

**FEDERAL LAW NO. 294-FZ OF DECEMBER 26, 2008 ON THE PROTECTION OF LEGAL ENTITIES'
AND INDIVIDUAL ENTREPRENEURS' RIGHTS IN THE COURSE OF STATE CONTROL
(SUPERVISION) AND MUNICIPAL CONTROL**

Adopted by the State Duma December 19, 2008

Approved by the Federation Council December 22, 2008

Chapter 1. General Provisions

Article 1. The Applicability of the Present Federal Law

1. This Federal Law regulates relationships in the area of the organisation and realisation of state control (supervision) and municipal control, and of the protection of legal entities' rights when they exercise business activities and individual entrepreneurs' rights in the event of state control (supervision) or municipal control being exercised.

Federal Laws No. 164-FZ of July 17, 2009 and No. 365-FZ of December 27, 2009 amended Part 1 of Article 1 of this Federal Law.

2. This Federal Law establishes:

- 1) the procedure for the organisation and realisation of inspections of legal entities and individual entrepreneurs by the bodies empowered to exercise state control (supervision) and municipal control;
- 2) the procedure for the cooperation of the bodies empowered to exercise state control (supervision) and municipal control in the organisation and realisation of inspections;
- 3) the rights and duties of the bodies empowered to exercise state control (supervision) and municipal control and of their officials during inspections;
- 4) the rights and duties of legal entities and individual entrepreneurs when state control (supervision) and municipal control are being carried out, and measures for protecting their rights and lawful interests.

3. The provisions of the present Federal Law that establish the procedure for organising and realising inspections are not applicable to:

- 1) the control measures implementation whereof does not require cooperation of the bodies empowered to exercise state control (supervision) and municipal control (hereinafter also referred to as "state control (supervision) bodies" and "municipal control bodies") and legal entities and individual entrepreneurs and the duty to provide information and perform under the demands of state control (supervision) bodies and municipal control bodies is not vested in said persons/entities;
- 2) the actions of state bodies in the realisation of operative search measures, enquiry, preliminary investigation;
- 3) the actions of prosecutor's supervision and justice (except for the events of carrying out inspections upon demand of the prosecutor by the bodies of state control (supervision) and municipal control), and administrative investigation;
- 4) the actions of the state control (supervision) bodies in cases of breaching the antimonopoly legislation of the Russian Federation;
- 5) investigation of the causes of accidents, on-the-job accidents, contagious and mass non-contagious diseases (affection or poisoning) of humans, animals or plants, harm to the environment, and damage to property of citizens/legal entities and also state and municipal property;
- 6) investigation of the causes of natural and man-made emergencies and elimination of their consequences;
- 7) measures of exercising control over counteracting the wrongful use of insider (nonpublic) information and market manipulation.

Federal Law No. 242-FZ of July 18, 2011 amended Part 3 of Article 1 of this Federal Law.

3.1 The provisions of the present Federal Law that establish the procedure for organising and realising inspections are also not applicable to when exercising the following forms of state control (supervision):

- 1) foreign investments control;
- 2) state control over economic concentration;
- 3) financial-budgetary control and supervision;
- 4) tax control;
- 5) currency control;
- 6) customs control;

- 7) state port control;
- 8) control over payment of premium to state non-budgetary funds;
- 9) financial market control;
- 10) banking supervision;
- 11) insurance supervision;
- 12) supervision over national payment system;
- 13) state control over clearing activity;
- 13.1) state control over organised biddings;

Federal Law No. 327-FZ of November 21, 2011 introduced Item 13.1 of this Federal Law

14) control over the observance of the legislation of the Russian Federation and other normative legal acts of the Russian Federation on the contract system of the purchase of goods, works and services for state and municipal needs;

Federal Law No. 396-FZ of December 28, 2013 amended Item 14 of this Federal Law

15) control over the observance of the requirements of the legislation of the Russian Federation on counteracting the legalisation (laundering) of criminally obtained incomes and the financing of terrorism;

16) border, quarantine, veterinary, phytosanitary quarantine and transport state control at checkpoints on the State Border of the Russian Federation;

17) control over the observance of the requirements of the legislation on anti-terrorism security of facilities.

Federal Law No. 208-FZ of July 23, 2013 introduced Item 17 of Article 3.1 of this Federal Law

Federal Law No. 242-FZ of July 18, 2011 introduced Article 3.1 of this Federal Law

4. The special aspects of the organisation and realisation of inspections in as much as it concerns the type, subject matter of, grounds for, their duration and frequency, notifications of carrying out of unscheduled field inspections and coordination of unscheduled field inspections with prosecution bodies can be established by other federal laws when the following forms of state control (supervision) are being exercised:

- 1) state control over the observance of the antimonopoly legislation of the Russian Federation except for state control over economic concentration;
- 2) licensing control;
- 3) export control;
- 4) state control (supervision) over activities of self-regulating organisations;
- 5) federal state control (supervision) in the area of migration;
- 6) federal state supervision in the area of communications;
- 7) federal state control in the area of the protection of state secrets;
- 8) state control in the field of advertising;
- 9) federal state control (supervision) in the area of transport (civil aviation, rail transport, merchant shipping, inland water transport and vehicular transport);
- 10) federal state control in the area of road safety;
- 11) federal state control (supervision) in the area of transportation security;
- 12) federal state supervision over the observance of labour legislation and other normative legal acts concerning to the employment and labour law;
- 13) federal state control in the area of atomic energy use;
- 14) state supervision in the area of radiological safety;
- 15) federal state supervision in the area of industrial safety;
- 16) federal state supervision in the area of safety of hydrotechnical constructions;
- 17) federal state fire protection supervision;
- 18) state construction supervision;
- 19) state control (supervision) on the territory of a special economic zone;
- 20) state control (supervision) in the area of natural monopolies;
- 21) state control (supervision) over the state regulation of prices (tariffs);
- 22) state supervision in the area of gambling;
- 23) federal state supervision over the lottery;

Federal Law No. 416-FZ of December 28, 2013 amended Item 23 of Article 4 of this Federal

Law

- 24) federal state supervision over non-profit organisations;
- 25) regional state control over passenger and baggage conveyance by means of passenger taxi;

- 26) regional state residential dwelling supervision, municipal residential dwelling control;
[Federal Law No. 93-FZ of June 25, 2012 introduced Item 26 of Article 4 of this Federal Law](#)
- 27) state control (supervision) in the area of education;
[Federal Law No. 185-FZ of July 2, 2013 introduced Item 27 of Article 4 of this Federal Law](#)
- 28) regional state control (supervision) in the area of shared construction of multi-dwelling apartments and/or other real estate items.
[Federal Law No. 414-FZ of December 28, 2013 introduced Item 28 of Part 4 of Article 1 of this Federal Law](#)
[Federal Law No. 242-FZ of July 18, 2011 amended Part 4 of Article 1 of this Federal Law.](#)

5. If an international treaty of the Russian Federation has established rules other than those envisaged by the present Federal Law the rules of the international treaty of the Russian Federation shall be applicable.

Article 2. The Basic Terms Used in the Present Federal Law

The following basic terms are used for the purposes of the present Federal Law:

1) **"state control (supervision)"** meaning activities of empowered governmental bodies (federal executive governmental bodies and executive governmental bodies of subjects of the Russian Federation) aimed at preventing, detecting and stopping infringement by legal entities, their heads and other officials, individual entrepreneurs and their authorised representatives (hereinafter also referred to as "legal entities" and "individual entrepreneurs") on the requirements established by the present Federal Law, other federal laws and the other normative legal acts of the Russian Federation adopted pursuant thereto, laws and other normative legal acts of subjects of the Russian Federation (hereinafter referred to as "compulsory requirements") by means of organising and carrying out inspections of legal entities and individual entrepreneurs, taking measures envisaged by the legislation of the Russian Federation for stopping, and/or eliminating the consequences of, infringements discovered, and also the said empowered governmental bodies' activity of observing on a regular basis compliance with compulsory requirements, analysing and forecasting the progress of performance under compulsory demands in the course of activity. The part of the scope of powers of supervision activity on exercising federal state forest supervision (forest protection), federal state fire supervision in the area of the protection of specially protected natural areas, state port control in accordance with the federal laws can be realised by the government agencies subordinate to the federal executive governmental bodies and the executive governmental bodies of subjects of the Russian Federation respectively.

[Federal Laws No. 242-FZ of July 18, 2011 and No. 27-FZ of March 12, 2014 amended Item 1 of Article 2 of this Federal Law](#)

2) **"federal state control (supervision)"** meaning activities of the federal executive governmental bodies empowered to exercise state control (supervision) on the entire territory of the Russian Federation. The procedure for organising and carrying out state control (supervision) in a relevant area of activity shall be established by the President of the Russian Federation or the Government of the Russian Federation, unless said procedure has been established by a federal law. The powers of the Russian Federation of exercising federal state control (supervision) in the certain areas of activity can be delegated for realisation to the governmental bodies of subjects of the Russian Federation according to the federal laws;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 2 of Article 2 of this Federal Law](#)

3) **"regional state control (supervision)"** meaning activities of the executive governmental bodies of a subject of the Russian Federation empowered to exercise state control (supervision) on the territory of the subject of the Russian Federation which shall be carried out by such bodies independently using budget funds of the subject of the Russian Federation. The procedure for organising and carrying out regional state control (supervision) shall be established by the highest executive governmental body of the subject of the Russian Federation with due regard to the provisions governing the organisation and realisation of state control (supervision) in the relevant area of activity, which are defined by the Government of the Russian Federation, unless said procedure has been envisaged by a federal law or a law of the subject of the Russian Federation. The powers of subjects of the Russian Federation for exercising regional state control (supervision) in the certain areas of activity can be delegated to the local self-government bodies for realisation according to the laws of subjects of the Russian Federation;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 3 of Article 2 of this Federal Law](#)

4) **"municipal control"** meaning activities of the local self-government bodies empowered according to the federal laws to organise and conduct inspections on the territory of a municipal formation to verify the observance by legal entities and individual entrepreneurs of the requirements established by municipal legal acts, the federal laws, the laws of subjects of the Russian Federation if such forms of

control are of local significance. The procedure for organising and exercising municipal control in the relevant area of activity shall be established by municipal legal acts, unless said procedure has been envisaged by a law of the subject of the Russian Federation and municipal legal acts adopted thereunder;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 4 of Article 2 of this Federal Law](#)

5) **"control measures"** meaning the actions of an official (or of officials) of a state control (supervision) body or of a municipal control body and the actions of experts and expert organisations recruited when necessary in the procedure established by the present Federal Law of scrutinising documents of a legal entity or individual entrepreneur, investigating the areas, buildings, houses, installations, premises, equipment, similar facilities and vehicles used by said persons in the pursuance of activities and the cargoes carried by said persons, taking specimens of products, environmental objects, production environment objects, carrying out research or testing in respect of them, and also carrying out expert examinations and investigations aimed at establishing a causal link between an infringement on compulsory requirements and/or the requirements established by municipal legal acts and the facts of infliction of harm;

6) **"inspection"** meaning the aggregate of control measures taken by a state control (supervision) body or a municipal control body in respect of a legal entity or individual entrepreneur to assess the compliance of the activities or actions (omissions) carried out/committed by them, the goods sold (works performed, services provided) by them with compulsory requirements and the requirements established by municipal legal acts;

7) **"experts", "expert organisations"** meaning citizens having special knowledge and experience in the relevant area of science, technology and economic activity and the organisations accredited in the procedure established by the Government of the Russian Federation in the relevant area of science, technology and economic activity which are recruited by state control (supervision) bodies or municipal control bodies to carry out control measures. Remuneration of services provided by experts and expert organisations as well as payment of their expenses incurred in connection with their participation in supervision activities are made in the manner and in the amount defined by the Government of the Russian Federation;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 7 of Article 2 of this Federal Law](#)

8) **"notice of commencement of an entrepreneurial activity"** meaning a document submitted by a legal entity registered in the procedure established by the legislation of the Russian Federation or by an individual entrepreneur to the federal executive governmental body empowered by the Government of the Russian Federation in the relevant area whereby the legal entity or individual entrepreneur provides information on the commencement of pursuance of specific types of entrepreneurial activity and of its compliance with compulsory requirements.

