



Federal Law From 23.07.2013 N 251-Fz "Amending Certain Acts Of The Russian Federation In Connection With The Transfer Of The Russian Central Bank The Authority To Regulate, Control And Supervision In The Financial Markets"

This document comes into force on 01.09.2013, except for certain provisions which come into force in other terms (Part 1 of Article 50)

July 23, 2013 N 251-FZ

*Adopted by
the State Duma on
July 5, 2013*

*Approved by the
Federation Council on
July 10, 2013*

Article 14

The Federal Law [of July 10, 2002 N 86-FZ](#) "On the Central Bank of the Russian Federation (Bank of Russia)" (Collected Legislation of the Russian Federation, 2002, N 28, Art. 2790, 2003, N 2, p. 157; N 52, Art. 5032, 2004, N 27, Art. 2711 ; N 31, Art. 3233, 2005, N 25, Art. 2426; N 30, Art. 3101, 2006, N 19, Art. 2061; N 25, Art. 2648, 2007, N 1, Art. 9, 10 ; N 10, Art. 1151; N 18, Art. 2117, 2008, N 42, Art. 4696, 4699; N 44, Art. 4982; N 52, Art. 6229, 6231, 2009, N 1, Art. 25 ; N 29, Art. 3629; N 48, Art. 5731; 2010, N 45, art. 5756; 2011, N 7, Art. 907; N 27, art.3873; N 43, art. 5973; N 48, art. 6728; 2012, N 50, art. 6954; N 53, art. 7591, 7607; 2013, N 11, art. 1076; N 14, art. 1649; N 19, art. 2329) as follows:

1) the first part of [Article 3](#), add the following paragraph:

"The development of the financial market of the Russian Federation;

ensuring the stability of the financial market of the Russian Federation. ";

2) in [Article 4](#) :

a) add paragraph 1.1 as follows:

"11) in cooperation with the Russian government to formulate and implement development policies and ensure the stability of the financial market of the Russian Federation";

b) add paragraph 9.1 as follows:

"9.1) shall regulate, control and supervision of non-credit financial institutions in accordance with federal laws;";

c) [paragraph 10](#) shall read as follows:

"10) carries out registration of equity securities and securities prospectuses, registration reports on issues of equity securities;";

g) add paragraph 10.1 as follows:

"10.1) exercise supervision and control over compliance with the requirements of Russian issuers Federation corporate and securities; ";

d) add paragraph 10.2 as follows:

"10.2) shall regulate, control and supervision in the sphere of corporate relations in joint stock companies;";

e) [paragraph 14](#) shall read as follows:

"14) argues sector accounting standards for credit institutions, the Bank of Russia and non-credit financial institutions, chart of accounts for credit institutions and its application procedure, the plan accounts for the Bank of Russia and its application procedure; ";

g) add paragraph 14.1 as follows:

"14.1) approves the plan of accounts for non-credit financial institutions and its application procedure;";

Zakonbase: Subparagraph "g" of paragraph 2 of Article 14 shall enter into force on 01.01.2016 (Part 2 of Article 50)

h) add paragraph 16.2 as follows:

"16.2) performed by the official statistical records of direct investment in the Russian Federation and the direct investment of the Russian Federation abroad in accordance with the legislation of the Russian Federation";

and) add paragraph 16.3 as follows:

"16.3) independently form the statistical methodology of direct investments in the Russian Federation and the direct investment of the Russian Federation abroad, the list of respondents, according to the procedure of granting them the basic statistics on direct investment, including forms of federal statistical observation;";

j) [paragraph 18](#) shall read as follows:

"18) analyze and predict the state of the Russian economy, publishes relevant materials and statistical data;";

l) supplemented with paragraph 18.3 as follows:

"18.3) oversees compliance with legislation of the Russian Federation on combating illegal use of insider information and market manipulation;"

m) add paragraph 18.4 as follows:

"18.4) shall protect the rights and legitimate interests of shareholders and investors in financial markets, policyholders, insured persons and beneficiaries, established in accordance with the insurance legislation, and also insured under compulsory pension insurance, depositors and members of non-governmental pension fund for state pension provision; "

