

**FEDERAL LAW**  
**NO. 148-FZ OF JULY 22, 2008**  
**ON AMENDING THE TOWN-PLANNING CODE OF THE RUSSIAN FEDERATION**  
**AND CERTAIN LEGISLATIVE ACTS OF THE RUSSIAN FEDERATION**

**Adopted by the State Duma on July 2, 2008**

**Endorsed by the Federation Council on July 11, 2008**

**Article 1**

The following amendments shall be made in the Town-Planning Code of the Russian Federation (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2005, No. 1, Article 16; No. 30, Article 3128; 2006, No. 1, Article 10, 21; No. 23, Article 2380; No. 31, Article 3442; No. 50, Article 5279; No. 52, Article 5498; 2007, No. 1, Article 21; No. 21, Article 2455; No. 31, Article 4012; No. 45, Article 5417; No. 46, Article 5553; No. 50, Article 6237; 2008, No. 20, Article 2251, 2260):

1) Item 17 with the following content shall be added to Article 1:

"17) self-regulating organisations in the field of engineering survey, architectural and construction design, construction, re-construction, major overhaul of capital construction items (hereinafter referred to as self-regulating organisations) shall mean non-profit organisations in respect of which data are entered to the state register of self-regulating organisations and which are based on membership therein of individual businessmen and/or legal entities engaged in architectural and construction design, construction, re-construction and major overhaul of capital construction items.";

2) Part 4 with the following content shall be added to Article 4:

"4. The civil legislation, in particular Federal Law No. 315-FZ of December 1, 2007 on Self-Regulated Organisations (hereinafter referred to as the Federal Law on Self-Regulating Organisations) shall apply to the relations connected with obtainment of the status of self-regulating organisations and termination thereof, to the exercise by them of their activities, establishment of the procedure for exercising control by a self-regulating organisation over the activities of its members and imposition by a self-regulating organisation of disciplinary sanctions upon its members, as well as the procedure for exercising the state control (supervision) over the activities of self-regulating organisations, if these relations are not regulated by this Code.";

3) Items 3.1-3.4 with the following content shall be added to Article 6:

"3.1) keeping of the state register of self-regulating organisations;

3.2) exercise of the state control (supervision) over the activities of self-regulating organisations;

3.3) making a claim with an arbitration court for deleting data on a non-profit organisation from the state register of self-regulating organisations where it is provided for by this Code and other federal laws;

3.4) composing a list of kinds of works involving engineering survey, preparation of project documentation, construction, re-construction and major overhaul of capital construction items which can affect the safety of capital construction units (hereinafter also referred to as works affecting the safety of capital construction items);";

4) Part 2 of Article 47 shall be stated in the following wording:

"2. The kinds of works involving engineering survey which can affect the safety of capital construction units shall be only carried out by individual businessmen or legal entities that hold the certificates of admittance to such kinds of works issued by a self-regulating organisation. Other kinds of works involving engineering survey may be carried out by any natural person or legal entity.";

5) Part 4 of Article 48 shall be stated in the following wording:

"4. The kinds of works involving the preparation of project documentation which can affect the safety of capital construction units shall be only carried out by individual businessmen or legal entities that hold the certificates of admittance to such kinds of works issued by a self-regulating organisation. Other kinds of works involving preparation of project documentation may be carried out by any natural person or legal entity.";

6) in Article 49:

a) Part 8 shall be stated in the following wording:

"8. As the grounds for the refusal to accept project documentation and/or the results of engineering survey presented for a state expert examination shall be deemed the following:

1) absence in the project documentation of the sections provided for by Parts 12 and 13 of Article 48 of this Code;

2) preparation of the project documentation by the person who does not satisfy the requirements cited in Parts 4 and 5 of Article 48 of this Code;

3) lack of the results of the engineering survey cited in Part 6 of Article 47 of the present Code or lack of a positive opinion of a state expert examination in respect of the results of the engineering survey (if the results of the engineering survey have been sent for a state expert examination before sending project documentation

for this purpose);

4) non-compliance of the results of engineering survey with the composition and the form thereof established in compliance with Part 6 of Article 47 of this Code;

5) engineering survey whose results have been sent for a state expert examination having been implemented by the person who does not satisfy the requirements cited in Parts 2 and 3 of Article 47 of this Code;

6) failing to forward for a state expert examination all the documents provided for by the Government of the Russian Federation in compliance with Part 11 of this article;

7) forwarding project documentation and/or the results of engineering survey to an executive power body or state institution, if under this Code a state expert examination of such project documentation and/or the results of engineering survey is carried out by some other executive power body or some other state institution;

8) forwarding project documentation and/or the results of engineering survey which are not subject to a state expert examination.";

b) in Part Nine after the words "results of engineering survey" shall be added the words "with the requirements for the content of project documentation's sections provided for by Part 13 of Article 48 of this Code";

7) in Article 52:

a) Part 2 shall be stated in the following wording:

"**2.** The kinds of works involving construction, re-construction and major overhaul of capital construction items which can affect the safety of the capital construction items shall be only carried out by individual businessmen or legal entities that hold the certificates of admittance to such kinds of works issued by a self-regulating organisation. Other kinds of works involving preparation of project documentation may be carried out by any natural person or legal entity.";

b) in Part 3 after the word "construction," shall be added the words "reconstruction and major overhaul of capital construction items (hereinafter referred to as the person engaged in construction)";

8) Part 2 of Article 54 shall be stated in the following wording:

"**2.** As the subject of governmental building supervision shall be deemed the inspection of the following:

1) compliance of carried-out works and the construction materials used in construction, re-construction and major overhaul of a capital construction item, as well as of the results of such works, with the requirements of technical regulations and project documentation;

2) availability of the construction permit;

3) satisfaction of the requirements of Parts 2 and 3 of Article 52 of this Code.";

9) Chapter 6.1 with the following content shall be added hereto:

### **"Chapter 6.1. Self-Regulation in Respect of Engineering Survey, Architectural and Construction Design, Construction, Reconstruction and Major Overhaul of Capital Construction Items**

#### **Article 55.1. The Basic Goals of Self-Regulating Organisations and the Content of Their Activities**

**1.** As the basic goals of self-regulating organisations shall be deemed the following:

1) prevention of the infliction of harm on life or health of natural persons, property of natural persons and legal entities, state or municipal property, environment, life or health of animals and plants, cultural heritage units (historical and cultural monuments) of peoples of the Russian Federation (hereinafter referred to as harm) as a result of drawbacks in works which can affect the safety of capital construction items and are carried out by members of self-regulating organisations;

2) enhancement of the quality of engineering survey, architectural and construction design, construction, reconstruction and capital overhaul of capital construction items.

**2.** As the content of activities of a self-regulating organisation shall be deemed the development and endorsement of the documents provided for by Article 55.5 of this Code, as well as the exercise of control over the observance by members of a self-regulating organisation of the requirements of these documents.

#### **Article 55.2. The Obtainment of the Status of a Self-Regulating Organisation**

**1.** The status of a self-regulated may be obtained by a non-profit organisation established in the form of a non-profit partnership, provided that it satisfies the requirements established by Parts 1 and 2 of Article 55.4 of this Code.

**2.** To enter data on a non-profit organisation to the state register of self-regulating organisations, it shall file with the federal executive body in charge of exercising the state control (supervision) over activities of self-regulating organisations (hereinafter referred to as the body in charge of supervision over self-regulating organisations) the documents provided for by Items 1-6 of Part 8 of Article 20 of the Federal Law on Self-

regulating Organisations, as well as the documents proving satisfaction of the requirements for a non-profit organisations established by Parts 1 and 2 of Article 55.4 of this Code. With this, the statutes of a non-profit organisation must specify the kind of the self-regulating organisation in compliance with Article 55.3 of this Code.

**Article 55.3. Kinds of Self-Regulating Organisations**

It is allowed for non-profit organisations to obtain the status of self-regulating organisations of the following types:

- 1) self-regulating organisations based on membership of persons engaged in engineering survey;
- 2) self-regulating organisations based on membership of persons engaged in preparation of project documentation;
- 3) self-regulating organisations based on membership of persons engaged in construction.

**Article 55.4. The Requirements for a Non-Profit Organisation Whose Satisfaction is Necessary for Obtaining the Status of a Self-Regulating Organisation**

**1.** A non-profit organisation is entitled to acquire the status of a self-regulating organisation based on membership of persons engaged in engineering survey or of a self-regulating organisation based on membership of persons engaged in preparation of project documentation, provided that the non-profit organisation satisfies the following requirements:

- 1) the non-profit organisation unites as members thereof at least fifty individual businessmen and/or legal entities;

*Paragraph Nineteen of Item 9 of Article 1 of this Federal Law shall enter into effect as of January 1, 2009*

2) availability of the compensation fund in the amount of at least five hundred thousand roubles per one member of the non-profit organisation or, if such organisation has established the requirement for insuring by members thereof of their civil liability that can occur in case of inflicting harm as a result of drawbacks in carrying out works affecting the safety of capital construction units, in the amount of at least one hundred and fifty thousand roubles per one member of the non-profit organisation;

3) availability of the documents provided for by Part 1 of Article 55.5 of this Code.

**2.** A non-profit organisation is entitled to obtain the status of a self-regulating organisation based on membership of persons engaged in construction, provided that it satisfies the following requirements:

- 1) uniting as members of the non-profit organisation at least one hundred individual businessmen and/or legal entities;

*Paragraph Twenty Three of Item 9 of Article 1 of this Federal Law shall enter into force as of January 1, 2009*

2) availability of the compensation fund in the amount of at least one million roubles per one member of the non-profit organisation or, if such organisation has established the requirement for insuring civil liability of its members that can occur in case of infliction of harm as a result of drawbacks in carrying out works which can affect the safety of capital construction units, in the amount of at least three hundred thousand roubles per one member of the not-profit organisation;

3) availability of the documents provided for by Part 1 of Article 55.5 of this Code.