Article 3. The Principles of Protecting Legal Entities' and Individual Entrepreneurs' Rights When State Control (Supervision) or Municipal Control Is Being Exercised

Below are the basic principles of protecting the rights of legal entities or individual entrepreneurs when state control (supervision) or municipal control is being exercised:

1) the predominantly notification-type procedure for the commencement of pursuance of specific types of entrepreneurial activity;

2) the presumption of bona fide attitudes of legal entities and individual entrepreneurs;

3) the openness and accessibility for legal entities and individual entrepreneurs of the normative legal acts of the Russian Federation and the municipal legal acts of which observance is being verified in the course of state control (supervision) or municipal control and also of information about the organisation and implementation of state control (supervision) and municipal control, about the rights and duties of state control (supervision) bodies and municipal control bodies and their officials, except for information unrestricted distribution whereof is prohibited or limited according to the legislation of the Russian Federation;

4) the performance of inspections in accordance with the scope of powers of the state control (supervision) body or municipal control body and of the officials thereof;

5) the inadmissibility of inspections being carried out in respect of one legal entity or one individual entrepreneur by several state control (supervision) bodies or municipal control bodies to verify compliance with same compulsory requirements and the requirements established by municipal legal acts;

6) the inadmissibility of the requirement for legal entities or individual entrepreneurs to seek permissions, statements and other documents issued by governmental bodies and local self-government bodies for the purpose of commencing an entrepreneurial activity except for cases envisaged by the federal laws;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 6 of Article 3 of this Federal Law](#)

7) the accountability of state control (supervision) bodies, municipal control bodies and their officials for a breach of the legislation of the Russian Federation when state control (supervision) or municipal control is being exercised;

8) the inadmissibility of collection of payment for completion of control measures by state control (supervision) bodies and municipal control bodies;

9) the financing with relevant budget funds of the inspections (including control measures) carried out by state control (supervision) bodies and municipal control bodies;

10) the delineation under federal laws and laws of subjects of the Russian Federation of powers of the federal executive governmental bodies in relevant area of activity which are empowered to carry out federal state control (supervision), and the governmental bodies of subjects of the Russian Federation in the relevant areas of activity which are empowered to carry out regional state control (supervision).

Article 4. The Powers of the Federal Executive Governmental Bodies Charged with State Control (Supervision)

1. In accordance with [Federal Constitutional Law No. 2-FKZ of December 17, 1997 on the Government of the Russian Federation](#), the President of the Russian Federation and the Government of the Russian Federation shall designate the federal executive governmental bodies empowered to exercise [federal state control \(supervision\)](#), establish their organisational structure, powers, functions and the procedure for the pursuance of their activities, appoint the officials of the federal executive governmental bodies, and define their powers.

[Federal Law No. 242-FZ of July 18, 2011 amended Part 1 of Article 4 of this Federal Law](#)

2. Below are the powers of federal executive governmental bodies exercising federal state control (supervision):

1) the elaboration and implementation of a uniform state policy in the area of protecting legal entities' and individual entrepreneurs' rights in cases when federal state control (supervision) is carried out in the relevant areas of activity;

2) the organisation and performance of federal state control (supervision) in the relevant areas of activity;

3) the elaboration of administrative rules for cases when federal state control (supervision) is being exercised or carrying out inspections in relevant areas of activity. The elaboration and adoption of the said rules is performed according to the procedure established by the Government of the Russian Federation;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 3 of Part 2 of Article 4 of this Federal Law](#)

4) the organisation and realisation of monitoring the efficiency of federal state control (supervision) in the relevant areas of activity according to the indicators and methodology confirmed by the Government of the Russian Federation;

5) the execution of other powers envisaged by the legislation of the Russian Federation.

Article 5. The Powers of the Executive Governmental Bodies of a Subject of the Russian Federation Charged with Regional State Control (Supervision)

1. The supreme executive governmental body of a subject of the Russian Federation shall designate in accordance with the constitution (charter) of the subject of the Russian Federation and the legislation of the subject of the Russian Federation the executive governmental bodies of the subject of the Russian Federation empowered to exercise [regional state control \(supervision\)](#), establish their organisational structure, powers, functions and procedure for the pursuance of their activities, appoint the officials of the said executive bodies of subjects of the Russian Federation and define their powers.

[Federal Law No. 242-FZ of July 18, 2011 amended Part 1 of Article 5 of this Federal Law](#)

2. Below are the powers of the executive governmental bodies of subjects of the Russian Federation charged with regional state control (supervision):

1) the implementation of the uniform state policy in the area of protecting the rights of legal entities and individual entrepreneurs and the observance of the legislation of the Russian Federation in the area of protecting the rights of legal entities and individual entrepreneurs when regional state control (supervision) is being exercised on the territory of the relevant subject of the Russian Federation;

2) the organisation and realisation of regional state control (supervision) in the relevant areas of activity on the territory of the relevant subject of the Russian Federation, with account being taken of the delineation of powers of the federal executive governmental bodies empowered to carry out federal state control (supervision) and the executive governmental bodies of subjects of the Russian Federation empowered to carry out regional state control (supervision);

2.1) the organisation and realisation of federal control (supervision) where the powers for execution whereof are delegated to governmental bodies of the subject of the Russian Federation;

[Federal Law No. 242-FZ of July 18, 2011 introduced Item 2.1 of Part 2 of Article 5 of this Federal Law](#)

3) the elaboration of administrative rules for cases when regional state control (supervision) is being exercised or carrying out inspections in relevant areas of activity. The elaboration and adoption of the said administrative rules are performed in a procedure established by the laws and/or other normative legal acts of subjects of the Russian Federation;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 3 of Part 2 of Article 5 of this Federal Law](#)

4) the organisation and realisation of the monitoring of efficiency of regional state control (supervision) in the relevant areas of activity according to the indicators and methodology confirmed by the Government of the Russian Federation;

5) the execution of the other powers envisaged by federal laws, laws and other normative legal acts of subjects of the Russian Federation.

Article 6. The Powers of the Local Self-Government Bodies Charged with Municipal Control

1. The local self-government bodies empowered to carry out municipal control shall be designated, their organisational structure, powers, functions, the procedure for the pursuance of their activities shall be established, officials of the said empowered bodies of the local self-government shall be appointed, and their powers shall be identified in accordance with the charter of the municipal formation and other municipal legal acts.

[Federal Law No. 242-FZ of July 18, 2011 amended Part 1 of Article 6 of this Federal Law](#)

2. Below are the powers of the local self-government bodies charged with municipal control:

1) the organisation and realisation of municipal control on the relevant territory;

1.1) the organisation and realisation of regional state control (supervision), the powers for execution whereof are conferred on the local self-government bodies;

[Federal Law No. 242-FZ of July 18, 2011 introduced Item 1.1 of Part 2 of Article 5 of this Federal Law](#)

2) the elaboration of administrative rules for carrying out inspections in relevant areas of activity. The elaboration and adoption of the said administrative rules are performed in a procedure established by the normative legal acts of subjects of the Russian Federation;

[Federal Law No. 242-FZ of July 18, 2011 amended Item 2 of Article 6 of this Federal Law](#)

3) the organisation and realisation of the monitoring of efficiency of municipal control in the relevant areas of activity according to the indicators and methodology confirmed by the government of the Russian Federation;

4) the execution of the other powers envisaged by federal laws, laws and other normative legal acts of subjects of the Russian Federation.

Article 7. The Cooperation of State Control (Supervision) Bodies and Municipal Control Bodies in the Organisation and Realisation of Inspections

1. While organising and realising inspections state control (supervision) bodies and municipal control bodies shall cooperate on the following issues:

1) the provision of information on the normative legal acts and methodological documents concerning issues of the organisation and realisation of state control (supervision) and municipal control;

2) the determination of the goals and scope of, and the term for completion of scheduled inspections;

3) the provision of information about the results of inspections being carried out, the state of observance of the legislation of the Russian Federation in the relevant area of activity and the efficiency of state control (supervision) and municipal control;

4) the preparation of proposals in the established procedure for improving the legislation of the Russian Federation in as much as it concerns the organisation and realisation of state control (supervision) and municipal control;

5) the adoption of administrative rules for the cooperation of state control (supervision) bodies and municipal control bodies in the realisation of state control (supervision) and municipal control;

6) the upgrading of the qualifications of specialists carrying out state control (supervision) and municipal control.

2. While organising and realising state control (supervision) and municipal control state control (supervision) bodies and municipal control bodies shall recruit [experts and expert organisations](#) for carrying out [control measures](#) to assess the compliance of the activities or actions (omissions) carried out/committed or the goods sold (works performed, services provided) by legal entities and individual entrepreneurs with compulsory requirements and with the requirements established by municipal legal acts and for analysing the observance of said requirements, to carry out the monitoring of effectiveness of

state control (supervision) and municipal control in the relevant areas of activity, to keep record of the results of inspections completed and the necessary reports concerning them.

3. No payment shall be charged to legal entities and individual entrepreneurs for the completion of control measures.

4. State control (supervision) bodies and municipal control bodies shall cooperate with self-regulating organisations on issues of protection of their members' rights in the event of state control (supervision) and municipal control.

5. Every year, state control (supervision) bodies and municipal control bodies shall prepare reports in the procedure established by the Government of the Russian Federation on the performance of state control (supervision) and municipal control in the relevant areas of activity, on the efficiency of such control and submit said reports to the federal executive governmental body empowered by the Government of the Russian Federation, which shall prepare an annual consolidated report on the state of state control (supervision) and of municipal control (including but not limited to in electronic format) and present it to the Government of the Russian Federation.

