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ON THE PROSECUTION SERVICE OF THE RUSSIAN FEDERATION

List of modifying documents

(as amended by Federal laws No. 168-FZ of 17.11.1995,

No. 31-FZ of 10.02.1999, No. 202-FZ of 19.11.1999, No. 19-FZ of 02.01.2000, No. 182-FZ of 29.12.2001, No. 77-FZ of 28.06.2002, No. 112-FZ of 25.07.2002, No. 120-FZ of 05.10.2002, No. 86-FZ of 30.06.2003, No. 122-FZ of 22.08.2004, No. 85-FZ of 15.07.2005, No. 138-FZ of 04.11.2005, No. 24-FZ of 02.03.2007, No. 87-FZ of 05.06.2007, No. 214-FZ of 24.07.2007, No. 280-FZ of 25.12.2008, No. 171-FZ of 17.07.2009, No. 303-FZ of 28.11.2009, No. 132-FZ of 01.07.2010, No. 404-FZ of 28.12.2010, No. 4-FZ of 07.02.2011, No. 297-FZ of 06.11.2011, No. 309-FZ of 08.11.2011, No. 329-FZ of 21.11.2011, No. 231-FZ of 03.12.2012, No. 284-FZ of 30.12.2012, No. 99-FZ of 07.05.2013, No. 102-FZ of 07.05.2013, No. 156-FZ of 02.07.2013, No. 185-FZ of 02.07.2013, No. 205-FZ of 23.07.2013, No. 317-FZ of 25.11.2013, No. 7-FZ of 03.02.2014, No. 68-FZ of 02.04.2014, of No. 145-FZ of 04.06.2014 (as amended on 19.12.2016), No. 233-FZ of 21.07.2014, No. 427-FZ of 22.12.2014, No. 23-FZ of 08.03.2015, No. 269-FZ of 13.07.2015, No. 285-FZ of 05.10.2015, No. 354-FZ of 28.11.2015, No. 305-FZ of 03.07.2016, of No. 434-FZ of 19.12.2016, No. 505-FZ of 28.12.2016, No. 27-FZ of 07.03.2017, No. 132-FZ of 01.07.2017, No. 238-FZ of 29.07.2017, No. 246-FZ of 29.07.2017, No. 406-FZ of 20.12.2017, No. 492-FZ of 31.12.2017, No. 84-FZ of 18.04.2018, No. 307-FZ of 03.08.2018, No. 337-FZ of 03.08.2018, No. 363-FZ of 11.10.2018, No. 374-FZ of 30.10.2018, No. 506-FZ of 27.12.2018, No. 536-FZ of 27.12.2018, No. 205-FZ of 26.07.2019, No. 328-FZ of 01.10.2019, No. 432-FZ of 16.12.2019, No. 487-FZ of 27.12.2019, No. 516-FZ of 27.12.2019, No. 15-FZ of 06.06.2020, with amendments introduced by Rulings of the RF Constitutional Court No. 3-II of 18.02.2000, No. 6-II of 11.04.2000, by Federal laws No. 150-FZ of 27.12.2000, No. 194-FZ of 30.12.2001, by Rulings of the RF Constitutional Court No. 13-II of 17.07.2002, No. 13-II of 18.07.2003, No. 2-II of 17.02.2015)

Section I. General Provisions

Article 1. The Prosecution Service of the Russian Federation

1. The Prosecution Service of the Russian Federation shall be a single federal centralised system of bodies which on behalf of the Russian Federation shall carry

out supervision over the compliance with the Constitution of the Russian Federation and the enforcement of laws that are in force in the territory of the Russian Federation.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

The Prosecution Service of the Russian Federation shall also carry out other functions laid down in federal laws.

ConsultantPlus: note.

Art.1, para 2 in conjunction with other norms was recognised as partly incompatible with the RF Constitution (Ruling of the RF CC No. 13-Π of 18.07.2003).

2. With a view to ensure the rule of law, unity and strengthening of legality, protection of the rights and freedoms of man and citizen, as well as law-protected interests of society and the state, the Prosecution Service of the Russian Federation shall carry out the following functions:

- supervision over enforcement of laws by federal executive authorities, the Investigative Committee of the Russian Federation, representative (legislative) and executive public authorities of the Russian Federation constituencies, local self-government authorities, bodies of military administration, controlling bodies and their officials, entities of public control over ensuring human rights in places of forced detention and providing assistance to persons held in places of forced detention, and by management bodies and directors of commercial and non-commercial organisations;

(as amended by Federal Law No. 31-FZ of 10.02.1999, No. 132-FZ of 01.07.2010, No. 427-FZ of 22.12.2014)

