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Federal Law on Administrative Procedures and Administrative Acts of the Russian Federation

Chapter 1: General provisions

Article 1. The scope of the Federal Law

1. This Federal Law regulates the relations in the implementation of administrative procedures by administrative bodies and officials for the adoption and execution of administrative acts, establishes the principles and general rules of administrative procedures, administrative acts, the procedure for appealing administrative acts, as well as inaction of administrative bodies and officials, administrative expenses, responsibility of administrative bodies and officials for violating the requirements of this Federal Law.

2. The effect of Chapters 2, 3, 9 of this Federal Law extends to any activity of administrative bodies and officials in the sphere of public legal relations, regardless of the adoption of administrative acts.

3. The effect of Chapters 4 to 9 of this Federal Law extends to such actions of administrative bodies and officials which lead to the adoption of an administrative act.

4. The effect of Chapters 6 to 9 of this Federal Law extends also to inaction of administrative bodies and officials.

5. The effect of this Federal Law does not apply to:

- 1) relations connected with the review of cases on administrative offences;
- 2) relations regulated by the criminal procedural, civil procedural, arbitration procedural legislation and the Administrative Court Procedure Code of the Russian Federation;
- 3) relations regulated by the legislation on investigative activities;
- 4) civil-law relations, unless otherwise provided by the Civil Code of the Russian Federation and this Federal Law;
- 5) relations regulated by the legislation on elections and referendum;
- 6) strategic planning relations;
- 7) relations related to the performance of notarial actions;
- 8) relations related to the execution of judicial acts;
- 9) relations regulated by the labor legislation, legislation on public and municipal service;
- 10) relations regulated by the budgetary and banking legislation;
- 11) relationships regulated by the bankruptcy legislation;
- 12) relations connected with the preparation, adoption and publication of regulatory legal acts;
- 13) relations connected with the preparation and adoption of individual legal acts that do not entail legal consequences for individuals and legal entities or other subjects of law that are not organizationally subordinated to an administrative body or an official;
- 14) relations connected with the consideration of proposals of individuals and legal entities, regulated by the legislation on the procedure for considering public appeals.

6. The application of this Federal Law during the period of a military, emergency situation, the regime of a counter-terrorist operation, other special legal regimes is determined by the legislation on the relevant special legal regimes.

Article 2. Legislation on administrative procedures and administrative acts

1. Legislation on administrative procedures and administrative acts consists of the Constitution of the Russian Federation, generally recognized principles and norms of international law and international treaties of the Russian Federation, this Federal Law, other federal laws adopted on its basis, decrees of the President of the Russian Federation, resolutions of the Government of the Russian Federation, regulatory legal acts of the federal bodies of state power, laws of the constituent territories of the Russian Federation, normative legal acts of local self-government bodies.

2. Normative legal acts governing relations regarded to administrative procedures and administrative acts can not detract from the legal guarantees of individuals and legal entities established by this Federal Law, unless otherwise is expressly provided for by this Federal Law.

3. The provisions of this Federal Law shall be directly applicable until the adoption of special laws of the constituent territories of the Russian Federation and regulatory legal acts of local self-government bodies on administrative procedures and administrative acts to the administrative procedures for the adoption and enforcement of administrative acts of governmental authorities of the constituent territories of the Russian Federation and local self-government bodies.

4. Federal laws may establish special types of administrative procedures in certain sectors and spheres of government.

Article 3. Basic concepts used in this Federal Law

1. The following basic concepts are used in this Federal Law:

1) administrative procedure is an activity of administrative bodies, officials for the adoption, execution, modification or cancellation of administrative acts on the grounds of an application of individuals or legal entities or on their own initiative, as well as activity to review administrative complaints carried out in accordance with this Federal Law;

2) administrative complaint is the application of an addressee of an administrative act, an interested person to an administrative authority in connection with an administrative act, refusal

to adopt an administrative act or inaction of an administrative body, an official with the purpose of protecting his rights and interests protected by law;

3) administrative case is a totality of documents and materials that fix the procedure for the preparation, review and adoption of an administrative act by an administrative body, an official on the ground of applications of individuals or legal entities or on its own initiative;

4) administrative act is a legal act adopted by an administrative body, an official following the results of an administrative procedure in accordance with this Federal Law on a particular case that generates legal consequences for a certain person or an individually defined circle of persons;

5) administrative body is a body of state power, a body of local self-government, as well as organizations (including multifunctional centers) that are authorized in accordance with the law to carry out administrative procedures;

6) the addressee of an administrative act is a person who applied to an administrative authority, to an official for the adoption of an administrative act (the applicant), or the person against whom the administrative body, the official which on its own initiative has accepted or intends to adopt an administrative act;

7) favorable administrative act is an administrative act that confirms the right that provides an addressee new rights or abolishes the duty imposed on him, and also improves his situation in another way;

8) discretionary power (discretion) is an ability to accept or not accept an administrative act or to choose a certain version of the decision, its type and content in accordance with the law which is granted to administrative bodies and officials by the legislation;

9) official is a person that acts as a representative of a public authority or performs administrative-economic, organizational-administrative functions in administrative bodies permanently, temporarily or by special power;

10) person concerned is a person who is not the addressee of an administrative act, whose rights or interests protected by law have been affected or may be affected as a result of the adoption of an administrative act;

11) application is a request of an individual or legal entity to an administrative body, to an official with the purpose of adopting an administrative act;

12) burdening administrative act is an administrative act that refuses an addressee to get the right, deprives or restricts his right or imposes a certain duty on him, and also worsens his situation in any other way.

Article 4. Calculation of time limits

1. The term is determined by a calendar date or an indication of an event that must inevitably occur. The term can also be set as a period of time that is calculated by years, months, weeks, days (calendar or working) or hours.
2. A term that is calculated by years starts from the calendar date or from the date of an event, by which its beginning is determined, and expires in the respective month and date of the last year of the term. If the end of the term falls on a month in which there is no corresponding date, then the deadline goes to the last day of this month.
3. A term that is calculated by months starts from the calendar date or from the date of the occurrence of the event, by which its beginning is determined, and expires on the corresponding day (date) of the last month of the term. If the end of the term falls on a month in which there is no corresponding date, then the deadline goes to the last day of this month.
4. A term that is calculated by weeks starts from the calendar date or from the date of the event, by which its beginning is determined, and expires on the corresponding day of the last week of the term.
5. A term that is calculated by days starts from the calendar date or from the date of the event, by which its beginning is determined, and expires on the last day of the established period. If the last day of the term falls on a non-working day, the expiration day is considered to be the following business day.
6. A term that is calculated by hours starts from the first minute of the event, which defines its beginning, and expires at the last minute of the established period

Chapter 2. Principles of administrative procedures

Article 5. Principle of proportionality

Measures for any restriction of the rights and freedoms of individuals or legal entities should be directed to the goals established by the Constitution of the Russian Federation and federal laws and should be appropriate, necessary, reasonable and proportionate to achieve such goals, taking into account their content, place, time and range of persons affected.

Article 6. Principle of prohibition of formal requirements abuse

1. An administrative body or an official is prohibited to burden individuals or legal entities with duties, refuse to grant them any right with just one purpose to satisfy formal requirements, including internal organizational rules, if an administrative case may be considered without observing them, with the exception of cases directly stipulated by law.

2. Unless otherwise stipulated by law, non-compliance or improper adherence of formal requirements by participants in an administrative procedure cannot serve as grounds for refusal to issue an administrative act required by an administrative authority or an official.

3. An administrative body or official cannot refuse to accept documents provided by individuals or legal persons, in connection with the obvious and correctable formal mistakes made in them.

Article 7. Presumption of reliability

1. Documents and other information on the actual circumstances given by participants in an administrative procedure and considered by an administrative body or official (hereinafter referred to as documents and other information) are deemed reliable until the administrative body or official establishes otherwise.