Federal Law No. 93-FZ of June 25, 2012 amended Part 5 of Article 7 of this Federal Law

6. No longer effective since August 1, 2011 according to *Federal Law No. 242-FZ of July 18, 2011*.

7. State control (supervision) bodies and municipal control bodies shall submit their reports to the federal executive body, mentioned in Part 5 of this Article, empowered by the Government of the Russian Federation by means of, inter alia, federal state information system, the organisational and control procedure whereof is established by the Government of the Russian Federation.

Federal Law No. 93-FZ of June 25, 2012 introduced Part 7 of Article 7 of this Federal Law

Article 8. The Notice of Commencement of Pursuance of Specific Types of Entrepreneurial Activity

1. Legal entities and individual entrepreneurs shall give notice of commencement of pursuance of specific types of entrepreneurial activity to state control (supervision) body (bodies) empowered to exercise control in a relevant field (hereinafter referred to as "empowered state control (supervision) body").

Federal Law No. 93-FZ of June 25, 2012 amended Part 1 of Article 8 of this Federal Law

2. A notice of commencement of pursuance of specific types of entrepreneurial activity shall be filed by the legal entities and individual entrepreneurs that perform works and provide services in accordance with the list of works and services confirmed by the Government of the Russian Federation within the following types of activity:

1) the provision of hotel services and also temporary accommodation services and the services of making arrangements for temporary accommodation;

2) the provision of consumer services;

3) the provision of public catering services by public catering organisations;

4) retail trade (except for retail trade in goods whose circulation is restricted in accordance with federal laws);

5) wholesale (except for wholesale of goods whose circulation is restricted in accordance with federal laws);

6) the provision of services of road carriage of passengers and baggage on orders (except for such carriage on regular routes and also for the purpose of catering for legal entities' and individual entrepreneurs' own needs);

7) the provision of the services of carriage of cargoes by means of motor vehicles with a gross tonnage exceeding two tons and five hundred kilograms (except for such carriage performed to cater for legal entities' and individual entrepreneurs' own needs);

Federal Law No. 131-FZ of July 28, 2012 amended Item 7 of Part 2 of Article 8 of this Federal Law

8) the manufacture of textile materials and sewed articles;

9) the manufacture of garments;

10) the manufacture of leather and leather articles, including shoes;

11) the processing of wood and the manufacture of wood and cork articles, except for furniture;

12) publishing and printing activities;

13) an activity relating to the use of computers and information technologies (except for said activity pursued for the purpose of state secret protection).

14) the production of bread, baked goods and confectionary;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 14 of Part 2 of Article 8 of this Federal Law

15) the production of milk and dairy products;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 15 of Part 2 of Article 8 of this Federal Law

16) the production of fruit and vegetable juice;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 16 of Part 2 of Article 8 of this Federal Law

17) the fat-and-oil production;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 17 of Part 2 of Article 8 of this Federal Law

18) the sugar production;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 18 of Part 2 of Article 8 of this Federal Law

19) the flour production;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 19 of Part 2 of Article 8 of this Federal Law

20) the production of non-alcohol drinks;

Federal Law No. 365-FZ of December 27, 2009 introduced Item 20 of Part 2 of Article 8 of this Federal Law

21) the multi-dwelling apartment management;

Federal Law No. 123-FZ of June 04, 2012 introduced Item 21 of Part 2 of Article 8 of this Federal Law

22) the provision of services and/or the performance of works concerning maintenance and upkeep of common property in multi-dwelling apartments;

Federal Law No. 123-FZ of June 04, 2012 introduced Item 22 of Part 2 of Article 8 of this Federal Law

23) the production of standards of units of measurements, reference specimens (samples) and measurement instruments;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 23 of Part 2 of Article 8 of this Federal Law

24) the production of crates, containers and packing;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 24 of Part 2 of Article 8 of this Federal Law

25) the furniture production;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 25 of Part 2 of Article 8 of this Federal Law

26) the production of the personal protective equipment;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 26 of Part 2 of Article 8 of this Federal Law

27) the production of fire-fighting goods;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 27 of Part 2 of Article 8 of this Federal Law

28) the low-voltage equipment production;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 28 of Part 2 of Article 8 of this Federal Law

29) the manufacture of the building materials and products;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 29 of Part 2 of Article 8 of this Federal Law

30) the provision of the social services;

Federal Law No. 242-FZ of June 18, 2011 introduced Item 30 of Part 2 of Article 8 of this Federal Law

31) the travel agency activity;

Federal Law No. 47-FZ of May 3, 2012 introduced Item 31 of Part 2 of Article 8 of this Federal Law

32) the carriage of cargo by sea (except for dangerous cargo);

Federal Law No. 131-FZ of July 28, 2012 introduced Item 32 of Part 2 of Article 8 of this Federal Law

33) the carriage of cargo by inland water transport (except for dangerous cargo);

Federal Law No. 131-FZ of July 28, 2012 introduced Item 33 of Part 2 of Article 8 of this Federal Law

34) the carriage of cargo by railroad (except for dangerous cargo);

Federal Law No. 131-FZ of July 28, 2012 introduced Item 34 of Part 2 of Article 8 of this Federal Law

35) the carriage of cargo-luggage by railroad;

Federal Law No. 131-FZ of July 28, 2012 introduced Item 35 of Part 2 of Article 8 of this Federal Law

36) the carriage of cargo (cargo transfer without a contract for carriage being signed) by using public railroad tracks except for events of replacing the cars arrived from railroad dead-ends and placing them back to the dead-ends;

Federal Law No. 131-FZ of July 28, 2012 introduced Item 36 of Part 2 of Article 8 of this Federal Law

37) the film show activities;

Federal Law No. 191-FZ of November 12, 2012 introduced Item 37 of Part 2 of Article 8 of this Federal Law

38) the operation of explosive and chemically hazardous productive facility of hazard category IV;

Federal Law No. 22-FZ of March 4, 2012 introduced Item 38 of Part 2 of Article 8 of this Federal Law

39) exercising the activity in the area of distribution/circulation of the medical devices (except for the events of carrying out clinical testing of medical devices, their production, assembly, adjusting, application, operation, including maintenance and upkeep).

Federal Law No. 317-FZ of November 25, 2012 introduced Item 39 of Part 2 of Article 8 of this Federal Law

3. It is hereby prohibited to present claims for legal entities or individual entrepreneurs to receive permissions, statements and other documents issued by governmental bodies and local self-government bodies for the purpose of commencing entrepreneurial activity except for the cases established by the federal laws.

Federal Law No. 242-FZ of July 18, 2011 amended Part 3 of Article 8 of this Federal Law

4. A notice of commencement of specific types of entrepreneurial activity shall contain reference to the legal entity's or individual entrepreneur's observance of compulsory requirements and also to the compliance of their employees, the entrepreneurial activity they are pursuing and the territories, buildings, houses, installations, premises, equipment, similar facilities and vehicles intended for being used in the course of their pursuing entrepreneurial activity with compulsory requirements and the requirements established by municipal legal acts.

5. The notice of commencement of specific types of entrepreneurial activity shall be submitted by the legal entity or individual entrepreneur to the empowered state control (supervision) body either directly or via Multifunctional Centre of State and Municipal Services Delivery (hereinafter referred as Multifunctional Centre) after state registration and registration with a tax body before the commencement of the actual performance of works or provision of services. The mentioned notice can be submitted in the format of an electronic document.

Federal Laws No. 227-FZ of July 27, 2010, No. 93-FZ of June 25, 2012 and No. 133-FZ of July 28, 2012 amended Part 5 of Article 8 of this Federal Law

6. The empowered federal executive body shall also be notified of the following changes:

Federal Law No. 133-FZ of July 28, 2012 amended Part 6 of Article 8 of this Federal Law

- 1) the change of location of the legal entity and/or the actual place of business;
- 2) the change of residence of the individual entrepreneur;
- 3) the re-organisation of the legal entity.

7. Information on the changes mentioned in Part 6 of the present article shall be provided to the empowered state control (supervision) body either directly or via Multifunctional Centre within ten business days after the date of the relevant entries in the comprehensive state register of legal entities or the comprehensive state register of individual entrepreneurs in the procedure established by the legislation of the Russian Federation.

Federal Laws, No. 93-FZ of June 25, 2012 and No. 133-FZ of July 28, 2012 amended Part 7 of Article 8 of this Federal Law

8. The Government of the Russian Federation shall establish the form of a notice of commencement of specific types of entrepreneurial activity and the procedure for submitting such notices to the empowered state control (supervision) body either directly or via Multifunctional Centre inter alia in the format of electronic documents, and the procedure for keeping record of such notices.

Federal Laws, No. 227-FZ of July 27, 2010, No. 93-FZ of June 25, 2012 and No. 133-FZ of July 28, 2012 amended Part 7 of Article 8 of this Federal Law

9. The legal entities and individual entrepreneurs pursuing the types of activity described in Part 2 of the present article shall be accountable under the legislation of the Russian Federation if they default on submitting notices on commencement of specific types of entrepreneurial activity or if they submit such notices as containing unreliable information.

Chapter 2. State Control (Supervision) and Municipal Control

Article 9. Organising and Carrying out a Scheduled Inspection

1. The subject matter of a scheduled inspection is the observance in the course of pursuance of an activity by a legal entity or individual entrepreneur of compulsory requirements and of the requirements established by municipal legal acts and also the compliance of the information contained in a notice of commencement of specific types of entrepreneurial activity with compulsory requirements.

1.1. Certain forms of state control (supervision) shall be exercised without scheduled inspections being carried out in cases established by the federal law.

Federal Law No. 22-FZ of March 4, 2011 introduced Part 1.1 of Article 9 of this Federal Law

2. Scheduled inspections shall be carried out no more often than once in three years.

3. Scheduled inspections shall be carried out under the annual plans elaborated by state control (supervision) bodies and municipal control bodies in accordance with the scope of their powers.

4. The following details shall be included in the annual scheduled inspections plans in respect of legal entities (and their branches, representative offices and autonomous structural subdivisions) or individual entrepreneurs:

Federal Law No. 242-FZ of July 18, 2011 amended Part 4 of Article 9 of this Federal Law

1) the names of the legal entities (and the names of their branches, representative offices and autonomous structural subdivisions), the surnames, first names and patronymics of the individual entrepreneurs whose activities are subject to scheduled inspections, location of legal entities (and their branches, representative offices and autonomous structural subdivisions) or residency of individual entrepreneurs and actual place of business;

Federal Law No. 242-FZ of July 18, 2011 amended Item 1 of Part 4 of Article 9 of this Federal Law

2) the goal and ground for each scheduled inspection;

3) the commencement date of, and the term for completion of, each scheduled inspection;

Federal Law No. 242-FZ of July 18, 2011 amended Item 3 of Article 9 of this Federal Law

4) the name of the state control (supervision) body or the municipal control body that carries out the specific scheduled inspection. If the scheduled inspection is carried out jointly by state control (supervision) bodies and municipal control bodies, the names of all the bodies involved in the inspection shall be mentioned.

