

**FEDERAL LAW NO. 115-FZ OF JULY 25, 2002 ON THE LEGAL  
POSITION OF FOREIGN CITIZENS IN THE RUSSIAN FEDERATION  
(with the Amendments and Additions of June 30, 2003, August 22,  
November 2, 2004, July 18, December 29, 2006, January 6, December  
1, 4, 2007, May 6, 2008)**

**Passed by the State Duma on June 21, 2002**

**Approved by the Federation Council on July 10, 2002**

**Chapter I. General Provisions**

**Article 1. Object of Regulation of This Federal Law**

The present Federal Law defines the legal position of foreign citizens in the Russian Federation and regulates relations between foreign citizens, on the one hand, and the state power bodies, local self-government bodies and official persons of these bodies, arising in connection with the stay (residence) of foreign citizens in the Russian Federation and with the performance by them on the territory of the Russian Federation of labour, business and other activity, on the other.

**Article 2. Basic Concepts**

1. The following basic concepts are used for the purposes of this Federal Law:

- **foreign citizen** - a natural person who is not a citizen of the Russian Federation and who disposes of proofs of his possession of the citizenship (of his being a subject) of a foreign state;

- **stateless person** - a natural person who is not a citizen of the Russian Federation and who has no proofs of his possession of the citizenship (of his being a subject) of a foreign state;

- **invitation for entry to the Russian Federation** - the document which is a ground for the issue of a visa to a foreign citizen or for entry to the Russian Federation in the order not requiring a visa, in the cases stipulated by a federal law or by an international treaty of the Russian Federation; Russian Federation;

- **migration card** - the document containing information about a foreign citizen or a stateless person who is entering or has entered the Russian Federation and about the time period of their temporary stay in the Russian Federation proving the right of a foreign citizen or a stateless person, who have arrived at the Russian Federation in a manner not requiring the receipt of a visa, to a temporary stay in the Russian Federation, as well as serving for exerting control over the temporary stay of the foreign citizen or stateless person in the Russian Federation;

for a time in the Russian Federation till receiving a residence permit, formalized as a note made in the document which identifies the personality of the foreign citizen or of the stateless person, or as the document of an

established form issued in the Russian Federation to a stateless person who has no document identifying his personality;

- **residence permit** - the document issued to a foreign citizen or to a stateless person in confirmation of their right to permanent residence in the Russian Federation, as well as of their right to free exit from the Russian Federation and free entry to the Russian Federation. The residence permit issued to a stateless person is at the same time the document identifying his personality;

- **foreign citizens legally staying in the Russian Federation** - a person who has a valid residence permit or a permit for a temporary residence, a visa and (or) a migration card, or other documents stipulated by federal law or by the international treaty of the Russian Federation, which confirm the foreign citizen's right to stay (to reside) in the Russian Federation;

- **foreign citizens temporarily staying in the Russian Federation** - a person who has arrived in the Russian Federation on the ground of a visa or in the order not requiring the receipt of a visa, and who has received a migration card but who has no residence permit or a permit for a temporary residence;

- **foreign citizens temporarily residing in the Russian Federation** - a person who has received a permit for temporary residence;

- **foreign citizens permanently residing in the Russian Federation** - a person, who has received a residence permit;

- **labour activity of a foreign citizen** - the work of a foreign citizen in the Russian Federation on the ground of a labour contract or of a civil-law contract for the performance of works (for rendering services);

- **foreign worker** - a foreign citizen temporarily staying in the Russian Federation and performing a labour activity in the established order;

- **foreign citizen registered as an individual businessman** - a foreign citizen registered in the Russian Federation as an individual businessman carrying out an activity without creating a legal entity;

- **permit for work** - the document confirming the right of a foreign worker to temporary performance on the territory of the Russian Federation of a labour activity, or the right of a foreign citizen registered in the Russian Federation as an individual businessman, to the performance of a business activity;

- **deportation** - the forcible banishment of a foreign citizen from the Russian Federation in case of the loss or of the termination of the legal grounds for his further stay (residence) in the Russian Federation;

- **a foreign citizen who has entered the Russian Federation in a manner not requiring the receipt of a visa** - a foreign citizen who has entered the Russian Federation in a manner not requiring the receipt of a visa (except for a foreign citizen who has entered the Russian Federation without a visa in a manner established for certain categories of foreign citizens (including those having diplomatic or service (official) passports,

passengers of cruise ships, crew members of sea or river vessels or other vehicles, persons making a transit trip across the territory of the Russian Federation, and residents of border territories), and except for a foreign citizen who has entered the Russian Federation without a visa in the manner established for special purposes, including trade and economic activities on border territories, tourism and construction works).

**2.** For the purposes of the present Federal Law, the concept of "a **foreign citizen**" incorporates the concept of "a **stateless person**", with the exception of the cases when federal law establishes for stateless persons special rules differing from the rules laid down for foreign citizens.

### **Article 3. Legislation on the Legal Position of Foreign Citizens in the Russian Federation**

The legislation on the legal position of foreign citizens in the Russian Federation is based on the Constitution of the Russian Federation and consists of the present Federal Law and other federal laws. At the same time, the legal position of foreign citizens in the Russian Federation is defined by the international treaties of the Russian Federation.

### **Article 4. Foundations of the Legal Position of Foreign Citizens in the Russian Federation**

Foreign citizens in the Russian Federation enjoy the rights and discharge the duties on a par with the citizens of the Russian Federation, with the exception of the cases stipulated by federal law.

### **Article 5. Temporary Stay of Foreign Citizens in the Russian Federation**

**1.** The time term for a temporary stay of a foreign citizen in the Russian Federation is determined by the term of validity of the visa issued to him.

The time term for a temporary stay in the Russian Federation of a foreign citizen who has arrived in the Russian Federation in the order not requiring the receipt of a visa cannot exceed 90 days, with the exception of the cases stipulated by this Federal Law.

**2.** A foreign citizen temporarily staying in the Russian Federation shall be obliged to exit the Russian Federation after the expiry of the term of his visa validity, or of other term of temporary stay fixed by the present Federal Law or an international treaty made by the Russian Federation, except for the cases when on the date of expiry of the said time periods the validity term of his visa or the time period of his temporary stay are extended, or a new visa, or a temporary residence permit, or residence permit is issued to him, or an application and other documents required for his receiving a temporary residence permit in the procedure provided for by Article 6.1 of this Federal Law are accepted from him.

**3.** The term for a temporary stay of a foreign citizen in the Russian Federation may be, respectively, either extended or reduced, if the

conditions have changed, or if the circumstances, because of which he was permitted to enter the Russian Federation, have ceased to exist.

4. Decision on an extension or on the reduction of the time term for the foreign citizen's temporary stay in the Russian Federation shall be adopted by the federal executive power body, exercising law enforcement functions, the functions of control and supervision, as well as rendering of state services, in the field of migration (hereinafter referred to as the federal executive body in charge of migration), or by the federal executive power body, controlling the issues of internal affairs, or by its territorial subdivisions.

5. The term for a temporary stay in the Russian Federation of a foreign citizen who has arrived in the Russian Federation in the order not requiring the receipt of a visa, and who has concluded a labour contract or a civil-law contract for the performance of works (for rendering services) with the observation of the demands of the present Federal Law, shall be extended for a term of validity of the concluded contract, but for no longer than one year counted from the day of the foreign citizen's entry in the Russian Federation. Decision on extending the time term for a foreign citizen's temporary stay in the Russian Federation shall be adopted by the territorial division of the federal executive power body in charge of migration about which a note shall be made in the migration card.

6. The term of temporary stay in the Russian Federation of a foreign citizen, who has come to the Russian Federation and is enlisting for military service on a contractual basis, shall be established in the procedure determined by the Government of the Russian Federation.

#### **Article 5.1. Changing the Time Period of Temporary Stay**

1. For the purpose ensuring national security, maintaining the optimum balance of labour resources, assisting the employment of citizens of the Russian Federation as a top priority, as well as for the purpose of accomplishing other tasks of the internal and foreign policy of the State, the Government of the Russian Federation shall be entitled to extend to one hundred and eighty days or reduce the time period of a foreign citizen's temporary stay, established by Paragraph Two of Item 1 of Article 5 of this Federal Law, both on the territory of one or several constituent entities of the Russian Federation and on the whole territory of the Russian Federation - in respect of certain categories of foreign citizens temporarily staying in the Russian Federation.

2. When deciding on a reduction in compliance with Item 1 of this Article of the time period established by Paragraph Two of Item 1 of Article 5 of this Federal Law, the Government of the Russian Federation shall likewise establish the time period within which the foreign citizens temporarily staying in the Russian Federation at the time of the rendering of the said decision by the Government of the Russian Federation will be obliged to exit the Russian Federation.

