

**FEDERAL LAW NO. 115-FZ OF JULY 25, 2002 ON THE LEGAL STATUS OF FOREIGN CITIZENS IN THE RUSSIAN FEDERATION (with the Amendments and Additions of June 30, 2003, August 22, November 2, 2004)**

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 status 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

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 supervising the matters of internal affairs, or by its territorial subdivisions, if there exists the conclusion of the corresponding territorial subdivision of the federal executive power body controlling the matters of the employment of the population.

*According to Decree of the President of the Russian Federation No. 928 of July 19, 2004, Federal Migration Service issues permits for the attraction by the employers, customers of works (services) of foreign workers to the Russian Federation and for the utilisation of their labor or permits for work to foreign nationals and stateless persons*

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 controlling the matters of internal affairs 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.

*See the form of the slip of the permit for the attraction and the use of foreign workers within the crews of Russian sea-going ships approved by Order of the Ministry of Internal Affairs of the Russian Federation No. 325 of May 13, 2003*

*See the Procedure for the Issue of Judgements on the Possibility of Attraction and Use of Foreign Personnel as Members of the Crews of Russian Sea-Going Ships approved by Order of the Ministry of Transport of the Russian Federation No. 186 of September 5, 2003*

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 controlling the matters of internal affairs, under the condition that the employer or the customer of the works (services)

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;

- migration card - the document containing information about the foreign citizen coming to the Russian Federation, and serving also for exerting control over a temporary stay of the foreign citizen in the Russian Federation;

*Government Decision No. 413 of August 16, 2004 approved the Rules for the Use of the Migration Card and the Form of the Migration Card, which shall be put in effect since January 1, 2005*

*See Regulations on the migration card and Form of the migration card endorsed by Order of the Ministry of Internal Affairs of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, the Ministry of Transport of the Russian Federation, the Ministry of Communications of the Russian Federation, the State Customs Committee of the Russian Federation and the Federal Border Service of the Russian Federation No.1095/16531/143/49/1189/692 of November 11, 2002*

- permit for a temporary residence - confirmation of the right of a foreign citizen or of a stateless person to reside 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

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.

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.

*See the Regulations on the Issuance of a Work Permit to Foreign Citizens and Stateless Persons endorsed by Decision of the Government of the Russian Federation No. 941 of December 30, 2002*

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;
- 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;

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, 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 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

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 controlling the matters of internal affairs, 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 controlling the matters of internal affairs, or to its territorial subdivision, and to the territorial

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.

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

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 controlling the matters of internal affairs, 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 or to deportation 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

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, is obliged to go out of the Russian Federation after an expiry of the term of the visa validity, or of the term, fixed by the present Federal Law, if at the moment of expiry of the said term he has not obtained a permit for an extension of the term for a stay or a permit for a temporary residence.

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, controlling the issues of foreign affairs, 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 controlling the issues of internal affairs about which a note shall be made in the migration card.

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.

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 controlling the matters of internal affairs 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.

*Federal Law No. 141-FZ of November 11, 2003 supplemented Article 5 of this Federal Law with Item 6:*

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 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.

*See the Rules for Determining the Quota for the Issuance to Foreign Citizens of Permits for Temporary Residence in the Russian Federation, approved by Decision of the Government of the Russian Federation No. 193 of April 4, 2003*

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.

*Federal Law No. 141-FZ of November 11, 2003 amended Item 3 of Article 6 of this Federal Law*

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 controlling the matters of internal affairs, 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.

*See also Decree of the President of the Russian Federation No. 2146 of December 16, 1993 on the Invitation and Use in the Russian Federation of Foreign Labour*

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. 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;
- 7) in the other cases stipulated by federal law.

4. The territorial subdivision of the federal executive power body controlling the questions of internal affairs 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.

*See the Instructions for Organizing the Activity of the Internal Affairs Bodies of the Russian Federation on the Formalization and the Issue of the Permit for a Temporary Stay to Foreign Citizens and to Stateless Persons,*

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; 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

#### Article 20. Registration of Foreign Citizens

1. A foreign citizen who has entered the Russian Federation, is obliged to register within three working days from the day of his arrival in the Russian Federation in the order envisaged in the present Federal Law and in the other federal laws.

*approved by Order of the Ministry of Internal Affairs of the Russian Federation No. 250 of April 14, 2003*

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 controlling the questions of internal affairs 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 and for the migration service, 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 refused the issue of a permit for temporary residence, he shall have the right to file an application for the issue of a permit for temporary residence in the same order, not earlier than one year as from the day of the rejection of the previous application.

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.