5. An annual scheduled inspections plan confirmed by the head of a state control (supervision) body or a municipal control body shall be brought to the notice of persons concerned by means of being placed at the official internet website of the state control (supervision) body or of the municipal control body or otherwise as might be possible.

6. Within the term ending September 1 of the year preceding the year of scheduled inspections state control (supervision) bodies and municipal control bodies shall send draft annual plans of scheduled inspections to prosecutor's office bodies.

Federal Law No. 365-FZ of December 27, 2011 amended Part 6 of Article 9 of this Federal Law

6.1. The prosecutor's office bodies shall examine draft annual plans of scheduled inspections with a view to legitimate inclusion whereto of legal entities and/or individual entrepreneurs subject to state control (supervision) or municipal control in accordance with Part 4 of the present article, and within the term ending October 1 of the year preceding the year of scheduled inspections shall present proposals to managers of state control (supervision) bodies and municipal control on carrying out joint scheduled inspections.

Federal Law No. 365-FZ of December 27, 2011 introduced Part 6.1 of Article 9 of this Federal Law

6.2. The state control (supervision) bodies and municipal control bodies shall consider the proposals of the prosecutor's office bodies and following the results within the term ending November 1 of the year preceding the year of scheduled inspections shall forward the approved annual plans of scheduled inspections to the prosecutor's office bodies.

Federal Law No. 365-FZ of December 27, 2011 introduced Part 6.2 of Article 9 of this Federal Law

6.3. The procedure of preparation of the annual plan of scheduled inspections, of its presentation to the prosecutor's office bodies for approval as well as the standard form of the annual plan of scheduled inspections are established by the Government of the Russian Federation.

Federal Law No. 365-FZ of December 27, 2011 introduced Part 6.3 of Article 9 of this Federal Law

6.4. The prosecutor's office bodies shall collate the plans of scheduled inspections from state control (supervision) bodies and municipal control bodies and shall forward them to the Prosecutor-General Office of the Russian Federation within the term ending December 1 of the year preceding the year of scheduled inspections so that the Prosecutor-General Office of the Russian Federation would produce an annual consolidated plan of scheduled inspections.

Federal Law No. 365-FZ of December 27, 2011 introduced Part 6.4 of Article 9 of this Federal Law

7. The Prosecutor-General Office of the Russian Federation shall produce the annual consolidated plan of scheduled inspections and place it at the official internet website of the Prosecutor-General's Office of the Russian Federation before December 31 of the current year.

Federal Law No. 365-FZ of December 27, 2011 introduced Part 7 of Article 9 of this Federal Law

7.1 Regional bodies of federal executive bodies empowered to exercise federal state control (supervision) in the relevant areas of activity, and executive bodies of subjects of the Russian Federation which exercise delegated powers of the Russian Federation for exercising such control (supervision) provide relevant Federal executive bodies with the approved annual plans of scheduled inspections within the term ending November 1 of the year preceding the year of scheduled inspections in the relevant federal executive bodies.

Federal Law No. 242-FZ of July 18, 2011 introduced Part 7.1 of Article 9 of this Federal Law

7.2. Federal executive bodies empowered to exercise federal state control (supervision) shall produce within the term ending December 31 of the year preceding the year of scheduled inspections annual plans of scheduled inspections in the relevant area of activity including information of approved annual plans of scheduled inspections provided by regional bodies of state control (supervision), identified in Part 7.1 of the present article. Federal executive bodies shall place annual plans of scheduled inspections at their official internet websites except for the information unrestricted distribution whereof is prohibited or limited according to the legislation of the Russian Federation.

Federal Law No. 242-FZ of July 18, 2011 introduced Part 7.2 of Article 9 of this Federal Law

8. The ground for including a scheduled inspection in the annual plan of scheduled inspections is the expiry of three years after the date of:

- 1) the state registration of a legal entity or individual entrepreneur;
- 2) the termination of the last scheduled inspection of a legal entity or individual entrepreneur;
- 3) the commencement of entrepreneurial activities by a legal entity or individual entrepreneur in accordance with the notice submitted to the federal executive governmental body empowered by the Government of the Russian Federation in the relevant field as concerning the commencement of specific types of entrepreneurial activity in the event of performance of the works or provision of the services that require such notice.

9. In respect of the legal entities or individual entrepreneurs pursuing activities in the area of public health, education, in the social area, the area of heating supply, of electric power supply, of energy saving and energy efficiency improvement scheduled inspections may be carried out twice and more than twice in three years. A list of such activities and intervals between scheduled inspections thereof shall be established by the Government of the Russian Federation.

Federal Laws No. 242-FZ of July 18, 2011 and No. 93-FZ of June 25, 2012 amended Part 9 of Article 9 of this Federal Law

9.1.-9.2. *No longer effective since August 1, 2011 according to Federal Law No. 242-FZ of July 18, 2011.*

10. A scheduled inspection of legal entities or individual entrepreneurs being members of a self-regulating organisation shall be carried out in respect of up to ten per cent of the total number of members of the self-regulating organisation and at least two members of the self-regulating organisation in accordance with an annual plan of scheduled inspections, except as otherwise established by federal laws.

11. A scheduled inspection shall be carried out as a document inspection and/or a field inspection in the procedure established by Articles 11 and 12 respectively of the present Federal Law.

12. A legal entity or individual entrepreneur shall be notified of a forthcoming scheduled inspection by a state control (supervision) body or municipal control body no later than three business days before its commencement by means of sending by registered post with a delivery notice, or otherwise as might be possible, a copy of instructions or an order of the head or deputy head of the state control (supervision) body or municipal control body on the commencement of the scheduled inspection.

13. When a scheduled inspection is conducted in respect of members of a self-regulating organisation the state control (supervision) body or municipal body shall notify the self-regulating organisation so as to ensure an opportunity for its representative's participation or attendance in the scheduled inspection.

14. If it is discovered that members of the self-regulating organisation are in breach of the compulsory requirements and of the requirements established by municipal legal acts, officials of the state control (supervision) body or municipal control body shall inform the self-regulating organisation in the course of the scheduled inspection of such members within five business days after the end of the scheduled inspection about the irregularities discovered.

Article 10. Organising and Carrying out an Off-Schedule Inspection

1. The subject matter of an off-schedule inspection is the observance by a legal entity or individual entrepreneur in the course of pursuance of activities of compulsory requirements and the requirements established by municipal legal acts, the performance of orders of state control (supervision) bodies and municipal control bodies, the taking of measures for preventing harm to citizens' life and health, harm to animals, plants and the environment, the ensuring of security of the state, the prevention of the occurrence of natural and man-made emergencies and the elimination of the consequences of such harm.

2. The ground for carrying out an off-schedule inspection is as follows:

- 1) expiry of the term for a legal entity or individual entrepreneur to complete performance of an order for elimination of a discovered breach of compulsory requirements and/or the requirements established by municipal legal acts;

2) representations and applications of citizens and also legal entities and individuals, information from governmental bodies and local self-government bodies having been received, and information from mass media having been obtained by state control (supervision) bodies and municipal control bodies about the following facts:

[Federal Law No. 242-FZ of July 18, 2011 amended Item 2 of Part 2 of Article 10 of this Federal Law](#)

a) the emergence of a threat of harm to citizens' life and health, harm to animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation, the security of the state, and also a threat of natural and man-made emergencies;

[Federal Law No. 365-FZ of December 27, 2009 amended Sub Item A of Item 2 of Part 2 of Article 10 of this Federal Law](#)

b) the infliction of harm to citizens' life and health, harm to animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation, the security of the state, and also the occurrence of natural and man-made emergencies;

[Federal Law No. 365-FZ of December 27, 2009 amended Sub Item B of Item 2 of Part 2 of Article 10 of this Federal Law](#)

c) a breach of consumers' rights (in the event of application by citizens whose rights have been infringed upon).

3) orders (instructions) of the head of state control (supervision) body issued in accordance with the order of the President of the Russian Federation or the Government of the Russian Federation and based on the prosecutor's requirement on carrying out off-schedule inspection within the framework of supervision over law enforcement pertaining to the materials and representations arrived to prosecutor's office bodies.

[Federal Law No. 365-FZ of December 27, 2009 introduced Item 3 of Part 2 of Article 10 of this Federal Law](#)

[Federal Law No. 242-FZ of July 18, 2011 amended Item 3 of Part 2 of Article 10 of this Federal Law](#)

3. The representations and applications not allowing to identify the person that has applied to the state control (supervision) body or municipal control body and also the representations and applications not containing information on the facts specified in Part 2 of the present article cannot serve as grounds for an off-schedule inspection.

4. An off-schedule inspection shall be carried out in the form of a document inspection and/or a field inspection in the procedure established by [Articles 11](#) and [12](#) respectively of the present Federal Law.

5. An off-schedule field inspection of legal entities or individual entrepreneurs may be conducted on the grounds specified in Subitems "a" and "b" of Item 2 of Part 2 of the present article by state control (supervision) bodies and municipal control bodies after securing approval from the prosecutor's office body at the place of business of such legal entities or individual entrepreneurs.

[Federal Law No. 66-FZ of April 26, 2010 amended Part 5 of Article 10 of this Federal Law](#)

6. The model form of an application whereby a state control (supervision) body or municipal control body seeks approval from the prosecutor's office for an off-schedule field inspection of a legal entity and individual entrepreneur shall be established by the federal executive governmental body empowered by the Government of the Russian Federation.

[Federal Law No. 365-FZ of December 27, 2009 amended Part 6 of Article 10 of this Federal Law](#)

7. The procedure for a state control (supervision) body or municipal control body to seek approval from the prosecutor's office for an off-schedule field inspection of a legal entity and individual entrepreneur and also the confirmation of a prosecutor's office to approve the off-schedule field inspection shall be established by an order of the Prosecutor-General of the Russian Federation.

[Federal Law No. 365-FZ of December 27, 2009 amended Part 7 of Article 10 of this Federal Law](#)

8. On the day when instructions or an order on an off-schedule field inspection of a legal entity and individual entrepreneur of the head or deputy head of a state control (supervision) or municipal control body is signed, the state control (supervision) body or municipal control body shall do the following to seek approval for it: delivering or sending by registered post with a notice of delivery or as an electronic document signed by an enhanced encrypted and certified digital signature to the prosecutor's office at the place of business of the legal entity and individual entrepreneur an application seeking approval for the off-schedule field inspection. Attached to the application shall be a copy of the instructions or order of the head or deputy head of the state control (supervision) body or municipal control body on realising the off-schedule field inspection and documents containing information serving as a ground for the inspection.