## **Article 6. Temporary Residence of Foreign Citizens in the Russian Federation**

1. A permit for temporary residence may be issued to a foreign citizen in the framework of the quota approved by the Government of the Russian Federation. The term of validity of a permit for a temporary residence comprises three years, if not otherwise established by this Federal Law.

2. The quota for the issue of permits for a temporary residence to foreign citizens is annually approved by the Government of the Russian Federation on the proposals from the executive state power bodies of the subjects of the Russian Federation, with an account for the demographic situation in the corresponding subject of the Russian Federation and for the given subject's possibilities to provide for the foreign citizens' maintenance.

3. A permit for temporary residence may be issued to a foreign citizen without an account for the quota, approved by the Government of the Russian Federation, if:

1) he was born on the territory of the RSFSR and was in the past a citizen of the USSR, or if he was born on the territory of the Russian Federation;

2) he is recognised as incapable of working, while he has an able-bodied son or daughter, who is a citizen of the Russian Federation;

3) he has if only one parent, incapable of working, who is a citizen of the Russian Federation;

4) he is married to a citizen of the Russian Federation whose place of residence is in the Russian Federation;

5) he has made investments in the Russian Federation in the amount established by the Government of the Russian Federation;

6) who has enlisted for military service, for the term of his military service;

6.1) who is a participant in the State Programme for Rendering Assistance to the Voluntary Movement to the Russian Federation of Compatriots, Residing Abroad, and of His Family Members, Moving Together with Him to the Russian Federation;

7) in the other cases stipulated by federal law.

4. The territorial subdivision of the federal executive power body in charge of migration shall issue to a foreign citizen a permit for a temporary residence at an application submitted by the foreign citizen temporarily staying in the Russian Federation to the above-said body, or submitted by the foreign citizen to the diplomatic representation or to the consular institution of the Russian Federation in the state of residence of this citizen within a six-month term, or shall refuse him in the issue of such permit.

5. As it considers an application from a foreign citizen for the issue of a permit for a temporary residence, the territorial subdivision of the federal executive power body in charge of migration shall direct inquiries to the security bodies, to the service of the officers of justice, to the tax bodies, to

the bodies for the social provision, for public health, to the body of internal affairs, as well as to the other interested bodies which are obliged to supply information on the existence or on the absence of the circumstances, preventing the issue to a foreign citizen of a permit for a temporary residence.

**6.** If a foreign citizen was denied issuance of a temporary residence permit or the temporary residence permit issued thereto earlier has been cancelled, he shall have the right to repeatedly file an application for issuance of a temporary residence permit in the same procedure at the earliest in one year as of the date of rejection of the previous application for issuance of a temporary residence permit or cancellation of the temporary residence permit previously issued thereto.

**7.** A permit for temporary residence shall contain the following information: the surname, name (written out in letters of the Russian and of the Latin alphabets), the date and the place of birth, the sex and the citizenship of the foreign citizen, the number and the date of adopting the decision on the issue of the permit, the term of the permit validity, and the name of the executive power body, which has issued the permit.

**8.** The procedure for the issue of a permit for a temporary residence and the list of documents to be submitted together with an application for the issue of the permit for a temporary residence, shall be approved by the Government of the Russian Federation.

**9.** A foreign citizen temporary residing in the Russian Federation shall be obliged within two months as of the date of expiry of a regular year to personally file with a territorial agency of the federal executive body in charge of migration at the place of receiving his temporary residence permit a notice to prove its residence in the Russian Federation attaching thereto his income report, a copy of his tax declaration or other document proving the rate and source of income of this foreign citizen in a regular year as of the date of his receiving the temporary residence permit.

The said notice may be filed by a foreign citizen later, if there are sound reasons for it, but at latest in six months as of the date of expiry of a regular year after the date of receiving his residence permit, attaching thereto the documents listed in Paragraph One of this Item, as well as the documents proving that it was impossible to file the said notice at the established time.

**10.** The following data shall be entered to the notice mentioned in Item 9 of this Article:

1) name of the foreign citizen temporary residing in the Russian Federation, including his family name, first name and patronymic (in the presence of the latter);

2) place of residence of this foreign citizen;

3) place (places) of employment and duration of exercising labour activity by this foreign citizen within a regular year as of the date of his receiving the temporary residence permit;

4) period of this foreign citizen's stay outside the Russian Federation during a regular year as of the date his receiving the temporary residence permit (indicating the states he went to).

**11.** The notice shall be accepted by a territorial agency of the federal executive body in charge of migration upon a foreign citizen producing a document certifying his identity and recognized as such by the Russian Federation, and also the temporary residence permit.

**12.** It shall not be allowable to demand that a foreign present citizen other documents or other data, apart from those specified in this Article. The form of, and procedure for, filing the said notice shall be established by the Government of the Russian Federation.

#### **Article 6.1. Temporary Stay of Foreign Citizens Arriving in the Russian Federation in a Manner Not Requiring the Receipt of a Visa**

**1.** To a foreign citizen who has arrived in the Russian Federation in accordance with the procedure, not requiring the receipt of a visa, with the exception of foreign citizens mentioned in Item 3 of Article 6 of the present Federal Law, the permit for a temporary stay shall be issued with an account for the quota, approved by the Government of the Russian Federation in conformity with Item 2 of Article 6 of the present Federal Law.

**2.** In order to receive a temporary residence permit a foreign citizen entering the Russian Federation in a manner not requiring the receipt of a visa shall file the following with a territorial agency of the federal executive body in charge of migration:

- 1) application for issuance of the temporary residence permit;
- 2) document certifying the identity of this foreign citizen and recognized as such by the Russian Federation;
- 3) migration card bearing a note of a border control body on the entry of this foreign citizen to the Russian Federation or a note of a territorial agency of the federal executive body in charge of migration on issuing said migration card to this foreign citizen;
- 4) receipt proving payment of the state duty for issuance to this foreign citizen of the temporary residence permit.

**3.** The form of the application specified in Subitem 1 of Item 2 of this Article and the list of the data that must be contained therein shall be established by the Government of the Russian Federation.

**4.** A notice proving the acceptance from a foreign citizen who has entered the Russian Federation in a manner not requiring the receipt of a visa of an application for issuing a temporary residence permit thereto shall be made in his migration card. It shall not be allowable to deny the acceptance of this application, except for cases when some of the documents indicated in Item 2 of this Article are not presented.

**5.** A foreign citizen entering the Russian Federation in a manner not requiring the receipt of a visa shall be obliged to submit the following to the

territorial agency of the federal executive body in charge of migration that has accepted his application for a temporary residence permit:

- 1) documents proving that he is not a drug addict and does not have infectious diseases that pose a danger to other people around him which are provided for by the list endorsed by the Government of the Russian Federation, as well as the certificate proving that he is not HIV-infected - within thirty days as of the date of his filing an application for a temporary residence permit;

- 2) certificate (notice) of this foreign citizen's registration with a tax authority - within one year as of the date of his entry to the Russian Federation.

**6.** The head of a territorial agency of the federal executive body in charge of migration shall be entitled to extend the time period for submission by a foreign citizen who has entered the Russian Federation in a manner not requiring the receipt of a visa of the documents specified in Item 5 of this Article, if there are sound reasons for it proved by documents.

**7.** A territorial agency of the federal executive body in charge of migration, upon receiving an application of a foreign citizen, who has entered the Russian Federation in a manner not requiring the obtainment of a visa, for issuing a temporary residence permit thereto shall send inquiries to a security agency, tax authority and health care body that shall be obliged within one month as of the date of receiving the appropriate inquiry to provide to the said territorial agency information about the presence or absence of circumstances impeding the issuance to this foreign citizen of a temporary residence permit or serving as a ground for canceling the temporary residence permit previously issued thereto.

**8.** At the latest in sixty days as of the date of accepting an application for a temporary residence permit from a foreign citizen who entered the Russian Federation in a manner not requiring the receipt of a visa and on condition that he submits the documents indicated in Subitem 1 of Item 5 of this Article a territorial agency of the federal executive body in charge of migration shall be obliged to issue to this foreign citizen a temporary residence permit according to the form established by the Government of the Russian Federation or the notice of the refusal to issue to this foreign citizen a temporary residence permit provided for by Subitem 2 of Item 1 of Article 7 of this Federal Law.