- supervision over observance of the rights and freedoms of man and citizen by federal executive authorities, the Investigative Committee of the Russian Federation, representative (legislative) and executive public authorities of the constituencies of the Russian Federation, local self-government authorities, bodies of military administration, controlling bodies and their officials, entities of public control over ensuring human rights in places of forced detention and providing assistance to persons held in places of forced detention, management bodies and directors of commercial and non-commercial organisations,

(as amended by Federal Law No. 31-FZ of 10.02.1999, No. 132-FZ of 01.07.2010, No. 427-FZ of 22.12.2014)

- supervision over compliance with laws by the bodies carrying out operational and search activities, inquiries, and preliminary investigations;

- supervision over compliance with laws by court bailiffs;
(the clause was introduced by Federal Law No. 31-FZ of 10.02.1999)
 - supervision over compliance with laws by administrations of penitentiary bodies and institutions that enforce punishments and apply coercive measures imposed by courts, and administrations of places of detention of persons apprehended or taken into custody;
 - criminal prosecution in accordance with the powers laid down in the criminal procedural laws of the Russian Federation;
 - coordination of crime control activities of law enforcement agencies;
 - initiating administrative proceedings and carrying out administrative investigations in accordance with the powers laid down in the Code of Administrative Offences of the Russian Federation and other federal laws.
(the clause was introduced by Federal Law No. 329-FZ of 21.11.2011)
3. In accordance with the procedural laws of the Russian Federation, prosecutors shall participate in the consideration of cases by courts and commercial courts (hereinafter referred to as “courts”), and appeal against those court decisions, judgments, rulings, and resolutions of courts which are contrary to the law.
(as amended by Federal Law No. 31-FZ of 10.02.1999)
4. The Prosecution Service of the Russian Federation shall participate in law-making activities.
5. The Prosecutor General’s Office of the Russian Federation issues special publications.

Article 2. International Cooperation

Within the limits of its competence, the Prosecutor General’s Office of the Russian Federation shall maintain direct contacts with relevant bodies in other countries and international organisations, shall cooperate with them, conclude agreements on legal assistance and crime combating, and participate in drafting international treaties of the Russian Federation.

Article 3. Legal Framework for the Activities of the Prosecution Service of the Russian Federation

The organisation and operating procedures of the Prosecution Service of the Russian Federation and the powers of prosecutors shall be determined by the Constitution of

the Russian Federation, this Federal Law and other federal laws, and by international treaties of the Russian Federation.

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No.404-FZ of 28.12.2010)

The Prosecution Service of the Russian Federation may not be entrusted with the functions which are not provided by federal laws.

Article 4. Principles of Organisation and Activities of the Prosecution Service of the Russian Federation

1. The Prosecution Service of the Russian Federation shall constitute a single federal centralised system of bodies (hereinafter referred to as the “prosecution bodies”) and institutions, and operate on the basis of subordination of lower-ranking prosecutors to higher-ranking ones and to the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

2. The prosecution bodies shall:

- exercise their powers independently of federal public authorities, public authorities of the constituencies of the Russian Federation, local self-government authorities, public associations, and in strict compliance with the laws that are in force in the territory of the Russian Federation;

- operate publicly, to the extent where it does not contravene the requirements of the laws of the Russian Federation on protection of the rights and freedoms of citizens, as well as the laws of the Russian Federation on state secrets and other secrets specially protected by law;

- inform federal public authorities, public authorities of the constituencies of the Russian Federation, local self-government authorities, as well as the population of the state of legality.

2.1 The prosecution bodies have right, in connection with the prosecutorial supervision exercised by them in accordance with this Federal Law, in the cases permitted by the legislation of the Russian Federation, to get access to the information restricted by the Federal laws, which is required by them to be able to exercise prosecutorial supervision, including to process personal data.

(paragraph 2.1 was introduced by Federal Law No. 205-FZ of 23.07.2013)

3. Prosecutors may not be members of elected and other bodies set up by public authorities and local self-government authorities.

(clause 3 as amended by Federal Law No. 404-FZ of 28.12.2010)

4. The prosecution staff may not be members of public associations pursuing political goals and take part in their activities. The setting up and activities of public associations pursuing political goals as well as of their organisations in bodies and institutions of the Prosecution Service shall not be allowed. In their official activities, prosecutors shall not be bound by decisions of public associations.