[Federal Laws No. 365-FZ of December 27, 2009 and No. 33-FZ of March 12, 2014 amended Part 8 of Article 10 of this Federal Law](#)

9. The application seeking approval for the off-schedule field inspection of the legal entity and individual entrepreneur and the documents attached thereto shall be considered by the prosecutor's office

on the day when they are received so as to assess the presence of a legal ground for the off-schedule field inspection.

Federal Law No. 365-FZ of December 27, 2009 amended Part 9 of Article 10 of this Federal Law

10. According to the results of consideration of the application seeking approval for the off-schedule field inspection of the legal entity and individual entrepreneur and the documents attached thereto, the prosecutor or a deputy prosecutor shall take a decision no later than during the business day following the date of receipt thereof either on the grant of approval to the off-schedule field inspection or on refusal to grant approval to it.

Federal Law No. 365-FZ of December 27, 2009 amended Part 10 of Article 10 of this Federal Law

11. Below are the grounds for refusal to grant approval for an off-schedule field inspection:

1) a lack of documents attached to the application seeking approval for the off-schedule field inspection of a legal entity and individual entrepreneur;

Federal Law No. 365-FZ of December 27, 2009 amended Item 1 of Part 11 of Article 10 of this Federal Law

2) the lack of a ground for the off-schedule field inspection according to the requirements set out in [Part 2](#) of the present article;

3) the non-observance of the requirements established by the present Federal Law as applicable to the form of a decision of a state control (supervision) body or municipal control body on carrying out an off-schedule field inspection;

4) the implementation of the off-schedule field inspection which conflicts federal laws, normative legal acts of the President of the Russian Federation or normative legal acts of the Government of the Russian Federation;

5) the non-conformity of the subject matter of the off-schedule field inspection with the powers of the state control (supervision) body or municipal control body;

6) the inspection of observance of same compulsory requirements and the requirements established by municipal legal acts in respect of one legal entity or one individual entrepreneur by several state control (supervision) bodies or municipal control bodies.

12. If the ground for an off-schedule field inspection is the infliction of harm to citizens' life or health, harm to animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation or the security of the state, and also the occurrence of natural and man-made emergencies, the discovery of a breach of compulsory requirements and of the requirements established by municipal legal acts, at the time when such breach is committed in connection with the need for taking expedient measures state control (supervision) bodies and municipal control bodies are entitled to start an off-schedule field inspection immediately, with the prosecutor's office being notified of control measures by means of sending the documents envisaged by [Parts 6](#) and [7](#) of the present article to the prosecutor's office within 24 hours. In this case the prosecutor or a deputy prosecutor shall take a decision on granting approval to the off-schedule field inspection on the day when the relevant documents are received.

Federal Law No. 365-FZ of December 27, 2009 amended Part 12 of Article 10 of this Federal Law

13. The prosecutor's or deputy prosecutor's decision on the grant of approval to the off-schedule field inspection or on refusal to grant approval to it shall be formalised in writing in duplicate, one copy being delivered or sent by registered post with a notice of delivery, or as an electronic document signed by an enhanced encrypted and certified digital signature to the state control (supervision) body or municipal control body.

Federal Law No. 33-FZ of March 12, 2014 amended Part 12 of Article 10 of this Federal Law

14. If there is a need for immediately carrying out an off-schedule field inspection, a copy of the decision on approval of the off-schedule field inspection shall be sent by the prosecutor's office to the state control (supervision) body or municipal control body via an information-telecommunication network.

15. Appeal may be taken to a higher prosecutor or to the court from the prosecutor's or deputy prosecutor's decision on the grant of approval to the off-schedule inspection or on refusal to grant approval.

16. About a forthcoming off-schedule field inspection, except for an off-schedule field inspection based on the grounds mentioned in [Item 2 of Part 2](#) of the present article, a notice shall be served by any means available to the legal entity or individual entrepreneur by the state control (supervision) body or municipal control body at least 24 hours before its commencement.

Federal Laws No. 164-FZ of July 17, 2009 and No. 242-FZ of July 18, 2011 amended Part 16 of Article 10 of this Federal Law

17. If activities of a legal entity or individual entrepreneur can result in, or have resulted in, infliction of harm to citizens' life and health, harm to animals, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation, the security of the state, and

also if natural or man-made emergencies have occurred, or could occur, no preliminary notification of the legal entity or individual entrepreneur concerning the commencement of an off-schedule field inspection is needed.

[Federal Law No. 93-FZ of June 25, 2012 amended Part 17 of Article 10 of this Federal Law](#)

18. In the event of an off-schedule field inspection of members of a self-regulating organisation, the state control (supervision) body or municipal control body shall notify the self-regulating organisation concerning the forthcoming off-schedule field inspection so as to provide an opportunity for the participation or attendance of its representative when the off-schedule field inspection is carried out.

19. Prosecutor's offices shall keep record of the off-schedule field inspections carried out by state control (supervision) bodies and municipal control bodies, and carry out annual monitoring of off-schedule field inspections.

[Federal Law No. 365-FZ of December 27, 2009 amended Part 19 of Article 10 of this Federal Law](#)

20. If it is discovered in the course of an off-schedule field inspection of members of a self-regulating organisation that they are in breach of compulsory requirements and the requirements established by municipal legal acts officials of the state control (supervision) body or of the municipal control body shall inform the self-regulating organisation about irregularities discovered within five business days after the end of the off-schedule field inspection.

Article 11. Document Inspection

1. The subject matter of a document inspection is the information contained in the documents of a legal entity and individual entrepreneur which establish their organisational legal form and rights and duties, the documents used in the pursuance of their activities and being related to their observance of compulsory requirements and of the requirements established by municipal legal acts and the performance of orders and decisions of state control (supervision) bodies and municipal control bodies.

2. The organisation of a document inspection (both scheduled and off-schedule) shall be carried out in the procedure established by [Article 14](#) of the present Federal Law, and it shall be performed at the place where the state control (supervision) body or municipal control body is located.

3. In the course of the document inspection, officials of the state control (supervision) body or municipal control body shall first of all examine the legal entity's or the individual entrepreneur's documents which are held by the state control (supervision) body or municipal control body, for instance, notices of commencement of specific types of entrepreneurial activity filed in the procedure established by [Article 8](#) of the present Federal Law, reports on the results of previous inspections, the materials of hearings of cases of administrative offences and other documents on the results of state control (supervision) or municipal control implemented in respect thereof.

4. If the reliability of the information contained in the documents held by the state control (supervision) body or municipal control body is dubious for good reason, or the information does not allow one to assess the legal entity's or individual entrepreneur's observance of compulsory requirements or the requirements established by municipal legal acts the state control (supervision) body or municipal control body shall send to the legal entity's or individual entrepreneur's address a substantiated enquiry asking for other documents as might be required for examination in the course of the document inspection. The enquiry shall be sent together with a copy – authenticated by a seal – of the instructions or order of the head or deputy head of the state control (supervision) body or of the municipal control body on carrying out the inspection or a deputy thereof on carrying out the document inspection.

5. Within ten business days after the receipt of the substantiated enquiry, the legal entity or individual entrepreneur shall send the documents specified in the enquiry to the state control (supervision) body or municipal control body.

6. The documents specified in the enquiry shall be presented as copies attested by means of a seal (if any) and the signature of the individual entrepreneur, his/her empowered representative, the head or another official of the legal entity, respectively. The legal entity or individual entrepreneur is eligible to present the documents specified in the enquiry in the format of electronic documents in the procedure established by the Government of the Russian Federation.

[Federal Law No. 227-FZ of July 27, 2010 amended Part 6 of Article 11 of this Federal Law](#)

7. It is hereby prohibited to demand notarial attestation for copies of documents filed with the state control (supervision) body or municipal control body, except as otherwise envisaged by the legislation of the Russian Federation.

8. If in the course of the document inspection errors and/or contradictions are discovered in the documents presented by the legal entity or individual entrepreneur, or a discrepancy between the information contained in these documents and the information contained in the documents held by the state control (supervision) body or municipal control body and/or received in the course of [state control \(supervision\)](#) or [municipal control](#) information about it shall be sent to the legal entity or individual

entrepreneur together with a demand for the provision of the necessary explanations in writing within ten business days.

9. The legal entity or individual entrepreneur submitting explanations to the state control (supervision) or municipal control body concerning the errors and/or discrepancies discovered in the submitted documents or concerning the non-compliance of the information specified in Part 8 of the present article, are entitled to additionally submit to the state control (supervision) body or municipal control body documents confirming the accuracy of the documents filed earlier.

10. The official who carries out the document inspection shall scrutinise the explanations and documents submitted by the head or another official of the legal entity or by the individual entrepreneur, its/his/her empowered representative to confirm the reliability of the documents filed earlier. If after the examination of the explanations and documents submitted or if no explanations are available the state control (supervision) body or municipal control body establishes that there exist signs of a breach of the compulsory requirements or of the requirements established by municipal legal acts, then officials of the state control (supervision) body or municipal control body are entitled to carry out a field inspection.

11. While carrying out the document inspection the state control (supervision) body or municipal control body is not entitled to demand that the legal entity or individual entrepreneur provide information and documents that are not related to the subject matter of the document inspection, and also documents that state control (supervision) body or municipal control body can obtain from another state control (supervision) body or municipal control body.

[Federal Law No. 365-FZ of December 27, 2009 amended Part 11 of Article 11 of this Federal Law](#)

Article 12. The Field Inspection

1. The subject matter of a field inspection is the information contained in documents of a legal entity or individual entrepreneur and also the compliance of their employees, the condition of the areas, buildings, installations, premises, equipment, similar facilities and vehicles used by said persons when they pursue activities, the goods manufactured and sold (the work performed, the services provided) by the legal entity or individual entrepreneur with, and the measures taken by them for the observance of, compulsory requirements or of the requirements established by municipal legal acts.

2. A field inspection (both scheduled and off-schedule) shall be carried out at the place where a legal entity is located, at the place of business of an individual entrepreneur and/or at the place where their activities are actually being pursued.

3. A field inspection shall be carried out if a document inspection does not make it possible to:

1) make sure the information contained in a notice of commencement of specific types of entrepreneurial activity and in the other documents of a legal entity or individual entrepreneur held by the state control (supervision) body or municipal control body is full and reliable;

2) assess the compliance of activities of a legal entity or individual entrepreneur with compulsory requirements or of the requirements established by municipal legal acts without the implementation of a relevant [control measure](#).

4. The field inspection shall be commenced by showing a service identity card by officials of the state control (supervision) body or municipal control body, the reading on a compulsory basis of the instructions or order of the head or deputy head of the state control (supervision) body or municipal control body on the field inspection and the familiarisation with the powers of the persons who carry out the field inspection and the goals, the tasks of, and grounds for, the field inspection, the types and scope of control measures, the experts, representatives and expert organisations who are recruited to take part in the field inspection, the term for completion of, and the conditions for performance of, the inspection by the head or another official of the legal entity or individual entrepreneur or an empowered representative thereof.

