

January 24, 2014

Dear Sirs,

We are pleased to inform you of recent changes in Russian legislation aimed at increasing liability for violating the rules for registration of Russian citizens at the place of stay/residence, as well as migration registration of foreign nationals and stateless persons.

The changes have been introduced to the Federal Law on the “Right of Citizens of the Russian Federation to Freedom of Movement, Choice of Place of Stay and Residence in the Russian Federation”, Criminal Code of the Russian Federation, Code of administrative offences of the Russian Federation and the Federal Law on “Migration Registration of Foreign Nationals and Stateless Persons”.

The changes in question introduced criminal liability for **sham registration of Russian citizens at the place of stay/residence and foreign nationals at the place of residence in residential premise in Russia**. Sham registration implies 1) registration on the basis of false information or documents, or 2) registration at residential premise without intention to stay (reside) in such premise, or 3) registration at residential premise without intention of leaseholder of premise to provide it for stay (residence) of the registered person.

Such violation entails a fine in the amount of 100 000 up to 500 000 RUR or in the amount of salary or other income of the convicted person, or mandatory works for up to 3 years along with possible deprivation of right to occupy certain posts or be engaged in certain activities, or imprisonment for up to 3 years along with possible deprivation of right to occupy certain posts or be engaged in certain activities.

Similar liability is also established for another crime introduced by the recent changes, namely **sham migration registration of foreign nationals at the place of stay in residential premise situated in Russia**. This crime implies 1) registration on the basis of false information or documents, or 2) such registration without intention to stay in such premise, or 3) registration without intention of the host party to provide premise for stay (residence) of the foreign citizen.

In addition, administrative liability is introduced for Russian citizens **for residing in premise at the place of stay/residence without registration** or for leaseholders or owners of the premise who allow such living without registration.

In such cases administrative fine for citizens is from 2 000 up to 3 000 RUR, for leaseholders, owners of residential premise (individuals) – from 2 000 up to 5 000 RUR, for companies – from 250 000 up to 750 000 RUR. Increased administrative fines are stipulated for similar offences committed in the territory of Moscow and St. Petersburg.

However, certain exceptions to this administrative offence are set. Thus, in particular, Russian citizens are exempted from liability in case they reside without registration in premise which is situated in the same or other locality of the same subject of the Russian Federation as the premise where the citizen is legally registered. Similar rule applies if a Russian citizen is registered at the place of residence in premise situated in the territory of Moscow or Moscow region, Saint- Petersburg or Saint-Petersburg region. Exceptions apply also to family members of leaseholder registered at

this residential premise or owner of premise, namely spouses, children, spouses of children, parents, spouses of parents, grandparents and grandchildren.

Similar administrative fines are stipulated **for violation of rules for registration of Russian citizens at the place of stay/ residence in residential premise**. This offence includes inter alia failure of leaseholder and owner of premise to notify state registration authorities of stay of a person in this premise without registration as well as intentional submission of false information about registration of such person. Such administrative violation entails administrative fine in the amount from 2 000 up to 3 000 RUR for citizens and from 4 000 up to 7 000 RUR for companies. Increased administrative fines are stipulated for similar offences committed in the territory of Moscow and St. Petersburg.

The changes in question came into force on January 3, 2014.

Please click [here](#) to view a full text of the newsletter in English and Russian.

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For more information please visit our web-site or contact directly Irina Anyukhina, Partner, Head of the Labour and Employment practice.

Kind regards,

ALRUD Law firm

Note: All information was obtained from publicly available sources. The author of this information letter assumes no liability for the consequences of decision-making based on such information.