## **Article 7. Grounds for the Refusal in the Issue or for the Cancellation of a Permit for a Temporary Residence**

**1.** A permit for temporary residence shall not be issued to a foreign citizen, and the earlier issued permit for a temporary residence shall be cancelled, if the given foreign citizen:

- 1) comes out for a forcible change of the foundations of the constitutional system of the Russian Federation, or creates by other actions



a threat to the security of the Russian Federation or of the citizens of the Russian Federation;

2) finances or plans terrorist (extremist) acts, renders assistance in committing such acts or commits them himself, and also if he supports a terrorist (extremist) activity by other actions;

3) in the course of five years preceding the day of his filing an application for the issue of a permit for a temporary residence, was subject to a forcible expulsion from the Russian Federation or to deportation;

4) has submitted forged or counterfeit documents, or has supplied deliberately false information about himself;

5) is convicted by a court sentence which has come into legal force for committing a grave or an especially grave crime, or a crime whose repetition is recognised as dangerous;

6) has an unserved or not taken off criminal record for committing a grave or an especially grave crime on the territory of the Russian Federation or outside of its borders, recognised as such in conformity with the federal law;

7) was repeatedly (two or more times) in the course of one year brought to administrative responsibility for a violation of the legislation of the Russian Federation in the part of ensuring the regime of the stay (residence) of foreign citizens in the Russian Federation;

8) within a regular year as of the date of issuance of a temporary residence permit did not exercise labour activity in the procedure established by the legislation of the Russian Federation within one hundred and eighty days, or has not derived income, or does not have enough means of subsistence to support himself and his family members dependent on him without assistance of the State on a level which is not lower than the cost of living established by the laws of the constituent entity of the Russian Federation on whose territory he is allowed to temporarily reside. The operation of this provision shall not extend to a foreign citizen:

whose average monthly income rate or whose family member's average monthly per capita income is not less than the cost of living established by the laws of the constituent entity of the Russian Federation where he is allowed to temporarily reside. The average monthly income of a foreign citizen and the average monthly per capita income of a foreign citizen's family member shall be determined in the procedure established by the Government of the Russian Federation;

who is in training full time at a secondary special educational institution of the Russian Federation;

who is a student or post-graduate student of a higher educational institution of the Russian Federation;

who is a pensioner or disabled person;

who pertains to other categories of persons a list of whom is established by the Government of the Russian Federation;

9) after the expiry of three years as from the day of his arrival has no living quarters on the territory of the Russian Federation on the grounds stipulated by the legislation of the Russian Federation;

10) has left the Russian Federation to a foreign state for a permanent residence;

11) is out of the boundaries of the Russian Federation for more than six months;

12) has married a citizen of the Russian Federation, which has served as a ground for receiving a permit for a temporary residence, but this marriage is recognized by the court as invalid;

13) is ill with narcomania, or has no certificate on the absence of the illness caused by the virus of the human acquired immunodeficiency (HIV-infection), or suffers from one of the infectious diseases, presenting a threat to other people. The list of such infectious diseases and the procedure for confirming their existence or absence are approved by the Government of the Russian Federation;

14) who has arrived in the Russian Federation in a manner not requiring the receipt of a visa and has not presented in due time the documents specified in Item 5 of Article 6.1 of this Federal Law.

**1.1.** No permit for temporary residence shall be issued to a foreign citizen, and the permit, earlier issued to a foreign citizen for temporary residence, may be cancelled in accordance with the procedure defined by the Government of the Russian Federation, if the quotas, established in conformity with the present Federal Law, are exhausted or reduced by the Government of the Russian Federation.

**1.2.** Apart from the cases envisaged by Item 1 of the present Article no permit for temporary residence shall be issued to a foreign citizen and the permit for temporary residence that has been issued earlier shall be annulled if a non grata person decision in respect of stay (residence has been taken in respect of this foreign citizen.

**1.3.** No permit shall be issued to a foreign citizen if this foreign citizen has been transferred by the Russian Federation to a foreign state in accordance with an international treaty of the Russian Federation on readmission.

**1.4.** The issuance of a permit for temporary stay may be refused to a foreign citizen and an earlier issued permit for temporary stay may be annulled if the given citizen was transferred by a foreign state to the Russian Federation in accordance with the international treaty of the Russian Federation on readmission.

**2.** In the event of deciding to deny a foreign citizen issuance of a temporary residence permit or to cancel the temporary residence permit previously issued thereto, the territorial agency of the federal executive body in charge of migration that has rendered such decision shall issue the appropriate notice to the said foreign citizen.

3. A decision to deny a foreign citizen, who has arrived in the Russian Federation in a manner not requiring the receipt of a visa, issuance of a temporary residence permit or to cancel the temporary residence permit previously issued thereto shall be rendered in the presence of the circumstances provided for by Subitems from 1 to 8, 10, 11, 13 and 14 of Item 1 of this Article.

4. A decision of a territorial agency of the federal executive body in charge of migration to deny a foreign citizen a temporary residence permit or to cancel the temporary residence permit previously issued thereto may be appealed by this foreign citizen with the federal executive body in charge of migration or with court within three working days as of the date of receipt by this foreign citizen of a notice of the rendering of the appropriate decision. Within the period while this foreign citizen's appeal is being considered, he does not lose the right to temporarily stay in the Russian Federation, except for the cases provided for by federal laws. Copies of a decision of the federal executive body in charge of migration concerning the appeal of this foreign citizen shall be sent within three working days as of the date of rendering such decision to the territorial agency of the federal executive body in charge of migration that has rendered the appealed decision and to this foreign citizen.

5. If the federal executive body in charge of migration has reversed a decision of its territorial agency to deny a foreign citizen issuance of a temporary residence permit or to cancel a temporary residence permit previously issued thereto, the said territorial agency within three working days as of the date of reversal of the appropriate decision shall issue (restore) a temporary residence permit to this foreign citizen.

## **Article 8. Permanent Residence of Foreign Citizens in the Russian Federation**

1. In the course of the term of validity of the permit for a temporary residence, and if there are legal grounds, a foreign citizen may be issued a residence permit at his application. An application for the issue of a residence permit shall be lodged by a foreign citizen to the territorial subdivision of the federal executive power body in charge of migration, not later than six months before the expiry of the term of validity of the permit for a temporary residence.

2. Before receiving a residence permit, a foreign citizen is obliged to live in the Russian Federation for at least one year on the grounds of a temporary residence permit.

3. A residence permit is issued to a foreign citizen for five years. After the expiry of the term of validity of the residence permit, this term may be extended by another five years by application from the foreign citizen. The number of such extensions of the term of validity of the residence permit is not limited.

4. A residence permit shall contain the following information: the surname and name (written out in letters of the Russian and Latin alphabets), the date and place of birth, the sex and citizenship of the foreign citizen, the number and date of adopting the decision on the issue of the residence permit, the term of validity of the residence permit and the name of the executive power body which has issued the residence permit; it shall be formalized as the document of an established form.

5. A procedure for issuance of a residence permit and a list of the documents to be submitted together with an application for issuance of a residence permit shall be approved by the Government of the Russian Federation.

6. A foreign citizen permanently residing in the Russian Federation shall be obliged to annually notify the territorial agency of the federal executive body in charge of migration at the place this foreign citizen received a residence permit proving his residence in the Russian Federation. This foreign citizen shall file the notice personally or shall send it in the established procedure by mail upon producing the document certifying the identity of this foreign citizen and recognized as such by the Russian Federation, as well as his residence permit. It shall not be allowable to demand that a foreign citizen submit other documents or other data, apart from those subject to including in said notice. The following data shall be entered in said notice:

1) name of a given foreign citizen permanently residing in the Russian Federation, including his family name, first name and patronymic (in the presence of the latter);

2) place of residence of this foreign citizen;

3) place (places) of employment and duration of the exercising by this foreign citizen of labour activity within a regular year as of the date of his receiving a residence permit;

4) period of this foreign citizen's stay outside the Russian Federation within a regular year as of the date of his receiving the residence permit (indicating the states he went to);

5) rate and sources of income of this foreign citizen within a regular year as of the date of his receiving the residence permit.

7. The form of, and procedure for filing, the notice specified in Item 6 of this Article shall be established by the Government of the Russian Federation.

## **Article 9. Grounds for the Refusal to Issue or for the Cancellation of a Residence Permit**

1. The residence permit to a foreign citizen shall not be issued, and an earlier issued residence permit shall be cancelled, if the given foreign citizen:

1) comes out for a forcible change of the foundations of the constitutional system of the Russian Federation, or creates by other actions

a threat to the security of the Russian Federation or of the citizens of the Russian Federation;

2) finances or plans terrorist (extremist) acts, renders assistance in committing such acts or commits them himself, and also if he supports a terrorist (extremist) activity by other actions;

3) has been subjected to an administrative expulsion from the Russian Federation, has been deported or transferred by the Russian Federation to a foreign state in accordance with an international treaty of the Russian Federation on readmission;

4) has submitted forged or counterfeit documents, or has supplied deliberately false information about himself;

5) is convicted by a court sentence, which has come into legal force, for committing a grave or an especially grave crime, or a crime whose repetition is seen as dangerous;

6) has an unserved or not taken off criminal record for committing a grave or an especially grave crime on the territory of the Russian Federation or outside of its borders, recognized as such in conformity with the federal law;

7) repeatedly (two or more times) in the course of one year was brought to administrative responsibility for a violation of the legislation of the Russian Federation in the part of the observation of the regime for a stay (residence) of foreign citizens in the Russian Federation;

8) is unable to present proof of the ability to maintain himself and his family members in the Russian Federation within the limits of the subsistence minimum, while not resorting to the assistance of the state, with the exception of cases when a foreign citizen is recognized as incapable of working;

9) after the expiry of three years as from the day of his entry has no living quarters on the territory of the Russian Federation on the grounds stipulated by the legislation of the Russian Federation;

10) has gone from the Russian Federation to a foreign state for permanent residence;

11) has been out of the Russian Federation for more than six months;

12) has married a citizen of the Russian Federation, which served as a ground for receiving a temporary residence permit, and this marriage is recognized as invalid by the court;

13) is ill with narcomania, or has no certificate on the absence of the illness, caused by the virus of the acquired human immunodeficiency (HIV-infection), or suffers from one of the infectious diseases presenting a threat to other people. The list of such infectious diseases and the procedure for confirming their existence or absence is approved by the Government of the Russian Federation.