3) to add Article 4.1 as follows:

"Article 4.1. Bank of Russia in the exercise of functions under federal law, is required to develop and implement policies for the prevention, identification and management of conflicts of interest.";

4) in the second part [of Article 5](#) :

a) In the fourth paragraph the words "National Banking Council" substitute "National financial advice";

b) in the seventh paragraph the words "National Banking Council" substitute "National financial advice";

5) in [Article 7](#):

a) for the fifth:

The fifth paragraph, the words "as well as for non-credit financial institutions in accordance with this Federal Law and other federal laws";

seventh paragraph to read as follows:

"Sectoral accounting standards for the Bank of Russia, chart of accounts for the Bank of Russia and its application procedure;"

b) part of the seventh deemed null and void;

6) [Article 9](#) shall read as follows:

"Article 9. Bank of Russia may participate in the capital of international organizations that are engaged in the development of cooperation in the monetary, foreign exchange and banking sectors and other areas of the financial market.

The Bank of Russia may participate in the activities of international organizations that are engaged in the development of cooperation in the monetary, foreign exchange and banking sectors and other areas of the financial market, including the development of cooperation between central banks and (or) the relevant regulatory (Supervisory) authorities (Organizations), as well as participate in the activities of associations that do not have the status of the organization (including forums, groups, committees).

Relations between the Bank of Russia with the credit institutions of foreign states are carried out in accordance with international treaties of the Russian Federation, federal laws, as well as interbank agreements. ";

7) in the title [of Chapter III of](#) the words "National Banking Council" substitute "the National Finance Council";

8) in [Article 12](#) :

a) In the first part of the word "National Banking Council" substitute "National financial advice";

b) in the second part of the word "National Banking Council" substitute "National financial advice";

c) In the third part of the words "National Banking Council" substitute "National financial advice";

g) in the fourth part of the words "National Banking Council" substitute "National financial advice";

e) In the fifth part of the words "National Banking Council" substitute "National financial advice";

e) In the sixth part of the words "National Banking Council" substitute "National financial advice";

g) in the seventh part of the words "National Banking Council" substitute "National financial advice";

h) in the eighth part of the words "National Banking Board" in the appropriate case, replace the words "National financial advice" in an appropriate case;

and) in the ninth word "National Banking Council" substitute "National financial advice";

k) in the tenth of the words "National Banking Council" substitute "National financial advice";

l) of the eleventh word "National Banking Council" substitute "National financial advice";

m) in the twelfth part of the words "National Banking Council" substitute "National financial advice";

9) in [Article 13](#) :

a) In the first paragraph the words "National Banking Council" substitute "National financial advice";

b) [paragraph 4](#) shall read as follows:

"4) consideration of the development and improvement of the financial market of the Russian Federation, improving the banking system of the Russian Federation";

c) in [paragraph 8](#) :

the third paragraph, the words ", regulation, control and supervision of non-credit financial institutions";

seventh paragraph to read as follows:

"Drafting laws and other regulations in the field of development and stability of the financial market of the Russian Federation";

d) [paragraph 10](#) shall read as follows:

"10) approval by the Board of Directors of industry accounting standards for the Bank of Russia, the accounting plan for the Bank of Russia and the procedure for its application;";

d) add paragraph 10.1 as follows:

"10.1) the discussion of the Board a policy for the prevention, detection and management conflicts of interest in the implementation of the Bank of Russia functions under federal law, and provide recommendations for implementation of the policy; ";

e) to add paragraph 14 to read:

"14) approval of the Board members, as well as citizens within two years from the date of termination of their powers as members of the Board of Directors for positions in cases prescribed [in Article 90](#) hereof. ";

10) in the first part [of Article 14](#), the words "four years" with the words "five years";

11) in [Article 15](#) :

a) In the first part of the number "12" to replace the figures "14";

b) In the third part of the words "four years" with the words "five years";