2. It is prohibited to demand participants of an administrative procedure to provide documents or additional information, except in cases directly stipulated by law.

3. If there are reasonable doubts concerning the authenticity of documents or other information provided by the parties to an administrative procedure, the administrative body or official must independently and at his own expense verify the authenticity of such documents and information.

4. Participants to an administrative procedure shall bear responsibility provided for by the legislation of the Russian Federation for provision of deliberately false documents and information to administrative bodies and officials.

Article 8. Principle of uniform application of law

1. Administrative bodies and officials are obliged to exercise an equal approach to the same factual circumstances and an individual approach to substantially different factual circumstances.

2. An administrative body or official is prohibited to adopt different administrative acts on the same significant factual circumstances.

3. An administrative body or official is prohibited to take the same administrative acts on various significant factual circumstances.

4. When performing their discretionary powers (discretion) by an administrative body or official in one way, later they are obliged to exercise their discretionary powers in a similar manner.

5. An administrative body or official has the right to refuse from the practice specified in parts 1 to 4 of this article, only because of the emergence of circumstances that are essential for the proper consideration and resolution of an administrative case.

Article 9. Principle of protection of reliance

1. The confidence of individuals or legal entities in the practice of administrative bodies and officials is protected by law.

2. Administrative acts are presumed to be lawful and justified.

3. Losses incurred by bona fide individuals as a result of cancellation of administrative acts are subject to reimbursement according to the rules of Chapters 5 and 9 of this Federal Law and in accordance with the civil legislation of the Russian Federation.

4. The right to reliance cannot serve as justification of illegal actions.

5. A person that abuses reliance in an administrative process may be refused meeting its demands and protection its right.

Article 10. Principle of coverage of a smaller by a larger

1. An administrative body or official shall not be entitled to demand the participants to an administrative procedure to commit acts that have already been committed by them in the framework of other actions.

2. If documents (information) submitted to an administrative body or official confirm the content of other necessary documents (information), the latter cannot be additionally claimed.

3. If a permit provided by an administrative body or official meaningfully includes other permits, the latter are presumed as already given.

Article 11. The procedure for exercising discretionary powers (discretion)

1. An administrative body or official shall be obliged to exercise their discretionary powers within the limits established by law.

2. Administrative acts adopted within the framework of discretionary powers shall correspond to the purpose of such powers.

3. During exercising discretionary powers, administrative acts aimed at unreasonable restricting the rights, freedoms and legal interests of individuals or legal entities cannot be taken.

Article 12. Application of other principles of law

The system of principles of administrative procedures provided for in this chapter is not exhaustive and cannot be regarded as a denial or derogation of other generally recognized principles of law, as well as guarantees of the rights, freedoms and legitimate interests of individuals or legal entities, including the principles of legality, equality of all before the law and the court, the priority of rights and freedoms of individuals and legal entities.

Chapter 3. Basic rules of administrative procedures

Article 13. Jurisdiction over administrative cases

1. Administrative cases are considered by relevant administrative authorities, officials in accordance with the competence set by the legislation of the Russian Federation.

2. An administrative body or official has to on its own verify its competence to resolve issues specified in the application of an individual or legal entity.

3. If an administrative body or official has determined that the resolving of the issue does not fall within its competence, it refuses to consider the administrative case and within three working days forwards the application and other materials of the administrative case to a competent administrative authority, an official and notifies in writing the applicant and interested persons.

4. Conclusion of agreements on determining jurisdiction is not allowed.

5. Disputes about jurisdiction are not allowed. In the event of a jurisdiction change in the course of an administrative procedure due to new circumstances, the administrative body or official that began the consideration of the case in the interests of the participants may continue the administrative procedure with the written consent of the participants and the administrative body or official authorized to adopt an administrative act with account of the changed circumstances.

Article 14. The duty of mutual assistance (collaboration) of administrative bodies and officials

1. Administrative bodies and officials in the implementation of administrative procedures are obliged, within their competence, to provide mutual assistance (collaboration). Mutual assistance is carried out at the request of administrative bodies or officials.

2. In the event when several administrative bodies or officials may provide assistance the requesting administrative body or official has to resort to those administrative bodies or officials who in its opinion can provide the necessary mutual assistance in the most effective way and in a shorter period.

3. If the exercise of requested mutual assistance is not within the competence of a requested administrative body or official, the latter is obliged to forward the request to a competent administrative body or official.

Article 15. The terms of mutual assistance of administrative bodies and officials.

Administrative body or official resort to mutual assistance in case of:

- 1) inability to perform any action independently;
- 2) availability of documents and information necessary for the resolution of a particular issue in the possession of other administrative bodies or officials.

Article 16. Grounds for refusing to provide mutual assistance

1. An administrative body or official shall be obliged to refuse to provide mutual assistance if:

- 1) the implementation of the requested measures is contrary to law;
- 2) the implementation of the requested measures is not within their competence;
- 3) the requested documents and information refer to the secret protected by law and their provision to the requesting administrative body or official is prohibited by law.

2. A requested administrative body or official may refuse to provide mutual assistance if:

1) other administrative bodies or officials may provide mutual assistance with substantially less costs;

2) the provision of the mutual assistance significantly impedes the exercise of its own powers.

3. A requested administrative body or official must not refuse to provide mutual assistance on grounds not provided for in the parts 1 and 2 of this article.

4. In the event of refusal to provide mutual assistance on the grounds provided for in the parts 1 and 2 of this article, the requested administrative body or official must notify the requesting administrative authority or official. The requesting body or official has the right to challenge such refusal at the administrative body (applying to the official) that is superior to the requested administrative authority (official).

The superior administrative body (official) within three working days from the date of receipt of the necessary documents takes the final decision on the dispute on the refusal to provide mutual assistance. If the refusal is declared unreasonable, the superior administrative body (official) instructs the requested administrative body or official to render immediate mutual assistance.

Article 17. Rendering of mutual assistance between administrative bodies and officials of the states-members of the Eurasian Economic Union

Rendering of mutual assistance between administrative bodies and officials of the states-member of the Eurasian Economic Union is carried out according to the rules established by international treaties ratified by the Russian Federation.

Article 18. Certification of documents copies

1. An administrative body or official shall certify copies of administrative acts, other documents provided, except for cases when the law provides otherwise. Certification is carried out when there is the original of a certified administrative act or other document.

2. Copies of administrative acts and other documents are not subject to certification if their integrity has been violated or the true content of documents has been changed.

3. Certification is carried out by affixing on each page of a certified copy of the seal of the administrative authority, the signature of the official, and also by inscription on the last page, which should contain the following information:

- 1) the exact name of the document the copy of which is under certification;
- 2) confirmation of the correspondence of the copy of the document to the original.

Article 19. Participants to an administrative procedure

1. The participants to an administrative procedure are:

- 1) the addressee of an administrative act;
- 2) the administrative body that is considering an administrative case;
- 3) interested persons involved by an administrative body or official to the administrative procedure as participants.

2. Interested persons are involved to the administrative procedure on the grounds of their application, at the request of the addressee of administrative act or by the initiative of an administrative body or official if the supposed administrative act may affect their rights and interests protected by law.

Article 20. Other persons involved to an administrative procedure

Other persons that are involved to the administrative procedure are witnesses, experts, interpreters, as well as other persons who contribute to the proper consideration of an administrative case and the adoption of an administrative act.

Article 21. Representation in an administrative procedure

1. An individual may participate in an administrative procedure in person or through a representative. Personal participation does not deprive him of the right to have a representative in this administrative procedure. The presence of a representative does not deprive him of the right to personal participation in the administrative procedure.

On behalf of a legal entity, participation in an administrative procedure is taken by its head or representative on the basis of a power of attorney.

2. Representatives in administrative procedures may be any capable persons whose powers are certified in accordance with the procedure established by the civil law.

3. The interests of legally incapable or partially incapacitated individuals in an administrative procedure are represented in accordance with civil law by their legal representatives.