**2.** Apart from the cases envisaged by Item 1 of the present article no residence permit shall be issued to a foreign citizen and the effective term of a residence permit shall not be extended or a residence permit that has

been issued earlier shall be annulled if a non grata person decision in respect of stay (residence) has been taken in the established procedure in respect of this foreign citizen in the Russian Federation.

3. No residence permit may be issued to a foreign citizen and the effective term of a residence permit that has been issued earlier may not be extended or a residential permit that has been issued earlier may be annulled if this foreign citizen has been transferred by a foreign state to the Russian Federation in accordance with an international treaty of the Russian Federation on readmission.

#### **Article 10. Documents Identifying the Foreign Citizen in the Russian Federation**

1. Seen as the documents identifying the foreign citizen in the Russian Federation, shall be the foreign citizen's passport or another document established by federal law or recognized in conformity with the international treaty of the Russian Federation as the document identifying the foreign citizen.

2. Seen as the documents identifying a stateless person in the Russian Federation shall be the following:

- 1) the document issued by the foreign state and recognized in conformity with the international treaty of the Russian Federation as the document identifying a stateless person;
- 2) the permit for temporary residence;
- 3) the residence permit;
- 4) the other documents stipulated by the federal law or recognized in conformity with the international treaty of the Russian Federation as the documents identifying a stateless person.

#### **Article 11. Movement of Foreign Citizens Within the Boundaries of the Russian Federation**

1. Foreign citizens enjoy the right to the freedom of movement within the boundaries of the Russian Federation for personal and business purposes on the grounds of the documents issued or formalized for them in conformity with the present Federal Law, with the exception of paying visits to the territories, organisations and objects, for entry to which a special permit is required in conformity with federal laws.

The list of the territories organisations and objects, for entry to which a special permit is required, is approved by the Government of the Russian Federation.

2. A foreign citizen temporarily residing in the Russian Federation has no right to change at his own wish the place of his residence within the boundaries of the subject of the Russian Federation on whose territory he is permitted a temporary residence, or to choose the place of his residence outside the boundaries of the said subject of the Russian Federation.

3. Foreign citizens - the workers of the diplomatic representations and the workers of the consular institutions of foreign states in the Russian Federation, the workers of international organisations, as well as foreign journalists accredited in the Russian Federation, are granted the right to the freedom of movement within the boundaries of the Russian Federation on the grounds of the principle of reciprocity, with the exception of the restrictions stipulated in Item 1 of this Article.

#### **Article 12. Foreign Citizens' Relation to Suffrage**

1. Foreign citizens in the Russian Federation have no right to elect and to be elected to the federal state power bodies and to the state power bodies of the subjects of the Russian Federation, or to take part in a referendum of the Russian Federation or in referendums of the subjects of the Russian Federation.

2. Foreign citizens permanently residing in the Russian Federation, in the cases and in conformity with the procedure stipulated by the federal laws have the right to elect and to be elected to the local self-government bodies, and to take part in a local referendum.

#### **Article 13. Terms for Foreign Citizens' Participation in Labour Relations**

1. Foreign citizens enjoy the right to freely dispose of their capabilities for labour and to choose the kind of activity and trade, as well as the right to a free use of their capabilities and property for business and other economic activity not prohibited by law, with an account for the restrictions stipulated by federal law.

2. Seen as an employer in conformity with the present Federal Law shall be a natural person or legal entity who has received in the established order a permit for inviting and using foreign workers, and who is making use of the foreign workers' labour on the grounds of labour agreements concluded with them. To come out in the capacity of an employer may, among others, a foreign citizen registered as an individual businessman.

3. Seen as the customer of works (services) in conformity with this Federal Law shall be a natural person or legal entity who has received in the established order a permit for inviting and using foreign workers and who is making use of foreign workers' labour on the grounds of civil-law contracts concluded with them for the performance of works (for rendering services). To come out as a customer of the works (services) may, among others, a foreign citizen registered as an individual businessman.

4. The employer and the customer of the works (services) shall have the right to invite and to use foreign workers only if they have a permit for inviting and using foreign workers.

A foreign citizen shall have the right to carry out labour activity only if he has a permit for work. This order shall not be spread to foreign citizens:

- 1) who permanently reside in the Russian Federation;

2) who are participants in the State Programme for Rendering Assistance to the Voluntary Movement to the Russian Federation of Compatriots, Residing Abroad, and of Their Family Members, Moving Together with Them to the Russian Federation;

3) who are the workers of the diplomatic representations, workers of the consular institutions of foreign states in the Russian Federation, and workers of international organisations, and also private domestic servants of the above persons;

4) who are workers of foreign legal entities (the producers or the suppliers), performing installation (contract supervision) works, the servicing, the guaranteed servicing and the post-guarantee repairs of the technical equipment supplied to the Russian Federation;

5) who are journalists accredited in the Russian Federation;

6) who are studying in the Russian Federation in the educational establishments for professional education and who are carrying out works (are rendering services) during vacations;

7) who are studying in the Russian Federation in educational establishments for professional education and who work in the time free of studies in the capacity of the auxiliary educational personnel in those educational establishments where they are studying;

8) who are invited to the Russian Federation as lecturers for giving lessons in educational establishments, with the exception of persons, arriving in the Russian Federation for the performance of pedagogical activity in the establishments for professional religious education (in ecclesiastical educational establishments).

**4.1.** Specifics in the performance of labour activity by a foreign citizen who has arrived in the Russian Federation in accordance with the procedure, not requiring the receipt of a visa, shall be defined in Article 13.1 of the present Federal Law.

**4.2.** A foreign citizen, who is temporarily staying in the Russian Federation, has no right to engage in labour activity outside the boundaries of the subject of the Russian Federation, on whose territory he is issued a permit for work.

**4.3.** The specifics of exercising labour activities by foreign citizens in the territory of the Russian Federation in connection with the organisation and holding of the XXII Winter Olympic Games and XI Winter Paralympic Games of 2014 in the town of Sochi shall be determined by the Federal Law on the Organisation and Holding of the XXII Winter Olympic Games and XI Winter Paralympic Games of 2014 in the Town of Sochi, on the Development of the Town of Sochi as a Mountain Climatic Health Resort and on Amending Some Legislative Acts of the Russian Federation.

**5.** A foreign citizen temporarily residing in the Russian Federation has no right to engage in a labour activity outside the boundaries of the subject of the Russian Federation on whose territory he is permitted to temporarily reside.



6. With an account for the specifics in regional economic relations, the Government of the Russian Federation can establish the cases for the performance of labour activity:

1) by a foreign citizen who temporarily stays in the Russian Federation - outside the boundaries of the subject of the Russian Federation, on whose territory he is issued a permit for work;

2) by a foreign citizen, temporarily residing in the Russian Federation - outside the boundaries of the subject of the Russian Federation, on whose territory he is issued a permit for work.

**Article 13.1. Labour Activities of Foreign Citizens Arriving in the Russian Federation in a Manner Not Requiring the Receipt of a Visa**

1. A labour permit shall be issued to a foreign citizen arriving at the Russian Federation in a manner not requiring the receipt of a visa, except for the cases provided for by Item 4 of Article 18 of this Federal law, by the federal executive body in charge of migration or by a territorial agency thereof on the basis of an application of this foreign citizen for a work permit.

2. A foreign citizen who has arrived in the Russian Federation in a manner not requiring the receipt of a visa shall file an application for a work permit either personally or through an organisation effecting the job placement of foreign citizens in the Russian Federation in the established procedure, or through a person acting as a representative of this foreign citizen in compliance with the civil legislation of the Russian Federation.

3. Concurrently with the application indicated in Item 2 of this Article, a foreign citizen shall submit the following:

1) document certifying the identity of this foreign citizen and recognized as such by the Russian Federation;

2) migration card bearing a note of a border control body proving an entry of this foreign citizen to the Russian Federation or a note of a territorial agency of the federal executive body in charge of migration proving issuance of the said migration card to this foreign citizen;

3) receipt proving payment of the state duty for issuance of a work permit to this foreign citizen.

