

DECISION OF THE GOVERNMENT OF THE RUSSIAN FEDERATION NO. 443 OF AUGUST 27, 2004 ON THE APPROVAL OF THE REGULATIONS ON THE MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE OF THE RUSSIAN FEDERATION (with the Amendments and Additions of May 20, 2005, February 20, 2005, March 9, April 11, 25, May 22, July 26, 31, 2006, May 21, October 29, December 29, 2007)

The Government of the Russian Federation hereby resolves as follows:

1. To approve the attached Regulations On the Ministry of Economic Development and Trade of the Russian Federation.

2. To order that the Ministry of Economic Development and Trade of the Russian Federation shall be a duly authorized federal body of executive authority exercising:

state regulation of foreign trade activity;

regulation of appraisal activity;

conduct of contests and auctions for selling export and import quotas upon imposition by the Government of the Russian Federation of quantitative restrictions on the export and import of goods.

The Ministry of Economic Development and Trade of the Russian Federation is an authorized federal body of executive authority in charge of conducting investigations prior to the imposition of special protective, anti-dumping or compensatory measures in the importation of goods.

3. Abolished

See the text of Item 3

4. The Ministry of Economic Development and Trade of the Russian Federation shall be required to submit, prior to October 1, 2004 in appropriate manner, to the Government of the Russian Federation:

draft statutory acts on matters specified under Item 3 hereof;

draft statutory acts regulating the procedure for preparing forecasts of social-economic development of the Russian Federation;

in conjunction with the Ministry of Finance of Russia - a draft statutory act regulating the procedure for planning governmental capital investments and the funding thereof using the funds of the federal budget;

in conjunction with The Ministry of Foreign Affairs of the Russian Federation - draft statutory acts regulating the procedure for organisation and activity of trade missions of the Russian Federation in foreign states and of trade and economic divisions of embassies of the Russian Federation.

5. To amend Decision of the Government of the Russian Federation No. 187 of April 7, 2004 "Issues of the Ministry of Economic Development and Trade of the Russian Federation" (Sobraniye zakonodatelstva Rossiyskoi Federatsii, 2004, No. 14, Item 1480) as follows:

Paragraph One of Item 1 shall read as follows :

"1. The Ministry of Economic Development and Trade of the Russian Federation shall be a federal body of executive authority performing the functions of devising governmental policy and statutory-legal regulation in the sphere of analysis and projection of social-economic development, promotion of business activity, including of medium and small business, of foreign economic activity, customs trade, trade, property relations, insolvency (bankruptcy) and financial improvement of organisations, land relations and territorial zoning, economic development of the subjects of the Russian Federation and municipal units, investment activity, formation of intergovernmental and special federal programmes, mobilisation preparation of the economy of the Russian Federation, management of the state material reserves, formation of the public defense order, purchases of goods and services for public and municipal needs";

in Paragraph One of Item 2 the words "the Federal Service of State Statistics" and the words "The Federal Service For Tariffs" shall be deleted;

in Item 3 the words "establishments of the Russian Federation for trade and economic issues" shall be replaced with the words "trade missions of the Russian Federation";

Subitems 11, 25, 32, 38, 40 and 41 of Item 4 shall be cancelled.

6. To invalidate:

Decision of the Government of the Russian Federation No. 990 of December 21, 2000 On Approval of Regulations On the Ministry of Economic Development and Trade of the Russian Federation (Sobraniye zakonodatelstva Rossiyskoi Federatsii, 2001, No. 1, Item 125);

Decision of the Government of the Russian Federation No. 406 of July 4, 2003 On Amending Item 7 of the Regulation On the Ministry of Economic Development and Trade of the Russian Federation (Sobraniye zakonodatelstva Rossiyskoi Federatsii, 2003, No. 28, Item 2931).