4. The representative of the addressee of an administrative act or an interested person cannot be a person who is on the state or municipal service in the administrative body considering the administrative case or in the body which is directly subordinated to it or under its control.

5. The persons specified in article 20 of this Federal Law participate in an administrative procedure personally.

Article 22. Circumstances precluding participation in an administrative procedure

1. An official of an administrative body, expert, interpreter shall not be entitled to participate in an administrative procedure in the following cases:

1) if they acted or are acting as other participants in the administrative procedure or their representatives;

2) if they are or were close relatives of one of the participants in the procedure;

3) if they or any of their close relatives are members of a governing body or have shares (shares of the authorized capital) of the legal entity that is a party to the procedure;

4) if they are personally, directly or indirectly interested in the outcome of the case or there are other circumstances that cause doubt on their objectivity and impartiality.

2. Close relatives, specified in part 1 of this article, are understood as:

1) parents, spouses, children, grandchildren, grandparents, brothers, sisters, uncles, aunts and cousins of the participant to an administrative procedure;

2) people listed in paragraph 1 of this part who are in related kinship with the spouse of the participant to an administrative procedure;

3) son-in-law, daughter-in-law, father-in-law or mother-in-law of the participant to an administrative procedure.

3. An expert also has no right to participate in the implementation of an administrative procedure if he is in official or other dependence on a party to the procedure, including on the official of an administrative body.

Article 23. Disqualification (self-disqualification) of an official of an administrative body, expert, interpreter

1. If there are grounds provided for in article 22 of this Federal Law:

1) participants to an administrative procedure shall have the right to propose a written disqualification of an official of an administrative body, expert or interpreter;

2) An official of an administrative body, expert or interpreter must declare self-disqualification in writing.

2. Disqualification (self-disqualification) can be declared before the completion of an administrative procedure immediately when it became known that there are grounds provided for in article 22 of this Federal Law.

3. A repeated application for disqualification to the same official of an administrative body, expert or interpreter may be considered if it contains new grounds or new facts.

The decision on a disqualification (self-disqualification) is subject to acceptance within one working day from the date of submission of the disqualification (self-disqualification).

The decision on the disqualification of an official of an administrative body is taken by its head, and in the case of performing an administrative procedure in a panel, by the corresponding collegial body by a simple majority of votes. In this case, the member of the panel who is supposed to be disqualified does not participate in the voting.

In case of disqualification (self-disqualification) of a member of a collegiate administrative body the administrative procedure is carried out with the participation of the remaining officials of the collegial administrative body if there is quorum.

The decision to disqualify the head of an administrative body is taken by a higher administrative body or official. In case of self-disqualification of the head of an administrative body the administrative procedure is performed by his deputy, and in the absence of the latter, another official authorized to replace him.

The decision to disqualify an expert or an interpreter is taken by the administrative body or official that is carrying out this administrative procedure.

4. Participation of an expert or an interpreter earlier in the same administrative procedure as an expert or an interpreter is not grounds for his disqualification (self-disqualification).

5. A reasoned decision on disqualification (self-disqualification) must be made in writing. A copy of the decision shall be sent to the participants of an administrative procedure

6. Disqualification (self-disqualification) is not accepted if it is objectively impossible to determine another official of an administrative body, expert or an interpreter

Article 24. The language of an administrative procedure

1. An administrative procedure is performed in the Russian language – the state language of the Russian Federation. Administrative procedures in administrative bodies located on the territory of a republic that is part of the Russian Federation can also be performed in the official language of this republic

2. An administrative body or official explains and ensures for the participants to an administrative procedure who do not know the language in which the administrative procedure is being conducted the right to get acquainted with the materials of the administrative case, make statements, give explanations and statements, file petitions and disqualifications, file complaints in their native language or freely chosen language of communication, use the services of an interpreter in the manner established by this Federal Law.

3. An administrative act is set out in the Russian language, and upon the application of the addressee of the administrative act or a person concerned is translated into the language used during the administrative procedure.

Article 25. Maintenance and accounting of administrative cases

1. From the moment of initiation of administrative procedure an administrative body or official shall initiate an administrative case file in which there are documents relating to

the implementation of this administrative procedure, including the administrative act (its certified copy) adopted as a result of the administrative procedure.

2. The procedure for conducting cases, logs for their recording, recording administrative acts is established by an administrative body on the basis of the standard provision approved by the Government of the Russian Federation

3. Cases' files are stored in accordance with the rules of record keeping established by law and, in the established order, are subject to the transfer to the archive.

Article 26. Administrative procedure recordation

1. If the implementation of an administrative procedure is carried out in the form of a meeting with the participation of persons specified in part 1 of article 19 and in article 20 of this Federal Law an administrative body or official shall keep the minutes of the meeting.

2. The protocol should contain the following information:

1) the name of the administrative body, position, surname, first name, patronymic name of the official performing an administrative procedure;

2) the place and date of an administrative procedure;

3) the surname, first name, patronymic name of the persons specified in part 1 of article 19 and article 20 of this Federal Law, indicating their status in the present case (the applicant, the person concerned, the witness, etc.);

4) content of the issue under consideration;

5) summary of statements by participants to an administrative procedure;

6) decision taken on the results of the meeting.

A protocol may contain other additional information.

3. If the meeting was held intermittently, then this should be indicated in the protocol. When several meetings are held, a separate protocol is drawn up for each of them.

4. The minutes shall be kept by the secretary of meeting determined by the presiding officer. The minutes shall be signed by the presiding officer, the secretary of the meeting immediately after the end of the meeting.

5. The addressee of an administrative act and the interested person have the right to familiarize themselves with the protocol and submit comments to it. The refusal of the comments is indicated in the protocol.

Chapter 4. Procedure for the implementation of an administrative procedure

Article 27. Grounds for initiating an administrative procedure

1. The grounds for initiating an administrative procedure are:

- 1) application of an individual or legal entity;
- 2) initiative of an administrative body or official.

2. In the case provided for in paragraph 1 part 1 of this article an administrative procedure shall be considered initiated from the day of receipt to an administrative authority or to an official of an application, except in cases where the application in accordance with this Federal Law is redirected to a competent administrative body or official.

3. In the case provided for in paragraph 2 part 1 of this article an administrative procedure shall be considered initiated from the day of commencement of an action (actions) aimed at adoption of an administrative act on the initiative of an administrative body or official.

Article 28. General requirements for an application

1. An application must contain:

1) name of the administrative body (position, surname, name and patronymic name of the official) to which the application is submitted;

2) surname, name and patronymic name of the applicant – an individual, his place of residence or place of stay;

3) surname, name and patronymic name of the person applying for on behalf of a legal entity, his position, full name and location of the legal entity;

4) the summary of the requirement;

5) date, month and year of application;

6) the signature of the applicant – an individual or the signature of the head of a legal entity certified by the seal of the legal entity (if available);

7) list of documents attached to the application, if there are any;

8) other information known to the applicant, without which the application cannot be considered.

If for the receipt of an administrative act the law provides for the payment of a state fee or other mandatory payment, a document confirming the paying of the relevant payment must be submitted.

If an application is submitted through a representative, a document confirming this authority must be submitted.

2. An application submitted orally at personal appointment of applicants is fixed by an official of the administrative body in writing with indication of the information provided for by part 1 of this article

3. An application may be sent to an administrative authority or official in person, by post, through a multifunctional center, using the information and telecommunication network “Internet” or other means provided by the legislation of the Russian Federation.

Article 29. Assistance to the participants to an administrative procedure

1. An administrative body or official is obliged to explain to the participants of an administrative procedure their rights and obligations, to facilitate the processing of the application and the documents attached to it, including provision of an opportunity to eliminate formal mistakes, supplement the list of attached documents or correct formal mistakes itself with the notification of the applicant.

