

THE REVIEW OF THE ECONOMIC LEGISLATION IN SEPTEMBER 2013¹

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In September, the following amendments were introduced into the legislation: the amounts of the initial contract price were determined so that a participant in the purchase was obliged to provide a customer with additional information in case those amounts were exceeded; a decision was made to establish a federal information system: the Federal Register of Apostils Affixed to Documents on Education and (or) Qualification; It was decided that development of proposals on determination of the need in foreign workers and approval of quotas would be carried out by the Ministry of Labor and Social (rotection of the Russian Federation).

Resolutions of the Government of the Russian Federation

1. Resolution No. 775 of September 4, 2013 ON SETTING OF THE AMOUNT OF THE INITIAL (MAXIMUM) CONTRACT PRICE IN CARRYING OUT OF PURCHASING OF GOODS, WORK AND SERVICES SO THAT IN CASE OF AN EXCESS OF THAT AMOUNT IT IS STIPULATED IN THE CONTRACT THAT THE SUPPLIER (CONTRACTOR, PERFORMER) IS OBLIGATED TO PROVIDE THE CUSTOMER WITH ADDITIONAL INFORMATION

From January 1, 2014, the amount of the initial (maximum) contract price is set so that in case of an excess of that amount an obligation of a participant in a purchase to provide the customer with additional information is to be specified in the contract. The additional information concerns provision by a participant in the purchase of a number of the data on its beneficiaries, one-man executive authority and members of the collegiate executive authority of the business entity, manager of the entity or unitary enterprise or other governing bodies of legal entities of participants in the purchase.

Also, the amount of the initial (maximum) contract price is set so that in case of an excess of that price an obligation is specified in the contract that the supplier (contractor, performer) is to provide the information on all the co-performers and sub-contractors which concluded a contract or contracts – whose price or the total price amount to over 10% of the contract price – with the supplier (contractor, performer):

- in carrying out of purchases for federal needs: Rb 1bn;
- in carrying out of purchases for needs of a constituent entity of the Russian Federation: Rb 100m.

2. Resolution No. 797 of September 10, 2013 ON FEDERAL INFORMATION SYSTEM: THE FEDERAL REGIS-

TER OF APOSTILS AFFIXED TO DOCUMENTS ON EDUCATION AND (OR) QUALIFICATION

The information system is established for the purpose of information and technological support of authorities delegated by the Russian Federation to constituent entities of the Russian Federation as regards confirmation of documents on education and (or) qualification.

The document includes a notion of the federal register of apostils – it is a federal information system which functions in accordance with unified institutional, methodological and program and technical principles which ensure its compatibility and networking with other public information systems and information and telecommunications networks, including information and technological and communications infrastructure, including the infrastructure which ensures information and technological networking of information systems utilized for provision of public and municipal services in an electronic format and includes information on apostils affixed to documents on education and (or) qualification.

Formation and maintenance of the federal register of apostils will be carried out by its operator – the Federal Service on Supervision in Education and Science (Rosobrnadzor).

It is envisaged that executive authorities of constituent entities of the Russian Federation which carry out authorities delegated by the Russian Federation as regards confirmation of documents on education or qualification provide the information on apostils affixed by them to documents on education or qualification within three days from the day of apostil being affixed by way of entering the information into the federal register of apostils.

The executive authorities of constituent entities of the Russian Federation ensure validity, relevance and promptness of entering of the data in the register and are in a position to utilize the data included in the federal register of apostils.

¹ The Review was prepared with assistance of the Konsultant-Plus legal system.

Rosobrnadzor takes measures to form and maintain the register of apostils:

- ensuring of technical functioning;
- ensuring of automated collection, storage, processing and generalization of the information;
- ensuring of safety of the information included in the register;
- ensuring of the regime of protection of the information;
- ensuring of an access of executive authorities of constituent entities of the Russian Federation to the information;
- carrying out of networking between executive authorities of constituent entities of the Russian Federation.

The information included in the federal data base is to be protected in accordance with the legislation of the Russian Federation. Access to the information included in the federal register of apostils is provided by Rosobrnadzor to authorized officials of executive authorities of constituent entities of the Russian Federation by means of the Internet with taking into account of requirements to safety of the personal data in processing of such data in information systems and limitation of use of the information and provided that software and technical means are applied to identify a person which was granted access to the information.

3. Resolution No. 800 of September 12, 2013 ON APPROVAL OF THE RULES OF DEVELOPMENT OF PROPOSALS ON DETERMINATION OF THE NEED IN ATTRACTION OF FOREIGN WORKERS, APPROVAL OF QUOTAS ON ISSUING OF INVITATIONS TO FOREIGN NATIONALS FOR ENTRY IN TO THE RUSSIAN FEDERATION FOR CAR-

RYING OUT LABOR ACTIVITIES, AS WELL AS QUOTAS ON ISSUING OF WORK PERMITS TO FOREIGN NATIONALS

The resolution in question was issued in accordance with the norm of the Federal Law on the Legal Status of Foreign Nationals in the Russian Federation.

According to the new rules, the draft document on determination of the need in attraction to the Russian Federation of foreign workers including that by priority vocational groups and approval of quotas for the next year will be developed by the Ministry of Labor and Social Protection of the Russian Federation on the basis of proposals of executive authorities of constituent entities of the Russian Federation which proposals are considered by an interagency commission made up of interested federal executive authorities.

The draft document is to be submitted to the Government of the Russian Federation not later than November 15 of the respective year. After the document has become effective the Ministry of Labor approves distribution of quotas by constituent entities of the Russian Federation and the list of vocations (occupations and job titles) for attraction of foreign workers and places it on its official site.

The information on depletion of quotas by constituent entities of the Russian Federation is submitted to the Federal Migration Service. With that information taken into account, adjustment of quotas for the current year is carried out at the expense of the reserve which is approved in the amount of no more than 30% of the approved proposals of executive authorities of constituent entities of the Russian Federation as regards the need in attraction of foreign workers.

The resolution becomes effective from January 1, 2014. ●