Chairman of the Government
of the Russian Federation

M. Fradkov

**Regulations on the Ministry of Economic Development and Trade of the Russian Federation
(approved by Decision of the Government of the Russian Federation No. 443 of August 27, 2004)
(with the Amendments and Additions of May 20, 2005, March 9, April 11, 25, May 22, July 26, 31,
2006, May 21, October 29, December 29, 2007)**

I. General Provisions

1. The Ministry of Economic Development and Trade of the Russian Federation (hereinafter referred to as the Ministry of Economic Development and Trade of Russia) is a federal body of executive authority performing the functions of devising state policy and statutory legal regulation in the sphere of analysis and projection of social-economic development, promotion of business activity, including of medium and small business, foreign trade activity, trade, property relations, insolvency (bankruptcy) and financial improvement of organisations, valuation activity, land relations investment activity, formation of the intergovernmental and special federal programmes, elaboration and realisation of departmental target programs, preparation of a consolidated report on the results and main directions of activity of the Government of the Russian Federation for the years 2006-2008, creation and functioning of special economic zones on the territory of the Russian Federation, management of state material reserves, purchases of goods and services for public and municipal needs.

2. The Ministry of Economic Development and Trade of the Russian Federation shall perform coordination and control of the activity of the Federal Agency On State Reserves, the Federal Agency for Federal Property Management, Federal Agency for Management of Special Economic Zones, that are accountable to it and also coordination of activity of the Russian Federal Property Fund.

3. The Ministry of Economic Development and Trade of the Russian Federation shall, while pursuing its activities, be guided by the Constitution of the Russian Federation, federal constitutional laws, federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation, international agreements of the Russian Federation and also by these Regulations.

4. The Ministry of Economic Development and Trade of the Russian Federation shall conduct its activity both directly and through its territorial bodies in conjunction with other federal bodies of executive authority, bodies of executive authority of the subjects of the Russian Federation, local self-government bodies, public associations and other organisations.

II. Powers

5. The Ministry of Economic Development and Trade of the Russian Federation shall exercise the following powers:

5.1. submit to the Government of the Russian Federation draft federal laws, draft statutory legal acts of the President of the Russian Federation and the Government of the Russian Federation and other documents that require the decision of the Government of the Russian Federation on matters related to the specified sphere of competence of the Ministry and to the spheres of competence of subordinate federal agencies and also a draft plan of work and projected indices of activity of the Ministry;

5.2. on the basis and in pursuance of the Constitution of the Russian Federation, federal constitutional laws, federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation, adopt statutory legal acts determining:

5.2.1. a list of and procedure for establishing indices of the economic efficiency of activity of federal state-owned unitary enterprises and open joint stock companies whose shares are held in federal ownership;

5.2.2. excluded;

5.2.3. excluded;

5.2.4. excluded.

5.2.5. the federal standards of valuation, the procedure for keeping the register of the members of a self-regulating organisation of valuers and the composition of the data included in it, the procedure for placing in public information systems the data contained in the given register, the procedure for the submission of information to interested persons, and the methodological instructions on the state cadastral valuation of land;

5.2.6. excluded;

5.2.7. excluded;

5.2.8. excluded;

5.2.9. a procedure for preparing decisions regarding the terms of privatisation of property complexes of unitary enterprises;

5.2.10. removed;

5.2.11 a procedure for selection by the authorized body of a self-regulated organisation of bankruptcy administrators upon filing a petition for bankruptcy of the debtor with an arbitration court;

5.2.12. the procedure for voting of the authorized body when attending a creditors' meeting;