(as amended by Federal Laws No. 404-FZ of 28.12.2010, FZ-233 of 21.07.2014)

5. The prosecution staff shall not have the right to combine their main activities with other paid or free activities, except for teaching, scientific and other creative activities. In addition to that, the teaching, scientific, and other creative activities may not be financed exclusively from the funds of foreign countries, international and foreign organisations, foreign citizens and stateless persons, if not provided for otherwise in an international treaty of the Russian Federation or the laws of the Russian Federation. The prosecution staff shall not have the right to be members of management bodies, boards of trustees or supervisors, and other bodies of foreign non-commercial non-governmental organisations and their organisational units operating in the territory of the Russian Federation, if not provided for otherwise in an international treaty of the Russian Federation or the laws of the Russian Federation.

(as amended by Federal Laws No. 24-FZ of 02.03.2007, FZ-185 of 02.07.2013)

Article 5. Inadmissibility of Interference in Exercising Prosecutorial Supervision

1. Influence exerted on the prosecutor in any form on the part of federal public authorities, public authorities of the of the Russian Federation constituencies, local self-government authorities, public associations, media, their representatives, as well as officials, with a view to affect the prosecutor's decision or to obstruct his activities in any form shall be subject to liability laid down by law.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

2. The prosecutor shall not be obliged to give any explanations regarding the merits of cases and materials he is handling, as well as to disclose them unless in cases and in the procedure provided by clause 4 of this Article.

(as amended by Federal Laws No. 404-FZ of 28.12.2010, No.156-FZ of 02.07.2013)

ConsultantPlus: note.

Art. 21, para 1 in conjunction with other norms was recognised partly incompatible with the RF Constitution (Ruling of the RF CC No. 13-II of 18.07.2003).

3. No one shall have the right to disclose without the permission of the prosecutor the materials of inspections carried out by prosecution bodies before they have been completed.

(as amended by Federal Laws No.87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010)

4. The results of inspection may be disclosed to a citizen by the decision of the prosecutor who deals with the appropriate materials or the superior prosecutor upon the results of consideration of the citizen's application if the materials directly affect his rights and freedoms.

The documents available in the inspection materials which contain state or other law-protected secrecy may not be disclosed to the citizen.

The decision on disclosure to a citizen the inspection materials or motivated decision denying disclosure of the inspection materials shall be made within 10 days since the submission of the application by the citizen. If a decision is made to deny the disclosure of the inspection materials the citizen will be explained his right to appeal against the decision to the higher-level prosecutor or to the court.

(paragraph 2.1 was introduced by Federal Law No. 156-FZ of 02.07.2013)

Article 6. Obligation to Fulfil the Requirements of the Prosecutor

1. The requirements of the prosecutor arising from his powers listed in Articles 9.1, 22, 27, 30, and 33 of this Federal Law, shall be subject to unconditional fulfilment within the established time period.

(as amended by Federal Law No.171-FZ of 17.07.2009)

2. Statistical and other information, documents (including electronic documents signed by electronic signature in accordance with the legislation of the Russian Federation) certificates or statements, and other materials or their copies required for implementing the tasks entrusted to the prosecution bodies shall be provided at the request of the prosecutor free of charge within five working days since the receipt by the head or other authorized person of the body (organization) of the prosecutor's request, and during compliance inspections – within two days since filing of the prosecutor's request. The prosecutors' request may provide for longer time limits.

If within the time limit established in accordance with sentence one of the first subparagraph of this paragraph for submission of requested statistical and other information, documents and materials or their copies, the body (organisation) which is being inspected informs the prosecutor in writing of objective reasons due to which such information, documents and materials or their copies cannot be provided, the prosecutor within the established time limits shall make a decision on setting a new deadline for their submission.

(paragraph 2 as amended by Federal Law No.27-FZ of 07.03.2009)

2.1. If there is a risk to the life or health of citizens, the property of physical persons or legal entities, state of municipal property, environment, state security, in emergency situations caused by natural disasters and technological accidents the necessary information, documents and materials or their copies shall be provided within 24 hours since the receipt of the prosecutor's request.

(paragraph 2.1 was introduced by Federal Law No.27-FZ of 07.03.2009)

2.2. The time limits for providing the information, documents and materials or their copies, mentioned in paragraphs 2 and 2.1 of this Article, shall not apply in cases of implementing prosecutor's requests inherent to his powers provided by Article 30 and 33 of this Federal law.

(paragraph 2.2 was introduced by Federal Law No.27-FZ of 07.03.2009)

2.3. The prosecutor is not empowered to require from a body (organization):

the information, documents and materials or their copies in the context of the inspection otherwise than for the purpose or relevant to the subject matter of such inspection;

the information, documents and materials or their copies which had been handed over to the prosecution bodies in connection with the previous inspection or had been officially published in the media or on the official website of the authority (the official website of the organization, created in accordance with its constituent documents) (hereinafter – the official website of the body (organization) in the informational-telecommunication net the “Internet”, except in cases specifies by this Federal law.

