

CHANGES IN RUSSIA'S REGULATORY BASE OF THE BUDGETARY PROCESS IN JUNE 2013

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In June 2013, in the regulatory base of the budgetary process the following developments took place: the administrative procedure for withdrawal of land plots allocated to state or municipal entities and state-run enterprises; the grounds have been expanded for provision of budget allocations out of the reserve fund of the Government of the Russian Federation to federal executive authorities and executive authorities of constituent entities of the Russian Federation for partial reimbursement of expenditures related to financial support of measures aimed at liquidation of emergency situations.

By **Federal Law No. 123-FZ of June 07, 2013** on Amendment of the Land Code of the Russian Federation and Article 3 of the Federal Law on Introduction into Effect of the Land Code of the Russian Federation, an administrative procedure was approved for withdrawal of land plots allocated to state or municipal entities and state-run enterprises.

According to the general rule, withdrawal of land plots allocated to state or municipal entities and state-run enterprises for undue utilization is carried out by judicial means (Article 54 (5) of the Land Code of the Russian Federation).

According to the revised version of the Land Code of the Russian Federation, for undue utilization of such land plots or in case of the need to withdraw them for public or municipal purposes, as well as in other cases provided for by the legislation land plots will be withdrawn in accordance with the administrative procedure, rather than by judicial means.

In case of undue utilization, forced termination of the right to permanent (termless) utilization of a land plot allocated to state or municipal entities and state-run enterprises (except for state academies of sciences and entities which were established by such academies of sciences and (or) subject to their jurisdiction) will be carried out by decision of an executive state authority or local government on withdrawal of the land plot (provided that undue utilization of the land plot was not eliminated).

The procedure for taking by a state executive authority or local government of a decision on withdrawal of a land plot is to be determined by the Government of the Russian Federation.

At the same time, in the transition period prior to approval by the Government of the Russian Federation of a procedure for withdrawal of such land plots land plots will be withdrawn by judicial means.

Federal Law No. 123-FZ of June 7, 2013 becomes effective 90 days after the day of its official publication.

By Resolution No. 517 of June 20, 2013 of the Government of the Russian Federation on Amendment of the Rules of Provision of Budget Allocations Out of the Reserve Fund of the Government of the Russian Federation for Prevention and Liquidation of Emergency Situations and Consequences of Natural Disasters, grounds have been expanded for provision of budget allocations out of the reserve fund to federal executive authorities and executive authorities of constituent entities of the Russian Federation for partial reimbursement of expenditures on financial support of the following measures related to liquidation of emergency situations.

So, allocations can be provided for payment of a lump-sum aid:

- To family members (wife (husband), children, parents and dependent persons) of persons who were killed (died) as a result of an emergency situation in the amount of Rb 1m for each person killed (died) in equal shares to each family member;
- To families of persons who were killed (died) as a result of emergency situations in the amount equal to the cost of services provided in accordance with the guaranteed list of burial services set by the legislation of the Russian Federation;
- To persons whose health was damaged as a result of occurrence of an emergency situation with taking into account the injury severity level on the basis of severity (severe injury or injury of medium severity – Rb 400,000 per person, while in case of a minor injury – Rb 200,000 per person).

Earlier, budget allocations were granted for payment of lump-sum allowances to members of families (wife (husband), children, parents and dependent persons) of persons killed (died) as a result of an emergency situation.

In addition to the above, budget allocations out of the reserve fund may be provided for rendering of financial support in connection with loss of property:

- To persons (for partial loss of property – up to Rb 50,000 to a family; for complete loss of property – up to Rb 100,000 to a family);
- To legal entities (for partial loss of property – up to Rb 100,000 to a legal entity; for complete loss of property – up to Rb 200,000 to a legal entity).