4. The federal executive body in charge of migration or a territorial agency thereof shall send information about the work permits, issued to foreign citizens, to the executive body in charge of population employment in the appropriate constituent entity of the Russian Federation.

5. It shall not be allowable to deny a foreign citizen who has arrived in the Russian Federation in a manner not requiring the receipt of a visa acceptance of an application from him for issuance thereto of a labour permit, except for the cases when this foreign citizen fails to submit the documents indicated in Item 3 of this Article.

6. A territorial agency of the federal executive body in charge of migration, and in the cases, established by the Government of the Russian

Federation, the authorized federal executive power body shall consider an application of a foreign citizen for issuance of a work permit subject to the quotas for issuance of such permits, if such quotas are established by the Government of the Russian Federation.

7. The federal executive body in charge of migration or a territorial agency thereof, at the latest in ten working days as of the date of accepting an application for a work permit from a foreign citizen who has arrived in the Russian Federation in a manner not requiring the receipt of a visa, shall be obliged to issue to this foreign citizen the work permit or a notice of the refusal to issue such permit. The work permit shall be issued to this foreign citizen personally upon his production of documents certifying his identity and recognized as such by the Russian Federation. The decision to deny a foreign citizen the issuance of a work permit may be appealed with the federal executive body in charge of migration or with a court within three working days as of the date of receipt of said notice by this foreign citizen.

8. If a work permit is issued to a foreign citizen who has arrived at the Russian Federation in a manner not requiring the receipt of a visa for a time period exceeding ninety days, he shall be obliged within thirty days as of the date of receiving such permit to submit to a territorial agency of the federal executive body in charge of migration documents proving that he is not a drug addict and does not have infectious diseases that pose a danger to other people around him which are provided for by the list endorsed by the Government of the Russian Federation, as well as the certificate proving that he is not HIV-infected.

9. Employers or customers ordering the performance of works (rendering of services) shall be entitled to attract and use for exercising labour activity foreign citizens, who have arrived in the Russian Federation in a manner not requiring the receipt of a visa and those who have work permits, without receiving a permit to attract and employ foreign workers but with an obligatory notification of the territorial agency of the federal executive body in charge of migration and the executive body in charge of the population employment in the appropriate constituent entity of the Russian Federation of such attraction and employment.

#### **Article 14. Foreign Citizens' Relation to the State or the Municipal Service and to Individual Kinds of Activity**

1. A foreign citizen has no right:

1) to be employed in the municipal service;

Foreign citizens' relation to the civil service shall be determinable by federal laws;

2) to occupy posts in the composition of the crew of a ship sailing under the State Flag of the Russian Federation in conformity with the restrictions envisaged by the Merchant Seafaring Code of the Russian Federation;

3) to be a member of the crew of a military air vessel of the Russian Federation or of another vessel operated for non-commercial purposes, as well as of a flying apparatus of state or experimental aviation;

4) to be the commander of a civil aircraft;

5) to be enrolled for a job to the objects and the organisations whose activity is involved in providing for the security of the Russian Federation. The list of such objects and organisations is approved by the Government of the Russian Federation;

6) to engage in another activity and to occupy other posts, access of foreign citizens to which is restricted by federal law.

2. The procedure for foreign citizens to occupy leading posts in organisations, in whose authorised capital over fifty per cent of shares or of partner shares belong to the Russian Federation, shall be established by the Government of the Russian Federation.

### **Article 15. Foreign Citizens' Relation to Military Service**

1. Foreign citizens may not be called for military service (for an alternative civilian service).

2. Foreign citizens may enlist for military service on a contractual basis and may be taken on a job in the Armed Forces of the Russian Federation, other troops and military units as members of the civilian personnel in compliance with federal laws and other normative legal acts of the Russian Federation.

## **Chapter II. Procedure for Formalizing Invitations for Entry to the Territory of the Russian Federation**

### **Article 16. Procedure for Formalizing an Invitation for Entry to the Russian Federation**

1. An invitation for entry to the Russian Federation (hereinafter also referred to as an invitation) shall be issued by the federal executive power body in charge of migration, or by the federal executive power body controlling the matters of internal affairs, or by its territorial subdivision.

2. The invitation shall contain the following principal information: the surname and name (written out in letters of the Russian and the Latin alphabets), the date and place of birth, the sex and the citizenship of the invited person, the state of his residence, the number and date of issue of the document identifying him, the purpose of the trip, the intended term of stay in the Russian Federation, the intended points of visiting in the Russian Federation, the name of the inviting organisation and its place of location, or the surname and name of the inviting natural person and the address of his place of residence, the number and the date of adopting the decision on the issue of the invitation and the term of its validity.

3. The federal executive power body, controlling the matters of foreign affairs, shall issue the invitations at the requests of:

- 1) federal bodies of the state power;
- 2) diplomatic representations and consular institutions of foreign states in the Russian Federation;
- 3) international organisations and their representations in the Russian Federation, as well as the representations of foreign states in international organisations in the Russian Federation;
- 4) state power bodies of the subjects of the Russian Federation.

4. The territorial subdivision of the federal executive power body in charge of migration shall issue the invitations at the request of:

- 1) local self-government bodies;
- 2) legal entities;
- 3) citizens of the Russian Federation and foreign citizens permanently residing in the Russian Federation.

5. Simultaneously with submitting a request for the issue of an invitation, the inviting party shall also present guarantees for the material, medical and housing accommodation of the foreign citizen over the period of his stay in the Russian Federation.

The procedure for presenting these guarantees shall be established by the Government of the Russian Federation.

#### **Article 17. Invitation for Entry to the Russian Federation to a Foreign Citizen for the Studies at an Educational Establishment**

1. An invitation for entry to the Russian Federation to a foreign citizen for the purpose of studying at an educational establishment shall be issued by the territorial subdivision of the federal executive power body in charge of migration, at the request of the given educational establishment.

2. An invitation for the purpose of studying at an educational establishment for professional education shall be issued by the federal executive power body in charge of migration by request from the federal executive power body, controlling respectively the matters of defence, security service, internal affairs, or of the customs business, or of the prevention and the liquidation of the aftermath of emergency situations and natural calamities, if the said bodies have in their structure educational establishments for professional education of the corresponding types and kinds.

3. An educational establishment which has invited a foreign citizen to the Russian Federation for the purpose of studying, shall:

- 1) guarantee to the foreign citizen the possibility to receive an education at the given educational establishment, assist him in the timely registration at the place of his stay and provide for his exit from the Russian Federation after he completes or interrupts studies;

- 2) in the course of three working days as from the day of the foreign citizen's arrival at the given educational establishment, forward information to this effect to the executive power body of the subject of the Russian Federation controlling the matters of education;

3) in the course of three working days as from the day of establishing the fact of the self-willed exit of a foreign citizen from the given educational establishment, forward information to this effect to the executive power body of the subject of the Russian Federation in charge of migration to the territorial subdivision of the federal executive power body controlling the matters of internal affairs, and to the territorial subdivision of the federal executive power body supervising the matters of security.

**Article 18. Invitation for an Entry to the Russian Federation to a Foreign Citizen for the Performance of a Labour Activity**

1. The quota for the issue to foreign citizens, except for foreign citizens who have arrived in the Russian Federation in a manner not requiring the receipt of a visa, of invitations for entry to the Russian Federation for the performance of labour activity is annually approved by the Government of the Russian Federation at the proposals of the executive bodies of the state power of the subjects of the Russian Federation, with an account for the demographic situation in the corresponding subject of the Russian Federation and for the given subject's possibilities for the maintenance of foreign citizens.

The above-mentioned proposals from the executive bodies of the state power of the subjects of the Russian Federation shall be formulated on the basis of the principle of the priority use of the national labour resources, while taking into account the situation on the labour market.

2. An invitation for entry to the Russian Federation to a foreign worker, except for a foreign worker who has arrived in the Russian Federation in a manner not requiring the receipt of a visa for the performance of a labour activity shall be issued by a federal executive power body in charge of migration, or by its territorial subdivision at the request for the issue of an invitation submitted by the employer or by the customer of the works (services) to the corresponding body.

Together with the request for the issue of an invitation for the performance of a labour activity, the employer or the customer of the works (services) shall submit to the territorial subdivision of the federal executive power body, controlling the matters of internal affairs, or directly to the federal executive power body in charge of migration, if the invitation is to be issued by the said federal body:

- 1) a permit for the invitation and the use of foreign workers;
- 2) the documents necessary for the issue of an invitation for work to every foreign worker. Simultaneously with an invitation for the performance of labour activity, to the employer or to the customer of the works (services) shall be issued a permit for work to every foreign worker.