- 5.2.13.** a deflationary coefficient corresponding to the index of variation of consumer prices for goods (work, services) in the Russian Federation;
- 5.2.14.** abolished;
- 5.2.15.** abolished;
- 5.2.16.** abolished;
- 5.2.17.** abolished;
- 5.2.18.** abolished;
- 5.2.19.** abolished;
- 5.2.20.** abolished;
- 5.2.21.** abolished;
- 5.2.22.** abolished;
- 5.2.23.** abolished;
- 5.2.24.** abolished;
- 5.2.25.** abolished;
- 5.2.26.** abolished;
- 5.2.27.** abolished;
- 5.2.28.** abolished;
- 5.2.29.** abolished;
- 5.2.30.** abolished;
- 5.2.31.** abolished;
- 5.2.32.** abolished;
- 5.2.33.** abolished;
- 5.2.34.** abolished;
- 5.2.35.** abolished;
- 5.2.36.** abolished;
- 5.2.37.** abolished;
- 5.2.38.** abolished;
- 5.2.39.** abolished;
- 5.2.40.** abolished;
- 5.2.41.** the procedure for the attraction by the organs of the administration of special economic zones of the joint-stock company, 100 per cent of whose shares belong to the Russian Federation, or by the management company for the discharge of the functions of the creating at the expense of federal budget resources, the budget of a constituent of the Russian Federation and the local budget of the objects of real estate located within the confines of a special economic zone and on the adjacent territory and of governing these and other objects set up earlier;
- 5.2.41.1.** the procedure for the transfer by the organs of the administration of special economic zones to the joint-stock company, 100 per cent of whose shares belong to the Russian Federation, the functions of the state customer to prepare documents on the laying out of the territory within the confines of a special economic zone and to create engineering, transportation, social and innovation and other infrastructures of this zone at the expense of federal budget resources, the budget resources of a constituent of the Russian Federation and the local budget resources;
- 5.2.42.** the form of a certificate attesting the registration of a person as a resident of a special economic zone;
- 5.2.43.** the standard forms of agreements on the conduct of the industrial production, technico-introduction or tourist-recreation activity in special economic zones, activity in port special economic zones;
- 5.2.44.** the proforma of a contract for leasing a land plot located within the boundaries of a special economic zone and the methods of calculating the rent;
- 5.2.45.** the form of the business-plan appended to the application for the conclusion of an agreement on the conduct the industrial-production, technico-introduction or tourist-recreational activity in special economic zones, activity in port special economic zones;
- 5.2.46.** the criteria to which a bank or any other credit organisations shall correspond when they issue conclusions concerning the business-plans appended to the application for the conclusion of an agreement on the conduct of the industrial-production or tourist-recreational activity in special economic zones, activity in port special economic zones;
- 5.2.47.** the proforma of a contract for leasing state and/or municipal property located within the confines of a special economic zone and the methods of calculating the amount of the rent;
- 5.2.48.** criteria a business plan attached to an application for the conclusion of an agreement on the conduct of industrial-production and technical-implementation activity on the territory of special economic zones conducted by an expert board on technical-implementation special economic zones;
- 5.2.49.** abolished;
- 5.2.50.** abolished;

5.2.50(1). the form of the request for the rendering of the state support at the expense of the resources of the Investment Fund of the Russian Federation and the methodological recommendations on the completion of the form;

5.2.50(2). the methods of the appraisal of the risks of the investment project that claiming state support at the expense of the resources of the Investment Fund of the Russian Federation;

5.2.50(3). the statute of the investment commission that selects investment projects claiming state support at the expense of the resources of the Investment Fund of the Russian Federation and the regulations for its work;

5.2.50(4). by agreement with the Ministry of Finance of the Russian Federation the form of the model investment agreement concluded by the federal executive body, which is the main managing director of the federal budget resources for the investment project, for the realisation of which the state support is given at the expense of the resources of the Investment Fund of the Russian Federation this is responsible for its realisation, and by the respective investor;

5.2.50(5). the procedure for the execution of the rights of ownership of the results of the realisation of investment projects, for the implementation of which the state gives its support at the expense of the resources of the Investment Fund of the Russian Federation;

5.2.50(6). the procedure for the exercise of control over implementation by the special economic zone resident of the agreement on carrying out industrial-and-production, technology introduction, tourist-and-recreational activity or activity in the port special economic zone;

5.2.50(7). the procedure of annual inspections by the administration of the Special Economic Zone in Kaliningrad Region jointly with the Federal Agency for Administration of Special Economic Zones, inspections of the activity of residents of the Special Economic Zone in Kaliningrad Region for the purposes of determination whether or not this activity meets the requirements of implementation of the investment project contained in the investment declaration;

5.2.51. normative legal acts on other issues in the established sphere of activity of the Ministry and its jurisdictional federal agencies, except for issues whose legal regulation, in accordance with the Constitution of the Russian Federation, federal constitutional laws, federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation, is carried out exceptionally by federal constitutional laws, federal laws, normative legal acts of the President of the Russian Federation and the Government of the Russian Federation;

5.3. undertake:

5.3.1. the monitoring and analysis of social-economic processes, consolidated financial statements for the Russian Federation, the subjects of the Russian Federation and regions of the Russian Federation, industries and branches of the economy, the preparation of annual, quarterly and monthly reports on the state of the economy;