**3.** When assessing the number of members of a non-profit organisation, affiliated persons thereof shall be accounted as one person.

**4.** When assessing the number of members of a non-profit organisation, solely the individual businessmen and legal entities engaged accordingly in carrying out engineering survey, preparation of project documentation and construction shall be taken into account.

**Article 55.5. Documents of a Self-Regulating Organisation**

**1.** A self-regulating organisation is obliged to devise and endorse the following:

1) requirements for issuance of certificates of admittance to works affecting the safety of capital construction items (hereinafter referred to as the admittance certificate) being the document establishing the terms of issuance by the self-regulating organisation certificates of admittance to works which can affect the safety of capital construction items;

2) rules for exercising control in the field of self-regulation being the document establishing the rules for exercising control over satisfaction by members of the self-regulating organisation of the requirements for issuance of admittance certificates, requirements for standards of self-regulating organisations and self-regulation rules;

3) document establishing the system of disciplinary sanctions to be imposed for failure of the self-

regulating organisation's members to satisfy the requirements for issuance of admittance certificates, rules for control in the field of self-regulation, requirements of technical regulations, requirements of standards of self-regulating organisations and self-regulation rules.

**2.** A self-regulating organisation is entitled to devise and endorse the following:

1) standards of self-regulating organisations being the document establishing in compliance with the legislation of the Russian Federation on technical regulation the rules for carrying out works which can affect the safety of capital construction units, requirements for the results of the said works and the system of exercising control over carrying out the said works;

2) self-regulation rules being the document establishing the requirements for business activities of self-regulating organisations' members, except for the requirements established by the legislation of the Russian Federation on technical regulation.

**3.** A self-regulating organisation is not entitled to devise and endorse the documents establishing obligatory requirements for members of the self-regulating organisation and their activities, except for development and endorsement of the documents cited in Parts 1 and 2 of this article.

**4.** The documents of a self-regulating organisation must not:

1) contravene the requirements of the legislation of the Russian Federation, in particular the requirements of technical regulations;

2) be at variance with the goals cited in Part 1 of Article 55.1 of this Code;

3) establish privileges for the individual businessmen and legal entities which are founders of such organisation;

4) lead to prevention, restriction or elimination of competition, in particular to the commodity market's sharing on the basis of the territorial principle, according to the volume of commodities' sale or purchase, assortment of commodities to be sold or the composition of sellers or purchasers (customers), to creation of obstacles for access of economic agents to the commodity markets.

**5.** The requirements for issuance of admittance certificates must be defined in respect of each kind of works, which can affect the safety of capital construction items and in respect of which the issuance of certificates of admittance thereto is referred by a general meeting of members of a self-regulating organisation to the area of activities of the self-regulating organisation, or in respect of kinds of such works.

**6.** The requirements for issuance of admittance certificates must contain the following:

1) qualification requirements for individual businessmen, employees of an individual businessman and employees of a legal entity:

a) the requirement for a certain level of specialized education;

b) the requirement for raising qualifications and professional retraining;

c) the requirement for a certain working record;

2) the requirement for the number of employees of an individual businessman or legal entity satisfying the requirements of Item 1 of this part.

**7.** The requirements for issuance of admittance certificates may contain the following:

1) the requirements for an individual businessman or legal entity to have the property required for carrying out appropriate works. In so doing, it is allowable not to specify the kind of the right on the basis of which a person can use such property;

2) the requirement for positive results of the check-up of the qualifications of individual businessmen, employees of individual businessmen and employees of legal entities conducted in the procedure established by the said requirements.

**8.** As the minimum obligatory requirements for issuance of certificates of admittance to works which affect the safety of capital construction items shall be deemed the following:

1) the requirement for an individual businessman or legal entity to have employees with higher or secondary appropriate professional education for carrying out certain kinds of works which can affect the safety of capital construction items. With this, at least three employees must have higher professional education or at least five employees must have secondary professional education and the professional working record of employees with higher professional education must be at least three years while the working record of employees with secondary professional education must be at least five years;

2) the requirement for an individual businessman to have appropriate higher or secondary professional education for carrying out certain kinds of works which can affect the safety of capital construction units and can be independently carried out by an individual businessman and to have the professional working record of at least five years;

3) the requirement for raising qualifications at least once every five years by the employees and the individual businessman cited in Items 1 and 2 of this part.

**9.** As the minimum obligatory requirements for issuance of certificates of admittance to works which can affect the safety of the especially hazardous, technologically sophisticated and unique facilities provided for by Article 48.1 of this Code shall be established by the Government of the Russian Federation.

**10.** A self-regulated organisation is not entitled to establish requirements for issuance of certificates of admittance to works which can affect the safety of capital construction items which are lower than the minimum obligatory requirements established by Part of this Article or where it is provided for by Part 9 of this article.

**11.** The standards of a self-regulating organisation may not comprise indications of trade marks, service marks, firm's names, patents, utility models, industrial samples, denominations of places of commodities' origin or names of manufacturers thereof, requirements for commodities, their manufacturers, information, works and services in respect of commodities, works and services manufactured, carried out and rendered by members of the self-regulated organisation and/or the construction materials used by members of the self-regulated organisation, if such requirements entail prevention, restriction or elimination of competition.

**12.** The self-regulation rules may establish the following:

1) terms to be included into a contract of work and labour which ensure protection of interests of customers ordering works affecting the safety of capital construction items;

2) requirements for contractors carrying out works which can affect the safety of capital construction items in respect of prevention and settlement of conflict situations in relations with customers ordering such works and users of such works' results;

3) requirements for insuring by members of a self-regulating organisation the civil liability which can occur in case of inflicting harm as a result of drawbacks in works which can affect the safety of capital construction items, as well as the terms of such insurance;

4) requirements for insuring other risks connected with carrying out construction-assembly works, for insuring employees of an individual businessman and employees of a legal entity against accidents and illnesses, as well as the terms of such insurance;

5) requirement for availability of conformity certificates in respect of works which can affect the safety of capital construction units, certificates of the quality control system in respect of such works issued when confirming conformity on a voluntary basis in a certain voluntary certification system;

6) requirements for the content of advertising disseminated by contractors carrying out works which can affect the safety of capital construction items.

**13.** The documents cited in Parts 1 and 2 of this article, the amendments made in these documents and decisions on declaring them as having lost their force shall be deemed adopted by a self-regulating organisation, if over fifty per cent of the total number of such organisation's members have voted for adoption of these documents and shall enter into effect at earliest in ten days as of the date when they are adopted.

**14.** Documents, amendments made in documents and decisions adopted by a general meeting of members of a self-regulating organisation or by a permanent collective managerial body of a self-regulating organisation at latest in three days as of the date when they are adopted are subject to insertion to the Internet site of this self-regulating organisation and to forwarding on both electronic and paper media to the body in charge of control over self-regulating organisations.

#### **Article 55.6. Admittance to a Self-Regulated Organisation**

**1.** A legal entity, in particular a foreign legal entity, and an individual businessman may be admitted to a self-regulating organisation as members thereof, if they satisfy the requirements for issuance of certificates of admittance to one or several kinds of works which can affect the safety of capital construction units and in respect of which the settlement of matters concerning the issuance of admittance certificates is referred by a general meeting of the self-regulating organisation's members to the area of activities of the self-regulating organisation.

**2.** To be admitted to a self-regulated organisation as a member thereof, an individual businessman or a legal entity shall submit the following documents to the self-regulating organisation:

1) application for admittance to the self-regulating organisation as a member thereof. The application shall cite the specific kind or kinds of works which can affect the safety of capital construction units and in respect of which the individual businessman or legal entity intends to obtain the certificate of admittance thereto;

2) a copy of the document proving the fact of making an entry to the appropriate state register on the state registration of the individual businessman or legal entity, copies of the constituent entities (if a legal entity), a properly attested translation into Russian of the documents on the state registration of the legal entity in compliance with the legislation of an appropriate state (if a foreign legal entity);

3) documents proving the compliance of the individual businessman or legal entity with the requirements for issuance of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items;

4) a copy of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items issued by a self-regulating organisation of the same type, if the individual businessman or legal entity are members of another self-regulating organisation of the same type.

**3.** It is not allowed to obtain on demand from a legal entity or individual businessman, along with the documents cited in Part 2 of this article, other documents for admittance to members of a self-regulating



organisation and issuance of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction units.

**4.** At latest in thirty days as of the date when the documents cited in Part 2 of this article are received, a self-regulating organisation shall check them and shall be obliged to render the decision on admittance of the individual businessman or legal entity to members of the self-regulating organisation and on issuance thereto of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction units or on the refusal to admit to members of the self-regulating organisation specifying the reasons for the refusal, as well as to forward or to hand in the said decision to such individual businessman or such legal entity.

**5.** The following shall be deemed as grounds for the refusal to admit an individual businessman or legal entity to members of a self-regulating organisation:

1) the individual businessman or legal entity fails to satisfy the requirements for issuance of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items and are cited in the application provided for by Item 1 of Part 2 of this article;

2) the individual businessman or legal entity fails to submit in full the documents provided for by Part 2 of this article;

3) the individual businessman or legal entity have the certificate of admittance to a certain kind or kinds of works, which can affect the safety of capital construction items and are cited in the application provided for by Item 1 of Part 2 of this article, issued by another self-regulating organisation of the same type.

**6.** A person admitted to members of a self-regulating organisation shall be issued the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items at latest in three working days after the date when the appropriate decision is adopted, the admittance fee is paid and a contribution to the compensation fund of the self-regulating organisation is made.