3. A permit for inviting and using foreign workers, with the exception of the case described in Item 4 of the present Article shall be issued by the federal executive power body in charge of migration or by its territorial subdivisions, if there exists the conclusion of the corresponding agency of

the state service of the population employment of a constituent entity of the Russian Federation.

The conclusion concerning invitation and use of foreign workers shall be issued for the term of one year. A procedure for issuance of the said conclusion shall be determined by the federal executive power bodies exercising the functions of formulation of the state policy and of normative-and-legal regulation in the field of the population employment and unemployment.

**4.** A permit for inviting and using foreign workers in the composition of the crews of Russian seaships shall be issued by the federal executive power body in charge of migration if there is the conclusion of the federal executive power body supervising the matters of transport, in accordance with the order established by the Government of the Russian Federation in conformity with this Federal Law.

**5.** A permit for work shall be issued to a foreign citizen temporarily staying in the Russian Federation by the territorial subdivision of the federal executive power body in charge of migration under the condition that the employer or the customer of the works (services) enters the funds necessary to provide for the exit of the foreign worker by the corresponding kind of transport from the Russian Federation, onto an account specially opened by the federal executive power body controlling the matters of internal affairs.

In the event of the administrative expulsion of a foreign citizen exercising labour activity in the Russian Federation without a work permit, the funds spent from the federal budget on ensuring the departure of this foreign citizen from the Russian Federation with the use of the appropriate mode of transport shall be subject to recovery in the judicial procedure from the employer or customer ordering the performance of works (rendering of services), that have attracted the said foreign citizen to labour activity, on the basis of a legal action of the body executing the decision on the administrative expulsion of said foreign citizen.

**6.** The order for the issue of a permit for work and the list of the documents to be submitted together with the application for the issue of a permit for work shall be approved by the Government of the Russian Federation.

**7.** After the exit of the foreign worker from the Russian Federation, the funds mentioned in Item 5 of the present Article shall be returned to the employer or to the customer of the works (services) after the expiry of the term of the contract, and to the foreign citizen registered as an individual businessman - upon the presentation of the travel documents confirming that the fare for the exit of the foreign worker from the Russian Federation is paid.

**8.** The employer or the customer of the works (services) who has invited a foreign citizen to the Russian Federation for a labour activity or who has concluded a new labour agreement or a civil-law contract for the

performance of works (for rendering services) with the foreign worker in the Russian Federation shall be obliged:

1) to possess a permit for the invitation and the use of foreign workers, if not otherwise provided for by this Federal Law;

2) to provide for the foreign worker's receipt of a permit for work;

3) to present the documents necessary for the registration of the foreign citizen at the place of his stay in the Russian Federation;

4) to inform the tax body at the place of his being put onto the records about the invitation and the use of foreign workers within ten days as from the day of filing a request for the issue to the foreign citizen of an invitation for the purpose of carrying out labour activity, or about the arrival of the foreign citizen at the place of work or at the place of stay, or about the receipt by the foreign citizen of a permit for work, or about the conclusion with the foreign worker in the Russian Federation of a new labour agreement or civil-law contract for the performance of works (for rendering services), or about the suspension of the validity or the cancellation of the permit for the invitation and for the use of foreign workers, or about the suspension of the validity or the cancellation of the permit for work to a foreign citizen, who is registered in the capacity of an individual businessman, or about the cancellation of the permit for work to a foreign citizen;

5) to assist in the exit of the foreign worker from the Russian Federation after an expiry of the term of the labour agreement or of the civil-law contract concluded with him for carrying out works (for rendering services);

6) to settle the outlays, involved in the administrative expulsion from the Russian Federation or in the deportation of a foreign citizen, taken on a job with a violation of the procedure for the invitation and the use of foreign workers established by the present Federal Law;

7) to forward to the federal executive power body in charge of migration or to its territorial subdivision information on the violation by a foreign worker of the terms of the labour agreement or of the civil-law contract for the performance of works (for rendering services), as well as on the pre-schedule cancellation of such agreements;

8) to direct to the federal executive power body in charge of migration or to its territorial subdivision, and to the territorial subdivision of the federal executive power body controlling the matters of security, information on an unsanctioned leave by the foreign worker of his place of work or of his place of stay.

**9.** A permit for work to a foreign citizen shall not be issued, and the issued permit for work shall be cancelled by the territorial subdivision of the federal executive power body in charge of migration, if the given foreign citizen:

1) comes out for a forcible change of the foundations of the constitutional system of the Russian Federation, or creates a threat to the

security of the Russian Federation or of the citizens of the Russian Federation by other actions;

2) finances or plans terrorist (extremist) acts, renders assistance in committing such acts or commits them himself, and also if he supports a terrorist (extremist) activity by other actions;

3) has been subjected to an administrative expulsion from the Russian Federation, has been deported or transferred by the Russian Federation to a foreign state in accordance with an international treaty of the Russian Federation on readmission, in the course of five years before filing an application for the issue of a permit for work;

4) has submitted forged or counterfeit documents, or has supplied deliberately false information about himself;

5) is convicted by a court sentence (which has come into legal force) for committing a grave or an especially grave crime, or a crime whose repetition is recognized as dangerous;

6) has an unserved or not taken off criminal record for committing a grave or an especially grave crime on the territory of the Russian Federation or outside its borders, recognized as such in conformity with the federal law;

7) was repeatedly (two or more times) in the course of one year brought to administrative responsibility for a violation of the legislation of the Russian Federation in the part of the observation of the regime for the stay (for the residence) of foreign citizens in the Russian Federation;

8) has gone out of the Russian Federation to a foreign state for permanent residence;

9) has been out of the boundaries of the Russian Federation for more than six months;

10) is ill with narcomania, or has no certificate on the absence of the illness caused by the virus of the acquired human immunodeficiency (HIV-infection), or suffers from one of the infectious diseases presenting a threat to other people. The list of such infectious diseases and the procedure for confirming their existence or absence is approved by the Government of the Russian Federation;

11) within thirty days as of the date of receiving a labour permit in the procedure provided for by Article 13.1 of this Federal Law has not submitted to a territorial agency of the federal executive body in charge of migration the documents proving that he is not a drug addict and does not have infectious diseases that pose a danger to other people around him which are provided for by the list endorsed by the Government of the Russian Federation, as well as the certificate proving that he is not HIV-infected.

**9.1.** Apart from the cases envisaged by Item 9 of the present article no work permit shall be issued to a foreign citizen and a work permit that has been issued earlier shall be annulled if a non grata person decision in



respect of stay (residence) has been taken in the established procedure in respect of this foreign citizen in the Russian Federation.

**9.2.** A work permit may not be issued to a foreign citizen and a work permit that has been issued earlier may be annulled if this foreign citizen has been transferred by a foreign state to the Russian Federation in accordance with an international treaty of the Russian Federation on readmission.

**10.** The procedure for entry by the employer or by the customer of the works (services) of the funds necessary to provide for the foreign workers' exit by the corresponding kind of transport from the Russian Federation, and the procedure for the return of such funds to the employer or to the customer of the works (services) shall be established by the Government of the Russian Federation.

**11.** If the employer or the customer of the works (services) has violated the provisions of this Federal Law, the federal executive power body in charge of migration or its territorial subdivision may suspend the validity of the permit for the invitation and the use of foreign workers, as well as of the permit for work to a foreign citizen registered in the capacity of an individual businessman, which was issued to the employer or to the customer of the works (services), or to the foreign citizen, registered in the capacity of an individual businessman, until the said persons eliminate the committed violations within a fixed term.

**12.** If the employer or the customer of the works (services) has not eliminated the committed violations within the fixed term, the permit for the invitation and the use of foreign workers issued to the employer or to the customer of the works (services), as well as the permit for work issued to a foreign citizen registered in the capacity of an individual businessman shall be cancelled by the federal executive power body in charge of migration or by its territorial subdivision.

**13.** If the permit for the invitation and the use of foreign workers is cancelled, and also if the activity of the employer or of the customer of the works (services) is terminated, the foreign worker shall have the right to conclude a new contract with another employer or customer of the works (services) for the period left until the end of the term of validity of the permit for work, under the condition that until the expiry of this term at least three months are left and that the new employer or customer of the works (services) possesses a permit for the invitation and the use of foreign workers.

## **Article 18.1.** Specifics of Regulating the Market of Foreign Workers' Labour

**1.** The Government of the Russian Federation shall annually determine the demand for foreign workers, shall assess the efficiency of using foreign work force, the contribution of foreign workers to the socio-economic development of a given constituent entity of the Russian

Federation. The demand for foreign workers shall be determined by state power bodies of a constituent entity of the Russian Federation in compliance with the rules established by the Government of the Russian Federation.

**2.** The executive state power bodies of a constituent entity of the Russian Federation shall annually determine the need to attract foreign workers, assess the efficiency of using foreign man power and the contribution of foreign workers to the socio-economic development of a given constituent entity of the Russian Federation. The need to attract foreign workers shall be determined by the state power bodies of a constituent entity of the Russian Federation in compliance with the rules established by the Government of the Russian Federation.