5.3.2. the preparation of state forecasts of the social-economic development of the Russian Federation, the subjects of the Russian Federation and regions of the Russian Federation, municipal units, industries and branches of the economy for short-term, medium-term and long-term periods, projected estimation of general economic indices of the system of national accounts;

5.3.3. the preparation of opinions on draft statutory acts regulating relationships of the subjects of entrepreneurial activity or their relations with the state and also on those affecting the macroeconomic indices of development of the country that are used in assessing the impact of relevant decisions upon the macroeconomic indices and consequences thereof for the subjects of entrepreneurial activity;

5.3.4. the registration of drafts and programmes of technical assistance, the keeping of a single register of drafts and programmes of technical assistance and also, in the appropriate procedure, control over the targeted utilization of technical assistance at the stage of organisational activities;

5.3.5. the functions of the national coordination bureau for utilizing the consultative-technical assistance of the European Union;

5.3.6. the coordination of activity of the federal bodies of executive authority connected with attracting into the economy of the Russian Federation direct foreign investments;

5.3.7. excluded;

5.3.8. excluded;

5.3.9. the preparation in the appropriate procedure of conclusions regarding drafts of federal targeted programmes and, if need be, the organisation of examination of said drafts;

5.3.9.1. the verification of the investment projects, which are planned to finance in full or in part from the federal budget resources with the aim of the efficient use shall be channelled to the capital investments of the federal budget resources, except for the investment projects financed from the resources of the Investment Fund of the Russian Federation;

5.3.10. investigations prior to imposition of protective, anti-dumping or compensatory measures in respect of importation of goods, the preparation and submission, as appropriate, of proposals on the advisability of imposition, application, revision or cancellation of said measures;

5.3.11. excluded;

5.3.12. the direction of activity of trade missions of the Russian Federation in foreign states.

5.3.13. the issuance of licenses and other enabling documents to conduct export and import operations with individual types of goods, passports of barter deals and also the making up and maintenance of the federal data bank of licenses issued;

5.3.14. an expert examination of target programmes of departments;

5.3.15. the keeping of a register of target programmes of departments;

5.3.16. preparation of a draft consolidated report on the results and main directions of activity of the Government of the Russian Federation for the years 2006-2008;

5.3.17. methodological guidance of the elaboration of reports on the results and main directions of activity of the entities of the budget planning in the part concerning the formation of the targets, tasks and indices of activity of the entities of the budget planning and also, jointly with the Ministry of Finance of the Russian Federation, the elaboration of methodological materials for the preparation of reports on the results and main directions of activity of the entities of the budget planning;

5.3.18. preparation and submission to the Governmental Commission for Raising the Efficiency of the Budgetary Expenses of opinions on reports on the results and main directions of activity of the entities of the budget planning in the part concerning the formation of the targets, tasks, budgetary target programmes and also preparation of opinions on issues of the efficiency of activity of the entities of the budgetary planning within the framework of achieving the targets of activity of the Government of the Russian Federation;

5.3.19. functions of the organiser of a tender for the selection of applications for the creation of special economic zones, shall take decisions on its conduct, approve the composition of tender commissions and tender documentation, organise the preparation and publishing of information communications about the conduct of a tender and its results, reception of applications for the creation of special economic zones and approval of the minutes of the commissions about the results of the reception of applications, on the determination of the participants of a tender and about its results;

5.3.20. issuance of permits for the re-export of goods (except for military and dual-purpose goods) originating from the territory of the Russian Federation by other member states of the Eurasian Economic Community;

5.3.21. the preparation of a conclusion on the compliance of the investment project that claims to receive the state support from the resources of the Investment Fund of the Russian Federation with the priorities of the socio-economic development of the Russian Federation, and also the calculation of the volume of the contribution of the investment project to the growth of the gross internal product or the gross regional product;

5.3.22. excluded;

5.3.23. excluded;

5.3(1). excluded;

5.3(2). excluded;

5.3(2).1. excluded;

5.3(2).2. excluded;

5.3(2).3. excluded;

5.3(2).4. excluded;

5.3(2).5. excluded;

5.3(2).6. excluded;

5.3(2).7. excluded;

5.3(3). excluded;

5.3(4). excluded;

5.3(5). excluded;