**7.** A legal entity or individual businessman may be a member of one or several self-regulating organisations pertaining to any kind of self-regulating organisations cited in Article 55.3 of this Code, provided that the requirements established by Part 2 of Article 55.8 of this Code are satisfied.

**8.** Decisions of a self-regulating organisation on admittance to members of the self-regulating organisation, on the refusal to be admitted to members of the self-regulating organisation or its omission to act when admitting to members of the self-regulating organisation may be appealed against with an arbitration court.

#### **Article 55.7. Termination of Membership in a Self-Regulating Organisation**

**1.** The membership in a self-regulating organisation may be terminated in the following cases:

1) if a member of the self-regulating organisation withdraws from it on a voluntary basis;

2) in case of expulsion from members of the self-regulating organisation;

3) in case of death of an individual businessman who is a member of the self-regulating organisation or liquidation of a legal entity which is a member of the self-regulating organisation.

**2.** A self-regulating organisation shall decide on expulsion of an individual businessman or legal entity from members of the self-regulating organisation in the following cases:

1) if a member of the self-regulating organisation fails to satisfy the requirements of technical regulations, this entailing the infliction of harm;

2) repeated failures within a year or a gross failure of the self-regulating organisation's member to satisfy the requirements for issuance of certificates of admittance, requirements of technical regulations, rules for exercising control in the field of self-regulation, requirements of standards of self-regulating organisations and/or requirements of the self-regulation rules;

3) repeated failures to pay within a year or failure to pay in due time within a year membership dues;

4) failure to make a contribution to the compensation fund of a self-regulating organisation in due time;

5) an individual businessman or legal entity do not have the certificate of admittance to at least one kind of works which can affect the safety of capital construction items, except as specified in Part 7 of Article 55.8 of this Code.

**3.** The decision on expulsion of an individual businessman or legal entity from members of a self-regulating organisation shall be adopted by a general meeting of the self-regulating organisation's members. In the event of an individual businessman or legal entity not having the certificate of admittance to at least one kind of works which can affect the safety of capital construction items, except as specified in Part 7 of Article 55.8 of this Code, the permanent collective managerial body of the self-regulating organisation is entitled to adopt the decision on expulsion of an individual businessman or legal entity from members of the self-regulating organisation.

**4.** To a person that has terminated its membership in a self-regulating organisation shall not be returned the admission fee, membership dues and contributions to the compensation fund of the self-regulating organisation paid by him thereto.

**5.** The decision of a self-regulating organisation on expulsion from members of the self-regulating

organisation may be appealed against with an arbitration court.

**Article 55.8.** Admittance to Works Which Can Affect the Safety of Capital Construction Items

**1.** An individual businessman or legal entity are entitled to carry out works which can influence the safety of capital construction items if they have the certificate of admittance to such works issued by a self-regulating organisation.

**2.** An individual businessman or legal entity are entitled to have the certificate of admittance to a certain kind of work affecting the safety of capital construction items which is issued by solely one self-regulating organisation.

**3.** An individual businessman or legal entity that are members of a self-regulating organisation are not entitled to carry out the kind of works which can affect the safety of capital construction items, if such individual businessman or such legal entity does not satisfy at least one of the requirements of the said self-regulating organisation for issuance of the certificate of admittance to this kind of works.

**4.** A list of the kinds of works which can affect the safety of capital construction items shall be established by the authorised federal executive body. The cited list shall define the kinds of works whose independent performance by an individual businessman is allowed and the kinds of works whose performance by an individual businessman is allowed with the attraction of employees, as well as shall take into consideration the specifics of works involving construction, reconstruction and major overhaul of individual housing construction items and of dwelling houses intended for residence of at most two families which are carried out by individuals.

**5.** A self-regulating organisation may only issue the certificate of admittance to works which can affect the safety of capital construction items in respect of the kinds of works for which the settlement of issues relating to the issuance of certificates of admittance thereto is referred by a general meeting of the self-regulating organisation's members to the area of activities of the self-regulating organisation.

**6.** The certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items shall be issued by a self-regulating organisation when admitting an individual businessman or legal entity to members of a self-regulating organisation, if such individual businessman or such legal entity satisfy the requirements for issuance of the certificate of admittance to the said works.

**7.** In the event of obtaining by a non-profit organisation the status of a self-regulating organisation, the individual businessmen and legal entities which on the date when the said status is acquired are members of such non-profit organisation shall not receive certificates of admittance to works which can affect the safety of capital construction items. The said person are obliged to receive such certificates of admittance at latest in one month as of the date when the non-profit organisation obtains the status of a self-regulating organisation in the procedure established by this article for amending the certificates of admittance to works which can affect the safety of capital construction items.

**8.** The admittance to works which can affect the safety of capital construction items shall be proved by the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items issued by a self-regulating organisation. The form of such certificate shall be established by the body in charge of supervision over self-regulating organisations.

**9.** The certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items shall be issued by a self-regulating organisation without imposing any limitations as to the time period of its validity and the territory where it is effective. The certificate of admittance to works which can affect the safety of capital construction items shall be issued by a self-regulating organisation free-of-charge.

**10.** A member of a self-regulating organisation is entitled to file an application with the self-regulating organisation for amending the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items. If a member of a self-regulating organisation intends to obtain the certificate of admittance to some other kind or kinds of works which can affect the safety of capital construction items, all the documents proving satisfaction of the requirements for issuance of certificates of admittance to the said works shall be attached to the said application.

**11.** As the ground for the refusal to amend the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items shall be deemed the following:

1) an individual businessman or legal entity fails to comply with the requirements for issuance of certificates of admittance to the said works;

2) an individual businessman or legal entity fails to present in full the documents provided for by Part 10 of this article.

**12.** The refusal for the reasons which are cited in Part 11 of this article shall not be allowed.

**13.** A self-regulating organisation at most in thirty days as of the date when the documents provided for Part 10 of this article are received shall check them, decide on amending the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items or on the refusal to make amendments therein citing the reasons for the refusal and shall forward the said decision to the person which

has presented such documents.

**14.** A self-regulating organisation in latest in three working days after adoption of the decision on amending the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items shall issue to a member of the self-regulating organisation the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items instead of the previously issued certificate, as well as shall enter the required data in the procedure established by Article 55.18 of this Code to the register of the self-regulating organisation's members and shall forward them to the body in charge of supervision over self-regulating organisations.

**15.** The validity of the certificate of admittance to works which can affect the safety of capital construction items shall be terminated in respect of a certain kind or kinds of works:

1) by decision of the permanent collective managerial body of the self-regulating organisation adopted on the basis of an application of the self-regulating organisation's member.

2) by decision of the permanent collective managerial body of the self-regulating organisation upon establishing the fact that an individual businessman or legal entity holds the certificate of admittance to the kind of works which can affect the safety of capital construction items issued by another self-regulating organisation;

3) by decision of the permanent collective managerial body of the self-regulating organisation in case of failure of an individual businessman or legal entity to eliminate the detected violation in due time in compliance with Item 3 of Part 2 of Article 55.15 of this Code, if the validity of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items is suspended:

4) by decision of a court;

5) in the event of cessation of membership in the self-regulating organisation;

6) by decision of a general meeting of members of the self-regulating organisation in case of imposition of disciplinary sanctions in compliance with Article 55.15 of this Code.

**16.** The invalidation of the certificate of admittance to works which can affect the safety of capital construction items shall entail the effects cited in Item 5 of Part 2 of Article 55.7 of this Code.

**17.** Decisions of a self-regulating organisation on issuance of the certificate of admittance to works which can affect the safety of capital construction items, on the refusal to issue such certificate, on the refusal to amend the certificate of admittance to the said works, on invalidation of the certificate of admittance to the said works, on suspending the certificate of admittance to the said works, on the refusal to renew the certificate of admittance to the said works and a self-regulating organisation's omission to act when the appropriate matters are being considered may be appealed against with an arbitration court.

**18.** The starting and finishing time of validity of the certificate of admittance of a self-regulating organisation's member to works which can affect the safety of capital construction items shall be fixed starting from the date of entering by by the self-regulating organisation to the register of the self-regulating organisation's members accordingly data on issuance of the certificate of admittance of the self-regulating organisation's member of the said works and data on invalidation of the certificate of admittance of the self-regulating member to the said works.

#### **Article 55.9.** Providing by a Self-Regulating Organisation Access to Information about Its Activities and Activities of Members Thereof

A self-regulating organisation for the purpose of providing access to information about its activities and activities exercised by members thereof, along with the information provided for by the Federal Law on Self-regulating Organisation, is obliged to insert to its Internet site the following information and documents:

1) the self-regulating organisation's denomination, address (location) and contact telephone numbers;

2) the denomination, address and contact telephone numbers of the supervisory body in charge of supervision over self-regulating organisations;

3) the denomination, address (location) and contact telephone numbers of the non-profit organisations of which the self-regulating organisation is a member;

4) the list of kinds of works which affect the safety of capital construction items and in respect of which settlement of the matters concerning issuance of the certificate of admittance thereto is referred by a general meeting of a self-regulating organisation's members to the area of activities of the self regulating organisation;

5) the register of the self-regulating organisation's members;

6) the rate of and procedure for forming the self-regulating organisation's compensation fund, the list of payments from this fund made under its members' obligations;

7) rates of the admission fee and of regular membership dues, as well as a procedure for paying them;

8) documents adopted by a general meeting of members of the self-regulating organisation or by the permanent collective managerial body of the self-regulating organisation;

9) the composition of the permanent collective managerial body of the self-regulating organisation.