(paragraph 2.3 was introduced by Federal Law No.27-FZ of 07.03.2009)

2.4. In cases provided by subparagraph three of paragraph 2.3. of this Article a body (organization) shall indicate in reply to the prosecutor's request the data on the inspection in the context of which this information, documents and materials had been handed over, and whether such information, documents and materials or their copies are valid at the date of request; or reference to the mass media publications or the official website of the body (organization) in the informational-telecommunication network the “Internet” where the appropriate information, documents and materials are available at the date of request.

(paragraph 2.4 was introduced by Federal Law No.27-FZ of 07.03.2009)

2.5. The body (organization) which is being inspected is obliged to provide the information, documents and materials specified in subparagraph three of paragraph 2.3 of this Article, or their copies, when it has received the prosecutor's request arising out of:

the need to examine, to perform a test, special assessment to receive additional information which may influence the conclusions of the ongoing inspection;
the risk to life or health of citizens, the property of physical persons or legal entities, state of municipal property, environment, state security, emergency situations caused by natural disasters and technological accidents.

(paragraph 2.5 was introduced by Federal Law No.27-FZ of 07.03.2009)

3. Failure to fulfil the requirements of the prosecutor arising from his powers as well as evasion to appear upon his summons shall be subject to liability laid down by law.

(paragraph 3 as amended by Federal Law No.404-FZ of 28.12.2010)

Article 7. Participation of Prosecutors in Sessions of Federal Legislative and Executive Public Authorities, Representative (Legislative) and Executive Public Authorities of the of the Russian Federation constituencies, and Local Self-Government Authorities

1. The Prosecutor General of the Russian Federation, his deputies, and other prosecutors on their instructions shall have the right to be present at sessions of the chambers of the Federal Assembly of the Russian Federation, their committees and commissions, the Government of the Russian Federation, representative (legislative) and executive public authorities of the Russian Federation constituencies, and local self-government authorities.

2. The prosecutor of a Russian Federation constituency, city, district, other prosecutors of equivalent status, their deputies, and other prosecutors on their instructions shall have the right to be present at sessions of representative (legislative) and executive public authorities of the Russian Federation constituencies and local self-government authorities of appropriate as well as lower level.

3. The prosecutor, his deputy, and other prosecutors on their instructions shall have the right to participate in the consideration of submissions and protests submitted by them which is carried out by federal executive public authorities, representative (legislative) and executive public authorities of the Russian Federation constituencies, and local self-government authorities, commercial and non-commercial organisations.

Article 8. Coordination of Crime Control Activities

1. The Prosecutor General of the Russian Federation and the prosecutors subordinate to him shall co-ordinate the crime control activities of bodies of internal affairs, bodies of the Federal Security Service, bodies of control over the circulation of narcotic drugs and psychotropic substances, customs service bodies, and other law enforcement agencies.

(as amended by Federal Laws No.86-FZ of 30.06.2003 and No.305-FZ of 03.07.2016)

2. With a view to ensure co-ordination of activities of bodies specified in paragraph 1 of this Article, the prosecutor shall convene co-ordination meetings, organise working groups, request and obtain statistical and other information needed,

and exercise other powers in accordance with the Regulation on Co-ordination of Crime Control Activities approved by the President of the Russian Federation.

Article 9. Participation in Law-Making Activities

If the prosecutor, while exercising his powers, establishes a need to improve normative legal acts in force, he shall have the right to submit proposals on changing, supplementing, cancellation or adoption of laws and other normative legal acts to legislative bodies and bodies having the right to initiate laws, of appropriate as well as lower level.

Article 9.1. Conducting Anti-Corruption Expertise of Normative Legal Acts

1. The prosecutor, while exercising his powers, shall carry out anti-corruption expertise of normative legal acts of federal executive public authorities, public authorities of the Russian Federation constituencies, other public agencies and organisations, local self-government authorities, and their officials, in accordance with the procedure laid down by the Prosecutor General's Office of the Russian Federation and using the methodology specified by the Government of the Russian Federation.

2. If corruption-generating factors are detected in a normative legal act, the prosecutor shall either submit a request to make changes to the normative legal act containing a proposal concerning the way of eliminating the detected corruption-generating factors to the agency, organisation, or official that issued the said act, or turn to the court in accordance with the procedure provided for in the criminal procedural laws of the Russian Federation.