5.4. make proposals on the distribution of state capital investments among state customers in accordance with the basic parameters of the federal budget for the following year approved by the Government of the Russian Federation;

5.5. conduct, in the appropriate procedure, contests and make state contracts on the placement of orders for the supply of goods, execution of work, provision of services for the needs of the Ministry and also for the performance of scientific-research work for other state needs in the specified sphere of activity;

5.6. sum up the practice of application of the legislation of the Russian Federation and analyse implementation of the state policy in the specified sphere of activity;

5.7. perform the functions of the main disposer and recipient of funds of the federal budget allocated for upkeep of the Ministry and realization of the functions the Ministry is entrusted with;

5.8. organise the receipt of citizens, provide for the timely and comprehensive examination of oral and written applications of citizens, adoption of decisions thereon and forwarding responses to the applicants within the time frame fixed under the legislation of the Russian Federation;

5.9. provide, within its respective competence, for the protection of data constituting a state secret;

5.10. ensure the mobilization readiness of the Ministry and also control and coordination of activity of the federal agencies held under its competence associated with their mobilization readiness;

5.11. organise the professional training of employees of the Ministry, their re-training, advanced training and fieldwork;

5.12. cooperate, as appropriate, with the state power bodies of foreign states and international organisations in the specified sphere of activity;

5.13. carry out, as is stipulated under the legislation of the Russian Federation, the work associated with the compilation, storage, recordkeeping and utilization of archive documents accrued in the process of activity of the Ministry;

5.14. shall, in the established procedure, send its specialists to the permanent representations of the Russian Federation at international organisations and carry out operational management of activities of such specialists;

5.15. perform other functions in the specified sphere of activity when those functions are specified under federal laws, statutory legal acts of the President of the Russian Federation or the Government of the Russian Federation.

6. The Ministry of Economic Development and Trade of the Russian Federation shall, for the purpose of realizing its powers in the specified sphere of activity, have the right:

6.1. to request and obtain in the appropriate procedure data required for taking decisions on issues assigned to the competency of the Ministry;

6.2. to institute, in the appropriate procedure, signs of distinction in the specified sphere of activity and confer them upon employees of the Ministry and of the federal agencies reporting to the Ministry, upon other persons conducting activity in the specified sphere of activity;

6.3. to exercise control over the activity of the territorial bodies of the Ministry;

6.4. to engage, in the appropriate procedure, to look into the issues assigned to the sphere of activity of the Ministry, the services of research and other organisations, of scientists and experts;

6.5. to set up coordinating and deliberative bodies (councils, commissions, task force, boards), including interagency ones, in the specified sphere of activity;

6.6. to set up, as appropriate, printed media of mass information to publish statutory legal acts in the specified sphere of activity, official announcements, to place other materials on issues assigned to the competence of the Ministry and the federal agencies reporting thereto.

6.7. excluded;

7. The Ministry of Economic Development and Trade of the Russian Federation shall have no right to perform in the specified sphere of activity the functions of control and supervision nor the functions of management of public property, except for cases specified under decrees of the President of the Russian Federation and decisions of the Government of the Russian Federation.

The restrictions imposed under Paragraph One of this Item shall not apply to the powers of the Minister associated with management of property attached to the Ministry with the right of day-to-day management, solution of personnel issues and issues of organisation of activity of the Ministry and of its structural subdivisions.

In exercising legal regulation in the specified sphere of activity the Ministry shall have no right to institute functions and powers of the federal state authorities, state power bodies of the subjects of the Russian Federation, bodies of local self-government that are not envisaged under federal constitutional laws, federal laws, acts of the President of the Russian Federation and the Government of the Russian Federation nor has it the right to impose restrictions on the exercise of rights and freedoms of citizens, rights of non-state profit and non-profit organisations, except for instances when the possibility of imposing such restrictions by acts of duly authorized federal executive authorities is expressly stipulated under the Constitution of the Russian Federation, federal constitutional laws, federal laws and acts of the President of the Russian Federation and the Government of the Russian Federation issued on the basis and in pursuance of the Constitution of the Russian Federation, federal constitutional laws, federal laws.

III. Organisation of Activity

8. The Ministry of Economic Development and Trade of the Russian Federation shall be headed by the Minister to be appointed to and removed from the post by the President of the Russian Federation upon recommendation of the Chairman of the Government of the Russian Federation.