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

2. The registration of children who have not reached the age of eighteen and who have entered the Russian Federation together with their parents or with one of them shall be effected simultaneously with the registration of the parents (of the parent).

Article 21. Procedure for the Registration of Foreign Citizens

1. The territorial subdivision of the federal executive power body controlling the matters of internal affairs shall carry out the registration of foreign citizens who have entered the Russian Federation, with the exception of the foreign citizens mentioned in Articles 22 and 25 of the present Federal Law on the grounds of the documents envisaged in Article 23 of this Federal Law.

2. The registration of a foreign citizen who has entered the Russian Federation shall be carried out by written application from this citizen, handed in by him either in person or through the inviting organisation to the territorial subdivision of the federal executive power body controlling the matters of internal affairs.

3. The registration of a foreign citizen who has entered the Russian Federation shall be effected at the place of his stay in the Russian Federation.

If the foreign citizen has changed the place of his stay in the Russian Federation, he shall be obliged to register within three working days as from the day of arrival at the new place of stay.

4. Foreign citizens residing in the Russian Federation either temporarily or permanently shall undergo an annual re-registration with the territorial subdivision of the federal executive power body controlling the matters of internal affairs at the place of their residence.

5. In the case of the landing of foreign citizens - sailors who are crew members of non-military ships of foreign states, and of a temporary stay



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;

of the said citizens on the territory of a port of the Russian Federation, open for entry of non-military ships of foreign states, or of a port city for more than twenty-four hours, their registration shall be effected on the grounds of the sailor's passport (the sailor's identification card), if in the said document a note is made of the frontier guards control on the entry into the Russian Federation.

6. No registration of a foreign citizen who has lost in the period of temporary stay in the Russian Federation the documents on the ground of which he has entered the Russian Federation shall be effected. In this case, the foreign citizen is obliged to go out of the Russian Federation not later than ten days as from the day of receipt of the temporary documents issued to him at his written application on the loss of the documents.

*According to Decree of the President of the Russian Federation No. 928 of July 19, 2004, Federal Migration Service registers foreign nationals and stateless persons staying temporarily in the Russian Federation*

Article 22. Registration of Foreign Citizens Enjoying Diplomatic Privileges and Immunities, and of Their Family Members

1. The federal executive power body controlling the matters of foreign affairs shall carry out the registration and the re-registration of:

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

2) the official persons of the Ministries of Foreign Affairs of foreign states who possess diplomatic or official passports and who have entered the

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 the foreign citizen is recognized as incapable of working;

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.

#### 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 controlling the matters of

Russian Federation to pay a working visit, 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 international organisations whose headquarters are in the Russian Federation who have entered the Russian Federation to pay an official visit and who enjoy diplomatic privileges and immunities, and the family members and the guests of the said persons, if the family members and the guests of the said persons live in the residential quarters or on the territory of such representations.

2. The federal executive power body controlling the matters of foreign affairs shall issue to the foreign citizens mentioned in Item 1 of this Article diplomatic, official or consular cards. The procedure for the use of these cards shall be established by the Government of the Russian Federation.

#### Article 23. Documents Necessary for the Registration of a Foreign Citizen

A foreign citizen shall be registered, if he submits for registration the migration card with a note made by the body of the frontier guards control on the entry to the Russian Federation, and the document identifying him.

#### Article 24. Registration of Foreign Citizens at a Hotel

The administration of a hotel or another organisation rendering hotel services shall be obliged on the day of the foreign citizen's arrival to direct to the territorial subdivision of the federal executive power body controlling the matters of internal affairs, information about the date of arrival and the time term of stay of the foreign citizen in the given organisation, and on the day of his leave - about the date of his exit, for the said information to be handed over to the central data bank set up in conformity with Article 26 of this Federal Law.

internal affairs, 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. The procedure for the issue of a residence permit and the list of documents to be submitted together with an application for the issue of a residential permit, as well as the procedure for the re-registration of the residence permit, shall be approved by the Government of the Russian Federation.

*See the Instructions for Organizing the Activity of the Internal Affairs Bodies of the Russian Federation on the Formalization and the Issue of the Residence Permit to Foreign Citizens and to Stateless Persons, approved by Order of the Ministry of Internal Affairs of the Russian Federation No. 250 of April 14, 2003*

*Federal Law No. 141-FZ of November 11, 2003 supplemented this Federal Law with Article 24.1:*

Article 24.1. Registration of Foreign Citizens Applying for Enlistment for Military Service on the Contractual Basis

Foreign citizens who have entered the Russian Federation and applied for enlistment for military service on a contractual basis in the procedure provided for by federal laws, shall be registered in the order determined by the Government of the Russian Federation.