#### **Article 55.10.** Exclusive Authority of a General Meeting of a Self-regulating Organisation



The following matters shall pertain to the exclusive authority of a general meeting of members of a self-regulating organisation:

- 1) endorsement of the statutes of a non-profit organisation and making amendments thereto;
- 2) election by secret ballot of members of the permanent collective managerial body of the self-regulating organisation, pre-schedule termination of the authority of the said body or preschedule termination of authority of individual members thereof;
- 3) election by secret ballot of the head of the permanent collective managerial body of the self-regulating organisation and preschedule termination of authority of such head;
- 4) fixing the rate of the admission fee and of regular membership dues, as well as a procedure for paying them;
- 5) fixing the rate of contributions to the compensation fund of the self-regulating organisation, establishing the procedure for forming it, defining possible ways of placing assets of the compensation fund of the self-regulating organisation;
- 6) endorsement of the documents provided for by Parts 1 and 2 of Article 55.5 of this Code;
- 7) adoption of the decision on expelling members of the self-regulating organisation in compliance with Part 2 of Article 55.7 of this Code;
- 8) adoption of the decision on termination of the certificate of admittance to works which can affect the safety of capital construction items in compliance with Item 5 of Part 15 of Article 55.8 of this Code;
- 9) adoption of the decision on participation of the self-regulating organisation in non-profit organisations, in particular on joining the association (union) of self-regulating organisations or the chamber of commerce and industry and on withdrawal from members of these non-profit organisations;
- 10) defining the list of works which can affect the safety of capital construction items and in respect of which settlement of matters relating to issuance of certificates of admittance thereto pertains to the area of activities of the self-regulating organisation;
- 11) establishing the scope of authority of the executive body of the self-regulating organisation and of the procedure for managing the self-regulating organisation's current activities;
- 12) adoption of other decisions which under this Code, the Federal Law on Self-Regulating Organisations, other federal laws and the statutes of a non-profit organisation are referred to the scope of exclusive authority of a general meeting of members of the self-regulating organisation.

**Article 55.11.** The Permanent Collective Managerial Body of a Self-regulating Organisation

1. The permanent collective managerial of a self-regulating organisation shall be formed from among the individual businessmen who are members of the self-regulating organisation and representatives of the legal entities which are members of the self-regulating organisation.

2. The permanent collective managerial body of a self-regulating organisation shall manage the current activities of the self-regulating organisation and shall be subordinate to the supreme managerial body of the self-regulating organisation. The scope of authority of the permanent collective managerial body of a self-regulating organisation shall extend to settlement of the matters which do not pertain to the scope of authority of the supreme managerial body of the self-regulating organisation and of the executive body of the self-regulating organisation.

3. The permanent collective managerial body of a self-regulating organisation is entitled to establish other bodies of the self-regulating organisation which are subordinate thereto and to delegate to them the exercise of individual powers, if the establishment of such bodies is provided for by the statutes of a non-profit organisation or by decisions of the supreme managerial body thereof.

4. The tenure of the head of the permanent collective managerial body of a self-regulating organisation shall not exceed two years. With this, the same person may not be the head of the permanent collective managerial body of a self-regulating organisation for two terms running.

**Article 55.12.** The Executive Body of a Self-Regulating Organisation

The scope of authority of the executive body of a self-regulating organisation shall extend to managing the current activities of a self-regulating organisation in the procedure and within the limits which are established by a general meeting of the self-regulating organisation's members.

**Article 55.13.** Exercise of Control by a Self-Regulating Organisation over the Activities of Members Thereof

1. A self-regulating organisation shall exercise control over the activities of its members, as regards satisfaction by them of the requirements for issuance of admittance certificates, requirements of standards of self-regulating organisations and self-regulation rules in the procedure established by the rules for exercising control in respect of self-regulation subject to the requirements of Part 2 of this article.

2. Control over the activities of members of a self-regulating organisation, as regards satisfaction by

them of the requirements for issuance of admittance certificates, shall be exercised by the self-regulating organisation when admitting to members of the self-regulating organisation, as well as at least once a year.

**Article 55.14.** Consideration by a Self-Regulating Organisation of Complaints against Its Members' Actions and of Applications

1. A self-regulating organisation is entitled to consider complaints against its members' actions. Complaints against actions of a self-regulating organisation's members and of applications received by a self-regulating organisation are subject to consideration at latest in one month as of the date when they are received, if a shorter period is not fixed by the legislation of the Russian Federation. The decision adopted on the basis of the results of considering a complaint or application shall be forwarded to the persons that have sent them.

2. In the event of detecting as a result of considering a complaint against actions of a self-regulating organisation's member a failure thereof to satisfy the requirements of technical regulations, requirements for issuance of admittance certificates, rules for exercising control in respect of self-regulation, requirements of standards of self-regulating organisations or the rules for self-regulation, the self-regulating organisation shall impose upon such member the disciplinary sanctions in compliance with Article 55.15 of this Code.

3. A procedure for consideration of the complaints and applications cited in Part 1 of this article shall be defined by documents of a self-regulating organisation.

4. When consideration a complaint against actions of a self-regulating organisation's member, the person that has forwarded such complaint and the member of the self-regulating organisation whose actions have been complained against have to be invited to the meeting of an appropriate body of the self-regulating organisation.

5. In the event of detecting by a self-regulating organisation a failure of such self-regulating organisation's member to satisfy the requirements of technical regulations or project documentation while carrying out works in the course of construction, reconstruction or major overhaul of capital construction items the self-regulating organisation is obliged to notify of it the federal executive power body authorized to exercise the state construction supervision, should the said violations be detected while constructing, reconstructing and carrying out a major overhaul of the items cited in Part 3 of Article 54 of this Code, or the executive power body of a constituent entity of the Russian Federation authorised to exercise the state construction supervision, if the said violations are detected while constructing, reconstructing and carrying out a major overhaul of other capital construction items.

**Article 55.15.** Imposition by a Self-Regulating Organisation of Disciplinary Sanctions upon the Self-Regulating Organisation's Members

1. A self-regulating organisation shall impose upon members thereof the disciplinary sanctions provided for by such self-regulating organisation for their failure to satisfy the requirements of technical regulations, requirements for issuance of admittance certificates, rules for exercising control in respect of self-regulation, requirements of standards of self-regulating organisations or the rules for self-regulation.

2. The following shall be imposed as disciplinary sanctions:

1) issuance of the order to eliminate without fail by a member of a self-regulating organisation the detected violations in due time;

2) issuance of a warning to a self-regulating organisation's member;

3) suspension of the certificate of admittance to works which can affect the safety of capital construction items in respect of a certain kind or kinds of works;

4) termination of the certificate of admittance to works which can affect the safety of capital construction items in respect of a certain kind or kinds of works;

5) expulsion from a self-regulating organisation.

3. The suspension of the certificate of admittance to works which can affect the safety of capital construction items in respect of a certain kind or kinds of works shall be allowed in case of failure of a self-regulating organisation's member to satisfy the requirements of technical regulations, requirements for issuance of admittance certificates and requirements of standards of self-regulating organisations, pending elimination of the detected violations but at most for sixty calendar days. Within this period of time the self-regulating organisation's member is entitled to carry out independently from among the said works solely those ones which are required for elimination of the detected violations and is obliged to notify the self-regulating organisation of their elimination, while the latter is obliged within at most ten working days as of the date of such notification to inspect the results of elimination of the detected violations and decide either on renewal of the certificate of admittance to works which can affect the safety of capital construction items in respect of a certain kind or kinds of works or on the refusal to renew it specifying the reasons for the decision.

4. The decision of a self-regulating organisation on imposing a disciplinary sanction may be appealed against with an arbitration court by the person in respect of which it has been rendered.

**Article 55.16.** The Compensation Fund of a Self-Regulating Organisation

1. A self-regulating organisation within the limits of resources of the self-regulating organisation's compensation fund shall be held vicariously liable under obligations of members thereof arising as a result of infliction of harm where it is provided for by Article 60 of this Code.

2. It is not allowed to relieve a self-regulating organisation's member of the duty of making a contribution to the compensation fund of the self-regulating organisation, in particular on account of claims thereof against the self-regulating organisation.

3. It is not allowable to make payments out of finance of the compensation fund of a self-regulating organisations, except when:

- 1) the resources are erroneously remitted;
- 2) the resources of the compensation fund of the self-regulating organisation are placed for the purpose of preservation and increase of the amount thereof;
- 3) payments are made as a result of occurrence of the vicarious liability provided for by Part 1 of this article (payments for the purpose of compensation for harm and court costs).

4. The resources of the compensation fund of a self-regulating organisation may be placed in assets for the purpose of preserving and increasing the amount thereof, except for placement thereof on bank accounts of members of such self-regulating organisation and in their securities. Where it is necessary to make payments out of the resources of the compensation fund of a self-regulating organisation, the time period for returning the resources from the said assets shall not exceed ten working days.

5. In the event of making payments out of the resources of the compensation fund of a self-regulating organisation in compliance with Article 60 of this Code, the self-regulating organisation's member or the former member thereof guilty of inflicting harm as a result of drawbacks in the works relating to engineering survey, preparation of project documentation, construction, reconstruction and major overhaul of capital construction items, as well as other members of the self-regulating organisation, shall make contributions to the compensation fund of the self-regulating organisation for the purpose of increasing the amount of such fund in the procedure and up to the level which are established by the self-regulating organisation's statutes but at lowest to the minimum amount of the compensation fund defined by the self-regulating organisation's statutes within the time period of at most two months as of the date when the said payments are made.

**Article 55.17.** Keeping the Register of a Self-Regulating Organisation's Members

1. A self-regulating organisation is obliged to keep the register of the self-regulating organisation's members.

2. The register of a self-regulating organisation's members shall contain the following data in respect of each member thereof:

- 1) taxpayer's identification number, full name of legal entity and address (location) thereof or full name of individual businessman, his/her date of birth and place of residence;
- 2) a list of the kinds of works which affect the safety of capital construction items and in respect of which a self-regulating organisation's member holds the certificate of admittance;
- 3) data on suspension, renewal, refusal to renew or termination of the certificate of admittance of a self-regulating organisation's member to a certain kind or kinds of works which can affect the safety of capital construction items.

