



5th of October 2020

## Russian Legislation Update

### ACCOUNTING AND TAX

#### Fines for incorrect storage of documents

If a company violates regulations related to storage, archiving or use of documents, there are fines applied to officials in amount of 3,000 -5,000 ruble, or to the company in amount of 5,000 – 10,000 ruble.

Source: RF Draft Federal Law #759112-7 (<https://sozd.duma.gov.ru/bill/759112-7>)

#### Submission of statistic data in electronic form only

The draft law provides for the transmission of all forms of statistical observation via telecommunications channels, and Rosstat will determine the type of electronic signature. The only exemption from this regulation concerns the individuals providing the data voluntarily.

Source: RF Draft Federal Law #1024255-7

## Tax exemption for small and medium-sized businesses of the affected industries

The draft law provides for the possibility of writing off taxes and contributions to small and medium-sized businesses operating in the affected industries and created in the period from December 1, 2018 to February 22, 2020.

Source: RF Draft Federal Law #987383-7

### **PAYROLL**

## Public holidays in 2021

The Ministry of Labor has prepared a draft resolution of the Russian Government on substitution of the days off in 2021.

Since several public holidays coincide with weekends next year, it is proposed that the weekend of January 2 and 3 (Saturday and Sunday), which coincide with public holidays, be moved to November 5 and December 31, respectively. It is also proposed to move the day off from February 20, Saturday to February 22, Monday.

Thus, in 2021 there will be the following days off:

- January 1 — January 10;
- February 21 — February 23;
- March 6 — March 8;
- May 1 — May 3 and May 8 — May 10;
- June 12 — June 14;
- November 4 — November 7;
- December 31.

Source: RF Government Draft Resolution

## Minimum wage in 2021

A draft law has been submitted to the State Duma on amending Federal Law “On the Subsistence Minimum in the Russian Federation” and Federal Law “On the Minimum Wage”, Article 1.

According to the law, the minimum wage in 2021 should be 12,792 rubles, and the subsistence minimum shall be calculated based on the median per capita income for the previous year.

Source: RF Draft Federal Law #1027748-7

## LABOR LEGISLATION

### Draft law fixing the terms for an employee to apply to the court on compensation for moral damage

Currently, a claim on compensation for moral damage is presented simultaneously with a claim on violation of labor rights from which it follows. In addition, there is no a fixed period for such an appeal.

The draft Federal Law proposes to supplement the Russian Labor Code, Article 392 with part 3, that says, “A claim on compensation for moral damage caused to an employee by violation of his/her labor rights may be filed simultaneously with the claim on restoration of the violated labor rights, in compliance with the deadlines provided for part 1 of this Article, or within three months from the date when the court decision, by which these rights were restored in whole or in part, has entered into force”.

This draft was developed to implement the Resolution #35-P of the Constitutional Court of the Russian Federation of July 14, 2020 in relation to non-compliance of the Russian Labor Code, Article 392 part 1 and Articles 45, 46 (part 1 and 2), the Constitution of the Russian Federation, Article 52 and 53.

Source: RF Draft Federal Law “On Amendments to the Labor Code of the Russian Federation” (prepared by the Ministry of Labor of Russia, draft ID 01/05/09-20/00107775) (not presented to the Russian State Duma, text as of 09/01/2020)

### Projected minimum hour rate

The draft law says that concluding a fixed-term employment contract on a part-time basis, a minimum hour rate of 150 rubles is applied to calculate the wage of the employee.

The specified minimum hour rate will be subject to indexation once a year from January 1 of the current year in accordance with the growth of consumer price index for the previous year.

Source: RF Draft Federal Law #1021580-7 “On amendments of Federal Law ‘On minimum wage’, Articles 1 and 2”

## Senior citizens are advised to stay at home, and employers are encouraged to organize a remote work until October 28, 2020 inclusive

According to Decree of the Mayor of Moscow #94-UM "On Amendments to Decree of the Mayor of Moscow # 68-UM of June 8, 2020" residents of Moscow over 65 years old, as well as those who suffer from diseases, specified in the list by the Moscow Department of Health Care are recommended not to leave the place of residence.

Employers operating in the city of Moscow are advised to switch the employees to a remote work, or minimize personal presence at the workplaces.

Use of personal protective devices (masks and gloves) in public places remains mandatory.

Source: Decree of the Mayor of Moscow #94-UM "On Amendments to Decree of the Mayor of Moscow # 68-UM of June 8, 2020" dated September 29, 2020

### **MIGRATION LEGISLATION**

## Expanded list of foreign states, which citizens can arrive to the territory of the Russian Federation through air checkpoints

The expanded list of such states includes Great Britain, Tanzania, Turkey and Switzerland, Egypt, Maldives, United Arab Emirates.

The restriction of a single visit, applied to foreign citizens entering the territory of the Russian Federation to care for the sick close relatives, guardians and trustees, as well as to the Russian citizens leaving Russia for the same reasons, has eliminated.

Source: RF Government Order # 2236-r "On amendments to the orders of the Russian Government" dated September 2, 2020

## Russian Ministry of Internal Affairs has explained additional measures to regulate the state of foreign citizens in connection with the spread of coronavirus

Foreign citizens arrived on the territory of the Russian Federation in a manner not requiring a visa retain the right to apply for issuance (extension, renewal) of a patent without

considering the requirements of the deadline for filing documents, or the stated purpose of entry until December 15, 2020 inclusive. Work permits for foreign citizens will be issued with the valid term until December 15, 2020.

Source: <Information> of the Ministry of Internal Affairs of Russia “The Ministry of Internal Affairs of Russia explains additional measures to regulate the legal status of foreign citizens in connection with the spread of coronavirus”

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