2. The official of an administrative body is obliged on the basis of applications of individuals and legal entities to give them samples of applications and other set forms related to the administrative procedure, also to send them by postal communication, using the information and telecommunication network “Internet” or other means provided for by the law of the Russian Federation.

Article 30. Acceptance of an application

1. An administrative body or official must accept any application and register it on the same day.

2. Unless otherwise provided by law, an administrative body or official shall be obliged within three working days from the date of receipt of an application to give or send to the applicant a certificate of the date and registration number of the application.

Article 31. Forwarding an application to the competent administrative authority, to the competent official

1. If an administrative body or official has determined that consideration of the application received is not within its competence, it shall forward it and other materials of the administrative case to a competent administrative authority or official within three working days, notifying the applicant and persons concerned in writing.

2. If one or more of the requirements set forth in an application falls within the competence of another administrative body or official, the initial administrative body or official within three working days shall forward the application and the relevant administrative materials in this part to the consideration by a competent administrative body or official, notifying the applicant and persons concerned in writing.

Article 32. Dismissal of an application without consideration

1. An administrative body or official, upon the receipt of a written application containing obscene or offensive language, threats to the life, health or property of the official, as well as members of his family, has the right to leave the application without consideration and notify the applicant of the inadmissibility of abuse of the law.

2. An application, the text of which is not readable, shall be left without consideration and shall not be sent to a competent administrative body (competent official) in accordance with the rules of article 31 of this Federal Law, and if his name and postal address are readable the applicant is notified about that in writing within seven working days from the date of registration.

3. If the requirements of an application are not within the scope of this Federal Law an administrative body or official shall issue a reasoned decision to leave the application without consideration, which may be appealed against in accordance with the rules of Chapter 6 of this Federal Law.

Article 33. Grounds for initiating an administrative procedure on the initiative of an administrative body or official

1. The grounds for the initiation of an administrative procedure on the initiative of an

administrative body or official is a requirement of the law on the need to adopt an administrative act or discretionary power (discretion) imposed by law on an administrative authority or official.

2. An administrative body or official within three working days from the date of initiation of an administrative procedure notifies in writing the participants to the administrative procedure or their representatives about the initiation of the administrative procedure, as well as the place, time, events and other conditions for the implementation of the administrative procedure.

Article 34. Participation of an addressee and persons concerned in an administrative procedure

1. An administrative body or official must create the necessary conditions for ensuring participation of an addressee of administrative act and a person concerned or their representatives in an administrative procedure.

2. Unless otherwise provided by law, prior to the adoption of an administrative act an administrative body or official is required to hear the addressee of an administrative act, interested persons or their representatives.

3. An administrative body or official may refuse to hear the addressee of an administrative act and the persons concerned or their representatives in the following cases:

1) the materials submitted by the applicant clearly indicate the advisability of adopting an administrative act favorable to him that does not affect the rights and legitimate interests of others;

2) there is a need of immediate adoption of an administrative act with a view to preventing or eliminating a danger that might cause significant harm to the interests of the state and society;

3) when numerous administrative acts of identical content are being adopted, including in automatic mode using technical means;

4) when taking an interim decision on which an independent administrative complaint cannot be filed;

5) if the law provides for the adoption of an administrative act in oral or conclusive form;

- 6) if the addressee of an administrative act and the person concerned do not require a hearing;
- 7) in other cases provided by the law.

Article 35. Examination of the circumstances of an administrative case

1. An administrative body or official is obliged to investigate comprehensively, fully and objectively all the actual circumstances that are important for the proper resolution of an administrative case.
2. An administrative body or official is not connected by explanations and arguments of participants to administrative procedure and presented evidence.
3. An administrative body or official is not entitled to refuse examination and accounting the circumstances presented by the participants to an administrative procedure, the consideration of which falls within their competence.

Article 36. Acquaintance with the materials of an administrative case

1. Participants to an administrative procedure during and after the completion of the procedure are entitled to familiarize themselves with the materials of the administrative case.
2. The possibility of acquaintance with the materials of an administrative case must be provided no later than three working days from the date of submission of a petition.
3. When providing materials of an administrative case an administrative body or official is obliged to ensure compliance with the requirements of the legislation on state and other secret protected by the law.
4. In the event of refusal to provide a document due to the inadmissibility of disclosure of information constituting a state or other secret protected by the law, an administrative authority or official is required to provide the addressee of an administrative act and the person concerned as far as feasible complete information about the content of the requested document.

Participants to an administrative procedure are entitled to receive copies of documents and other materials of an administrative case.

Article 37. Evidence in an administrative case

1. Evidence on an administrative case shall be any factual data on the basis of which an administrative body or official establishes the circumstances that are relevant for the proper resolution of an administrative case.

2. The use of evidence obtained in the breach of the law is prohibited.

3. Participants to an administrative procedure are obliged to assist in determining all the factual circumstances of an administrative case, provide information on facts that are known to them and that are relevant to the case, as well as to present necessary evidence in their possession.

4. If a participant to an administrative procedure cannot obtain the necessary evidence himself, he applies to an administrative body or official with a petition for disclosure of the evidence. The petition states the significance of the evidences for the case, their signs and location. An administrative body or official is obliged to demand these evidences and provide their representation.

Article 38. Witness testimony

1. Witness testimony is an oral report by a witness to an administrative body or official about circumstances known to him that are important for the proper consideration and resolution of an administrative case. At the suggestion of an administrative body or official, a witness who testified orally may present them in writing. Witness testimony that are stated in writing are attached to the materials of an administrative case.

2. The information reported by a witness is not evidence if the witness cannot indicate the source of his knowledge

3. If testimony is based on the reports of other persons, these persons should also be interviewed.

4. A person may be called by an administrative body or official as a witness at the request of a participant to an administrative procedure and on the initiative of an administrative body or official.

Article 39. Written evidence

1. Written evidence is acts, contracts, certificates, business correspondence, other documents and materials that contain information on circumstances relevant to the administrative case and that are made in the form of digital and graphical recording, received by facsimile, electronic or other communication, including using information and telecommunication network “Internet”, via a video conferencing channel (if there is a technical capability for such transfer of documents and materials) or by other means allowing identification of the accuracy of the document.

2. Written evidence shall be submitted to an administrative authority or official in the original or in the form of a duly certified copy. If only a part of a document relates to an administrative case, a certified extract from it may be submitted.

3. The original documents are submitted to an administrative body or official in the event when, in accordance with the law or other normative legal act, the circumstances of an administrative case are subject to confirmation only by such documents, and also at the request of an administrative body or official if it is impossible to resolve the administrative case without original documents or presented copies of the same document are different in content.

4. Written evidence submitted to an administrative body or official which are fully or in part in a foreign language shall be attached duly certified translations into Russian.

5. Written evidence is attached to the materials of an administrative case. The originals of documents that are legally required to be in the places of their permanent or temporary storage cannot be attached to the materials of an administrative case.

Article 40. Expert examination

1. Examination is appointed in cases where circumstances relevant to the consideration of an administrative case can be established as a result of research of materials conducted by an expert using specialized knowledge.

2. An administrative body or official shall appoint an expert examination at the request of the participants to an administrative procedure or on its own initiative.

3. An expert may be a person who is disinterested in the case and has special knowledge.

4. Each participant to an administrative procedure has the right to submit to an adminis-

trative body or official the questions that must be raised before the expert. The final range of questions on which the expert must give an opinion is determined by an administrative body or official

5. At the request of an administrative body or official the expert should provide additional explanations on the expert opinion.

Article 41. Conduct of an inspection

If necessary, an administrative body or official shall appoint an inspection of territory, site or object. The inspection can be conducted either by the administrative body or official reviewing the administrative case itself or by another administrative body or official in the order of mutual assistance.

Participants to the administrative procedure are notified on the inspection.

Article 42. The term of an administrative procedure

1. Administrative cases are considered and resolved by administrative bodies and officials within thirty calendar days, unless otherwise provided by the legislation of the Russian Federation.