12) in the second part [of Article 16](#), the word "seven" replaced by the word "eight";

13) in the second part of [Article 17](#), the word "three" shall be replaced with the word "four";

14) in [Article 18](#) :

a) in the first part:

[paragraph 1](#) shall read as follows:

"1) in cooperation with the Government of the Russian Federation shall develop draft guidelines for the single state monetary policy and the draft guidelines for the development of the financial market and the main the single state monetary policy, and submit these documents for consideration in the National Financial Council and President of the Russian Federation, the Government of the Russian Federation and the State Duma in accordance with Articles 45 and 45.3 of this Federal Law, provides the basic directions of the monetary policy and the main directions of development of the financial market ";

add paragraph 1.1 as follows:

"1.1) examines the development of the financial market of the Russian Federation";

in [paragraph 2](#) the words "National Banking Council" substitute "National financial advice";

in [paragraph 3](#), the words "National Banking Council and the State Duma" substitute "National financial advice prior to submission to the State Duma";

in the first subparagraph [of paragraph 4](#) the words "National Banking Council" substitute "National financial advice";

in [paragraph 5](#), the words "National Banking Council" substitute "National financial advice";

in [paragraph 6](#) the words "by the National Banking Council" substitute "National financial advice";

in [paragraph 7](#) the words "by the National Banking Council" substitute "National financial advice";

The third paragraph [of paragraph 9](#) , the words ", as well as non-credit financial institutions";

in [paragraph 12](#), the words "National Banking Council" substitute "National financial advice";

[paragraph 16](#) to read as follows:

"16) sets the rules for banking transactions for the banking system of the Russian Federation";

add paragraph 16.1 as follows:

"16.1) argues industry accounting standards for credit institutions and non-lending

financial organizations, chart of accounts for credit institutions and its application procedure; ";

add paragraph 16.2 as follows:

"16.2) approves the plan of accounts for non-credit financial institutions and its application procedure;";

Zakonbase: Paragraphs eighteenth and nineteenth subparagraph "a" of paragraph 14 of Article 14 shall enter into force on 01.01.2016 (Part 2 of Article 50)

in [paragraph 17](#) :

In the first paragraph the words "National Banking Council" substitute "National financial advice";

The second paragraph shall read as follows:

"Proposals for industry-standard accounting for the Bank of Russia and the chart of accounts accounting for the Bank of Russia and the procedure for its application; ";
add paragraph 17.2 as follows:

"17.2) is the National Council of quarterly financial information on the volume of loans granted to employees of the Bank of Russia, and that interest rates on these loans;"

b) the second part, after the words "for credit institutions and banking groups", the words "non-credit and financial institutions," after the words "credit institutions", the words "non-credit and financial institutions";

15) in [Article 20](#) :

a) in [paragraph 8](#) the words "by the National Banking Council" substitute "National financial advice";

b) [paragraph 9](#) , after the words "Interbank Agreement" the words "or an agreement with a foreign financial market regulator";

16) in [Article 21](#) :

a) In the fourth part of the word "state of the banking system of the Russian Federation" with "state of the financial market of the Russian Federation, including the state of the banking system of the Russian Federation";

b) add the fifth part as follows:

"The Bank of Russia has the right to provide information requested by advisory and coordinating body established in accordance with normative legal acts of the President of the Russian Federation and the Government of the Russian Federation, except in cases stipulated by federal law.";

17) in [Article 25](#) :

a) in the third paragraph of the second part of the word "banking system" with the words "financial market", the words ", the national payment system";

b) in the fourth part of the word "to enter into" shall be deleted;

18) in [Article 26](#) :

a) add a new part of the following content:

"Changing the size and order of the Bank of Russia profit transfers to the federal budget by a separate federal law, which can not be included other rules that change (suspend, cancel, Annulled) other legislative acts of the Russian Federation or having an independent subject of legal regulation.";

b) to consider the second part of the third part;

19) The fifth paragraph [of Article 34](#) shall read as follows:

"Determination of the order of cash transactions by legal entities and a simplified procedure for conducting cash operations by individual entrepreneurs and small businesses. ";
20) to add Article 34.1 as follows:

"Article 34.1. Main objective of monetary policy of the Bank of Russia is the protection and stability of the ruble by maintaining price stability, including the conditions for the formation of a balanced and sustainable economic growth.";

21) Article 35 is amended by adding paragraph 9 as follows:

"9) other instruments that are designated by the Bank of Russia.";

22) eleventh paragraph of the third paragraph of Article 45 is repealed;

23) Chapter VII.1 supplemented as follows:

"Chapter VII.1. FINANCIAL MARKET DEVELOPMENT OF THE RUSSIAN FEDERATION and stability
ITS FUNCTIONING

Article 45.1. Bank of Russia in cooperation with the Government of the Russian Federation develops and implements policy development and ensure the stability of the financial market of the Russian Federation.

The Bank of Russia at least twice a year publishes a review of financial stability.

Article 45.2. Russian Bank monitors the financial market of the Russian Federation, including identify situations that threaten the financial stability of the Russian Federation.

In order to prevent the occurrence of situations that threaten the financial stability of the Russian Federation, the Bank of Russia is developing measures to reduce threats to financial stability in the Russian Federation.

Article 45.3. The Bank of Russia once every three years to the State Duma draft guidelines for the development and stability of the financial market of the Russian Federation.

Pre-draft guidelines for the development and stability of the financial market of the Russian Federation represented by the Bank of Russia and the President of the Russian Federation to the Government of the Russian Federation.

The State Duma is considering draft guidelines for the development and stability of the financial market of the Russian Federation at the parliamentary hearings and directs the Bank of Russia recommendations. ";

24) , [paragraph 1](#) first part of Article 46 shall read as follows:

"1) to provide loans against securities and other assets;"

25) , [paragraph 5](#) of Article 49 shall read as follows:

"5) change the terms of the loans. Exceptions may be made by the Board of Directors.";

26) [Chapter IX](#) to add Article 51.1 as follows:

"Article 51.1. Bank of Russia has the right to appeal to the foreign financial market regulator asking for information and (or) documents, including confidential, including those containing information constituting bank secrecy.

The Bank of Russia exchange information and (or) documents, including confidential, including those containing information constituting bank secrecy (hereinafter - the confidential information), with foreign financial market regulator on the basis and in accordance with:

1) Multilateral Memorandum of Understanding on the consultation and communication and information exchange of the International Organization of Securities Commissions;

2) international treaties of the Russian Federation;

3) a bilateral agreement with a foreign financial market regulator, provides for the exchange of information, if the law of the foreign state provided no less protection of the information than the level of information provided by the legislation of the Russian Federation.

With respect to confidential information received from a foreign financial market regulator, the Bank of Russia must comply with the disclosure of confidential information, established by the legislation of the Russian Federation subject to the procedure established in the second part of this article.

Confidential information obtained by the Bank of Russia on foreign financial market regulator, may be provided to third parties only with the consent of the regulator, except to such confidential information to the court on the basis of a judgment rendered in the criminal case.

Upon receipt of a reasoned request by the Bank of Russia foreign financial market regulator in order stipulated agreements referred to in the second part of this article, the Bank of Russia on the basis of the decision Financial Supervision Committee directs the requirement to provide such information. The requirement for the Bank of Russia for information can not be the purpose of obtaining such information.

The Bank of Russia on the basis of the Board of Directors may grant a foreign financial market regulators confidential details of transactions and (or) on transactions in the presence of a reasoned request of a foreign financial market regulator in the cases provided agreements referred to in the second part of this article, and also about perpetrators of these transactions and (or) transaction, and (or) the beneficiaries of these transactions and (or) transactions, with the exception of information constituting a state secret.

