

Legislative Tracking



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3 August 2016

ConsultantPlus

http://www.consultant.ru/document/cons_doc_LAW_202608/

Russian Federal Anti-Monopoly Service clarifies amendments to law on state regulation of trade in Russian Federation introduced by Federal Law No. 273-FZ

This Letter clarifies certain issues regarding the amendments introduced by Federal Law No. 273-FZ of 3 July 2016 to Federal Law No. 381-FZ of 28 December 2009 “On the Basic Principles of State Regulation of Trading Activities in the Russian Federation”, including the following:

- Entry into force and transitional provisions;
- The concept of a “retail chain” and the personal scope of the law;
- Marketing and promotion services (the Federal Anti-Monopoly Service emphasizes that the list of services provided by the law is not exhaustive);
- Total remuneration (the Federal Anti-Monopoly Service notes that provisions regarding volume rebates may be included in a supply contract as a percentage of the value of goods, while all associated services shall be covered by a separate services agreement and fees for such services shall not be expressed as a percentage, but as a fixed amount);
- Access to information about vendor selection criteria (the law obliges companies to publish such information online and excludes the option of responding to requests in writing);
- Bringing Article 13 of the Law on Trade into compliance with the fundamental provisions of the anti-monopoly regulations.

Russian Federal Anti-Monopoly Service Letter No. AK/50406/16 of 22 July 2016

2 August 2016

Federal portal for draft regulations

<http://regulation.gov.ru/projects#npa=39351>

Russian Ministry of Economic Development publishes updated draft law on state and municipal control (supervision)

The Russian Ministry of Economic Development published an updated version of the Draft Federal Law “On the Basis for the Principles of State and Municipal Control (Supervision) in the Russian Federation”, which envisages

the application of a risk-based approach to exercising state and municipal control (supervision). Specifically, the draft law proposes to:

- Define basic concepts and establish a procedure for the legal regulation of risk management systems and the outcomes of the implementation of such systems;
- Require regulatory authorities involved in planning and exercising state and municipal control (supervision) to keep records of the assessed risk of failure by legal entities and individuals to comply with the statutory requirements, and downgrade the risk category for prudent legal entities and individuals;
- Divide economic activities into six risk categories which determine the frequency of regulatory audits (extremely high risk, high risk, significant risk, medium risk, moderate risk and low risk);
- Prepare annual audit roadmaps and make them available for review on the Internet;
- Approve a list of state and municipal control (supervision) measures and the procedure for documenting and challenging regulatory audit results;
- Implement a system of guarantees to protect the rights of individuals and legal entities in the performance of control and supervision activities;
- Make up a comprehensive list of the types of federal and regional state control (supervision) and municipal control.

3 August 2016

RBC Daily

<http://www.rbc.ru/economics/02/08/2016/57a0e8609a7947259c5e35bd>

Possible approval of regulatory impact assessment plan for 2017

The Russian Ministry of Economic Development is preparing a [draft](#) regulatory impact assessment plan for 2017, which proposes the assessment of the actual impact of new laws on business. The regulatory impact assessment will allow the Ministry to trace the interrelation between the objectives of a regulatory document, the preliminary regulatory impact assessment performed by the Russian Ministry of Economic Development and the effectiveness of the regulations.

In particular, plans call for 129 documents to be examined, including 46 effective laws, 42 government resolutions, and 41 departmental regulations.

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