2. An administrative procedure starts from the day of registration of an application by an administrative authority, official or from the moment of committing an action on the initiative of an administrative body or official.

3. If a longer period is required to establish circumstances that are essential for an administrative procedure, the term of the administrative procedure may be extended by the a body or official, but not longer than for thirty calendar days, unless otherwise provided by the legislation of the Russian Federation. The administrative body or official notifies the addressee of the administrative act and the persons concerned about the extension of the term.

Article 43. Restoring of a term

1. When recognizing the reason for omission of the period of time as justifiable an administrative body or official has the right to restore the missed period at the request of the addressee of an administrative act and the person concerned.

2. The addressee of an administrative act or the interested person shall apply to an administrative body (official) with a written application for the restoration of the missed period not later than ten calendar days from the moment of elimination of the reasons specified in part 1 of this article. The application shall be accompanied by documents confirming the valid reason for omission of the period of time.

3. An administrative body or official, within three working days, considers the application for the restoration of the missed period.

4. Simultaneously with the filing of an application for the restoration of a missed period, an action the term of which has been missed is being carried out.

5. In cases directly stipulated by the law, the restoration of a missed period is not allowed.

Article 44. Notification on administrative procedure

1. An administrative body or official has to notify about the place and time of meeting all the participants to an administrative procedure, and if necessary also other persons specified in article 20 of this Federal Law, using various means of communication.

2. Participants to an administrative procedure should have sufficient time to get to and prepare for the meeting.

Article 45. Termination of an administrative procedure and refusal to meet the application

1. An administrative procedure initiated on the grounds of an application is terminated if:

1) the applicant refuses his application in writing

2) there is an administrative or judicial act that has entered into legal force, adopted in relation to the same person, for the same subject and for the same reasons;

3) the status of the applicant has changed, which, by virtue of the law, excludes the adoption of an administrative act required by the application.

2. An administrative procedure initiated by the initiative of an administrative body or official may be terminated if:

1) the addressee of the administrative act has eliminated the violation of requirements of the legislation;

2) the need to adopt an administrative act on the violation of requirements of the legislation has disappeared due to changes in the legislation, factual circumstances or other grounds provided for by the law

3. An administrative body or official refuses to meet an application if it is unreasonable.

4. The decision (administrative act) of an administrative body or official on termination of an administrative procedure or on refusal to meet an application within three working days from the date of adoption is sent to the participants of the administrative procedure by mail, through the multifunctional center, using the information and telecommunication network “Internet” or other means provided for by the legislation of the Russian Federation.

5. The decision (administrative act) on termination of an administrative procedure or on refusal to meet an application can be appealed against according to the rules of Chapter 6 of this Federal Law.

Article 46. Resumption of an administrative procedure

1. Based on the application of the participants to a procedure the administrative body or official is obliged to take a decision on changing or canceling an administrative act that cannot be appealed if:

1) after the adoption of the administrative act, the factual circumstances or legal norms that were taken as a basis changed in favor of the applicant;

2) there is new evidence that may lead to the adoption of a more favorable administrative act for the applicant;

3) there are other grounds provided for by the law.

In the cases provided for in this part an administrative procedure is renewed.

2. An application must be filed within three months from the day when the person who applied for the resumption of a procedure got to know about the circumstance stipulated in part 1 of this article.

3. On the basis of an application the decision is made by the administrative body (official) who adopted the administrative act that is subject to amendment, cancellation or by the relevant superior or other competent administrative body (official) that is authorized to cancel this administrative act within the framework of resumption of the administrative procedure.

Article 47. Participation of several administrative bodies and officials in the adoption of an administrative act

1. If the adoption of an administrative act requires the permission or consent of other administrative bodies and officials the necessary actions, including the demand and collection of additional documents, are carried out by the administrative body or official that has initiated administrative procedure.

2. The permission or consent received in the manner provided for in part 1 of this article is not subject to a separate appeal and may be appealed together with the administrative act.

Chapter 5. Administrative act

Article 48. Forms of administrative acts

1. An administrative act can be adopted in written (including electronic), oral or conclusive form (in the form of light, sound signals and signs, images or otherwise).

2. An administrative act that is adopted either verbally or conclusively shall be subject to written fixation upon the request of the addressee within five working days from the receipt of the relevant application. In this case, the rules on written administrative acts of this chapter shall be applied.

Article 49. General requirements for an administrative act

1. An administrative act must be adopted in accordance with the Constitution of the Russian Federation, this Federal Law and other normative legal acts of the Russian Federation.

2. The addressees of an administrative act must be clearly specified.
3. An administrative act must be sufficiently clear and understandable in its content, so that it is obvious to the addressee what right is granted, limited, canceled or what duty it is imposed to.

Article 50. Requirements for a written administrative act

1. A written administrative act shall contain:
 - 1) the name of the administrative body, position, surname, first name, patronymic name of the official that adopted the administrative act;
 - 2) the surname, name, patronymic name, place of residence or stay of an individual or the name and legal address of a legal entity to whom the administrative act is addressed;
 - 3) the name of the administrative act, the date and place of its adoption, registration number, the seal of the administrative body and the signature of the official;
 - 4) the description of a resolved issue and the justification for the decision taken (descriptive and analytical part), with reference to a specific norm of law;
 - 5) statement of a decision taken (substantive provisions);
 - 6) the duration of the administrative act, if such administrative act is adopted for a certain period;
 - 7) coercive measures (if any);
 - 8) the procedure and terms for appealing the administrative act.
2. An administrative act may contain attachments and other additional documents, the effect of which cannot exceed the validity period of the administrative act. The attachments and other supplementary documents are not independent administrative acts and act as long as the administrative act.

Article 51. Justification of an administrative act

1. A written administrative act must contain a justification in which there are all significant factual and legal circumstances of the case, evidence supporting or refuting the circumstances, as well as laws and other normative legal acts that were used by an administrative body or official in the adoption of the administrative act.

2. If an administrative act is adopted within discretionary powers (discretion) the administrative body or official must clearly and precisely state the reasons for adopting exactly such a decision.

3. An administrative body or official may justify an administrative act only by those facts and evidence that were examined within the framework of administrative procedure.

4. Justification of an administrative act is not required:

- 1) when making numerous administrative acts of identical content, including in automatic mode using technical means;
- 2) when adopting an administrative act favorable to the addressee, which does not affect the rights and legitimate interests of others;
- 3) in other cases provided by the law.

Article 52. Administrative act with a condition

1. An administrative act adopted by an administrative body or official within the framework of discretionary powers (discretion), may provide for the following:

- 1) effective date or loss of force of any benefit or obligation (duty) provided by this administrative act, or its duration;
- 2) dependence of entry into force or loss of power of any benefit or obligation (duty) on the onset of an event in the future;
- 3) indication of the right to repeal this administrative act;
- 4) other additional conditions related to the commission of certain actions or refraining from the commission of certain actions by the addressee of the administrative act;

2. Administrative acts not specified in part 1 of this article may provide for additional conditions in cases provided for by the law.

3. Additional conditions must comply with the objectives of an administrative act and be lawful. Additional conditions can be appealed only together with an administrative act.

Article 53. Promulgation of an administrative act

1. An administrative body or official is obliged to bring an administrative act to the notice of the participants to an administrative procedure or their representatives.

2. A written administrative act is brought to the notice of the participants of an administrative procedure by delivery to the addressee in person or by publishing it.

3. A written administrative act is delivered to the participants of an administrative procedure by one of the following ways:

1) direct delivery to the addressee of an administrative act and the person concerned;

2) by registered mail with notification;

3) sending in the form of an electronic document to the e-mail address of the addressee of an administrative act and the person concerned, if they have given a written consent for such a method of delivery.

An administrative act sent in the manner specified in paragraph 2 of part 3 of this article shall be deemed to be delivered from the moment marked on the counterfoil to be returned to the administrative body or official.