Article 25. Relief of Foreign Citizens of Registration

The following persons are not subject to registration:

- 1) the heads of foreign states, the heads of the governments of foreign states, members of the parliamentary and government delegations, and the heads of international organisations who have entered the Russian Federation at the invitation of the federal state power bodies and of the state power bodies of the subjects of the Russian Federation, as well as the family members of the said persons;
- 2) foreign citizens who have entered the Russian Federation for a term of not more than three days, with the exception of the case envisaged in Article 24 of the present Federal Law;
- 3) foreign citizens - sailors who are crew members of military ships which have arrived in the Russian Federation on an official or a non-official visit, or on business, and the members of the crews of military flying apparatuses of foreign states;
- 4) foreign citizens - sailors who are crew members of non-military ships of foreign states, if they come to shore and stay on the territory of a port of the Russian Federation, open for the moorage of non-military ships of foreign states, or of a port city, or in case of the landing for excursions to

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

A 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, 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 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;

the urban or the rural settlements for a term of no more than twenty-four hours;

- 5) members of the crews of civil aircraft, train teams and teams of transportation facilities taking part in international movement, if they stay at the airports or at the railway stations pointed out in the time tables (in the schedules) for the movement of the said transportation facilities.

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

### Article 26. Centralized Recording of Foreign Citizens

1. For recording the foreign citizens temporarily staying and (temporarily and permanently) residing in the Russian Federation, a central data bank is established. The procedure for setting up and keeping the central data bank and the procedure for the use of information from the central data bank shall be laid down by the Government of the Russian Federation.
2. The central data bank and the information contained in it shall be protected against unsanctioned access in accordance with the procedure established by federal law. It is prohibited to divulge the information on a foreign citizen contained in the central data bank.

### Article 27. Recording of Foreign Citizens Studying at Educational Establishments in the Russian Federation

1. The executive power body of the subject of the Russian Federation supervising the matters of education shall keep records of foreign citizens studying at educational establishments situated on the territory of the given subject of the Russian Federation on the basis of information received from the educational establishments with the observation of the procedure, established in Subitems 2 and 3 of Item 3 of Article 17 of this Federal Law, and shall forward to the federal executive power body controlling the matters of education and to the territorial subdivision of

- 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.

#### 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.

the federal executive power body controlling the matters of internal affairs, information on the arrival of the said citizens at the corresponding educational establishments and on their leaving these educational establishments.

2. The federal executive power bodies which have directed requests for the issue of invitations to foreign citizens for entry to the Russian Federation for studying at educational establishments for professional education shall keep records on these foreign citizens.

#### Article 28. Recording Foreign Workers in the Russian Federation

The territorial subdivision of the federal executive power body controlling the matters of internal affairs shall keep records of foreign workers temporarily staying in the Russian Federation, and shall forward information on the arrival of foreign citizens to the place of work and back, as well as on their leave of the place of work, to the federal executive power body controlling the matters of internal affairs, as well as to the territorial subdivision of the federal executive power body controlling the matters of the employment of the population.

*Federal Law No. 141-FZ of November 11, 2003 supplemented this Federal Law with Article 28.1:*

#### Article 28.1. Registration of the Foreign Citizens Enlisting for Military Service on a Contractual Basis and Doing Military Service

The foreign citizens enlisting for military service on a contractual basis and doing military service shall be registered in the procedure determinable by the Government of the Russian Federation.

#### Article 29. Recording Foreign Citizens Enjoying Diplomatic Privileges and Immunities, and Their Family Members

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.

The federal executive power body controlling the matters of foreign affairs shall keep records on 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, the workers of diplomatic representations and the workers of consular institutions of foreign states in the Russian Federation, as well as the family members and the guests of the said persons, if the family members or the guests live at the residential quarters of the above-said persons or on the territory of such representations;
- 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 international organisations whose headquarters are situated in the Russian Federation, who have entered the Russian Federation on a working visit and who enjoy 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.

#### Chapter V. Control over the Stay and the Residence of Foreign Citizens 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

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

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 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.

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 temporarily reside in 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;

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.

*See Regulations on the migration card and Form of the migration card endorsed by Order of the Ministry of Internal Affairs of the Russian Federation, the Ministry of Foreign Affairs of the Russian Federation, the Ministry of Transport of the Russian Federation, the Ministry of Communications of the Russian Federation, the State Customs Committee of the Russian Federation and the Federal Border Service of the Russian Federation No.1095/16531/143/49/1189/692 of November 11, 2002*

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.



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).

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.