3. A self-regulating organisation on the date when the appropriate decision is adopted shall insert in the Internet site thereof and shall enter to the register of members of the self-regulating organisation data on issuance to the self-regulating organisation's member of the certificate of admittance to a certain kind or kinds of works which can affect the safety of capital construction items, on amending the said certificate, on renewal, on the refusal to renew or on termination of this certificate and shall forward to the body in charge of supervision over self-regulating organisations a notice in respect of the adopted decision.

4. A self-regulating organisation is obliged to provide by request of a person concerned an extract from the register of the self-regulating organisation's members at most in three working days as of the date when such request is received.

5. The form of an extract from the register of members of a self-regulating organisation shall be established by the body in charge of self-regulating organisations.

**Article 55.18.** Keeping the State Register of Self-Regulating Organisations

1. The state register of self-regulating organisations shall be kept by the body in charge of supervision over self-regulating organisations.

2. The following data in respect of every self-regulating organisation shall be entered to the state register of self-regulating organisations:

- 1) on denomination, address (location) and contact telephone number of a self-regulating organisation;

2) on the kind of a self-regulating organisation;

3) on the list of the kinds of works which can affect the safety of capital construction items and in respect of which settlement of matters relating to issuance of certificates of admittance thereto is referred by a general meeting of a self-regulating organisation's members to the area of activities of the self-regulating organisation;

4) on members of a self-regulating organisation (taxpayer's identification number, full name of legal entity, address (location) thereof, full name of individual businessman, his/her date of birth and place of residence);

5) on the list of kinds of works which can affect the safety of capital construction units and in respect of which a self-regulating organisation's member holds the certificate of admittance (for each self-regulating organisation's member);

6) data on suspension, renewal, on the refusal to renew or on termination of the certificate of admittance of a self-regulating organisation's member to works which can affect the safety of capital construction items (in respect of each self-regulating organisation's member).

**3.** The data contained in the state register of self-regulating organisations are subject to insertion in the official Internet site of the body in charge of supervision over self-regulating organisations and shall be accessible for familiarization therewith on a free-of-charge basis.

**4.** The data on a self-regulating organisation and members of a self-regulating organisation provided for by Part 2 of this article shall be entered to the state register of self-regulating organisations and deleted from the state register of self-regulating organisations by the body in charge of supervision over self-regulating organisations accordingly within seven working days as of the date when a non-profit organisation presents the documents required for obtainment of the status of a self-regulating organisation and within three working days as of the date when it receives a notification of the decisions adopted by a self-regulating organisation on issuance to a member of the self-regulating organisation of the certificate of admittance to certain kinds of works which can affect the safety of capital construction items, on amending the certificate of admittance to the said kinds of works, on suspending, renewing, refusing to renew or terminating the certificate of admittance of the self-regulating organisation's member to the said works, on decisions adopted by a general meeting of members of the self-regulating organisation or by the permanent collective managerial body of the self-regulating organisation.

**5.** In the event of detecting a failure of a self-regulating organisation to satisfy the requirements of this Code when it adopts the decisions cited in Part 4 of this article and in respect of which a notice is received by the body in charge of self-regulating organisations, this supervisory body shall suspend entering of appropriate data to the state register of self-regulating organisations and shall forward to the self-regulating organisation an order to eliminate the detected violation. Within ten days as of the date when such order of the body in charge of supervision over self-regulating organisations is received, the self-regulating organisation is obliged to eliminate the detected violation and notify of it the body in charge of supervision over self-regulating organisations or to appeal this order with an arbitration court.

**6.** A member of a self-regulating organisation or a self-regulating organisation are obliged to notify in writing of changes in the data cited in Items 1, 2 and 4 of Part 2 of this article the body in charge of supervision over self-regulating organisations and concurrently submit appropriate documents.

**7.** Such data shall be entered to the state register of self-regulating organisations or amended on a free-of-charge basis.

**8.** A procedure for keeping the register of self-regulating organisations and the rate of payment for providing extracts from the said register shall be established by the authorized federal executive body.

#### **Article 55.19.** The Exercise of the State Control over the Activities of Self-Regulating Organisations

**1.** The state control (supervision) over the activities of self-regulating organisations shall be exercised by the body in charge of supervision over self-regulating organisations by way of holding planned and extraordinary inspections.

**2.** A planned inspection of the activities of a self-regulating organisation shall be held once every two years in compliance with the plan approved by the body in charge of supervision over the activities of self-regulating organisations.

**3.** An extraordinary inspection of the activities of a self-regulating organisation may be held for the purpose of exercising control over execution of orders to eliminate violations detected in the course of holding planned inspections thereof. The decision to hold an extraordinary inspection shall be likewise adopted by the body in charge of supervision over self-regulating organisations on the basis of applications made by legal entities, natural persons, state power bodies of the Russian Federation, state power bodies of constituent entities of the Russian Federation, local self-government bodies and law enforcement agencies in respect of a failure of a self-regulating organisation or of members thereof to satisfy the requirements for self-regulating organisations and activities thereof established by this Code and other federal laws.



4. As the subject of the state control (supervision) over the activities of a self-regulating organisation shall be deemed satisfaction by the self-regulating organisation of the requirements for self-regulating organisations and activities thereof established by this Code and other federal laws.

5. In the event of detecting a failure of a self-regulating organisation to satisfy the requirements of this Code or other federal laws, the body in charge of supervision over self-regulating organisations shall forward to the self-regulating organisation concurrently with a report on detected violations an order to eliminate them within a reasonable time period. The said order may be appealed against by a self-regulating organisation with an arbitration court.

6. A self-regulating organisation is obliged to supply to the body in charge of supervision over self-regulating organisations on request thereof information required for the exercise by it of its functions.

7. In the event of a self-regulating organisation's failure to satisfy the requirements of Article 55.4 of this Code and in other cases provided for by federal laws, the body in charge of supervision over self-regulating organisations is entitled to make a claim with an arbitration court for deleting data on the self-regulating organisation from the state register of self-regulating organisations.

#### **Article 55.20. National Associations of Self-Regulating Organisations**

1. National associations of self-regulating organisations shall be all-Russia non-governmental non-profit organisations uniting self-regulating organisations on the basis of obligatory membership therein.

2. The following kinds of national associations of self-regulating organisations shall be established:

1) the National Association of Self-Regulating Organisations Based on Membership of Persons Engaged in Engineering Survey;

2) the National Association of Self-Regulating Organisations Based on Membership of Persons Engaged in Preparation of Project Documentation;

3) the National Association of Self-Regulating Organisations Based on Membership of Persons Engaged in Construction.

3. National associations of self-regulating organisations shall be established for the purpose of observing public interests of self-regulating organisations of appropriate kinds, ensuring presentation and protection of interests of self-regulating organisations of appropriate kinds at state power bodies and local self-governments bodies, interaction of self-regulating organisations and the said bodies, as well as consumers of performed works which can affect the safety of capital construction items.

4. National associations of self-regulating organisations shall be legal entities, shall have an estimate, settlement and other bank accounts in compliance with the legislation of the Russian Federation, their seals, stamps and letter-heads with denominations thereof.

5. National associations of self-regulating organisations shall be established by an All-Russia Congress of Self-Regulating Organisations of appropriate kinds.

6. Charters of national associations of self-regulating organisations shall be adopted by an All-Russia Congress of Self-Regulating Organisations of appropriate kinds.

7. National associations of self-regulating organisations are subject to the state registration in the procedure established by Federal Law No. 129-FZ of August 8, 2001 on the State Registration of Legal Entities and Individual Businessmen.

8. As the basic functions of national associations of self-regulating organisations shall be deemed the following:

1) discussion of matters of the state policy in the field of accordingly engineering survey, architectural and construction design, construction, reconstruction and major overhaul of capital construction items;

2) representation of interests of self-regulating organisations of appropriate kinds at federal state power bodies, state power bodies of constituent entities of the Russian Federation and local self-government bodies;

3) forming proposals in respect of the matters concerning formulation of the state policy in the field of accordingly engineering survey, architectural and construction design, construction, reconstruction and major overhaul of capital construction items;

4) protection of interests of self-regulating organisations of appropriate kinds;

5) consideration of applications, petitions and complaints of self-regulating organisations of appropriate kinds.

9. National associations of self-regulating organisations are not entitled to tamper with the activities of self-regulating organisations and to restrict their activities.

#### **Article 55.21. The All-Russia Congress of Self-Regulating Organisations**

1. An All-Russia Congress of Self-Regulating Organisations of appropriate kind (hereinafter also referred to as a Congress) shall be the supreme body of the National Association of Self-Regulating Organisations. A congress shall be convened at least once every two years. A Congress shall be deemed legally qualified, if it is attended by representatives of at least two thirds of self-regulating organisations

registered in the territory of the Russian Federation.

**2.** Self-regulating organisations shall enjoy equal rights and shall be equally represented at a Congress. Each self-regulating organisation, regardless of the number of representatives thereof who are present when decisions are made, shall have one vote.