The request to make changes to the normative legal act may be withdrawn by the prosecutor before it has been considered by the appropriate agency, organisation, or official.

3. The request by the prosecutor to make changes to the normative legal act shall be subject to mandatory consideration by the appropriate agency, organisation, or official no later than within ten days from the day of receipt of the request. The request by the prosecutor to make changes to the normative legal act that has been forwarded to a legislative (representative) public authority of a Russian Federation constituency or a legislative local self-government authority shall be subject to mandatory consideration at the earliest session of the appropriate authority.

The results of consideration of the request to make changes to the normative legal act shall be promptly communicated to the prosecutor who submitted the request.

The request by the prosecutor to make changes to the normative legal act may be may be appealed in accordance with the established procedure.

Article 10. Consideration and Resolution of Applications, Complaints, and Other Submissions by Prosecution Bodies

1. Prosecution bodies shall consider and resolve applications, complaints, and other submissions containing information on violations of the laws, in accordance with their powers. A decision made by the prosecutor shall not prevent the person from applying to the court for the protection of his rights. The decision on the complaint against a judgment, decision, ruling, or resolution of the court may be appealed only to a higher-ranking prosecutor.

2. Applications, complaints, and other submissions received by prosecution bodies shall be considered in accordance with the procedure and within the time frame laid down in federal laws.

3. The response to an application, complaint, and other submission must be a motivated one. If the application or complaint is denied, the applicant must be explained the procedure for appeal against the decision made, as well as his right to turn to the court, if such right is provided by the law.

4. The prosecutor shall take measures, in accordance with the procedure laid down by law, for seeking to hold liable the persons that have committed offences.

5. Forwarding the complaint to the agency or official whose decisions or actions are being appealed shall be prohibited.

SECTION II. THE SYSTEM AND ORGANISATION OF THE PROSECUTION SERVICE OF THE RUSSIAN FEDERATION

Article 11. The System of the Prosecution Service of the Russian Federation

1. The system of the Prosecution Service of the Russian Federation shall comprise the Prosecutor General's Office of the Russian Federation, prosecutor's offices of the constituent entities of the Russian Federation, military and other specialised prosecutor's offices of equivalent status, scientific and educational institutions, editorial offices of print media that are legal entities, as well as city and district prosecutor's offices and other territorial, military, and other specialised prosecutor's offices.

(as amended by Federal Laws No.31-FZ of 10.02.1999 and No.233-FZ of 21.07.2014)

The Prosecutor General's Office of the Russian Federation, shall exercise the founder's powers and functions in respect of the organizations under its operational management, including medical/resort and health improvement facilities.

(as amended by Federal Laws No.492-FZ of 31.12.2017)

1.1. The land plots, as well as buildings, non-residential and residential premises, structures, equipment and other property of the bodies and organizations of the prosecution service used by the prosecution authorities and organizations, that was created (or is being created) or acquired (or is being acquired) with the funds allocated from the federal budget and other sources, shall be federal property.

The property assigned to the bodies and organizations of the prosecution service, including the property that is part of the housing resources of the Russian Federation, shall be under its operational control, and land plots shall be used on a permanent (unlimited) basis.

The Prosecutor General's Office of the Russian Federation shall be an authorized federal state body for management of the federal property assigned to the bodies and organizations of the prosecution service, and shall also act on behalf of the Russian Federation for state registration of the Russian Federation title to the federal property assigned to the bodies and organizations of the prosecution service.

The Prosecutor General's Office of the Russian Federation shall manage and dispose of the housing resources of the Russian Federation, assigned to the bodies and organizations of the prosecution service, in accordance with its designation. The procedure for decision-making on inclusion and withdrawal from the specialized housing stock of residential premises that are under operational management of the bodies and organizations of the prosecution service, shall be determined by the Prosecutor General of the Russian Federation in accordance with the legislation of the Russian Federation.

(paragraph 1.1 was introduced by Federal Law No. 492-FZ of 31.12.2017)

2. The formation, reorganization and liquidation of the bodies and organizations of the prosecution service, determination of their status and competence shall be carried out by the Prosecutor General of the Russian Federation.

(as amended by Federal Laws No. 31-FZ of 10.02. 1999, No. 87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010, No. 233-FZ of 21.07.2014)

3. Establishment and activities in the territory of the Russian Federation of prosecution bodies that are not part of a unified system of the prosecution service of the Russian Federation shall not be allowed.

4. Lost force from 15.01.2011. - Federal Law No. 404-FZ of 28.12.2010.

Article 12. Appointment to the Office of the Prosecutor General of the Russian Federation

1. The Prosecutor General of the Russian Federation shall be appointed to office and dismissed from office by the Federation Council of the Federal Assembly of the Russian Federation upon the recommendation of the President of the Russian Federation.

