

REVIEW OF ECONOMIC LEGISLATION IN OCTOBER 2014¹

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In September–October 2014, the following main changes were introduced into the legislation: the terms of the Federal Law on the Foundations of the System of Preventive Measures Against Neglect of Minors and Juvenile Delinquency were brought in compliance with the Federal Law on Education in the Russian Federation; the procedure for selection of foreign nationals for education in the Russian Federation within the limits of the quota set by the Government of the Russian Federation was determined; the procedure for provision of grants of the President of the Russian Federation to young scientists was specified; in Q2 2014 the subsistence per capita level in Russia in general rose from Rb 7,688 to Rb 8,192 as compared to Q2 2014; the procedure for entering into a license agreement on provision to the state customer of the right to use the outputs of intellectual activities for public needs on the basis of a royalty-free (nonexclusive) license was determined.

I. Federal Laws of the Russian Federation

1. Federal Law No.301-FZ of October 14, 2014 on INTRODUCTION OF AMENDMENTS INTO ARTICLE 14 OF THE FEDERAL LAW ON THE FOUNDATIONS OF THE SYSTEM OF PREVENTIVE MEASURES AGAINST NEGLECT OF MINORS AND JUVENILE DELINQUENCY

In accordance with Article 14 (1) (4) of the Federal Law on the Foundations of the System of Preventive Measures Against Neglect of Minors and Juvenile Delinquency, the authorities carry out management in the sphere of education, including accounting of minors who do not attend classes or miss classes at educational establishments systematically without a reasonable excuse. For the purpose of bringing the definitions used into compliance with the Federal Law on Education and the Federal Law on Introduction of Amendments into Individual Statutory Acts of the Russian Federation and Recognition as Null and Void of Statutory Acts (Individual Provisions of Statutory Acts) of the Russian Federation in Connection with Approval of the Federal Law on Education in the Russian Federation, the word “establishments” is replaced by the work “entity”.

II. Resolutions of the Government of the Russian Federation

1. Resolution No.887 of September 2, 2014 on INTRODUCTION OF AMENDMENTS IN RESOLUTION No.260 OF AUGUST 27, 2005 OF THE GOVERNMENT OF THE RUSSIAN FEDERATION

Public institutions are excluded from the list of participants in the tender. The above situation is related to the fact that grants are provided in the form of subsidies which are not allocated to public institutions.

Budget-funded and autonomous entities which are not under the jurisdiction of the Ministry of Education

and Science of the Russian Federation provide in the application form for participation in the tender a written approval by the authority which carries out functions and powers of the founder of those entities.

Provision of grants is carried out in accordance with agreements with entities participating in the tender and having labor relations with young scientists and members of teams of the leading scientific schools of the Russian Federation whose work was presented by those entities to the tender and who became the winners.

Operations with grants provided to a budget-funded (autonomous) entity which is under jurisdiction of the Ministry of Education and Science of the Russian Federation are accounted for in a separate account opened in favor of that entity with the authority of the Federal Treasury in accordance with the established procedure and meant for accounting of operations with such funds of budget-funded (autonomous) entities as are allocated to them out of the federal budget in the form of subsidies for other purposes and for making of capital investments.

If a budget-funded (autonomous) entity – the winner of the tender – is not under the jurisdiction of the Ministry of Education and Science of the Russian Federation, operations with grants allocated to the budget-funded (autonomous) entity are accounted for in the separate account opened to that entity in accordance with the established procedure with the authority of the Federal Treasury and meant for accounting of operations with funds of budget-funded (autonomous) entities.

Grants to other recipients (except for budget-funded and autonomous entities) are transferred to settlement accounts opened with a bank or other credit institution.

2. Resolution No.905 of September 6, 2014 on SETTING OF THE VALUE OF THE SUBSISTENCE

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PER CAPITA LEVEL AND BY THE MAIN SOCIAL AND DEMOGRAPHIC GROUPS OF THE POPULATION IN THE RUSSIAN FEDERATION IN GENERAL IN Q2 2014.

As compared to Q1 2014, in Q2 2014 the subsistence level rose as follows: for the able-bodied population from Rb 8,283 to Rb 8,834; for pensioners: from Rb 6,308 to Rb 6,717 and for children: from Rb 7,452 to Rb 7,920.

3. Resolution No.914 of September 6, 2014 on APPROVAL OF THE STATUTE ON CARRYING OUT BY THE STATE CUSTOMER ON BEHALF OF THE RUSSIAN FEDERATION OF AUTHORITIES OF A LICENSEE IN CASE OF UTILIZATION FOR PUBLIC NEEDS OF THE OUTPUTS OF INTELLECTUAL ACTIVITIES CREATED IN FULFILMENT OF SCIENTIFIC AND R&D PROGRAMS AND PROJECTS FINANCED BY THE RUSSIAN SCIENTIFIC FUND.

On request of the state customer, the holder of the right to the output of intellectual activities created in fulfillment of programs and projects, including those holders of the rights which were contractors of such programs and projects grants the state customer the right to utilize the outputs of intellectual activities for public needs on the basis of a royalty-free (nonexclusive) license.

For the purpose of entering into a license agreement, the state customer provides the holder of the right the signed draft license agreement in 3 copies.

In case of evasion by the holder of the right from entering into a license agreement or inclusion in the draft license agreement of terms which infringe upon the rights of the Russian Federation, the state customer has the right to turn to the court to protect the interests of the Russian Federation and notify the Russian Scientific Fund of actions (inaction) of the holder of the right.

A condition of the license agreement is the right of the state customer to enter into a sub-license agreement. The sub-license agreement is an assignment of the right to utilization of the output of intellectual

activities to a third party. Such an agreement may include provisions on payment by the sublicensee of royalties to the author.

The above royalties are paid out of revenues received by the state customer or the sublicensee from realization of goods (services) with utilization of the outputs of intellectual activities or means received by the state customer as a result of entering into a sub-license agreement.

III. Instructions, Letters and Orders

A procedure has been established for selection of foreign nationals for education in Russia within a quota set by the Government of the Russian Federation in accordance with the admission plan prepared by the Ministry of Education and Science of the Russian Federation.

In the above plan, a number of places is specified for each country for admission of foreign nationals for training in each vocation and line of profession of the secondary vocational education and higher education, as well as additional vocational programs.

Selection is carried out in the following two stages:

- the first stage includes a selection in the territory of a foreign state of candidates for admission for training;
- the second stage of the selection is carried out by educational establishments which are prepared to admit for training foreign nationals out of the number of candidates selected at the first stage.

On the basis of the 1st stage selection arrangements, in the period till March 1 of the year of admission the list of candidates formed by the authorized agency or institution of a foreign state is determined. At the 2nd stage, selection of candidates is carried out by educational establishments in the period not later than June 15 of the year of admission. ●