**3.** For the purpose of ensuring national security, maintaining the optimum balance of labour resources, assisting the employment of citizens of the Russian Federation as a top priority, as well as for the purpose of accomplishing other tasks of the internal and foreign policy of the State, the Government of the Russian Federation shall be entitled to establish quotas for issuance of work permits to foreign citizens, both on the territory of one or several constituent entities of the Russian Federation and on the whole territory of the Russian Federation.

**4.** The quotas provided for by Item 3 of this Article may be established depending on the profession, specialty and qualifications of foreign citizens, the country of their origin, as well as depending on other economic and (or) social criteria subject to regional specifics of the labour market. The said quotas shall not extend to foreign citizens who are highly-qualified specialists placing themselves in jobs according to their profession (specialty) in compliance with the list of professions (specialties or positions) endorsed by the federal executive body exercising the functions of developing state policy and normative legal regulation of employment of the population by approbation of the federal executive body exercising the functions of developing the state policy and normative legal regulation in the field of socio-economic development and trade.

**5.** The Government of the Russian Federation shall be entitled to establish annually a permissible share of foreign workers employed in different branches of the economy by businesses exercising activities both on the territory of one or several constituent entities of the Russian Federation and on the whole territory of the Russian Federation, subject to the regional specifics of the labour market and the necessity of placing citizens of the Russian Federation in jobs as a top priority. When establishing said permissible share, the Government of the Russian Federation shall fix the time period for businesses to bring the number of foreign workers employed by them into accord with it. Such time period shall be established subject to the necessity of employers observing the procedure for dissolving a labour agreement (contract) established by the labour legislation of the Russian Federation.

## **Article 19. State Duty Collected for the Actions Performed in Conformity with This Federal Law**

1. The state duty shall be collected:

- 1) for the issue to a foreign citizen of a permit for temporary residence; for the issue to a foreign citizen of a residence permit;
- 2) for the issue of an invitation for entry to the Russian Federation of a foreign citizen, with the exception of the case envisaged in Subitem 1 of Item 2 of the present Article;
- 3) for the issue of a permit for the invitation and the use of foreign workers; for the issue to a foreign citizen of a permit for work, if not otherwise established by this Federal Law;
- 4) for an extension of the time term for a temporary stay of a foreign citizen in the Russian Federation with the exception of the case envisaged in Subitem 2 of Item 2 of the present Article;
- 5) for the registration of a foreign citizen in the Russian Federation at the place of his residence or at the place of his stay.

2. The state duty shall not be collected:

- 1) for the issue of an invitation for an entry to the Russian Federation of a foreign citizen for the purpose of studying at a state or a municipal educational establishment;
- 2) for an extension of the term for a temporary stay in the Russian Federation of a foreign citizen who has arrived in the Russian Federation for carrying out a charitable activity or for the delivery of humanitarian assistance, or because of circumstances connected with the need of emergency medical treatment, with grave illness or the death of a close relative.

3. The amount of the state duty collected in conformity with the present Article and the procedure for its payment shall be established by the federal law.

## **Chapter III. Registration of Foreign Citizens in the Russian Federation**

Abrogated from January 15, 2007.

## **Chapter IV. Recording of Foreign Citizens Temporarily Staying or Residing in the Russian Federation**

Abrogated from January 15, 2007.

## **Chapter V. Migration Registration of Foreign Citizens and Control over Stay (Residence) of Foreign Citizens in the Russian Federation**

### **Article 29.1. Migration Registration of Foreign Citizens**

Migration registration of foreign citizens in the Russian Federation shall be effected in compliance with the federal law on migration registration of foreign citizens and stateless persons in the Russian Federation.

**Article 30. Control over the Stay and the Residence of Foreign Citizens in the Russian Federation**

1. Control over the residence, over a temporary stay in the Russian Federation and over the transit movement within the boundaries of the Russian Federation of foreign citizens, with the exception of the citizens mentioned in Item 2 of the present Article shall be exerted by the federal executive body in charge of migration and territorial agencies thereof, as well as by the federal executive power body controlling the matters of internal affairs, and by its territorial subdivisions.

2. The federal executive power body controlling the matters of foreign affairs shall exert control over a temporary stay in the Russian Federation of the following foreign citizens:

1) the heads of the diplomatic representations and the heads of the consular institutions of foreign states in the Russian Federation, workers of the diplomatic institutions and of the consular institutions of foreign states in the Russian Federation, as well as the family members and the guests of these persons, if the family members or the guests live at the residential quarters of the said persons or on the territory of such representations or institutions;

2) the official persons of the Ministries of Internal Affairs of foreign states who have come to the Russian Federation on a working visit and who possess a diplomatic or an official passport, and the family members of the said persons;

3) the official persons of international organisations, the official persons of the representations of these organisations in the Russian Federation and the official persons of the representations of the said organisations in the Russian Federation, as well as the official persons of international organisations whose headquarters are situated in the Russian Federation who have entered the Russian Federation on a working visit and who enjoy diplomatic privileges and immunities in conformity with the international treaty of the Russian Federation, and the family members and the guests of the said persons, if the family members or the guests live at the residential quarters of the said persons or on the territory of such representations.

3. When a foreign citizen enters the Russian Federation, he shall fill out a migration card which, together with the document identifying the foreign citizen, shall be submitted to the official person of the frontier guards control body at the point of entry to the State Frontier of the Russian Federation. When exiting from the Russian Federation, a foreign citizen

shall be obliged to hand over the migration card to the official person of the frontier guards control body at the point of letting across the State Frontier of the Russian Federation. The official person of the frontier guards control body shall make a note in the migration card on the entry of the foreign citizen to the Russian Federation, and a note on his exit from the Russian Federation.

**Article 31. Consequences of Non-Observation by a Foreign Citizen of the Term of Stay or of Residence in the Russian Federation**

1. If the term of the residence or of a temporary stay of a foreign citizen in the Russian Federation is reduced, this foreign citizen is obliged to leave the Russian Federation within three days.

2. If a permit for a temporary residence or a residence permit issued to a foreign citizen is cancelled, this foreign citizen is obliged to leave the Russian Federation within 15 days.

3. A foreign citizen who has failed to discharge the duty stipulated in Items 1 and 2 of the present Article is subject to deportation.

4. The deportation of foreign citizens in the cases envisaged in the present Article, shall be carried out by the federal executive power body in charge of migration and by territorial agencies thereof in cooperation with the federal executive body in charge of internal affairs and by territorial agencies thereof, as well as with other federal executive bodies and their territorial agencies within the scope of authority thereof.

5. The deportation shall be effected at the expense of the funds of the deported foreign citizen, and if such funds are absent or if the foreign worker was taken on for a job with a violation of the procedure for the invitation and the use of foreign workers established in this Federal Law - at the expense of the funds of the body which has invited him, or of the diplomatic representation or of the consular institution of the foreign state of which the deported foreign citizen is a national, or of the international organisation or of its representation or of the natural person or the legal entity mentioned in Article 16 of the present Federal Law.

6. If it is impossible to identify the inviting party, the outlays on the deportation arrangements shall be expense commitments of the Russian Federation. The procedure for spending the funds allocated for the said purpose shall be determined by the Government of the Russian Federation.

7. The federal executive power body controlling the matters of internal affairs or its territorial subdivision shall forward information on the deportation of a foreign citizen to the federal executive power body in charge of migration.

8. The federal executive power body controlling the matters of foreign affairs shall inform the diplomatic representation or the consular institution of the foreign state in the Russian Federation, whose national the deported foreign citizen is on the deportation of the foreign citizen.

9. Foreign citizens subject to deportation shall be kept by court decision in the specially allocated premises of the internal affairs bodies, or in the special institutions established in accordance with the procedure laid down by the law of the subject of the Russian Federation, until the execution of the decision on the deportation.

#### **Article 32. Control over the Labour Activity of Foreign Workers**

1. Control over the labour activity of foreign workers shall be exerted by the federal executive power body in the area of migration, by its territorial subdivisions in interaction with the other federal executive power bodies and their territorial subdivisions, and by the executive power bodies of the subjects of the Russian Federation within the scope of their competence.

2. If a foreign worker has violated the terms of the labour agreement or of the civil-law contract for the performance of works (for rendering services), the permit for work issued to the given foreign worker may be cancelled at the request of the employer or of the customer of the works (services) by the federal executive power body in the area of migration, or by its territorial subdivision which has issued such permit.

#### **Article 32.1. Performing International Treaties of the Russian Federation on Readmission**

1. The transfer of a foreign citizen by the Russian Federation to a foreign state in accordance with an international treaty of the Russian Federation on readmission or the acceptance by the Russian Federation of a foreign citizen transferred by a foreign state to the Russian Federation in accordance with an international treaty of the Russian Federation on readmission shall be carried out by the federal executive governmental body charged with migration matters or by a territorial body thereof on the basis of a decision of the head or a deputy head of said federal body.