5. The head, the other official or empowered representative of the legal entity, or the individual entrepreneur, his/her empowered representative shall provide the officials of the state control (supervision) body or of the municipal control body who carry out the field inspection with an opportunity to familiarise themselves with documents relating to the goals, tasks and the subject matter of the field inspection, unless a document inspection has preceded the field inspection, and also to make sure the officials carrying out the field inspection and the experts and representatives of expert organisations taking part in the field inspection have access to the area, to the buildings, houses, installations, and premises used by the legal entity or individual entrepreneur in the pursuance of activities, similar facilities, vehicles and the cargoes carried by them.

6. In course of a field inspection of a legal entity or individual entrepreneur state control (supervision) bodies and municipal control bodies shall recruit experts and expert organisations which are deemed not having civil law relationships or labour relationships with the legal entity or individual entrepreneur that is inspected, and are not affiliated to the entities/persons that are being inspected.

Federal Law No. 365-FZ of December 27, 2009 introduced Part 6 of Article 12 of this Federal Law

Article 13. Inspection Completion Term

1. The term for completion of each of the inspections envisaged by [Articles 11](#) and [12](#) of the present Federal Law shall not exceed 20 business days.

2. In respect of one small business the total term for completing scheduled field inspections shall not exceed 50 hours for a small enterprise, and 15 hours for a micro-enterprise in a year.

Federal Law No. 365-FZ of December 27, 2009 amended Part 2 of Article 13 of this Federal Law

3. In exceptional cases relating to the need for carrying out complex and/or protracted research, testing, special expert examination and investigation on the basis substantiated proposals of officials of the state control (supervision) body or municipal control body which carries out a scheduled field inspection the term for completing the scheduled field inspection may be prolonged by the head of such body by up to 20 business days for small enterprises and by up to 15 hours for micro-enterprises.

4. The term for completion of each of the inspections envisaged by [Articles 11](#) and [12](#) of the present Federal Law in respect of a legal entity pursuing its activities on the territories of several subjects of the Russian Federation shall be established separately for each branch, representative office and autonomous structural subdivision of the legal entity, and the total term for completing the inspections shall not exceed 60 business days.

Federal Law No. 365-FZ of December 27, 2009 amended Part 4 of Article 13 of this Federal Law

Article 13.1. Permanent State Control (supervision) Mode

Federal Law No. 242-FZ of July 18, 2011 introduced Article 13.1 of this Federal Law

1. In regard of legal entities and individual entrepreneurs operating high-risk facilities and exercising technological processes whereat which may pose a threat of infliction of harm to citizens' life and health, to the environment, to the ensuring the security of the state, and to the state and municipal property, as well as a threat of occurrence of natural and man-made emergencies the permanent state control (supervision) mode is established that provides for an opportunity for empowered officials of state control (supervision) bodies to continually stay at high-risk facilities and to implement control measures over safety status as well as the status of ensuring safety at such facilities.

Federal Law No. 22-FZ of March 04, 2013 introduced Part 1 of Article 13.1 of this Federal Law

1.1. The high-risk facilities, which are subject to permanent state control (supervision) mode, are as follows:

1) the hazardous production facilities, class of hazard I;

2) the hydrotechnical constructions, class I (in accordance with the list of classes established by the Government of the Russian Federation);

3) the certain facilities of atomic energy use.

Federal Law No. 22-FZ of March 04, 2013 introduced Part 1.1 of Article 13.1 of this Federal Law

1.2. The list of facilities of atomic energy use, which are subject to permanent state control (supervision) mode, is established the Government of the Russian Federation.

Federal Law No. 22-FZ of March 04, 2013 introduced Part 1.2 of Article 13.1 of this Federal Law

2. The procedure of exercising of permanent state control (supervision) is established the Government of the Russian Federation.

Federal Law No. 22-FZ of March 04, 2013 amended Part 2 of Article 13.1 of this Federal Law

3. Legal entities and individual entrepreneurs, which are subject to permanent state control (supervision) mode, shall provide to the empowered officials of the state control (supervision) bodies unimpeded access to high-risk facilities, documents and instruments of safety control of such facilities.

Article 14. Procedure for Organising an Inspection

1. An inspection shall be carried out under the instructions or at an order of the head or deputy head of a state control (supervision) body or municipal control body. The model form of the instructions or order of the head or deputy head of a state control (supervision) body or municipal control body is established by the federal executive governmental body empowered by the Government of the Russian Federation. The inspection may be carried out only by the official(s) mentioned in the instructions or order of the head or deputy head of the state control (supervision) body or municipal control body.

2. The following shall be indicated in the instructions or order of the head or deputy head of the state control (supervision) body or municipal control body:

1) the name of the state control (supervision) body or municipal control body;

2) the surnames, first names, patronymics and positions of the official(s) empowered to carry out the inspection, and also of those experts and representatives of expert organisations recruited to take part in the inspection;

3) the name of the legal entity or the surname, first name and patronymic of the individual entrepreneur that is inspected, as well as the location of legal entities (and their branches, representative offices and autonomous structural subdivisions) or residency of individual entrepreneurs and actual place of business;

Federal Law No. 242-FZ of July 18, 2011 amended Item 3 of Part 2 of Article 14 of this Federal Law

4) the goals, tasks and subject matter of the inspection and the term for completing the inspection;

5) legal grounds for the inspection, for instance, the compulsory requirements and the requirements established by municipal legal acts subject to inspection;

6) the term for completion and a list of the control measures required to attain the goals and fulfil the tasks of the inspection;

7) a list of administrative rules for exercising state control (supervision) and municipal control;

Federal Law No. 242-FZ of June 18, 2011 amended Item 7 of Article 14 of this Federal Law

8) a list of the documents which are to be submitted by the legal entity or individual entrepreneur for the purpose of attaining the goals and fulfilling the tasks of the inspection;

9) the date of commencement and termination of the inspection.

3. Copies – attested by means of a seal – of the instructions or order of the head or deputy head of the state control (supervision) body or municipal control body shall be delivered against signature by the officials of the state control (supervision) body or municipal control body who are carrying out the inspection to the head, another official or an empowered representative of the legal entity or to the individual entrepreneur or his/her empowered representative simultaneously by showing service identity cards. If the entity/person to be inspected requests so, the officials of the state control (supervision) body or municipal control body shall provide information about those bodies, experts and expert organisations for the purpose of confirming their powers.

Federal Law No. 365-FZ of December 27, 2009 amended Part 3 of Article 14 of this Federal Law

4. At the request of the head or another official or an empowered representative of the legal entity or of the individual entrepreneur or his/her empowered representative, the officials of the state control (supervision) body or municipal control body shall have the entity/person subject to inspection familiarised itself with the administrative rules for implementation of control measures and the procedure for realising these measures on the facilities used by the legal entity or individual entrepreneur in the pursuance of activities.

Article 15. Limitations Effective When the Inspection Is Being Carried Out

While carrying out the inspection, the officials of the state control (supervision) body or municipal control body are not entitled to:

1) verify compliance with compulsory requirements and the requirements established by municipal legal acts, unless such requirements relate to the powers of the state control (supervision) body or municipal control body on whose behalf these officials are acting;

2) carry out a scheduled or off-schedule field inspection if the head, another official or an empowered representative of the legal entity or the individual entrepreneur or his/her empowered representative is not present when it is being conducted, except for the case when such an inspection is carried out on the ground envisaged by Subitem "b" of Item 2 of Part 2 of Article 10 of the present Federal Law;

3) demand the provision of documents, information, product specimens, and samples resulting from a survey of the environment and industrial environment facilities, unless they are the subject matter of the inspection, or are related to the subject matter of the inspection, and also are not entitled to take such original documents;

4) draw product samples and samples resulting from a survey of the environment and industrial environment facilities for the purpose of researching, testing or measuring them, without reports being drawn up on the taking of said specimens and samples according to the established form, and in quantities exceeding the rates established by national standards, rules for taking specimens and samples and the methods used researching, testing and measuring them, technical regulations or other normative technical documents and research, testing and measuring rules and methods effective until the date of their entry into force;

5) disseminate the information which is received as a result of the realisation of the inspection and is deemed state, commercial, service or another law-protected secret, except for the cases envisaged by the legislation of the Russian Federation;

6) fail to honour the term set for the completion of the inspection;

7) issue orders or proposals to legal entities or individual entrepreneurs for the realisation of control measures on their account.

Article 16. Procedure for Completing Formalities in Respect of the Results of the Inspection

1. According to the results of the inspection the officials of the state control (supervision) body or municipal control body who have been carrying out the inspection shall draw up a report in the established form in duplicate. The model form of an inspection report is established by the federal executive governmental body empowered by the Government of the Russian Federation.

2. The following shall be indicated in the inspection report:

1) the date, time and place of the inspection report;
2) the name of the state control (supervision) body or municipal control body;
3) the date and number of the instructions or order of the head or deputy head of the state control (supervision) body or municipal control body;

4) the surnames, first names, patronymics and positions of the official(s) who has/have carried out the inspection;

5) the name of the inspected legal entity or the surname, first name and patronymic of the inspected individual entrepreneur, and also the surname, first name, patronymic and position of the head or other official or the empowered representative of the legal entity or of the empowered representative of the individual entrepreneur who were present when the inspection was being carried out;

6) the date, time, duration and place of the inspection;

7) information on the results of the inspection, for instance on the breaches of compulsory requirements and of the requirements established by municipal legal acts discovered, on the nature thereof, and on the persons who have let them occur;

8) information to the effect that the head or another official or the empowered representative of the legal entity or the individual entrepreneur or the empowered representative who were present when the inspection was being carried out have read the inspection report or have refused to read it, that they have put their signatures or refused to sign, and also that an entry about the inspection completed has been entered in the log book of inspections or that such entry could not be made because the legal entity or individual entrepreneur has no such log book;

9) the signature(s) of the official(s) who has/have carried out the inspection.

3. Attached to the inspection report shall be reports on the taking of product specimens, samples resulting from a survey of the environment and industrial environment facilities, reports or statements on completed research, testing and expert examination, explanations by the employees of the legal entity or the employees of the individual entrepreneur who are charged with being at fault for breach of compulsory requirements or the requirements established by municipal legal acts, orders for elimination of irregularities discovered and other documents or copies thereof relating to the results of the inspection.

4. An inspection report shall be drawn up immediately upon the completion of the inspection in duplicate, one copy together with copies of annexes being delivered to the head or another official or an empowered representative of the legal entity or to the individual entrepreneur or his/her empowered representative against signature acknowledging that the inspection report has been read or that there was a refusal to read it. If the head or another official or an empowered representative of the legal entity or the individual entrepreneur or his/her empowered representative is absent and also if the inspected entity/person refused to sign to acknowledge that the inspection report had been read or that there was a refusal to read it, the report shall be sent by registered post with a notice of delivery, which shall be attached to the copy of the inspection report kept in the file of the state control (supervision) body or municipal control body.