An administrative act sent by the method specified in paragraph 3 of part 3 of this article shall be deemed to be delivered on the fifth day from the date of its sending with the use of the information and telecommunication network “Internet”.

4. If the addressee of an administrative act and the interested person declare the non-delivery of the administrative act delivered by the ways specified in paragraphs 2 and 3 of part 3 of this article or declare about delays in its receiving, the obligation to prove the fact of delivery the administrative act within the established time is imposed on the administrative body or official.

5. When an administrative act is handed over to the addressee and the interested person, the administrative body or official must also give documents that are an integral part of this act.

Non-delivery of these documents simultaneously with the administrative act or their delivery at a later date does not affect the operation of the administrative act and is not grounds for challenging the legality of such an act.

6. A written administrative act is subject to publication if the administrative body or official does not know the information about persons whose rights and legitimate interests are affected by this administrative act, as well as in other cases provided by law. The administrative act is considered to be announced by publication on the fifth day from the date of posting its content on the official website of the administrative body in the information and telecommuni-

cation network “Internet”.

7. An oral administrative act shall be brought to the notice by oral statement of its contents to the addressee of the administrative act and to the person concerned.

8. A conclusive administrative act shall be brought to the notice by providing it directly visible, perceived or otherwise accessible to perception.

Article 54. Correction of explicit errors in an administrative act

1. An administrative body or official may correct literal errors and other obvious errors in an adopted by them administrative act on their own initiative or on the basis of an application of the participant to an administrative procedure, without changing its sense.

2. An administrative body or official may request a document necessary for rectification.

3. Corrections in an administrative act are confirmed by the signature of an authorized official of administrative body.

4. An administrative body or official shall provide the participants of an administrative procedure with information on the corrections made in an administrative act in the manner provided for in article 53 of this Federal Law.

Article 55. The operation of an administrative act

1. An administrative act comes into force from the moment of bringing its contents to the notice of the addressee of the administrative act and the person concerned in the manner provided for in article 53 of this Federal Law. The administrative act enters into force and is considered valid in the content in which it was brought to the notice of the said persons.

2. An administrative act retains its legal force and is considered to be valid until it is canceled, changed, expired or until it is declared invalid for other reasons.

3. An administrative body or official is obliged to notify the addressee of an administrative act and the interested person about the cancellation or amending of the administrative act in the manner provided for by article 53 of this Federal Law.

4. An invalid administrative act does not have legal force and is not subject to execution or application.

Article 56. Null administrative act

1. An administrative act is null in whole or in part if it contains a significant breach of the requirements of the legislation or a particularly significant defect (error) which, if reasonably assessed circumstances, makes its execution or application legally impossible.

2. In addition to the cases specified in part 1 of this article, an administrative act is also void if:

- 1) the act does not clearly show which administrative bodies and officials took it;
- 2) the administrative act was adopted by administrative bodies and officials who do not have the appropriate authority;
- 3) the act does not clearly show its addressee;
- 4) the administrative act requires commission of a wrongful act;
- 5) the administrative act cannot be executed for factual or legal reasons;
- 6) the administrative act was adopted with gross violations of the requirements of legislation to its form.

3. A null administrative act is invalid, has no legal effect from the moment of its adoption and is not subject to execution or application.

Non-fulfillment or non-application of a null administrative act shall not entail responsibility in accordance with the legislation of the Russian Federation.

Execution or application of a null administrative act entails responsibility in accordance with the legislation of the Russian Federation.

4. The nullity of a part of an administrative act does not entail nullity of the entire administrative act, if in the part corresponding to the requirements of the legislation it can act independently.

5. An administrative body or official is entitled at any time on his own initiative to determine the nullity of an administrative act. The nullity of an administrative act can be established at the request of the addressee of an administrative act and the person concerned.

Article 57. Cancellation of an illegal administrative act

1. An administrative act that is adopted by an administrative body or official as a result of the violation or misuse of the legislation, as well as the principles of administrative procedures, is illegal.

2. An illegal administrative act may be cancelled in full or in part. The administrative act can be canceled partially only if the unrepealed part can remain in force or act independently. If the administrative act is partially cancelled, the rules of this article apply only to the part recognized as invalid.

3. An unlawful encumbering administrative act that has not entered into force is subject to mandatory cancellation.

4. Unless otherwise provided by law, the cancellation of an unlawful encumbering administrative act that came into force shall entail the cancellation of the legal consequences appeared from the moment of entry this act into force.

5. An unlawful favorable administrative act may be canceled with taking into account the limitations provided for in this article

6. It is not allowed to cancel an unlawful favorable administrative act if the trust of an administrative procedure participant is subject to protection by the law, provided that such an act does not harm the rights or interests of others, the state and society interests, provides for in respect of the participant of administrative procedure one-time or current monetary or property obligations or is a basis for the occurrence of such obligations. The participant to an administrative procedure is released from the obligation to return received money or other property if he, acting in good faith, has spent the money provided to him or used the property or in the condition that if he returns it, he will suffer considerable damage.

7. A participant to an administrative procedure cannot refer to the right to protection of trust in the following cases:

1) if he has achieved the adoption of an administrative act by providing knowingly false information, a bribe, threat, deception or commission of another wrongful act;

2) if he knew about the illegality of an administrative act or did not know this for gross negligence

8. In cases specified in part 7 of this article, an unlawful favorable administrative act shall be canceled. The cancellation of such an administrative act entails the cancellation of legal consequences that have arisen from the moment it came into force. In this case, the addressee of the administrative act and the interested person are obliged to reimburse the spent money or used property. The amount of compensation is established by the rules of civil legislation on unjustifiable enrichment.

9. An unlawful favorable administrative act that inflicts harm to the rights or legally protected interests of other persons, the interests of the state and society is subject to cancellation. The cancellation of this administrative act entails the cancellation of legal consequences that have arisen from the moment it came into force.

10. Losses caused to a bona fide addressee of an illegal favorable administrative act, to a bona fide interested person by the cancellation of such an act, shall be reimbursed. The amount of compensation payable to the participant to the administrative procedure is determined by the administrative body or official who canceled the illegal administrative act, within the limits of the actual damage caused.

11. The participant to an administrative procedure has the right to demand compensation for the damage caused within one year from the day when the person learned or should have learned about the cancellation of such an administrative act.

12. An unlawful administrative act may be canceled within one year, and in cases specified in part 7 of this article, within three years from the day when the grounds for its cancellation became known.

Article 58. Cancellation of a lawful administrative act

1. An administrative act adopted by an administrative body or official in accordance with the requirements of the law is considered lawful.

2. A lawful administrative act may be cancelled in full or in part. The administrative act can be canceled partially only if the unrepealed part can remain in force or act independently. If the administrative act is partially repealed, the rules of this article apply only to the relevant part.

3. A lawful adverse administrative act may be cancelled by the administrative body or official that has adopted it, unless otherwise is expressly provided for by the law.

4. A lawful favorable administrative act may be cancelled only in the following cases:

1) if the cancellation of such an administrative act is expressly provided for by the law and the administrative act itself;

2) if the administrative act is issued under a condition and this condition has not been executed properly;

3) if the factual or legal circumstances of the case at the existence of which at the time of the adoption of the administrative act the administrative body or official could not adopt such an administrative act have changed; at that, the addressee of the administrative act or the interested person has not used the rights granted by this administrative act, and keeping this administrative act in force may harm the interests of the state and society.

5. Unless otherwise expressly provided by law, the cancellation of a lawful administrative act shall entail the cancellation of the relevant legal consequences from the moment an administrative act on its cancellation comes into force.

6. Losses of a bona fide addressee of a lawful favorable administrative act or to a bona fide interested person that are caused by the cancellation of such an act shall be compensated in full. The amount of compensation payable to a participant to an administrative procedure is determined by the administrative body or official that canceled the legal administrative act.