This confidential information is provided by the Bank of Russia foreign financial market regulator, provided that the law of the foreign state provided no less protection of the information than the level of information security stipulated by the legislation of the Russian Federation as well as the failure provided confidential information to foreign financial market regulator third parties, including law enforcement agencies, without the prior written consent of the Bank of Russia, except to such confidential information to the court on the basis of a judgment rendered in the criminal case. " ;

27) in the third part [of Article 56](#) the words "combining structural unit of the Bank of Russia, providing" replaced by "uniting the heads of departments of the Bank of Russia, providing";

28) Chapter X.1 supplemented as follows:

"Chapter X.1. Regulation, control and supervision in the financial markets

"Article 76.1. Noncredit financial institutions in accordance with this Federal Law are persons who are carrying out the following activities:

1) professional participants of the securities market;

- 2) investment fund management companies, mutual funds and pension funds;
- 3) specialized depositories investment fund, mutual funds and non- pension fund;
- 4) equity investment funds;
- 5) clearing activities;
- 6) activities to implement the functions of a central counterparty;
- 7) The activities organizer of trade;
- 8) The activities of the central depository;
- 9) the activities of insurance entities;
- 10) private pension funds;
- 11) microfinance institutions;
- 12) credit consumer cooperatives;
- 13) housing savings cooperatives;
- 14) the credit bureau;
- 15) actuarial activities;
- 16) credit rating agencies;
- 17) agricultural credit consumer cooperatives.

The Bank of Russia is the authority regulating, control and supervision in the financial markets for non-credit financial institutions and (or) their activities in accordance with federal laws.

The objectives of regulation, control and supervision of non-credit financial institutions are to ensure sustainable development of the financial market of the Russian Federation, the effective management of the risk posed by financial markets, including rapid detection and reaction to crisis situations, protection of rights and legitimate interests of investors in the financial markets, policyholders, insured persons and beneficiaries, established in accordance with the insurance legislation, as well as insured persons for mandatory pension insurance, investors and participants private pension fund for state pension provision, other consumer financial services (except for consumers of banking services). The Bank of Russia is not interfere in the operational activities of non-credit financial institutions, except for the cases stipulated by federal laws.

Article 76.2. The Bank of Russia is the authority regulating, monitoring and supervision of compliance by issuers requirements of Russian law on joint-stock companies and securities, as well as regulation, control and supervision in the sphere of corporate relations in joint stock companies in order to protect the legitimate rights and interests of shareholders and investors.

The Bank of Russia has the right to inspect the activities of issuers and participants of corporate relations, to send them binding orders to eliminate violations of Russian law on joint-stock companies and securities, as well as apply other measures stipulated by federal laws. Procedure for conducting audits and application of other measures shall be prescribed by the Bank of Russia.

Article 76.3. Regulating, controlling and supervisory functions of the Bank of Russia in the sphere of financial markets established this Federal Law and other federal laws are implemented via the existing permanent body - the Financial Supervisory Authority, combining the heads of departments of the Bank of Russia, providing performance of its supervisory functions. Financial Supervisory Committee makes decisions on major issues of regulation, control and supervision in the financial markets.

Regulation on the Financial Supervision and its structure approved by the Board of Directors. Head of the Committee financial supervision was appointed Chairman of the Bank of Russia of the number of Board members.

Article 76.4. Bank of Russia establishes requirements for own funds (capital) or net assets of non-credit financial institutions are required (financial, economic) standards and other requirements in accordance with federal laws regulating the activities of the organizations concerned.

Article 76.5. Bank of Russia conducts audits of non-credit financial institutions, non-credit financial institutions directs binding instructions and applies to non-credit financial institutions stipulated by federal laws other measures.

Procedure for conducting audits, including definition of responsibilities audited entities to assist in the inspections, and the procedure for applying other measures shall be prescribed by the Bank of Russia.

Checks may be carried out by authorized representatives (employees) or the Bank of Russia on behalf of the Committee of Financial Supervision SROs.

Article 76.6. Bank of Russia establishes mandatory non-credit financial institutions deadlines and procedures compilation and reporting, as well as other information required by federal laws.

Article 76.7. The Bank of Russia in accordance with its procedure is a database of non-credit financial institutions, their officials and other persons in respect of which obtains personal data in the framework of the functions assigned to it.

