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Review of Meetings of the Government of the Russian Federation in 2012

In October 2012, at the meetings of the Presidium of the Government of the Russian Federation the following issues were discussed: organization of a step-by-step provision of state and municipal services on the basis of a “single window” principle; draft Federal Law on Amendment of the Federal Law of the Russian Federation on the Customs Tariff; fulfillment of the forecast plan (program) of privatization of federal property in the 2011–2013 period and measures on limitation of purchasing of shares and interests of business entities by companies with state participation.

Rendering of state and municipal services on the basis of a “single window” principle was discussed by the Government of the Russian Federation on **October 11**. The idea of the “single window” principle which is being implemented in Russia consists in the fact that provision of a state or municipal service is carried out upon single application with the required documents to a general-duty officer of a multi-functional center for provision of state and municipal services (MFC), while networking with authorities providing state and municipal services is carried out MFC officers without the applicant’s involvement.

Development of MFC has been actively carried out at the level of constituent entities of the Russian Federation since 2007. At the federal level, the turning point in implementation of the “single window” principle became the approval of Federal Law No. 133-FZ of July 28, 2012 on Amendment of Individual Statutory Acts of the Russian Federation for the Purpose of Elimination of Limitations as Regards Provision of State and Municipal Services on the Basis of the “Single Window” Principle. Development of the federal law in question was envisaged by the Concept of Reduction of Administrative Barriers and Raising of Accessibility of State and Municipal Services in the 2011–2013 Period and the Plan of Measures on Implementation of the Above Concept Approved by Instructions No. 1021-r of June 10, 2011 of the Government of the Russian Federation. Approval of Law No. 133-FZ is aimed at elimination of such provisions in individual federal laws as limit rendering of state and municipal services at MFC.

On the basis of the results of the meeting of the Government of the Russian Federation on October 11, 2012, federal executive authorities and bodies of state extra-budgetary funds are instructed in the short period of time, not later than December 1, 2012, to develop and submit to the government commission on administrative reform draft plans and schedules of organization of provision of state services on the basis of the “single window” principle.

Also, in the period till January 1, 2013 the above authorities are ordered to bring their regulatory statutory acts, including administrative regulations in compliance with the requirements of Law No. 133-FZ.

In addition to the above, supreme executive authorities of constituent entities of the Russian Federation were advised to approve within a period until March 1, 2013 plans and

schedules of organization of provision of state and municipal services on the basis of the “single window” principle, as well as the scheme of location of MFC.

The Ministry of Economic Development of the Russian Federation together with the Ministry of Finance were instructed to prepare in the period until April 1, 2013 proposals aimed at compensating to budgets of constituent entities of the Russian Federation of expenditures related to organization of provision of state services by federal executive authorities and bodies of state extra-budgetary funds on the basis of the “single window” principle at MFC.

Also, at the meeting of the Government of the Russian Federation on October 11, 2012 draft Federal Law on Amendment of the RF Law on the Customs Tariff was discussed. The above draft law is aimed at upgrading the mechanism of rates of export customs duties on crude oil and some categories of oil products.

Also, the draft law provides for establishment of a new mechanism of special export duties on some types of crude oil.

On October 25, at the meeting of the Government the issue of fulfillment of the forecast plan (program) of privatization of federal property in the 2011–2013 period and measures on limitation of purchasing of shares and interests of business entities by companies with state participation was discussed. In particular, a need was considered to introduce such amendments to regulatory statutory acts as were aimed at limitation of purchasing of shares and interests of business entities by companies with state participation in which the Russian Federation owns over 50% of the equities, state unitary enterprises and entities controlled by such companies and enterprises.

It is to be reminded that on December 9, 2011 President D. Medvedev instructed the Government of the Russian Federation to submit until March 1, 2012 proposals on “limitation of abilities of companies with a controlling state interest to buy shares in charter capitals of companies operating in competitive sectors of the Russian economy”. The instructions were issued on the basis of the results of the meeting of the International Advisory Council on Establishment of the International Financial Center which was held late in October 2011.

Mr. Medvedev’s initiative was supported by President V. Putin who by Order No. 596 of May 7, 2012 of the President of the Russian Federation on the Long-Term State Economic Policy instructed the Government of the Russian Federation to see to it that until November 1, 2012 such amendments were made to regulatory statutory acts as were aimed at limitation of purchasing of shares and interests of business entities by companies with state participation in which the Russian Federation owned over 50% of the equities, state unitary enterprises, as well as entities controlled by such companies and enterprises.

The mechanism of determination of the status of the shareholder-the Russian Federation is applied only to those joint-stock companies in which the Russian Federation participates directly; the above mechanism was established in accordance with Resolution No. 738 of December 3, 2004 of the Government of the Russian Federation on Management of Joint-Stock Companies’ Shares which are in Federal Ownership and Utilization of the Special Right of the Russian Federation to Participation in Management of Joint-Stock Companies (“Golden Share”). At present, the list of such companies is approved by Resolution No.91-r of January 23, 2003 of

the Government of the Russian Federation on the List of Open-End Joint-Stock Companies in Respect of Which the Status of the Shareholder-the Russian Federation is Determined by the Government of the Russian Federation. However, so far at the federal level there is no mechanism of approval of deals made by subsidiaries of companies included in the above list with the shareholder-the Russian Federation.

The draft Resolution of the Government of the Russian Federation on Amendment of Some Resolutions of the Government of the Russian Federation which eliminates the above problems has already been developed by the Ministry of Economic Development of the Russian Federation.

The draft resolution provides for guidelines on participation of subsidiaries in other business entities to be issued to representatives of the interests of the Russian Federation, that is, members of the board of directors (supervisory council) of an open-end joint-stock company whose shares are in federal ownership.

In addition to the above, the draft resolution includes instructions to federal executive authorities to see to it that amendments were made to articles of incorporation of open-end joint-stock companies whose shares are in federal ownership, those of their subsidiaries to the effect that decisions on participation by the subsidiary in other business entities are taken by the board of directors (supervisory council) of the open-end joint-stock company whose shares are in federal ownership, as well as those of subsidiaries of federal state unitary companies to the effect that decisions on participation by the subsidiary in other business entities are taken by the board of directors (supervisory council) of the above company.