7. A participant to an administrative procedure shall have the right to demand compensation for the caused damage within one year from the day when the person got to know or should have learned about the cancellation of such an administrative act.

8. A lawful administrative act may be cancelled within a year from the day when the grounds for its cancellation became known.

Article 59. Return of documents and property

Documents or property provided on the basis of an administrative act for the confirmation or exercise of any right may be claimed by an appropriate administrative body or official after the cancellation of this administrative act or its recognition as null and void. The person who is an actual owner of such documents and things must return them.

Chapter 6. Administrative appeal procedure

Article 60. The right to appeal an administrative act

The addressee of an administrative act or the interested person has the right to appeal the administrative acts or inaction of an administrative body or official in order to protect their rights.

Article 61. Complaints procedure

1. An administrative act or inaction of an administrative body or official is appealed in administrative or judicial order.

2. A complaint against an administrative act or omission may be administratively filed to the administrative body or official that has accepted the appealed administrative act, or to a higher administrative body or a higher-ranking official.

3. A complaint against an administrative act or omission of an administrative authority or an official is filed to a higher administrative authority or higher-ranking official directly or via the administrative body or official whose acts or inaction are being appealed. In the latter case, the administrative body or official is obliged to forward this complaint within three working days to the higher administrative authority or to a higher-ranking official authorized to consider the complaint.

4. The higher administrative body or official is not entitled to entrust consideration of the complaint to the administrative body or official whose administrative act or inaction is being appealed.

5. In the absence of the higher administrative body or higher official the administrative act, the inaction of the administrative body or official shall be appealed in court.

Article 62. Period for appeal

1. An administrative complaint can be filed:

1) against an administrative act – within one month from the date of the entry into force of an administrative act;

2) against the inaction of an administrative body or official – within three months from the expiration of a period provided for by law for the adoption of an administrative act.

2. If an administrative act does not specify the term or procedure for its appealing or if the administrative act affects the rights and legitimate interests of third parties who were not participants to the administrative procedure for its adoption a complaint against this administrative act may be filed within six months from the date of its entry into force.

3. In the event of a reasoned miss of the terms specified in this article the period for appeal can be restored by an administrative body or an official.

An administrative complaint is filed simultaneously with filing an application for restoring the term.

If the application for restoring the term for appeal is met the administrative complaint shall be deemed accepted.

Article 63. General requirements for an administrative complaint

An administrative complaint must contain:

- 1) the name of the administrative body (position, last name, first name, patronymic name of the official) to which the complaint is filed;
- 2) the surname, name, patronymic name of an individual filing the complaint, his place of residence or place of stay;
- 3) the surname, name, patronymic name of a person filing the complaint on behalf of a legal entity, his position, full name and location of the legal entity;
- 4) the claim of a person filing the complaint and the grounds for such claims;
- 5) list of documents attached to the complaint, if any;
- 6) the date, month and year of the complaint;
- 7) the signature of an individual or his representative filing the complaint, the signature of a person filing the complaint on behalf of a legal entity that is certified by the seal of the legal entity (if any).

Article 64. Actions of an administrative body or official in respect of a received administrative complaint

1. An administrative procedure for the consideration of an administrative complaint is initiated on the day the complaint is registered with an administrative authority or by an official.

2. The administrative body or official is obliged, upon receipt of the complaint, to verify its compliance with the requirements of articles 60-63 of this Federal Law.

The complaint shall be left without processing by the administrative body or official if it was filed in violation of the requirements of articles 60-63 of this Federal Law. In this case the administrative body or official immediately indicates shortcomings and provide the person who filed the complaint with the opportunity to correct them within the general time limit for appeal.

In case of failure to correct the deficiencies mentioned by the administrative body the complaint is recognized as inadmissible and shall be returned to the person filing it.

3. After the initiation of an appeal procedure a higher administrative body or official is obliged to request the administrative case from the lower administrative bodies or officials immediately. Inferior administrative bodies or officials are obliged within five working days after the receipt of this request to submit the administrative case to the higher administrative body or higher-ranking official.

Article 65. Legal consequences of filing an administrative complaint

1. The filing of an administrative complaint shall suspend the execution of an appealed administrative act until the decision on the administrative complaint of an administrative body or official enters into force, except for cases when immediate execution is necessary, based on the interests of the state and society, as well as in other cases of immediate execution of an administrative act provided for by law.

2. An administrative body or official is entitled to take a reasoned decision to refuse to suspend the execution of an appealed administrative act and to warn the person about the inadmissibility of the abuse of right if the complaint has been filed solely for the purpose of such suspension.

Article 66. The order and limits for consideration of an administrative complaint

1. Consideration of an administrative complaint against an administrative act or inaction of an administrative body or official is carried out in accordance with the rules of chapter 4 of this Federal Law, unless otherwise provided by this chapter.

2. An appealed administrative act is verified for its legitimacy and relevancy, and in case of exercise of discretionary powers (discretion) it is also verified with a view to expediency.

3. When considering an administrative complaint an administrative body or official shall be guided with both the existing in the case and additionally provided evidence, provided that the latter could not be submitted at the stage of adoption of the appealed administrative act for valid reasons.

Article 67. Decision on an administrative complaint

1. A decision is made on the grounds of results of administrative complaint consideration.

2. A decision on an administrative complaint must include:

1) the name of the administrative body (position, last name, first name, patronymic name of the official) that made the decision; the members of the collegial body; the case number of the administrative complaint procedure and the date of the decision; surnames, names, patronymic names of participants to the administrative complaint procedure; the date of adoption of an appealed administrative act and the name of the administrative body (position, surname, first name, patronymic name of the official); the members of the collegial body that adopted the appealed administrative act.

2) the surname, name, patronymic name or the name of the complaining addressee of an administrative act or person concerned;

3) a summary of the content of the appealed administrative act;

4) the reasons of the complaint;

5) the explanation of the addressee of an administrative act and the person concerned who was present at the consideration of the complaint;

6) the established circumstances of the case and the evidence that led to the conclusions of an administrative authority or official considering the administrative complaint;

7) motives for which these or other evidences were rejected and normative legal acts that had been referred to by participants of the administrative appeal procedure were not applied;

8) normative legal acts by which an administrative body or official was guided in making decision on the administrative complaint;

9) motives for which an administrative body or official did not agree with the conclusions of inferior administrative bodies or officials in the cancellation or amendment of the administrative act.

10) conclusions on the results of consideration of the administrative complaint.

3. The decision on the administrative complaint also indicates the procedure for allocating administrative costs.

4. The decision on the administrative complaint shall enter into force in the manner prescribed by this Federal Law.

5. The decision on the administrative complaint shall be sent to the addressee of an administrative act and interested persons or delivered to them within three working days from the date of adoption.

6. Administrative appeal and review of the decision on an administrative complaint to a higher administrative body or higher-ranking official are carried out according to the rules of this chapter of this Federal Law.

Article 68. Taking of a decision on an administrative complaint

1. Based on the results of an administrative complaint consideration, the administrative body or official has the right:

1) to leave the complaint without satisfaction, and the administrative act without change;

2) to meet the complaint in whole or in part, canceling completely or partially the administrative act and adopting a new administrative act.

2. Based on the results of consideration of the administrative complaint, a decision that worsens the position of a person in comparison with the initial administrative act is not allowed.

3. Based on the results of consideration of an administrative complaint on inaction of an administrative body or official the body or official that reviews the complaint takes one of the following decisions:

1) to meet the complaint in full or in part by adopting an administrative act;

2) to reject the complaint.

Chapter 7. Procedure for the execution of an administrative act

Article 69. Obligatoriness of an administrative act

1. An administrative act and a decision on an administrative complaint (hereinafter – the act and decision) are binding for execution.

2. The act and decision shall be executed upon the expiration of the time limit for appeal provided for by this Federal Law.

3. In cases provided for by law, as well as on the basis of public interests, the act and decision may be executed immediately.