5. If for the purpose of drawing up the inspection report it is necessary to obtain a statement on the results of completed research, testing, special investigation or expert examination, the inspection report shall be drawn up within three business days after the completion of control measures, and it shall be delivered to the head or other official or the empowered representative of the legal entity or to the individual entrepreneur or his/her empowered representative against signature or sent by registered post with a notice of delivery, which shall be attached to the copy of the inspection report kept in the file of the state control (supervision) body or municipal control body.

6. If for the purpose of carrying out the off-schedule field inspection it is necessary to seek approval for it from a prosecutor's office then a copy of the inspection report shall be sent to the prosecutor's office, which has taken the decision on the grant of approval to the inspection, this being done within five business days after the date of the inspection report.

7. Formalities in respect of the results of the inspection that contain information deemed [state, commercial](#), service or another secret shall be completed in the observance of the requirements envisaged by the legislation of the Russian Federation.

8. Legal entities and individual entrepreneurs shall keep a log book of inspections according to the model form established by the federal executive governmental body empowered by the Government of the Russian Federation.

9. In the log book of inspections, officials of the state control (supervision) body or municipal control body shall make a record of the inspection completed as containing information on the name of the state control (supervision) body or the name of the municipal control body, the dates of commencement and termination of the inspection, the duration thereof, the legal grounds for, the goals, tasks and the subject matter of, the inspection, the irregularities discovered and orders issued, and also the surnames, first names, patronymics and positions of the official(s) carrying out the inspection and his/her/their signatures.

10. The log book of inspections shall be rope-bound, page-numbered and attested by the seal of the legal entity or individual entrepreneur.

11. If no log book of inspection is available, an entry to this effect shall be made in the inspection report.

12. If the legal entity or individual entrepreneur that has been inspected disagrees with the facts, conclusions and proposals set out in the inspection report, or with an issued order for elimination of the irregularities discovered, it is entitled within 15 days after the date of receipt of the inspection report to submit objections in writing to the relevant state control (supervision) body or municipal control body to the inspection report and/or to the issued order for elimination of the irregularities discovered as a whole or as a part thereof. As this is being done, the legal entity or individual entrepreneur is entitled to attach to the objections documents confirming the existence of a good reason for such objections or attested copies thereof or to hand them over to the state control (supervision) body or municipal control body within a term agreed upon.

Article 17. The Measures Taken by Officials of the State Control (Supervision) Body or Municipal Control Body in Respect of the Committed Infringements Discovered as a Result of the Inspection

1. If in the course of the inspection it is discovered that the legal entity or individual entrepreneur is in breach of compulsory requirements or the requirements established by municipal legal acts, then the officials of the state control (supervision) body or municipal control body who have carried out the inspection shall do the following within the limits of the powers envisaged by the legislation of the Russian Federation:

1) issuing an order for elimination of the irregularities discovered to the legal entity or individual entrepreneur as including a term for the elimination thereof and/or for carrying out measures on prevention the infliction of harm to citizens' life and health, harm to animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation, the security of the state, the damage to property of citizens, legal entities, and also state and municipal property, the occurrence of natural and man-made emergencies and other measures envisaged by the federal laws;

[Federal Laws No. 242-FZ of July 18, 2011 and No. 93-FZ of June 25, 2012 amended Item 1 of Part 1 of Article 17 of this Federal Law](#)

2) taking measures for exercising control over the elimination and prevention of the irregularities discovered, the prevention of the possible infliction of harm to citizens' life and health, harm to animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation, the ensuring the security of the state, the prevention of occurrence of natural and man-made emergencies and also measures for holding accountable the persons at fault for the irregularities discovered.

[Federal Law No. 93-FZ of June 25, 2012 amended Item 2 of Part 1 of Article 17 of this Federal Law](#)

2. If it is established in the course of the inspection that the activities of the legal entity, its branch, representative office, structural unit or of the individual entrepreneur, their use of buildings, houses, installations, premises, equipment and similar facilities and vehicles, the goods manufactured and sold by them (the works performed by them and the services provided by them) pose an immediate threat to inflicting harm to citizens' life and health, harm to animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation, the security of the state, of the occurrence of natural and man-made emergencies or that such harm has been inflicted, then the state control (supervision) body or municipal control body shall immediately take measures for preventing the infliction of harm or for stopping the infliction thereof to the degree of a temporary ban on the activities of the legal entity, its branch, representative office or structural unit or of the individual entrepreneur in the procedure established by the [Code](#) of Administrative Offences of the Russian Federation, the recall of a product that is dangerous for citizens' life and health and for the environment from circulation and shall inform citizens and also other legal entities and individual entrepreneurs by any

means available about the existence of the threat of infliction of harm and about the methods whereby it can be prevented.

Federal Law No. 93-FZ of June 25, 2012 amended Part 2 of Article 17 of this Federal Law

Article 18. The Duties of Officials of the State Control (Supervision) Body or Municipal Control Body When the Inspection Is Under Way

While carrying out the inspection officials of the state control (supervision) body or municipal control body shall:

1) exercise timely and fully the powers granted under the legislation of the Russian Federation in terms of preventing, revealing and stopping a breach of compulsory requirements and the requirements established by municipal legal acts;

2) observe the legislation of the Russian Federation, the rights and lawful interests of the legal entity and individual entrepreneur in respect of which the inspection is being carried out;

3) carry out the inspection under the instructions or the orders on the inspection issued by the head or deputy head of the state control (supervision) body or municipal control body in accordance with the intended purpose thereof;

4) carry out the inspection only within the hours of execution of service duties, carry out the field inspection only with a show of service identity cards, a copy of the instructions or the order of the head or deputy head of the state control (supervision) body or municipal control body, and in the case envisaged by [Part 5 of Article 10](#) of the present Federal Law, a copy of a document on approval of the inspection;

5) abstain from obstructing the presence of the head or another official or an empowered representative of the legal entity or the presence of the individual entrepreneur or his/her empowered representative when the inspection is being carried out, and shall provide explanations on issues relating to the subject matter of the inspection;

6) provide to the head or another official or the empowered representative of the legal entity or to the individual entrepreneur or his/her empowered representative who is present when the inspection is being carried out with information and documents concerning the subject matter of the inspection;

7) have the head or other official or the empowered representative of the legal entity or have the individual entrepreneur or his/her empowered representative familiarise himself/herself with the results of the inspection;

8) do the following while determining the measures taken on the facts of irregularities discovered: taking into account the correspondence of said measures with the degree of gravity of infringements, their potential danger for human life and health, for animals, plants, the environment, objects of cultural heritage (historical and cultural monuments) of the People of the Russian Federation and the security of the state, for the occurrence of natural and man-made emergencies, and also shall not allow an ungrounded limitation on the rights and lawful interests of citizens, legal entities and individual entrepreneurs;

Federal Laws No. 242-FZ of July 18, 2011 and No. 93-FZ of June 25, 2012 amended Item 8 of Article 18 of this Federal Law

9) prove the availability of a good reason for their actions when appeal is taken from them by legal entities and individual entrepreneurs in the procedure established by the legislation of the Russian Federation;

10) observe the term for completion of the inspection set by the present Federal Law;

11) not demand that the legal entity or individual entrepreneur provide the documents and other information for the submission of which no provision is available in the legislation of the Russian Federation;

12) do the following before the commencement of the field inspection if the head or another official or an empowered representative of the legal entity or if the individual entrepreneur or his/her empowered representative so requests: having him/her to familiarise himself/herself with provisions of the administrative rules (if any) under which the inspection is carried out;

13) make an entry on the inspection completed in the log book of inspections.

Article 19. The Accountability of the State Control (Supervision) Body or Municipal Control Body and of the Officials Thereof in the Event of the Inspection

1. In the event of inappropriate performance of functions and service duties, or the commission of illegal actions (omissions) in the course of the inspection, respectively the state control (supervision) body or municipal control body and the officials thereof are accountable in accordance with the legislation of the Russian Federation.

2. State control (supervision) bodies and municipal control bodies shall exercise control over the execution of service duties by the officials of the relevant bodies, keep record of cases of inappropriate

execution of service duties by officials, carry out a relevant in-house investigation, and take measures in respect of such officials in accordance with the legislation of the Russian Federation.

3. About the measures taken in respect of officials at fault for breach of the legislation of the Russian Federation information shall be provided in writing by the state control (supervision) body or municipal control body within ten days after the date of these measures to the legal entity or individual entrepreneur whose rights and/or lawful interests have been infringed upon.

Article 20. The Invalidity of the Results of an Inspection That Has Been Performed with a Blatant Breach of the Provisions of the Present Federal Law

1. The results of an inspection carried out by a state control (supervision) body or municipal control body with a blatant violation of the requirements established by the present Federal Law as applicable to the organisation and performance of inspections shall not serve as evidence of a legal entity's or individual entrepreneur's being in breach of compulsory requirements and the requirements established by municipal legal acts and shall be overturned by a higher state control (supervision) body or by a court on the basis of an application of the legal entity or individual entrepreneur.

2. "Blatant breach" means a breach of the provisions set out in:

1) [Parts 2 and 3](#) (in as much as it concerns the lack of ground for a scheduled inspection), [Part 12 of Article 9](#) and [Part 16](#) (in as much as it concerns the term for notification of a forthcoming inspection) of Article 10 of the present Federal Law;

1.1) Item 7 of Article 2 of the present Federal Law (in as much as it concerns recruiting non-accredited in the established procedure individuals and organisations for participation in control measures);

[Federal Law No. 365-FZ of December 27, 2009 introduced Item 1.1 of Part 2 of Article 20 of this Federal Law](#)

2) [Item 2 of Part 2, Part 3](#) (in as much as it concerns grounds for an off-schedule field inspection), [Part 5](#) (in as much as it concerns approval from a prosecutor's office for an off-schedule field inspection in respect of a legal entity and individual entrepreneur) of Article 10 of the present Federal Law;

[Federal Law No. 365-FZ of December 27, 2009 amended Item 2 of Part 2 of Article 20 of this Federal Law](#)

3) [Part 2 of Article 13](#) of the present Federal Law (in as much as it concerns a breach of the term for, and the duration of, scheduled field inspections in respect of small businesses);

[Federal Law No. 365-FZ of December 27, 2009 amended Item 3 of Part 2 of Article 20 of this Federal Law](#)

4) [Part 1 of Article 14](#) of the present Federal Law (in as much as it concerns the performance of an inspection without instructions or an order of the head or a deputy head of a state control (supervision) body or municipal control body);

5) [Item 3](#) (in as much as it concerns demand for documents which are not related to the subject matter of the inspection), [Item 6](#) (in as much as it concerns the non-observance of the term set for completion of inspections) of Article 15 of the present Federal Law;

6) [Part 4 of Article 16](#) of the present Federal Law (in as much as it concerns the non-presentation of an inspection report).