2. Except for the case envisaged by Item 3 of the present article, the temporary admittance of a foreign citizen who is to be transferred in accordance with an international treaty of the Russian Federation on readmission or of a foreign citizen who is accepted in accordance with an international treaty of the Russian Federation on readmission but who has no legal ground for stay (residence) in the Russian Federation shall be in a special institution of the federal executive governmental body charged with migration matters that is intended as a temporary admittance for said foreign citizens under a court's decision.

3. The temporary admittance of a foreign citizen who is to be transferred in accordance with an international treaty of the Russian Federation on readmission or of a foreign citizen who has admittance in accordance with an international treaty of the Russian Federation on readmission but who has no legal ground for stay (residence) in the Russian Federation in the institution specified in Item 2 of the present

article during a term exceeding 48 hours shall take place under a decision of the head or a deputy head of the federal executive governmental body charged with migration or the head of a territorial body of said federal body.

4. The procedure and conditions for the stay of the foreign citizens who are to be transferred in accordance with international treaties of the Russian Federation on readmission and of the foreign citizens who have admittance in accordance with international treaties of the Russian Federation on readmission but have no legal ground for stay (residence) in the Russian Federation in the institutions specified in Item 2 of the present article are established by the Government of the Russian Federation.

5. For the purpose of ensuring the security of the foreign citizens who are to be transferred in accordance with international treaties of the Russian Federation on readmission and of the foreign citizens who have admittance in accordance with international treaties of the Russian Federation on readmission but have no legal ground for stay (residence) in the Russian Federation the institutions mentioned in Item 2 of the present article shall be under security protection in the procedure defined by the Government of the Russian Federation.

6. A foreign citizen who has been transferred by a foreign state to the Russian Federation under an international treaty of the Russian Federation on readmission and who has no legal ground for stay (residence) in the Russian Federation shall be deported if between the Russian Federation and the state of the foreign citizen's citizenship or predominant residence there is no international treaty on readmission.

## **Chapter VI. Responsibility for the Violation of the Present Federal Law**

### **Article 33. Responsibility of Foreign Citizens**

A foreign citizen guilty of infringing the legislation of the Russian Federation shall be brought to responsibility in conformity with the legislation of the Russian Federation. A foreign citizen illegally staying in the Russian Federation or that shall be transferred in accordance with an international treaty of the Russian Federation on readmission or admitted in accordance with an international treaty of the Russian Federation on readmission, shall be recorded, photographed and subjected to an obligatory state dactyloscopic registration with the subsequent placement of the obtained information into the central data bank set up in conformity with Article 26 of the present Federal Law.

### **Article 34. Procedure for an Administrative Banishment of a Foreign Citizen from the Boundaries of the Russian Federation**

1. The administrative banishment of a foreign citizen from the boundaries of the Russian Federation shall be carried out at the expense of the funds of the banished foreign citizen, and if such funds are absent or if

the foreign worker was taken on for a job with a violation of the procedure for the invitation and the use of foreign workers established in the present Federal Law - at the expense of the funds of the body which has invited him, of the diplomatic representation or of the consular institution of the state of which the banished foreign citizen is a national, or at the expense of the funds of the international organisation or of its representation, or of the natural person or legal entity referred to in Article 16 of this Federal Law.

2. If it is impossible to identify the inviting party, the outlays on the arrangements related to an administrative expulsion shall be expense commitments of the Russian Federation. The procedure for spending the funds allocated for the said purpose shall be determined by the Government of the Russian Federation.

3. The federal executive power body controlling the matters of internal affairs, or its territorial subdivision, or the federal executive power body supervising the matters of the security or its subdivisions, shall carry out the administrative banishment of a foreign citizen from the boundaries of the Russian Federation and shall direct information to this effect to the federal executive power body controlling the matters of foreign affairs, as well as to the federal executive body in charge of migration.

4. The federal executive power body supervising the matters of foreign affairs shall notify on the administrative banishment of the foreign citizen out of the boundaries of the Russian Federation the diplomatic representation or the consular institution of the foreign state in the Russian Federation whose national the banished foreign citizen is.

5. The foreign citizens subject to the administrative banishment out of the boundaries of the Russian Federation shall be kept by court decision in the specially allocated premises of the bodies of internal affairs or of the security, or in the special institutions set up in accordance with the procedure laid down by the law of the subject of the Russian Federation, until the execution of the decision on the administrative banishment from the boundaries of the Russian Federation.

### **Article 35. Responsibility of Official Persons**

The official persons of organisations receiving foreign citizens in the Russian Federation which shall provide for their servicing or which discharge the duties involved in the observation of the time terms for the stay (the residence) of foreign citizens in the Russian Federation, as well as the procedure for their registration, for the formalization of the documents on the right to a stay or to the residence of foreign citizens in the Russian Federation, on their movement within the boundaries of the Russian Federation and on the change of their place of residence in the Russian Federation, guilty of infringing the legislation of the Russian Federation, shall be brought to responsibility in conformity with the legislation of the Russian Federation.



## **Chapter VII. Final Provisions**

### **Article 36.** Adjustment of Legal Normative Acts to the Present Federal Law

1. To propose to the President of the Russian Federation and to order to the Government of the Russian Federation that they adjust their legal normative acts to the present Federal Law within a three-month term as from the day of the official publication of this Federal Law. To propose to the Government of the Russian Federation to hold talks with the governments of the neighbouring states on revising the inter-governmental agreements on mutual visa-less trips of citizens, so to reduce the list of documents identifying the citizens for entry to the Russian Federation, for exit from the Russian Federation, for a stay (the residence) in the Russian Federation and for the movement within the boundaries of the Russian Federation, and also so to specify the time terms for a visa-less stay of the citizens of one state on the territory of the other state.

2. As from the day of the entry of the present Federal Law into force, the following shall be recognized as not valid on the territory of the Russian Federation:

- Law of the USSR No. 5152-X of June 24, 1981, on the Legal Position of Foreign Citizens in the USSR (Vedomosti Verkhovnogo Soveta SSSR, No. 26, 1981, p. 836);

- Decision of the Supreme Soviet of the USSR No. 5153-X of June 24, 1981, on Putting into Force the Law of the USSR on the Legal Position of Foreign Citizens in the USSR (Vedomosti Verkhovnogo Soveta SSSR, No. 26, 1981, p. 837).

3. Abolished from January 1, 2005.

4. To introduce into Item 4 of Article 7 of Federal Law No. 195-FZ of December 10, 1995, on the Foundations of the Social Servicing of the Population in the Russian Federation (Sobranie Zakonodatelstva Rossiiskoy Federatsii, No. 50, 1995, p. 4872) an amendment, having edited it in this way:

"4. Foreign citizens permanently residing in the Russian Federation, have equal rights with the citizens of the Russian Federation to social servicing, unless otherwise laid down by an international treaty of the Russian Federation."

5. To introduce into Federal Law No. 128-FZ of July 25, 1998, on the State Dactyloscopic Registration in the Russian Federation (Sobranie Zakonodatelstva Rossiiskoy Federatsii, No. 31, 1998, p. 3806; No. 11, 2001, p. 1002) the following amendments and addenda:

1) the first part of Article 9 shall be extended with Items j) and k) of the following content:

"j) foreign citizens illegally staying on the territory of the Russian Federation;

"k) foreign citizens who have received a permit for temporary residence.";

2) the fifth paragraph of the first part of Article 11 shall be rendered in the following wording:

"of the persons named in Items i) - k) of the first part of Article 9 of the present Federal Law - the internal affairs bodies;".

**Article 37.** Term for a Temporary Stay in the Russian Federation of Foreign Citizens Who Arrived in the Russian Federation Before the Entry into Force of the Present Federal Law in a Way Not Requiring a Visa

1. The foreign citizens who have arrived in the Russian Federation before the entry into force of the present Federal Law in a way not requiring the receipt of a visa shall be obliged to file an application for the issue of a migration card to the territorial subdivision of the federal executive power body in charge of migration at the place of their stay within 60 days as from the day of coming into force of the present Federal Law. The time term for a temporary stay in the Russian Federation of a foreign citizen who has received a migration card shall comprise no longer than 90 days as from the day of receipt of the migration card.

2. The time term for a temporary stay in the Russian Federation of a foreign citizen who has arrived in the Russian Federation before the entry into force of the present Federal Law in a way not requiring the receipt of a visa and who has not filed an application for the issue of a migration card shall be counted as from the day of the entry of the present Federal Law into force.

**Article 38.** Enforcement of the Present Federal Law

The present Federal Law shall come into force after the expiry of three months as from the day of its official publication.

President of the Russian Federation

V. Putin

Moscow, the Kremlin