



Federal Law From 30.12.2008 N 317-Fz "On Amending Articles 46 And 76 Of The Federal Law" On The Central Bank Of Russia (Bank Of Russia) "

December 30, 2008 N 317-FZ

Article 1

Article 1

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, 2008, N 42, Art. 4696; N 44, Art. 4982) following changes:

1) in [paragraph 1.1](#) of the first paragraph of Article 46 the words "not more than six months" shall be replaced by the words "not more than one year";

2) [Article 7 6](#) read as follows:

"Article 76. Bank of Russia has the right to appoint delegates to a credit institution in cases where:

1) a credit institution obtained from the State Corporation "Bank for Development and Foreign Economic Affairs (Vnesheconombank)" (hereinafter - Vnesheconombank) credit (loan) in foreign currency in accordance with Article 1 of the Federal Law [of October 13, 2008 N 173-FZ](#) "On

Additional Measures to Support the Financial System of the Russian Federation" (hereinafter - Federal Law "On additional measures to support the financial system of the Russian Federation ");

2) the credit institution obtained from the Bank of Russia subordinated loan (loan) in accordance with [Article 5 of](#) the Federal Law "On additional measures to support the financial system of the Russian Federation ";

3) the credit institution obtained a subordinated loan from Vnesheconombank (loan) in accordance with [Article 6 of](#) the Federal Law "On Additional Measures to Support the Financial System of the Russian Federation";

4) a credit institution placed federal funds in bank deposits in accordance with [Article 236](#) of the Budget Code of the Russian Federation;

5) the credit institution to get a loan to the Bank of Russia accordance with paragraph 1.1 of Article 46 of this Federal Law for a period exceeding one month;

6) Bank of Russia and the State Corporation "Deposit Insurance Agency" carried out in respect of a credit institution measures to prevent the bankruptcy of the banks that are members of compulsory insurance of individuals' deposits in banks in the Russian Federation in accordance with the Federal Law [of October 27, 2008 N 175-FZ](#) "On Additional Measures to strengthening the stability of the banking system in the period up to 31 December 2011. "

Authorized representatives of the Bank of Russia can be assigned to a credit institution from the date of receipt in the credit institution (of the funds) of the corresponding credit (loan) or deposit, and their activities can be carried out up to the date of full execution of the credit institution liabilities incurred in connection with obtaining the appropriate credit (loan) or deposit.

Authorized representative of the Bank of Russia has the right to receive from credit institution information on remuneration paid by the credit institution's sole and collegial executive body.

As part of its activities authorized representative of the Bank of Russia has the right to:

- 1) to participate, without vote, in the meetings of management bodies, as well as bodies of the credit institution, taking decisions on lending, asset and liability management of the credit institution;
- 2) to obtain information from a credit institution and documents relating to the credit institution for lending, guarantees, asset management and liabilities (claims and liabilities).

A credit institution must submit to the authorized representative of the Bank of Russia on its request information and documents relating to the activities of the credit institution on lending, including the implemented and planned lending volumes and conditions, as well as on the provision of guarantees, asset and liability management (claims and liabilities), and the duty not to interfere with the activities of authorized representative of the Bank of Russia.

During the period of activity of the authorized representative of Bank of Russia to the credit institution to transactions or operations authorized to represent representative of the Bank of Russia about its intention to carry out the following types of transactions or operations:

- 1) related to the transfer of real estate credit institution for rent, mortgage, with the introduction of it as a contribution to authorized capital of third parties, to the order of such property otherwise, with the replacement property in pledge the credit institution on a collateral or other type of security;
- 2) related to the order of other property credit organization whose carrying value is greater than 1 percent of the book value of the assets of the credit institution, including the receipt and issuance of loans, guarantees and sureties, cession, acceptance and forgiveness of debt, innovation, fall-back, as well as the establishment of trust management;
- 3) associated with the performance of its obligations on loans (loans), deposits, sales contracts with the commission later reverse the transaction, as well as other transactions, if the carrying amount of the liability, or a group of related obligations under such transactions exceeds 1 percent of the book value of liabilities;
- 4) associated with the transfer of money to foreign banks, if the amount of transfer or a group of related transfers of more than 1 percent of the book value of the assets of the credit institution;

5) with interested or affiliated with respect credit institution persons, as defined in accordance with federal law, or with persons in respect of which a credit institution in accordance with federal law is an interested person or persons in respect of which credit institution has the power, directly or indirectly (through a third party) have a significant impact on the decisions taken by their governments, or with persons who have the ability directly or indirectly (through a third party) have a significant influence on the decisions taken by the management of the credit institution, if such transaction or transactions are made for an amount of more than 0.5 percent of the book value assets (liabilities) of the credit institution.

Procedure for submission of the credit organization of information and documents to the authorized representative of the Bank of Russia is established by the Bank of Russia.

In case of non-credit organization requirements this article it can be applied the measures under Article 74 of this Federal Law and counterparties credit institution under contracts concluded with a credit institution and provided the first part of this article, shall have the right to demand early performance of obligations of the credit institution under such contracts.

Authorized representatives of the Bank of Russia are the employees of the Bank of Russia. Procedure for appointing the authorized representative Bank of Russia, the implementation of

its activities and the termination of its activities it is set by the Bank of Russia in coordination with the Government of the Russian Federation. ".

Article 2

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This Federal Law shall enter into force on the day of its official publication.

Russian President
MEDVEDEV

The Kremlin, Moscow

December 30, 2008

N 317-FZ