7) Part 3 of Article 9 of the present Federal Law (in as much as it concerns carrying out a scheduled inspection not included into the annual plan of the planned inspections);

[Federal Law No. 365-FZ of December 27, 2009 amended Item 7 of Part 2 of Article 20 of this Federal Law](#)

8) Part 6 of Article 12 of the present Federal Law (in as much as it concerns the inspections with the participation of experts and expert organisations having civil law relationships or labour relationships with legal entities and individual entrepreneurs that are inspected).

[Federal Law No. 365-FZ of December 27, 2009 introduced Item 8 of Part 2 of Article 20 of this Federal Law](#)

Chapter 3. The Rights of Legal Entities and Individual Entrepreneurs During State Control (Supervision) or Municipal Control and the Protection of Their Rights

Article 21. The Rights of a Legal Entity and Individual Entrepreneur During an Inspection

During an inspection, the head or another official or an empowered representative of a legal entity and an individual entrepreneur or his/her empowered representative is entitled to:

1) be present in person when the inspection is under way and to provide explanations on issues related to the subject matter of the inspection;

2) receive from the state control (supervision) body or municipal control body information which is related to the subject matter of the inspection and the provision of which is envisaged by the present Federal Law;

3) familiarise himself/herself with the results of the inspection and indicate in the inspection report that he/she has familiarised himself/herself with the results of the inspection, agrees or disagrees with them, and also with specific actions of officials of the state control (supervision) body or of the municipal control body;

4) take appeal in the administrative procedure and/or in court in accordance with the legislation of the Russian Federation from the actions (omissions) of officials of the state control (supervision) body or of the municipal control body that have caused an infringement of the rights of the legal entity or individual entrepreneur in the course of the inspection.

5) engage Commissioner for Entrepreneurs' Rights under the President of the Russian Federation or Commissioner for Entrepreneurs' Rights within the subject of the Russian Federation to take part in the inspection.

Federal Law No. 294-FZ of November 2, 2013 introduced Item 5 of Article 21 of this Federal Law

Article 22. Legal Entities' and Individual Entrepreneurs' Right to a Compensation for Harm Inflicted in the Course of State Control (Supervision) or Municipal Control

1. The harm inflicted on legal entities or individual entrepreneurs as a result of the actions (omissions) of officials of a state control (supervision) body or municipal control body which are deemed wrongful in the procedure established by the legislation of the Russian Federation is subject to compensation, including loss of profit (non-received earnings) with funds of relevant budgets in accordance with the [civil legislation](#).

2. While assessing the amount of harm inflicted on legal entities or individual entrepreneurs by wrongful actions (omissions) of the state control (supervision) body or municipal control body and its officials one shall also take into account the legal entities' or individuals' expenses posted as the cost of products (works, services) or as the financial results of their activities, and the costs which have been incurred or were to be incurred by the legal entities or individual entrepreneurs whose rights and/or lawful interests were infringed upon for the purpose of obtaining legal or other professional aid.

3. Harm inflicted on legal entities or individual entrepreneurs by wrongful actions of officials of a state control (supervision) body or municipal control body are not subject to compensation, except for the cases envisaged by federal laws.

Article 23. Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) and Municipal Control

1. The rights of legal entities and individual entrepreneurs in the course of [state control \(supervision\)](#) and [municipal control](#) are protected in the administrative procedure and/or in court in accordance with the legislation of the Russian Federation.

2. An application appealing actions (omissions) of a state control (supervision) body or municipal control body or of officials thereof is subject to consideration in the procedure established by the legislation of the Russian Federation.

3. The normative legal acts of state control (supervision) bodies or municipal legal acts of municipal control bodies which infringe on the rights and/or lawful interests of legal entities or individual entrepreneurs and are not consistent with the legislation of the Russian Federation may be deemed invalid in full or in part in the procedure established by the legislation of the Russian Federation.

Article 24. The Public Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) and Municipal Control

1. Legal entities, irrespective of the organisational legal form thereof, in accordance with charter documents, and individual entrepreneurs, are entitled to protect their rights and/or lawful interests in the procedure established by the legislation of the Russian Federation.

2. Associations of legal entities and individual entrepreneurs as well as self-regulating organisations are entitled to:

1) apply to prosecutor's offices asking for the lodging of a protest against normative legal acts, which are inconsistent with the law and serve as a basis for inspecting legal entities and individual entrepreneurs;

2) apply to the court claiming protection for the rights and/or lawful interests of the legal entities and individual entrepreneurs being members of said associations or self-regulating organisations which have been infringed upon in the course of [state control \(supervision\)](#) or [municipal control](#).

Article 25. The Accountability of Legal Entities and Individual Entrepreneurs for Violation of the Present Federal Law

1. During inspections, legal entities shall ensure the presence of the heads, other officials or empowered representatives of the legal entities; individual entrepreneurs shall be present or ensure the presence of empowered representatives responsible for the organisation and realisation of measures for the observance of compulsory requirements and the requirements established by municipal legal acts.

2. Legal entities, their heads, other officials or empowered representatives of the legal entities and individual entrepreneurs and their empowered representatives which are in breach of the present Federal Law, obstruct without a good reason the realisation of inspections, evade inspections and/or default on performance within the established term orders of state control (supervision) bodies or municipal control bodies for elimination of a discovered breach of compulsory requirements or the requirements established by municipal legal acts shall be held accountable in accordance with the legislation of the Russian Federation.

Chapter 4. Conclusive Provisions

Article 26. On Deeming as No Longer Effective Certain Legislative Acts (Provisions of Legislative Acts) of the Russian Federation

The following shall be deemed no longer effective:

1) [Federal Law](#) No. 134-FZ of August 8, 2001 on the Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 3436, No. 33, 2001);

2) [Federal Law](#) No. 132-FZ of October 30, 2002 on Amending Article 1 of the Federal Law on the Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 4297, No. 44, 2002);

3) [Item 2 of Article 33](#) of Federal Law No. 17-FZ of January 10, 2003 on Railway Transport in the Russian Federation (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 169, No. 2, 2003);

4) [Federal Law](#) No. 129-FZ of October 1, 2003 on Amending Article 7 of the Federal Law on the Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 3820, No. 40, 2003);

5) [Article 2](#) of Federal Law No. 80-FZ of July 2, 2005 on Amending the Federal Law on Licensing Specific Types of Activity, the Federal Law on the Protection of Legal Entities' and Individual Entrepreneurs' Rights in the Course of State Control (Supervision) and the Code of Administrative Offences of the Russian Federation (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 2719, No. 27, 2005);

6) [Article 3](#) of Federal Law No. 206-FZ of December 31, 2005 on Amending the Federal Law on Putting into Force the Town Planning Code of the Russian Federation and Some Other Legislative Acts of the Russian Federation Concerning Issues of Town Planning Activity Improvement (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 17, No. 1, 2006).

Article 27. The Entry into Force of the Present Federal Law

1. This Federal Law shall enter into force from May 1, 2009, except for the provisions for which this Article stipulates other terms for their entry into force.

[Federal Law](#) No. 60-FZ of April 28, 2009 amended Part 1 of Article 27 of this Federal Law

1.1. [Item 6 of Article 3](#), [Article 8](#), [Item 3 of Part 8 of Article 9](#), [Item 1 of Part 3 of Article 12](#) of this Federal Law shall enter into force from July 1, 2009.

[Federal Law](#) No. 60-FZ of April 28, 2009 introduced Part 1.1 of Article 27 of this Federal Law

1.2. [Part 1 of Article 9](#) of this Federal Law concerning the conformity of the information in the notification about the commencement of the carrying out of certain types of business activity to the obligatory requirements and [Part 3 of Article 11](#) of this Federal Law concerning the consideration of the notification about the commencement of the carrying out of certain types of business activity, shall be applicable from July 1, 2009.

[Federal Law](#) No. 60-FZ of April 28, 2009 introduced Part 1.2 of Article 27 of this Federal Law

1.3. The provisions of this Federal Law with respect to experts and expert organisations accredited in the [procedure](#) established by the Government of the Russian Federation shall be applicable from July 1, 2009.

[Federal Law](#) No. 60-FZ of April 28, 2009 introduced Part 1.3 of Article 27 of this Federal Law

2. [Parts 6](#) and [7 of Article 9](#) of the present Federal Law shall enter into force from January 1, 2010.

2.1. The provisions of this Federal Law shall not be applicable for the exercising of state control (supervision) over the activity of bankruptcy trustees until December 31, 2009 inclusive.

Federal Law No. 60-FZ of April 28, 2009 introduced Part 2.1 of Article 27 of this Federal Law

3. The normative legal acts effective on the territory of the Russian Federation shall be applicable in as much as they are consistent with the present Federal Law from the date of entry into force of the present Federal Law until the date on which they are brought in line with the present Federal Law.

4. From January 1, 2011 legal entities and individual entrepreneurs shall be entitled to send notices of commencement of entrepreneurial activity to the federal executive governmental body in the relevant field in the form of an electronic document signed by means of an enhanced encrypted and certified digital signature, in the procedure established by the Government of the Russian Federation.

Federal Law No. 33-FZ of March 12, 2014 amended Part 4 of Article 27 of this Federal Law

5. Until July 1, 2010 the provisions of this Federal Law establishing the procedure for the organisation and conduct of the verifications in the part concerning the type, subject and grounds for verifications and their conduct, shall not be applicable in the exercising of state control (supervision) indicated in Part 4 of Article 1 of this Federal Law.

Federal Laws No. 60-FZ of April 28, 2009, No. 365-FZ of December 27, 2009 and No. 408-FZ of December 28, 2010 amended Part 4 of Article 27 of this Federal Law

6. Until July 1, 2014 on the territory of municipal formation "Sochi urban resort" the provisions of the present Federal Law establishing the procedure of organisation and carrying out of inspections in as much as it concerns the form of, the subject-matter of, the grounds for, duration and frequency of inspections are not applicable to when the state control (supervision) or municipal control is being exercised over the provision of hotel services, temporary accommodation and part-time residence services, over ensuring their compliance with the classification of hotels, and/or other accommodation means; over exercising monitoring of adherence to treaties on arranging of guests accommodation of XXII Olympic Winter Games and XI Paralympic Winter Games of 2014 in Sochi between proprietors of hotels and other accommodation means and the autonomous non-commercial organisation "Organizing Committee of the XXII Olympic Winter Games and XI Paralympic Winter Games of 2014 in Sochi"; over compliance with the requirements concerning land-use and development of municipal formation "Sochi urban resort", requirements for special use of the areas within the boundaries of the land of special architectural and space-planning design; over observance of fire-protection requirements, health and disease control requirements, hygienic requirements, construction requirements, and legal requirements for customer protection of Russian Federation.

Federal Law No. 242-FZ of July 30, 2010 amended Part 6 of Article 27 of this Federal Law

President of the Russian Federation

D.Medvedev

The Kremlin, Moscow
December 26, 2008
No. 294-FZ