1.1. Any citizen of the Russian Federation who is not younger than 35 years of age and meets the qualifications of subparagraph one of paragraph 1 and paragraph 2 of Article 40.1 of this Federal law may be appointed Prosecutor General of the Russian Federation.

2. If a candidate for the office of the Prosecutor General of the Russian Federation proposed by the President of the Russian Federation does not receive the required number of votes of members of the Federation Council, the President of the Russian Federation shall, within 30 (thirty) days, propose a new candidate to the Federation Council.

3. The Chairman of the Federation Council of the Federal Assembly of the Russian Federation shall administer, in accordance with a procedure laid down by the Federation Council, the oath of office to the person appointed to the office of the Prosecutor General of the Russian Federation.

The Prosecutor General of the Russian Federation shall take the following oath of office: *“I do swear that, in exercising the powers of the Prosecutor General of the Russian Federation, I will scrupulously abide by the Constitution of the Russian Federation and the laws of the Russian Federation, protect the rights and freedoms of man and citizen, and the interests of society and the state that are protected by law”*.

(paragraph 3 was introduced by Federal Law No. 202-FZ of 19.11.1999)

4. In the event of absence of the Prosecutor General of the Russian Federation or impossibility for him to discharge the duties of his office, these duties shall be discharged by his first deputy, and in the event of absence of the Prosecutor General of the Russian Federation and his first deputy or impossibility for them to discharge the duties of their office, — by one of the deputies of the Prosecutor General of the Russian Federation, in accordance with the established distribution of duties between the deputies.

(as amended by Federal Law No. 202-FZ of 19.11.1999)

5. The term of office of the Prosecutor General of the Russian Federation shall be 5 (five) years.

(as amended by Federal Law No. 202-FZ of 19.11.1999)

5.1. One and the same person may be repeatedly appointed to the office of the Prosecutor General of the Russian Federation. The age limit established by this Federal law for the public service shall not be applicable to the Prosecutor General of the Russian Federation.

(paragraph 5.1 was introduced by Federal Law No. 269-FZ of 13.07.2015)

6. The announcement of appointment to office and dismissal from office of the Prosecutor General of the Russian Federation shall be published in the print media.

(as amended by Federal Law No. 202-FZ of 19.11.1999)

7. The Prosecutor General of the Russian Federation shall annually present to the chambers of the Federal Assembly of the Russian Federation and the President of the Russian Federation a report on the state of legality and legal order in the Russian Federation and the work that was carried out in order to strengthen them.

(as amended by Federal Law No. 202-FZ of 19.11.1999)

The said report shall be presented to the Federation Council of the Federal Assembly of the Russian Federation personally by the Prosecutor General of the Russian Federation at the session of the chamber.

(the paragraph was introduced by Federal Law No. 138-FZ of 04.11.2005)

Article 12.1. Appointment to and release from office of Deputy Prosecutors General of the Russian Federation

(introduced by Federal Law No. 427-FZ of 22.12.2014)

1. The Prosecutor General of the Russian Federation shall submit to the President of the Russian Federation recommendation on the appointment and removal from office of Deputy Prosecutors General of the Russian Federation.

2. The Deputies Prosecutor General of the Russian Federation shall be appointed and released from office by the Federation Council of the Federal Assembly of the Russian Federation upon the recommendation of the President of the Russian Federation.

3. A citizen of the Russian Federation not younger than 35 years of age who meets the requirements established by the first subparagraph of paragraph 1 and paragraph 2 of Article 40.1 of this Federal Law and has served (worked) at least 10 years in the bodies and institutions of the prosecution service in the positions requiring assignment of class ranks may be appointed to the office of deputy Prosecutor General of the Russian Federation.

4. If a candidate proposed by the President of the Russian Federation for the position of Deputy Prosecutor General of the Russian Federation does not receive the required number of votes of the members of the Federation Council of the Federal Assembly of the Russian Federation, the President of the Russian Federation within 30 days shall propose a new candidate to the Federation Council of the Federal Assembly of the Russian Federation.

5. Announcements on the appointment of Deputies Prosecutor General of the Russian Federation and on their dismissal shall be published in the print media.

Article 13. Lost force - Federal Law No. 427-FZ of 22.12.2014

Article 14. The Prosecutor General's Office of the Russian Federation

1. The Prosecutor General's Office of the Russian Federation shall be headed by the Prosecutor General of the Russian Federation.