4. Unless otherwise provided by law, the act shall be enforced by the administrative body or official that has accepted it.

5. A decision on an administrative complaint shall be forwarded to an inferior administrative body or official authorized to enforce it, within three working days from the date of adoption of the decision.

6. The administrative body or official shall be obliged to determine precisely what actions the addressee of the act (decision) and the interested person must perform in connection with the execution of the act (decision).

Article 70. Period for the execution of an act or decision

1. The act and the decision are to be executed within a period of not more than ten working days from the date of expiration of appeal period.

2. The law may establish a shorter term for the execution of acts or decisions on certain categories of administrative procedures.

Article 71. Procedure for the execution of acts and decisions

1. The act and decision are executed by the performing by an authorized administrative body or official of actions specified in the act or decision.

2. The performance of actions for the execution of the act or decision may be certified by a separate document or an appropriate note in the act (decision).

3. The act (decision) on the providing to the applicant of a document having legal significance is deemed to be executed from the moment of the factual providing of the document of an established form.

4. In the cases established by law, the execution of the act or decision on certain categories of cases may be conditioned by the applicant's performance of certain actions.

Article 72. Consequences of failure of an official to perform the act and decision

1. An official who has not fulfilled the act and the decision of an administrative body or official is subject to disciplinary, administrative, criminal and other liability established by the legislation of the Russian Federation.

2. Bringing to responsibility does not release the official from the execution of the act and decision of an administrative body or official.

Article 73. Compulsory execution of administrative acts and decisions obliging to perform certain actions, to undergo certain actions or to refrain from performing certain actions.

1. The act and the decision that are not executed voluntarily in the established term shall be are executed compulsorily.

2. The act and the decision obliging to perform certain actions, to undergo certain actions or to refrain from performing certain actions that have not been performed voluntarily shall be enforced by compulsory means with the following coercive measures:

- 1) execution of actions at the expense of the addressee of the act, decision;
- 2) a fine;
- 3) direct coercion.

3. A coercive measure must be commensurate with its purpose. The coercive measure should be chosen so that the losses of participants to an administrative procedure are minimal.

4. The addressee of the act, decision must be noticed in advance by the administrative body or official about the application of enforcement measures, except for urgent cases related to the prevention or elimination of the danger to the interests of the state and society, as well as in other cases directly provided by law.

5. The notice shall be sent in writing and officially handed over to the addressee of the act (decision) in accordance with the rules of this Federal Law on the delivery of administrative acts.

6. The notice specifies the period given for the execution of the act (decision) on a voluntary basis, and prescribed measures of compulsory execution to be applied after the expiration of this period. The notice may provide only one measure of coercive execution. In the event when the previously chosen measure of enforcement failed to achieve its purpose, another coercive execution measure may be allowed. Enforcement measures may be repeated or modified.

7. The notice indicates the act (decision) to be enforced and the grounds for applying enforcement measures.

8. In the event that the addressee and the interested person fulfill the act (decision), the application of measures of compulsory execution is immediately terminated.

9. If an obligated person provides resistance during the compulsory execution of the act (decision), other measures provided by law may be applied to him / her. In this case, at the request of an administrative body or official authorized for the execution of the act (decision) the relevant administrative bodies, officials are obliged to render assistance in overcoming of the resistance.

Article 74. Commitment of actions for account of the addressee of an administrative act (decision)

1. If the prescribed obligation of the addressee of the act (decision) to perform any actions is not fulfilled by itself an administrative body or official is authorized to instruct another person to commit such actions for account of the addressee of the act (decision).

2. The administrative body or official is entitled, if possible, to carry out such actions itself at the expense of the addressee of the act (decision), unless otherwise provided by law.

Article 75. Fines

The violation by the addressee of the act (decision) and the person concerned of the requirements of this chapter shall result in the imposition of a fine to individuals in the amount of

from two thousand to ten thousand rubles; to legal entities – from ten thousand to fifty thousand rubles.

The procedure for the collection of fines provided for in this article is determined by the legislation on administrative violations.

Article 76. Direct coercion

1. If the commission of actions for account of the addressee of the act (decision) or a fine does not lead to the goal or due to objective circumstances cannot be applied an authorized administrative body or official has the right to directly compel the obligated person to commit an appropriate action or to prohibit the commission of a specific action.

2. When direct coercion, measures provided for by the Law of the Russian Federation on Law Enforcement Bodies may be used.

Chapter 8. Administrative expenditure

Article 77. Administrative expenditure

1. Administrative expenditure shall include a state fee paid in the course of an administrative procedure in accordance with the procedure and amount established by the legislation of the Russian Federation on taxes and fees, as well as other types of expenses established by this chapter.

2. Issues of return, exemption from payment of duties, deferral or installments, reduction of the amount of payment in the implementation of an administrative procedure are regulated by the legislation of the Russian Federation on taxes and fees.

Article 78. Other expenses in the course of an administrative procedure

1. Other expenses in the course of an administrative procedure include:

- 1) costs associated with the delivery of an administrative act or decision on an administrative complaint or other documents to their addressees;
- 2) costs associated to the invitation of witnesses, experts and translators;
- 3) costs associated with the provision of additional copies of documents relevant to an administrative act or procedure, as well as the costs associated with the copying of these documents, extracts from them and the provision of the latter;
- 4) business trip expenses;
- 5) amounts that must be paid to other administrative bodies, officials and other persons for their assistance or services;
- 6) costs associated to the moving or provision of security of things;
- 7) the expenses of an administrative body or official connected to the execution of an administrative act or decision on an administrative complaint;
- 8) amounts paid to experts, specialists and translators in the execution of an administrative procedure.

2. The expenses envisaged in part 1 of this article lie with the administrative body or official who executes an administrative procedure. The expenses connected to the invitation of an expert or an interpreter are reimbursed in the manner provided for in article 79 of this Federal Law.

The expenses connected to the copying and extracts from the materials of an administrative case shall lie with the person who presented such a demand. Such expenses must not exceed the factual costs incurred by an administrative body or official on the copying and extraction.

Article 79. Monetary amounts payable to witnesses, experts and translators during implementation of an administrative procedure

1. The work of experts and translators in the implementation of an administrative procedure is paid if it is not part of their official or labor duties in a particular administrative body.

2. The costs connected to the participation of witnesses, experts and translators in the implementation of an administrative procedure are reimbursed from the corresponding budget, depending on which of the administrative bodies invited these persons (federal government

bodies, state authorities of a constituent territory of the Russian Federation or local self-government bodies).

If an expert was involved at the request of a participant to an administrative procedure, then this participant to the administrative procedure pays the costs.

Article 80. Expenditures when the provision of mutual assistance by administrative bodies or officials

The costs connected to the implementation of mutual assistance lie with the administrative bodies or officials providing assistance.

Chapter 9. Responsibility of administrative bodies and officials

Article 81. Responsibility of administrative bodies and officials

Responsibility for losses caused by administrative bodies or officials to individuals and legal entities in the implementation of administrative procedures is determined in accordance with civil legislation and this Federal Law.

Article 82. Responsibility of officials of administrative bodies

Officials of administrative bodies in accordance with the procedure established by law shall bear disciplinary, administrative or criminal responsibility for violation of the requirements of this Federal Law.

Bringing of a guilty official to disciplinary, administrative or criminal responsibility does not relieve him of the obligation to eliminate committed violations of the law requirements and compensate for the losses incurred.

Chapter 10. Final and transitional provisions

Article 83. Final provisions

1. Administrative acts adopted before the entry into force of this Federal Law shall not be brought into conformity with this Federal Law.

2. Administrative procedures that have been initiated and not completed at the time of entry into force of this Federal Law shall be implemented in accordance with this Federal Law.

Article 84. On the recognition of certain legislative acts (provisions of legislative acts) of the Russian Federation as invalid

Article 85. Entry into force of this Federal Law

This Federal Law shall enter into force ten days after the day of its official publication.