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

*Federal Law No. 141-FZ of November 11, 2003 amended Item 1 of Article 14 of this Federal Law*

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;

4. The deportation of foreign citizens in the cases envisaged in the present Article, shall be carried out by the federal executive power body, controlling the matters of internal affairs, or by its territorial subdivision.

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.

*Federal Law No. 122-FZ of August 22, 2004 reworded Item 6 of Article 31 of this Federal Law. The new wording shall enter into force as of January 1, 2005*

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 controlling the matters of foreign affairs.

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.

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;

*See also the Terms, on Which Foreign Citizens and Stateless Persons May Be Included into the Composition of the Crew of a Ship Flying the State Flag of the Russian Federation, with the Exception of a Fishing Fleet Ship, approved by Order of the Ministry of Transport of the Russian Federation No. 14 of January 25, 2001.*

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;

*See also Regulations on the Procedure for an Access of the Persons with Double Citizenship, of Stateless Persons and of Persons from Among Foreign Citizens, Emigrants and Re-Emigrants to State Secrets, approved by Decision of the Government of the Russian Federation No. 1003 of August 22, 1998.*

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.

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 supervising the matters of internal affairs, and 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 controlling the matters of internal affairs, or by its territorial subdivision which has issued such permit.

#### 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 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.

*Federal Law No. 141-FZ of November 11, 2003 reworded Article 15 of this Federal Law*

#### 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, military units and bodies 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 controlling the matters of foreign affairs, or by the federal executive power body controlling the matters of internal affairs, or by its territorial subdivision.

*See the Rules for the Execution of Invitations to Foreign Nationals and Stateless Persons to Enter the Russian Federation, approved by Order of the Ministry of Foreign Affairs No. 1833 of February 12, 2004*

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

*Federal Law No. 86-FZ of June 30, 2003 amended Article 34 of this 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.

*Federal Law No. 122-FZ of August 22, 2004 reworded Item 2 of Article 34 of this Federal Law. The new wording shall enter into force as of January 1, 2005*

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

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 controlling the matters of internal affairs 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 Russian Federation and shall direct information to this effect to the federal executive power body controlling the matters of foreign affairs.

*See Instructions for Organizing the Activity of the Internal Affairs Bodies of the Russian Federation and of the Federal Migration Service on the Deportation or on the Administrative Expulsion Beyond the Borders of the Russian Federation of a Foreign Citizen or of a Stateless Person, endorsed by Order of the Ministry of Internal Affairs of the Russian Federation No. 533 of August 26, 2004*

*See Instructions on Organising the Activity of the Bodies of Internal Affairs of the Russian Federation and of the Federal Migration Service of Taking a Decision on the Undesirability of a Foreign Citizen's or a Stateless Person's Stay (Residence) in the Russian Federation, endorsed by Order of the Ministry of Internal Affairs of the Russian Federation No. 510 of August 17, 2004*

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

*See Regulations on the Foreign Citizens and the Stateless Persons to Be Obligated to Present Guarantees That They Are Granted the Funds for Their Residence on the Territory of the Russian Federation and for Their Exit from the Russian Federation, approved by Decision of the Government of the Russian Federation No. 1142 of October 1, 1998.*

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

*See the Procedure for Granting Guarantees for the Material, Medical and Housing Provision of Foreign Citizens and of Stateless Persons for the Period of Their Stay in the Russian Federation, approved by Decision of the Government of the Russian Federation No. 167 of March 24, 2003*

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 controlling the matters of internal affairs, at the request of the given educational establishment.

*Federal Law No. 86-FZ of June 30, 2003 amended Item 2 of Article 17 of this Federal Law*

2. An invitation for the purpose of studying at an educational establishment for professional education shall be issued by the federal executive power body controlling the matters of internal affairs by request from the federal executive power body, controlling respectively the matters of defence, security service, 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

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:

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, controlling the matters of education, 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 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

- 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.";

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.

*On the procedure of the annual approval of the quota for the issuance to foreign citizens of invitations for entry into the Russian Federation for the purpose of conducting labour activity see Decision of the Government of the Russian Federation No. 782 of October 30, 2002*

*The Procedure for Preparation and Consideration of Proposals Concerning the Determination of Quotas for Issuing Entry Invitations to Foreign Citizens for the Purpose of Exercising Labour Activity was endorsed by Decision of the Ministry of Labour and Social Development of the Russian Federation No. 23 of April 29, 2003*

2. An invitation for entry to the Russian Federation to a foreign worker for the performance of a labour activity shall be issued by a federal executive power body controlling the matters of internal affairs, 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, controlling the matters of internal affairs, 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 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 controlling the matters of internal affairs 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

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.

Moscow, the Kremlin