2. The Prosecutor General of the Russian Federation shall have a first deputy and deputies.

(paragraph 2 as amended by Federal Law No. 427-FZ of 22.12.2014)

3. A Collegium consisting of the Prosecutor General of the Russian Federation (the chairman), his first deputy and deputies (ex officio), and other prosecution officers appointed by the Prosecutor General of the Russian Federation shall be set up in the Prosecutor General's Office of the Russian Federation.

4. The structure of the Prosecutor General's Office of the Russian Federation shall consist of general departments, departments, and divisions (acting as departments, as part of a department). Heads of general departments, departments, and divisions acting as departments shall be senior assistants, and their deputies and heads of divisions acting as departments, shall be assistants to the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

The positions of senior prosecutors and prosecutors shall be established in general departments, departments, and divisions.

(as amended by Federal Law No. 87-FZ of 05.06.2007)

The subparagraph was deleted. - Federal Law No. 31-FZ of 10.02.1999

5. The Prosecutor General of the Russian Federation shall have advisors, senior assistants, and senior assistants for special assignments, whose status shall

correspond to that of a head of a department; assistants and assistants for special assignments, whose status shall correspond to that of a deputy head of a department. The first deputy and deputies of the Prosecutor General of the Russian Federation shall have assistants for special assignments, whose status shall correspond to that of a deputy head of a department.

(paragraph 5 was introduced by Federal Law No. 31-FZ of 10.02.1999)

6. The Chief Military Prosecutor's Office headed by deputy Prosecutor General of the Russian Federation — the Chief Military Prosecutor — which shall have the status of an organisational unit of the Prosecutor General's Office of the Russian Federation shall be set up in the Prosecutor General's Office of the Russian Federation.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

7. A Scientific-Consultative Council shall operate in the Prosecutor General's Office of the Russian Federation, to examine the issues related to the organisation and activities of prosecution bodies. The Statute of the Scientific-Consultative Council shall be approved by the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

Article 15. Prosecutor's Offices of Constituent Entities of the Russian Federation and Prosecutor's Offices of equivalent status

1. Prosecutor's offices of the Russian Federation constituencies, military and other specialised prosecutor's offices of equivalent status shall be headed by appropriate prosecutors who shall have a first deputy and deputies.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

2. **Collegia** consisting of the Prosecutor of the constituent entity of the Russian Federation (the chairman), his first deputy and deputies (ex officio), and other prosecution officers appointed by the Prosecutor of the constituency of the Russian Federation shall be set up in prosecutor's offices of the constituencies of the Russian Federation, military and other specialised prosecutor's offices having equivalent status.

3. Departments and divisions (acting as departments or being part of a department) shall be set up in prosecutor's offices of the Russian Federation constituencies, in military and other specialised prosecutor's offices of equivalent status. Heads of departments and divisions acting as departments shall be senior assistants, and their deputies and heads of divisions within a department, shall be assistants to the Prosecutor of the Russian Federation constituency.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

The positions of senior assistants and assistants to prosecutor, senior prosecutors and prosecutors of departments and divisions shall be established in the said prosecutor's offices. The Prosecutors of the Russian Federation constituencies and prosecutors of equivalent status may have assistants for special assignments whose status shall correspond to that of a deputy head of department.

(as amended by Federal Laws No. 31-FZ of 10.02.1999, No. 87-FZ of 05.06.2007)

Article 15.1. Appointment to office and dismissal from office of prosecutors of the Russian Federation constituencies, and prosecutors of equivalent status

(introduced by Federal Law No. 427-FZ of 22.12.2014)

1. The prosecutor of a constituent entity of the Russian Federation shall be appointed to office by the President of the Russian Federation upon the recommendation of the Prosecutor General of the Russian Federation, agreed with the Russian Federation constituency in the procedure established by the constituency of the Russian Federation.

2. The prosecutor of a constituency of the Russian Federation shall be dismissed by the President of the Russian Federation upon the recommendation of the Prosecutor General of the Russian Federation.

3. Other prosecutors - military and other specialized prosecutors, equivalent to the prosecutors of the Russian Federation constituencies (hereinafter referred to as prosecutors equivalent to the prosecutors of the Russian Federation constituency) shall be appointed and dismissed by the President of the Russian Federation upon the recommendation of the Prosecutor General of the Russian Federation.

4. A citizen of the Russian Federation who is not younger than 30 years of age and has served (worked) in the bodies and organizations of the Prosecution Service in the positions requiring assignment of class ranks for at least seven years and who meets the requirements established by the first subparagraph of paragraph 1 and paragraph 2 of Article 40.1 of this Federal Law shall be appointed to the position of prosecutor of the Russian Federation constituency or prosecutor equivalent to a prosecutor of the Russian Federation constituency.