The Bank of Russia in the order prescribed the right to request and receive free of charge from the federal executive authorities, their territorial bodies and other persons necessary information in respect of which establishes requirements to ensure its confidentiality, including information containing personal and data related to the activities of non-credit financial institutions (or their leaders, founders (participants), and in accordance with established procedure to perform actions on the processing of personal data under the Federal Law of 27 July 2006 N 152-FZ "On Personal Data", and conduct validation said data. ";

29) the name [of Chapter XI](#) in the following wording:

"Chapter XI. RELATIONS WITH RUSSIA BANK CREDIT INSTITUTIONS credit financial Organizations, their associations and unions, AS WELL AS self-regulatory organization of non-credit financial organizations ";

30) [Article 77](#) worded as follows:

"Article 77. Bank cooperates with Russian credit organizations, non-credit financial institutions, associations, unions and self-regulatory organizations, consult with them before making the most important decisions of a regulatory nature, is necessary explanations considering proposals on the regulation of banking activities and in the financial markets.

The Bank of Russia is obliged to give a written response to the credit institution, non-lending financial institution, as well as self-regulatory organization of non-credit financial institutions on matters within its competence, not later than one month from the date of receipt of the written request of the credit institution, non-lending financial institution. If necessary, the period of consideration of the request may be extended by the Bank of Russia, but not more than one month. ";

31) [Article 78](#) worded as follows:

"Article 78. In order to interact with credit institutions and non-credit financial institutions, the Bank of Russia has the right to create, involving representatives of credit institutions, non-credit financial institutions, their self-regulatory organizations acting on volunteer committees and working groups to study specific issues in the field of financial markets.";

32) [Article 79](#) shall read as follows:

"Article 79. Bank of Russia is not responsible for the liabilities of credit institutions and non-credit financial institutions except when the Bank of Russia assumes such obligations, and credit and non-credit organization financial organizations are not liable for the obligations of the Bank of Russia, except when credit and non-credit organization financial institutions assume such obligations. ";

33) to add Article 83.1 as follows:

"Article 83.1. In order to prevent, identify and manage conflicts of interest in the exercise of functions stipulated by federal law, the Bank of Russia must ensure the separation of powers between the substituents Chairman of the Bank of Russia, the leaders of independent business units, including the implementation of monetary policy, the management of foreign exchange reserves, the implementation of banking regulation and supervision, regulation, control and supervision in the financial markets. ";

34) in [Article 90](#) :

a) the third part in the following wording:

"Citizens of the incumbent, the list of which is approved by the Board of Directors, after the dismissal of the Bank of Russia shall be prohibited:

1) to hold for two years from credit institutions or organizations engaged in activities in the field financial markets, as directors of the list of which is specified in [Article 60](#) of this Federal Law, if the individual functions of supervision or control over these organizations directly included in their official duties, without the consent of the Board of Directors, which is given in the manner prescribed by the Board of Directors;

2) to hold for two years in non-credit financial institutions as directors of the list of which set by the Board if the individual functions of supervision or control over these organizations directly included in their official duties, without the consent of the Board of Directors, which is given in the manner prescribed by the Board of Directors;

3) disclose or use for the benefit of organizations or individuals information classified in accordance with federal law to restricted information, or proprietary information become known to them in connection with the performance of his duties. ";

b) to add a new fourth part as follows:

"The members of the Board of Directors, as well as citizens within two years from the date of termination of their powers as members Board of Directors receive the consent referred to in paragraphs 1 and 2 of this Section, the National financial advice. ";

c) the fourth part be considered part of the fifth;

35) in [Article 93](#) :

a) In the first part of the word "National Banking Council" substitute "National financial advice";

b) in the second part of the word "National Banking Council" substitute "National financial advice."

Zakonbase : Structure of an electronic document is not complete. Full text will be published in the near future.

*President
of the Russian Federation
President Putin*

The Kremlin, Moscow

July 23, 2013

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