizen that his or her application has been forwarded to other state body, local self-government body or to other official with due regard taken of their respective competence.
2. A state body, local self-government body or official shall be obligated, in compliance with an enquiry made in the established procedure by a state body, local self-government body or official examining an application, to present within 15 days the documents and materials required to examine an application, except for the documents and materials which include data constituting a state secret or other secret protected under a Federal Law and which are subject to a special procedure for presentation.
3. The response to an application shall be signed by the head of a state body, local self-government body or by an official or by a person duly authorised thereto.
4. The response to an application received by a state body, local self-government body or official through public use information systems shall be forwarded to a postal address indicated in the application.

**Article 11. Procedure for Handling Individual Applications**

1. When a written application fails to indicate the family name of a citizen who has submitted an application and a postal address for a response, no response to the application shall be given. When the said application includes data about an unlawful deed that is being planned, committed or has been committed and about a person who is planning, committing or has committed such deed, the application shall be forwarded to a state body in accordance with its respective competence.
2. An application which is made to appeal a court decision shall be sent back to a citizen who has submitted the application along with explanations about the procedure for appealing that court decision.
3. A state body, local self-government body or official shall, upon receipt of a written application which contains obscene or insulting words, threats to the life, health and property of an official and his or her family members shall have the right to leave the application unanswered as to the essence of issues raised therein and advise the citizen who has sent the application of inadmissibility of abusing the right.
4. Should the text of a written application be unreadable, no response to the application shall be given and it shall not be sent for consideration to a state body, local self-government body or official depending on their respective competence, which fact shall be brought to the notice of the citizen who has submitted the application, provided his or her family name and mail address is readable.
5. When a written application of a citizen contains a question to which he or she has on many occasions received responses in writing on its merits in connection with earlier sent applications with the application adducing no fresh arguments or circumstances, the head of a state body, local self-government body, an official or a person duly authorised thereto shall have the right to take a decision to regard that one more application unjustified and to cease correspondence with the citizen on the given issue, provided that the said application and earlier applications were addressed to the same state body, local self-government body or to the same official. The said decision shall be brought to the notice of the citizen who submitted the application.
6. When a response on the merits of the issue raised in an application may not be given without divulging data constituting a state secret or other secret protected under Federal law, the citizen who submitted the application shall be informed that it is impossible to give an answer on the merits of the issue raised therein in connection with the inadmissibility of divulging the said data.
7. If the reasons for which no response may be given as to the merits of issues raised in an application have been subsequently removed, a citizen shall have the right to re-submit an application to an appropriate state body, local self-government body or to an appropriate official.

**Article 12. Time Limits for Handling a Written Application**

1. A written application received by a state body, local self-government body or official in accordance with their respective competence shall be considered within 30 days from the day of registration of the written application.
2. In exceptional cases and also in case of sending an application stipulated under Part 2 of Article 10 of this Federal law, an official or a person duly authorized thereto shall have the right to prolong

the time limits for handling an application by not more than 30 days by notifying a citizen who has submitted the application of the prolongation of the time limits.

**Article 13. Meeting of Citizens**

1. The meeting of citizens at state bodies and local self-government bodies shall be effected by the heads of same and by persons duly authorized thereto. Information about the place of reception and also about the days and hours fixed for meeting shall be brought to the notice of citizens.

2. When a citizen is received in person, he or she shall produce an identification paper.

3. The content of a verbal application shall be entered into a card of meeting of citizen. When facts and circumstances stated in a verbal application are obvious and require no further check, an answer to the application may, with the consent of the citizen thereto, be given orally in the course of a meeting in person which shall be noted in the card of meeting the citizen. In the remaining cases an answer in writing shall be given on the merits of issues raised in the application.

4. A written application accepted in the course of a meeting in person shall be subject to registration and consideration in the procedure established under this Federal law.

5. When an application raises issues making the decision on which falls out of the competence of said state body, local self-government body or official, the citizen shall be given explanation as to where and following which procedure he or she should apply.

6. In the course of a meeting in person, a citizen may be denied further consideration of application, provided he or she has earlier received an answer on the merits of issues raised in the application.

**Article 14. Control over Observance of the Procedure for Handling Applications**

State bodies, local self-government bodies and officials shall exercise within the limits of their respective competence control over observance of the procedure for handling applications, analyse the content of applications received, take measures towards timely identification and elimination of reasons for violation of rights, freedoms and legitimate interests of citizens.

**Article 15. Responsibility for Violation of This Federal Law**

Persons guilty of violation of this Federal law shall be held liable as is envisaged under the legislation of the Russian Federation.

**Article 16. Compensation of Losses Inflicted and Exaction of Expenditures Sustained in Handling Applications**

1. A citizen shall have the right to reimbursement of losses and compensation of moral injury inflicted by the illegal action (inaction) of a state body, local self-government body or official in handling an application, by court decision.

2. Should a citizen have stated in an application knowingly false data, expenditures sustained in connection with consideration of application by a state body, local self-government body or official may be recovered from the said citizen by court decision.

**Article 17. Invalidation of Individual Regulatory Acts of the Union of SSR on the Territory of the Russian Federation**

To invalidate on the territory of the Russian Federation

1) Decree of the Presidium of the USSR Supreme Soviet No. 2534-VII of April 12, 1968 On the Procedure for Examining Proposals, Petitions and Complaints of Citizens (Vedomosti Verhovnogo Soveta SSSR, 1968, No. 17, Item 144);

2) Law of the USSR No. 2830-VII of June 26, 1968 On the Approval of Decree of the Presidium of the USSR Supreme Soviet On the Procedure For Examining Proposals, Petitions and Complaints of Citizens (Vedomosti Verhovnogo Soveta SSSR, 1968, No. 27, Item 237);

3) Decree of the Presidium of the USSR Supreme Soviet No. 1662-X of March 4, 1980 On Making Changes and Amendments To Decree of the Presidium of the USSR Supreme Soviet On the Procedure For Examining Proposals, Petitions and Complaints of Citizens (Vedomosti Verhovnogo Soveta SSSR, 1980, No. 11, Item 192);

4) Law of the USSR No. 2365-X of June 25, 1980 On Approval of Decrees of the Presidium of the USSR Supreme Soviet On Making Changes and Amendments to Some Legislative Acts of the USSR (Vedomosti Verhovnogo Soveta SSSR, 1980, No. 27, Item 540) as concerns approval of Decree of the Presidium of the USSR Supreme Soviet On Changing and Amending Decree of the Presidium of the USSR Supreme Soviet On the Procedure For Examining Proposals, Petitions and Complaints of Citizens.

5) Decree of the Presidium of the USSR Supreme Soviet No. 8422-XI of February 2, 1988 On Changing and Amending Decree of the Presidium of the USSR Supreme Soviet On the Procedure for Examining Proposals, Petitions and Complaints of Citizens (Vedomosti Verhovnogo Soveta SSSR, 1988, No. 6, Item 94);

6) Law of the USSR No. 9004-XI of May 26, 1988 On Approval of Decrees of the Presidium of the USSR Supreme Soviet On Changing and Amending Legislative Acts of the USSR (Vedomosti Verhovnogo Soveta SSSR, 1988, No. 22, Item 361) as far as concerns approval of Decree of the Presidium of the USSR Supreme Soviet On Amending Decree of the Presidium of the USSR Supreme Soviet On the Procedure for Examining Proposals, Petitions and Complaints of Citizens.

**Article 18.** Entry into Effect of This Federal Law

This Federal Law shall take effect upon the expiration of 180 days following its official publication.

President of the Russian Federation

V. Putin

The Kremlin, Moscow