The minister shall bear personal responsibility for the implementation of powers entrusted to the Ministry of Economic Development and Trade of the Russian Federation and for the realization of state policy in the specified sphere of activity.

The Minister shall have deputy heads to be appointed to and removed from the post by the Government of the Russian Federation.

The number of deputy ministers shall be such as prescribed by the Government of the Russian Federation.

9. The structural subdivisions of the central administrative staff of the Ministry of Economic Development and Trade of the Russian Federation shall be departments for the basic areas of activity of the Ministry. The departments shall include as relevant offices.

The trade representations of the Russian Federation in foreign states and specialists of the Ministry at the permanent representations of the Russian Federation at international organisations shall constitute the foreign staff of the Ministry.

10. The Minister of Economic Development and Trade of the Russian Federation shall:

10.1. allocate job responsibilities among his/her deputies;

10.2. approve regulations on the structural subdivisions of the central administrative staff of the Ministry, on the territorial bodies of the Ministry and the federal agencies reporting to the Ministry;

10.3. appoint to and remove from the post employees of the central administrative staff and foreign staff of the Ministry, heads and deputy heads of the territorial bodies of the Ministry;

10.4. resolve, as is envisaged under the legislation of the Russian Federation on civil service, issues pertaining to undertaking federal civil service with the Ministry;

10.5. approve the structure and personnel schedule of the central administrative staff and foreign staff of the Ministry within the limits of the payroll fund and staff total fixed by the Government of the Russian Federation, and an estimate of costs for its upkeep within the limits of allocations set aside in the federal budget and approved for a respective period;

10.6. approve the total numbers and payroll fund for remuneration of employees of the territorial bodies of the Ministry within the limits of indices set by the Government of the Russian Federation and also an estimate of costs for their upkeep within the limits of allocations set aside in the federal budget and approved for a respective period;

10.7. approve an annual plan of work and performance indices of the federal agencies reporting to the Ministry and also reports on the performance of same;

10.8. submit to the Government of the Russian Federation upon recommendation of the heads of the federal agencies reporting to the Ministry draft Regulations on the federal agencies, proposals on the ultimate numbers of federal agencies and on the payroll fund for remuneration of employees of same;

10.9. make to the Ministry of Finance of the Russian Federation proposals related to the drawing up of a draft federal budget in so far as concerns the financial support for the activity of the federal agencies reporting to the Ministry;

10.10. submit to the Government of the Russian Federation draft statutory acts and other documents specified under Item 5.1 hereof;

10.11. make to the Government of the Russian Federation in the appropriate procedure proposals on the setting up, reorganization and liquidation of federal state-owned enterprises and institutions held under the competence of the federal agencies reporting to the Ministry;

10.12. give orders to the federal agencies reporting to the Ministry and control the execution of those orders;

10.13. overturn decisions of the federal agencies reporting to the Ministry that run counter to federal legislation, unless another procedure for overturning decisions is established under federal law;

10.14. appoint to and remove from the post upon recommendation of heads of the federal agencies reporting to the Ministry deputy heads of the federal agencies, heads of the territorial bodies of the federal agencies;

10.15. nominate in the appropriate procedure employees of the central administrative staff of the Ministry and of the federal agencies reporting to the Ministry, of territorial bodies of the Ministry, the federal agencies reporting to the Ministry, other persons conducting activity in the specified sphere of activity, for honorary titles and state awards of the Russian Federation;

10.16. issue orders having a statutory character, and in respect of operative and other current issues of organisation of activity of the Ministry - orders of non-statutory character;

10.17. approve, within its respective competence, a list of data constituting state secrets.

11. The funding of expenditures for the upkeep of the central administrative staff of the Ministry of Economic Development and Trade of the Russian Federation and of its territorial bodies shall be effected on account of funds allocated in the federal budget.

12. The Ministry of Economic Development and Trade of the Russian Federation shall be a legal entity, have a seal with the national emblem of the Russian Federation and its denomination inscribed thereupon, other seals, stamps and forms of the specified type and also accounts to be opened in accordance with the legislation of the Russian Federation.

13. The Ministry of Economic Development and Trade of the Russian Federation shall be based in the city of Moscow.