**3.** An All-Russia Congress of Self-Regulating Organisations:

1) shall adopt the charter of the National Association of Self-regulating Organisations and shall endorse its amending;

2) shall form the council of the National Association of Self-regulating Organisations, in particular shall elect new members thereto and terminate the authority of the council members to be replaced in compliance with the procedure for the council's renovation (rotation), shall adopt decisions on preschedule termination of the authority of the council members;

3) shall fix the rate of deductions of self-regulating organisations to meet the needs of the National Association of Self-Regulating Organisations on the basis of the number and kind of self-regulating organisations;

4) shall endorse the estimate of costs for maintenance of the National Association of Self-Regulating Organisations;

5) shall endorse reports of the council of the National Association of Self-Regulating Organisations, in particular on administration of the estimate of costs for maintenance of the National Association of Self-regulating Organisations;

6) shall elect members of the check-up committee of the National Association of Self-Regulating Organisations for a two-year term and shall approve the report of this check-up committee on the results of financial and economic activities of the National Association of Self-Regulating Organisations;

7) shall endorse a Congress's rules of procedure;

8) shall establish the location of the council of the National Association of Self-Regulating Organisations;

9) shall exercise other functions provided for by the charter of the National Association of Self-Regulating Organisations.

**Article 55.22.** The Council of the National Association of Self-regulating Organisations

**1.** The council of the National Association of Self-Regulating Organisations shall be a collective executive body of the National Association of Self-Regulating Organisations.

**2.** The council of the National Association of Self-Regulating Organisations shall be elected in the number of at most thirty persons by an All-Russia Congress of Self-Regulating Organisations by secret ballot and is subject to renovation (rotation) once every two years by one third in the procedure established by the charter of the National Association of Self-Regulating Organisations.

**3.** The council of the National Association of Self-Regulating Organisations:

1) shall elect from among members thereof the president of the National Association of Self-Regulating Organisations for a four-year term and on the proposal thereof one or several vice-presidents for a two-year term, shall define the scope of authority of the president and vice-presidents. With this, the same person may not hold the office of the president of the National Association of Self-Regulating Organisations for two terms running;

2) shall represent the National Association of Self-Regulating Organisations at state power bodies, local self-government bodies, public associations and other Russian organisations, as well as outside the Russian Federation;

3) shall arrange informational support to self-regulating organisations;

4) shall exercise methodological activity;

5) shall convene at least once every two years an all-Russia Congress of Self-Regulating Organisations and shall form the agenda thereof;

6) shall dispose of the property of the National Association of Self-regulating Organisations in compliance with the estimate and purpose of property;

7) shall endorse the electoral quotient for self-regulating organisations attending a Congress;

8) shall approve the rules of procedure for the council of the National Association of Self-Regulating Organisations and the personnel list of the staff of the National Association of Self-Regulating Organisations;

9) shall fix the rate of remuneration of the president and vice-presidents, other members of the council of the National Association of Self-Regulating Organisations and members of the checkup committee within the limits of the cost estimate for maintenance of the National Association of Self-Regulating Organisations approved by a Congress;

10) shall exercise other functions provided for by the charter of the National Association of Self-Regulating Organisations.

**4.** in the event of a failure of the National Association of Self-regulating Organisations to satisfy the

requirements of this Code, the authority of the council of the National Association of Self-Regulating Organisations may be terminated ahead of time at an all-Russia Congress of Self-regulating Organisations. An extraordinary All-Russia Congress of Self-regulating Organisations shall be convened by the council of the National Association of Self-Regulating Organisations on demand of one third of the self-regulating organisations registered in the territory of the Russian Federation.

**5.** Meetings of the council of the National Association of Self-regulating Organisations shall be called by the president of the National Association of Self-Regulating Organisations as need may be, but at least once every three months. A meeting shall be deemed legally competent, if it is attended by at least two thirds of members of the council of the National Association of Self-Regulating Organisations.

**6.** Decisions of the council of the National Association of Self-regulating Organisations shall be adopted by a simple majority vote of members of the council of the National Association of Self-Regulating Organisations attending a meeting thereof.";

10) Article 60 shall be stated in the following wording:

**"Article 60.** Compensation for Harm Caused as a Result of Drawbacks in Works Relating to Engineering Survey, Preparation of Project Documentation, Construction, Reconstruction and Major Overhaul of Capital Construction Items

**1.** The harm caused as a result of drawbacks in works relating to engineering survey shall be compensated by the person that has performed such works. Jointly, subsidiary liability for causing the said harm shall be born:

1) by the Russian Federation, the constituent entity of the Russian Federation or by the organisation that has held a non-governmental expert examination of project documentation, if harm is caused as a result of noncompliance of the results of engineering survey with the requirements of technical regulations and if there is a positive opinion of a governmental expert examination or a positive opinion of a non-governmental expert examination in respect of the project documentation;

2) a self-regulating organisation within the limits of the compensation fund of the self-regulating organisation in respect of the person which at the time of carrying out such works held the certificate of admittance to them issued by this self-regulating organisation.

**2.** The harm caused as a result of drawbacks in works aimed at preparing project documentation shall be compensated by the person that has performed such works. Jointly, subsidiary liability for causing the said harm shall be born:

1) the Russian Federation, the constituent entity of the Russian Federation or the organisation that has held a non-governmental expert examination of the project documentation, if harm is caused as of result of non-compliance of the project documentation with the requirements of technical regulations and/or the results of engineering survey and if there is a positive opinion of a state expert examination of the project documentation or a positive opinion of a non-governmental expert examination of the project documentation;

2) a self-regulating organisation within the limits of assets of the compensation fund of the self-regulating organisation in respect of the person which at the time of carrying out such works held the certificate of admittance to them issued by this self-regulating organisation.

**3.** Harm caused as a result of drawbacks in works relating to construction, reconstruction and major overhaul of a capital construction item shall be compensated by the person that has carried out such works. Jointly, subsidiary liability for causing the said harm shall be born:

1) by the Russian Federation or the constituent entity of the Russian Federation, if harm is caused as a result of non-compliance of an erected, reconstructed or overhauled capital construction item and/or of works carried out in the course of construction, reconstruction or major overhaul of a capital construction item with the requirements of technical regulations and/or project documentation and if there is a positive opinion of the body in charge of the state construction supervision;

2) a self-regulating organisation within the limits of assets of the compensation fund of the self-regulating organisation in respect of the person which at the time carrying out such works held the certificate of admittance to them issued by this self-regulating organisation.

**4.** If harm is caused as a result of drawbacks in works which can affect the safety of capital construction items and the person that has carried out such works has signed a contract of civil liability that can occur in case of causing harm as a result of drawbacks in such works, the said harm shall be compensated on account of the person that has carried out such works. With this, the provisions of Parts 1-3 of this article stipulating joint subsidiary liability of the Russian Federation, the constituent entity of the Russian Federation, the organisation that has carried out a non-governmental expert examination of project documentation and the self-regulating organisation that has issued the certificate of admittance to such works shall apply under the following conditions:

1) the assets received under a contract of liability insurance are insufficient for reimbursement of the said harm;

2) the person that has carried out works affecting the safety of capital construction items has refused to satisfy the requirement for compensation of harm, or the customer or a third person has not received from him within a reasonable time an answer to the claim for compensation of harm made."

## **Article 2**

The following amendments shall be made in Federal Law No. 7-FZ of January 12, 1996 on Non-Profit Organisations (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 1996, No. 3, Article 145; 1998, No. 48, Article 5849; 2002, No. 52, Article 5141; 2006, No. 3, Article 282; No. 45, Article 4627; 2007, No. 1, Article 39):

1) in Article 8:

a) the words ", if not otherwise established by federal law" shall be added to Paragraph Two of Item 1;

b) the words ", except if a nonprofit partnership has acquired the status of a self-regulating organisation" shall be added to Item 2;

c) in Item 4:

the words ", except if a non-profit partnership has obtained the status of a self-regulating organisation"; shall be added to Paragraph One;

the words ", except if a non-profit partnership has obtained the status of a self-regulating organisation" shall be added to Paragraph Two;

2) in Item 4 of Article 17 the words "or a partnership" shall be replaced by the words ", a partnership company or a non-profit partnership";

3) the words ", as well as some other distribution of powers among managerial bodies of a non-profit organisation" shall be added to Item 2 of Article 28.

## **Article 3**

The following amendments shall be made in Federal Law No. 123-FZ of August 8, 2001 on Licencing Specific Types of Activity (Sobranie Zakonodatelstva Rossiyskoy Federatsii; No. 50, Article 4925; 2003, No. 2, Article 169; No. 11, Article 956; No. 13, Article 1178; 2005, No. 13, Article 1078; No. 27, Article 2719; 2006, No. 1, Article 11; No. 31, Article 3455; No. 50, Article 5279; 2007, No. 1, Article 7, 15; No. 30, Article 3748, 3749, 3750; No. 45, Article 5427; No. 46, Article 5554; No. 50, Article 6247; 2008, No. 18, Article 1944):

*Item 1 of Article 3 of this Federal Law shall enter into force as of January 1, 2010*

1) Subitems 101.1-101.3 of Item 1 of Article 17 shall be declared invalidated;

2) in Item 6.1 of Article 18:

a) in Paragraph One the words "July 1, 2008" shall be replaced by the words "January 1, 2010";

b) a paragraph with the following content shall be added hereto:

"Granting of licences for exercising the said kinds of activity shall be terminated as of January 1, 2009."

## **Article 4**

The following amendments shall be made in the Code of Administrative Offences of the Russian Federation (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2002, No. 1, Article 1; No. 18, Article 1721; No. 30, Article 3029; No. 44, Article 4295; 2003, No. 27, Article 2700, 2708, 2717; No. 46, Article 4434, 4440; No. 50, Article 4847, 4855; 2004, No. 30, Article 3095; No. 31, Article 3229; No. 34, Article 3529, 3533; 2005, No. 1, Articles 9, 13, 40, 45; No. 10, Article 763; No. 13, Article 1075, 1077; No. 19, Article 1752; No. 27, Article 2719; 2721; No. 30, Article 3104, 3131; No. 50, Article 5247; No. 51, Article 5596; 2006, No. 1, Article 10; No. 2, Article 172; No. 6, Article 636; No. 10, Article 1067; No. 12, Article 1234; No. 17, Article 1776; No. 18, Article 1907; No. 19, Article 2066; No. 23, Article 2380; No. 28, Article 2975; No. 30, Article 3287; No. 31, Article 3420, 3432, 3438, 3452; No. 45, Article 4641; No. 50, Article 5279; No. 52, Article 5498; 2007, No.1, Article 21, 29; No. 16, Article 1825; No. 26, Article 3089; No. 30, Article 3755; No. 31, Article 4007, 4008, 4015; No. 41, Article 4845; No. 43, Article 5084; No. 46, Article 553; No. 50, Article 6246; 2008, No. 18, Article 1941; No. 20, Article 2251):

1) Article 9.5.1 with the following content shall be added hereto:

**"Article 9.5.1.** Carrying Out Engineering Survey, Preparing Project Documentation, Constructing, Reconstructing and Overhauling Capital Construction Items without the Certificate of Admittance to Appropriate Kinds of Works or Not Satisfying Minimum Requirements to Be Followed without Fail for Issuance of Certificates of Admittance to Appropriate Kinds of Works

**1.** Carrying out of works relating to engineering survey, preparation of project documentation, construction, reconstruction and major overhaul of capital construction items which can affect the safety of capital construction items (hereinafter referred to in this article as works affecting the safety of capital construction items) without the certificate of admittance to the said kinds of works, where such certificate is



obligatory -

shall entail imposition of an administrative fine in the amount from forty thousand to fifty thousand roubles.

**2.** A failure of a legal entity or individual businessman to satisfy minimum requirements to be followed without fail for issuance of the certificate of admittance to works which can affect the safety of capital construction items when carrying out works that can affect the safety of capital construction items -

shall entail imposition of an administrative fine in the amount from thirty to forty thousand roubles.

**3.** A repeated failure of a legal entity or individual businessman within a year to satisfy the minimum requirements to be followed without fail for issuance of the certificate of admittance to works which can affect the safety of capital construction items when carrying out works that can affect the safety of capital construction items -

shall entail imposition of an administrative fine in the amount from forty to fifty thousand roubles or an administrative suspension of activities thereof for a term of up to ninety days.";

2) in Article 23.1:

a) in Part 2 after the figures "9.5," shall be added the words "by Part 3 of Article 9.5.1, by Articles";

b) in Paragraph Three of Part 3 after the figures "9.5," shall be added the figures "9.5.1,";

3) Article 23.69 with the following content shall be added to Chapter 23:

**"Article 23.69.** The Federal Executive Body Authorised to Exercise the State Control (Supervision) over the Activities of Self-Regulating Organisations Engaged in Engineering Survey, Architectural and Construction Design, Construction, Reconstruction and Major Overhaul of Capital Construction Items

**1.** The federal executive body authorised to exercise the state control (supervision) over the activities of self-regulating organisations engaged in engineering survey, architectural and construction design, construction, reconstruction and major overhaul of capital construction items shall try cases on the administrative offences provided for by [Article 9.5.1](#) of this Code.

**2.** The following persons are also entitled to try cases on administrative offences on behalf of the body cited in Part 1 of this article:

1) the head of the federal executive body authorised to exercise the state control (supervisions) over the activities of self-regulating organisations engaged in engineering survey, preparation of project documentation, construction, reconstruction and major overhaul of capital construction items, as well as deputies thereof;

2) heads of structural units of the said federal executive body;

3) heads of regional agencies of the said federal executive bodies and their deputies.";

4) Item 89 with the following content shall be added to Part 2 of Article 28.3:

"89) officials of the executive bodies authorized to exercise the state construction supervision - on the administrative offences provided for by [Article 9.5.1](#) of this Code.".

**Article 5**

Article 3.2 with the following content shall be added to Federal Law No. 191-FZ of December 29, 2004 on Putting Into Effect the Town-Planning Code of the Russian Federation (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2005, No.1, Article 17; No. 30, Article 3122; 2006, No.1, Article 17; No. 27, Article 2881; No. 52, Article 5498; 2007, No. 21, Article 2455; No. 49, Article 6071; No. 50, Article 6237; 2008, No. 20, Article 2251):

**"Article 3.2**

**1.** Pending January 1, 2010 the exercise of business activities as to carrying out engineering survey, architectural and construction design, construction, reconstruction and major overhaul of capital construction items shall be permitted at the choice of the performer of appropriate kinds of works on the basis of the following:

1) the licence issued in compliance with Federal Law No. 128-FZ of August 8, 2001 on Licencing Specific Kinds of Activities (hereinafter referred to as the Federal Law on Licencing Specific Kinds of Activities);

2) the certificate of admittance to a certain kind or kinds of works relating to engineering survey, preparation of project documentation, construction, reconstruction and major overhaul of capital construction items which can affect the safety of capital construction items issued by a self-regulating organisation in the field of engineering survey, architectural and construction design, construction, reconstruction and major overhaul of capital construction items in the procedure established by the Town-Planning Code of the Russian Federation.

**2.** Pending January 1, 2010, after establishment by the authorised federal executive body of the list of the kinds of works involving engineering survey, architectural and construction design, construction, reconstruction and major overhaul of capital construction items which can affect the safety of capital construction items, the requirement for availability of the licence issued in compliance with the Federal Law on

Licencing Specific kinds of Activities shall not apply in respect of other works involving engineering survey for construction of buildings and structures, design of buildings and structures and construction of buildings and structures."

#### **Article 6**

The following amendments shall be made in Federal Law No. 315-FZ of December 1, 2007 on Self-Regulating Organisations (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2007, No. 49, 6076):

1) in Part 2 of Article 1 the words "The details of acquisition and termination of the status of self-regulating organisations, of the activities of self-regulating organisations and" shall be replaced by the words "The specifics of acquisition and termination of the status of self-regulating organisations, of the legal status of self-regulating organisations, activities of self-regulating organisations, procedure for admittance to members of self-regulating organisations and cessation of membership in a self-regulating organisation, procedure for exercising control by self-regulating organisations over the activities of their members and imposition of disciplinary sanctions in respect of their members, as well as";

2) in Part 3 of Article 2 the words "on the territory of the Russian Federation" shall be deleted;

3) in Article 3:

a) in Part 1 the words "for the purpose of self-regulation" shall be replaced by the words "for the purposes provided for by this Federal Law and other federal laws";

b) in Part 3:

in Paragraph One the word "only" shall be deleted;

in Item 3 the words "by means of establishing an insurance clause for the members of the self-regulating organisation as specified in Item 1 of Part 1 of Article 13 of the present Federal Law, and by means of maintaining a compensation fund of the self-regulating organisation" shall be replaced by the words "in compliance with Article 13 of this Federal Law";

c) in Part 4 the words "For the purpose of pursuing its activity" shall be replaced by the words "If not otherwise established by federal law, for the purpose of pursuing its activity";

d) the words ", if not otherwise established by federal laws" shall be added to the first sentence of Part 5;

e) the words " and shall lose the status of a self-regulating organisation as of the date when data on a non-profit organisation are deleted from the said register" shall be added of Part 6;

4) in Article 4:

a) in Part 2 the words "details of the elaboration and establishment" shall be replaced by the words "other requirements, standards and rules, as well as specifics of the content" and the words "for specific types of entrepreneurial or professional activity" shall be deleted;

b) in Part 5 the words "The standards and rules of the self-regulating organisation shall envisage" shall be replaced by the words "A self-regulating organisation shall establish" and after the words "and also" shall be added the words "to ensure";

5) in Part 2 of Article 5 the words "for the pursuance of entrepreneurial or professional activity of a certain type" shall be deleted;

6) in Article 6:

a) in Part 1:

in Item 1 the words "requirements applicable to the membership" shall be replaced by the words "terms of membership" and the words ", including the provisions governing the joining of the self-regulating organisation" shall be deleted;

in Item 4 the words "by the charter of the self-regulating organisation" shall be replaced by the words " by the charter of the non-profit organisation";

Item 8 with the following content shall be added hereto:

"8) exercising control over business or professional activities of members thereof, as regards satisfaction by them the requirements of standards and rules of the self-regulating organisation, as well as the terms of membership in the self-regulating organisation;";

Item 9 with the following content shall be added hereto:

"9) considering complaints against actions of the self-regulating organisation's members and cases on its members' failure to satisfy the requirements of standards and rules of the self-regulating organisation, of the terms of membership therein.";

b) Part 2 shall be stated in the following wording:

"2. A self-regulating organisation, along with the basic functions established by Part 1 of this Article, is entitled to exercise other functions provided for by federal laws and the charter of the non-profit organisation.";

c) in Part 3:

in Paragraph One the words "In accordance with the basic functions established by the present Article the self-regulating organisation is entitled to do the following in the course of pursuance of its activity" shall be

replaced by the words "The self-regulating organisation is entitled to do the following";

Item 1 shall be declared invalidated;

d) in Part 4 the words "as envisaged by the present Federal Law and other federal laws, with due regard to the details established for an entrepreneurial or professional activity of a certain type" shall be replaced by the words ", if limitation of its rights is not provided for by federal laws and/or constituent documents thereof";

e) Part 5 shall be stated in the following wording:

"**5.** A self-regulating organisation is obliged to exercise the functions of a self-regulating organisation provided for by Items 1, 2, 4, 7-9 of Part 1 of this Article.";

7) in Article 7:

a) in Part 1:

the words "and other persons" shall be added to Item 2;

Item 7 shall be stated in the following wording:

"7) on the decisions adopted by a general meeting of a self-regulating organisation's members and the permanent collective managerial body of a self-regulating organisation";

the words "(if such information is available)" shall be added to Item 8;

the words ", if the self-regulating organisation certifies employees working for members of such self-regulating organisation" shall be added to Item 11;

the words "exercised by the self-regulating organisation" shall be added to Item 13;

in Item 15 the words "by the charter of the self-regulating organisation" shall be replaced by the words "by the self-regulating organisation";

b) in Part 4 the words "In accordance with the provisions of Part 1 of the present Article the self-regulating organisation" shall be replaced by the words "In accordance with the provisions of Part 1 of the present Article, if not otherwise established by federal laws, the self-regulating organisation";

c) in Part 5 the words "The charter of the self-regulating organisation or the requirements specifically established for the purpose and having a binding nature for all employees of the self-regulating organisation" shall be replaced by the words "The self-regulating organisation";

8) in Article 8:

a) in Part 4 the words "the constituent documents of the self-regulating organisation" shall be replaced by the words "the constituent documents of the non-profit organisation";

b) in Part 5 after the words "the charter" shall be added the words "of the non-profit organisation";

9) in Article 9:

a) in Part 1 the words "by employees of the relevant structural unit of the self-regulating organisation" shall be replaced by the words "by the self-regulating organisation";

b) the words ", the terms of membership in the self-regulating organisation" shall be added to the first sentence of Part 2;

c) in Part 8 after the words "the rules of self-regulating organisation" shall be added the words ", or the terms of membership in the self-regulating organisation";

d) in Part 10 the words "the charter of the self-regulating organisation" shall be replaced by the words "the charter of the non-profit organisation";

10) in Part 1 of Article 10 the words "shall consider" shall be replaced by the word "considers" and the words ", as well as of the terms of membership in the self-regulating organisation" shall be added hereto;

11) in Article 12:

a) in Part 1:

in Item 3 the word "incomes" shall be replaced by the words "funds derived";

in Item 4 the word "incomes" shall be replaced by the words "funds derived";

in Item 5 the word "incomes" shall be replaced by the words "funds derived";

b) the words "approved by a general meeting of members of the self-regulating organisation, if not otherwise provided for by federal laws or by the charter of the non-profit organisation" shall be added to Part 3;

12) in Article 13:

a) Part 4 shall be stated in the following wording:

"**4.** Federal laws may establish requirements, other than those which are provided for by this Federal Law, for the procedure for forming the compensation fund of a self-regulating organisation, its minimum amount, placement of such fund's assets, insurance of responsibility of the self-regulating organisation's members.";

b) the words ", if not otherwise established by federal laws" shall be added to Part 5;

c) Part 12 shall be stated in the following wording:

"**12.** A self-regulating organisation shall be held liable under federal laws and within the limits of the compensation fund under obligations of its member arising as a result of drawbacks in commodities (works or services) made by the member thereof.";

13) in Part 6 of Article 14 the words "the charter of the self-regulating organisation" shall be replaced by the words "the charter of the non-profit organisation";

14) in Article 16:

a) in Part 1 after the word "law" shall be added the words ", other federal laws and the charter of the non-profit organisation";

b) the words ", but at least once a year" shall be added to Part 2;

c) in Part 3:

in Paragraph One the word "exclusive" shall be deleted;

the words "or the terms of membership in the self-regulating organisation" shall be added to Item 4;

Item 11 with the following content shall be added hereto:

"11) adoption of other decisions in compliance with federal laws and the charter of the non-profit organisation.";

d) Part 3.1 with the following content shall be added hereto:

**"3.1.** The matters provided for by Items 1, 2, 4-10 of Part 3 of this Article may not be referred by the charter of the non-profit organisation to the scope of authority of other managerial bodies of the self-regulating organisation.";

15) in Article 17:

a) Part 6 shall be stated in the following wording:

**"6.** The number of members of the permanent collective managerial body of a self-regulating organisation, procedure for and terms of its forming, exercise of activities and decision-making by it shall be established by the charter of the non-profit organisation.";

b) in Part 7:

the words ", if not otherwise established by federal laws" shall be added to Paragraph One;

Item 7 with the following content shall be added hereto:

"7) other matters provided for by the charter of the non-profit organisation.";

c) Part 8 with the following content shall be added hereto:

**"8.** The matters provided for by Items 1 and 2 of Part 7 of this Article and by the charter of the non-profit organisation may be classified as pertaining to the scope of authority of a general meeting of members of the self-regulating organisation.";

16) in Article 20:

a) in Part 1 the words "registration of the self-regulating organisations" shall be replaced by the words "registration of non-profit organisations";

b) in Part 2 the words "or the regulation of the relevant type of activity" shall be deleted;

c) in Item 5 of Part 8 after the word "type" shall be added the word "(types)";

e) in Part 10 the words "The ground" shall be replaced by the words "The grounds", the word "is" shall be replaced by the words "is the noncompliance of a not-for-profits organisation with the requirements provided for by Part 3 of Article 3 of this Federal Law or other federal laws for the number of members of the self-regulating organisation and/or the amount of the compensation fund of the self-regulating organisation," the words "and also" shall be deleted and the words "and likewise as specified in Part 6 of Article 22 of this Federal Law" shall be added hereto;

f) in Part 13 the words "their constitutive and other documents" shall be replaced by the words "their denominations";

17) in Part 4 of Article 21 the words "is entitled" shall be replaced by the words "or with the requirements for the number of members of the self-regulating organisation or the amount of the compensation fund thereof is obliged";

18) in Article 22:

a) in Item 1 of Part 3 after the words "the rules of the self-regulating organisation" shall be added the words "or the terms of membership therein";

b) in Part 5 the words "or its activity does not meet with the requirements set out in the present Federal Law or other federal laws" shall be replaced by the words "does not meet the requirements provided for by Part 3 of Article 3 of this Federal Law, as well as in the event of failure to satisfy within a year more than two times other requirements of this Federal Law and requirements of other federal laws in respect of a self-regulating organisation, if these failures are not removed or are of non-removable nature";

19) in Article 24:

a) Part 4 shall be stated in the following wording:

**"4.** The members of an association (union) of self-regulating organisations may delegate to the association (union) the rights to elaborate uniform standards and rules of the self-regulating organisations, as well as the terms of membership of businesses or entities pursuing professional activity in self-regulating organisations being members of the association (union), the rights to settle disputes in a private arbitration, to carry out professional training and attestation of employees of the members of the self-regulating organisations, to certify the goods (works and services) they produce, to disclose information and also other rights of self-regulating organisations.";



b) the words ", as well as members of other non-profit organisations" shall be added to Part 7.

*Article 7 of this Federal Law shall enter into effect as of January 1, 2010*

#### **Article 7**

Item 1 of Article 17 of Federal Law No. 136-FZ of July 19, 2007 on Amending Articles 17 and 18 of the Federal Law on Licencing Specific Kinds of Activities (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2007, No. 30, Article 3750) shall be declared invalidated.

#### **Article 8**

1. This Federal Law shall enter into force as of the date when it is officially published, except for Paragraphs Nineteen and Twenty Three of Item 9 of Article 1, Item 1 of Article 3 and Article 7 of this Federal Law.

2. Paragraphs Nineteen and Twenty Three of Item 9 of Article 1 of this Federal Law shall enter into force as of January 1, 2010.

3. Item 1 of Article 3 and Article 7 of this Federal Law shall enter into force as of January 1, 2010.

4. Pending January 1, 2009, for obtaining by a non-profit organisation of the status of a self-regulating organisation based on membership therein of persons engaged in an engineering survey or preparation of project documentation the amount of the compensation fund of a self-regulating organisation must be at least one hundred and fifty thousand roubles per member thereof and for acquisition by a non-profit organisation of the status of a self-regulating organisation based on membership of persons engaged in construction the amount of the compensation fund of a self-regulating organisation must be at least three hundred thousand roubles per member thereof.

5. The authorized federal executive body within three months as of the date when this Federal Law enters into force shall establish the list of the kinds of works involving an engineering survey, preparation of project documentation, construction, reconstruction and major overhaul of capital construction items which could affect the safety of capital construction items (hereinafter referred to as works affecting the safety of capital construction items).

6. The authorized federal executive body, within three months as of the date when this Federal Law enters into force, shall establish a procedure for keeping the state register of self-regulating organisations.

7. The Government of the Russian Federation:

1) within one month as of the date when this Federal Law enters into force shall specify the federal executive body authorized to establish the list of the kinds of works which could affect the safety of capital construction items and the federal executive body authorized to establish a procedure for keeping the state register of self-regulating organisations;

2) within three months as of the date when this Federal Law enters into force shall establish the minimum requirements to be satisfied without fail for issuance of the certificate of admittance to works which could affect the safety of especially hazardous, technologically sophisticated and unique facilities which are provided for by Article 48.1 of the Town-Planning Code of the Russian Federation.

8. Pending establishment by the body in charge of supervision over self-regulating organisations of the form of the certificate of admittance to the kinds of works which can affect the safety of capital construction items and the form of an extract from the register of members of a self-regulating organisation, the cited forms shall be established by a self-regulating organisation. After establishing the said forms by the body in charge of supervision over self-regulating organisations, it shall not be required to replace with them the documents previously issued by a self-regulating organisation.

9. Before January 1, 2009 the status of a self-regulating organisation may only be obtained by non-profit organisations whose members hold licences for carrying out engineering surveys for the purpose of construction of buildings and structures, design of buildings and structures, construction of buildings and structures, except for seasonal or auxiliary structures.

10. The national association of self-regulating organisations in the fields of engineering surveys, architectural and construction design, construction, reconstruction and major overhaul of capital construction items must be established at the latest on July 1, 2010.

President  
of the Russian Federation

D. Medvedev

The Kremlin, Moscow  
July 22, 2008  
No. 148-FZ