5. The term of office of prosecutors of Russian Federation constituencies and prosecutors equivalent to the prosecutors of the Russian Federation constituencies shall be five years, except as provided for by this Federal Law.

6. The Prosecutor General of the Russian Federation, on the basis of the results of appraisal of prosecutors of the Russian Federation constituencies and prosecutors equivalent to prosecutors of the Russian Federation constituencies, has the right to make a submission the President of the Russian Federation for extending their powers for up to five years.

7. The appointment to a vacant prosecutorial position in a Russian Federation constituency or to a position equivalent to the prosecutor of the Russian Federation constituency and release from performance of duties in the abovementioned position shall be made by the Prosecutor General of the Russian Federation. The Prosecutor General of the Russian Federation shall immediately inform the President of the Russian Federation about the appointment of a person to a vacant position and of release from performance of duties in the said position. The term of performance of duties in a vacant position may not exceed six months. One and the same person may not be appointed to perform duties in the same vacant position more than two times. (paragraph 7 as amended by Federal Law No. 506-FZ of 27.12.2018)

8. Announcements on appointment to office of prosecutors of the Russian Federation constituencies and prosecutors equivalent to the prosecutors of the Russian Federation constituencies and their dismissal from office shall be published in the print media.

Article 16. City and District Prosecutor's Offices and Prosecutor's Offices of Equivalent Status

City and district prosecutor's offices, military and other specialised prosecutor's offices of equivalent status shall be headed by appropriate prosecutors. The positions of the first deputy and deputies of prosecutors, heads of divisions, senior assistants and assistants to prosecutors shall be established in the said prosecutor's offices. (as amended by Federal Laws No. 31-FZ of 10.02.1999, No. 87-FZ of 05.06.2007)

Upon a decision of the Prosecutor General of the Russian Federation, divisions may be set up in city and district prosecutor's offices and prosecutor's offices of equivalent status.

Article 16.1. Appointment to the office and dismissal from office of prosecutors of the Russian Federation constituencies, and prosecutors of equivalent status

(introduced by Federal Law No. 427-FZ of 22.12.2014)

1. A prosecutor of the Russian Federation constituency, military and other specialized prosecutors of equivalent status (hereinafter - prosecutors of cities, districts and prosecutors of equivalent status) shall be appointed and dismissed by the Prosecutor General of the Russian Federation.

2. A citizen of the Russian Federation who is not younger than 27 years and whose length of service (work) in the bodies and organizations of the Prosecution Service in

the positions requiring assignment of class ranks is not less than five years and who meets the requirements established by the first paragraph of paragraph 1 and paragraph 2 of Article 40.1 of this Federal Law and may be appointed to the position of prosecutor of a city, district or a prosecutor of equivalent status.

3. A citizen of the Russian Federation who is under 27 years of age or whose length of service (work) in the bodies and organizations of the Prosecution Service in the positions requiring assignment of class ranks is less than five years or whose length of service (work) in government bodies in the positions requiring higher degree in law and who meets the requirements established by the first paragraph of paragraph 1 and paragraph 2 of Article 40.1 of this Federal Law, may be appointed to the position of prosecutor of a city, district or a prosecutor of equivalent status, by way of exception.

4. The term of office of prosecutors of cities, districts and prosecutors of equivalent status shall be five years, except as provided for by this Federal Law.

5. The Prosecutor General of the Russian Federation on the basis of the results of appraisal of prosecutors of cities, districts and prosecutors of equivalent status has the right to extend their powers for up to five years.

Article 17. Powers of the Prosecutor General of the Russian Federation in Relation to the Management of the Prosecution Service System of the Russian Federation

1. The Prosecutor General of the Russian Federation shall manage the prosecution system of the Russian Federation and issue orders, directions, directives, regulations, statutes, and instructions regulating the matters of organisation of activities of the prosecution service system of the Russian Federation and the procedure for providing financial and social support on the said staff.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

2. The Prosecutor General of the Russian Federation shall, within the confines of the allocated staff numbers and salary budget, establish staffing tables and structure for the Prosecutor General's Office of the Russian Federation, determine the powers of structural units, and establish staff numbers and structure for subordinate prosecution bodies and institutions.

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010, No. 233-FZ of 21.07.2014)

3. The Prosecutor General of the Russian Federation shall appoint to office and dismiss from office rectors (directors), vice rectors (deputy directors) of scientific and educational organizations of the prosecution service system of the Russian Federation

(hereinafter scientific and educational organizations of the Prosecution Service) and directors of affiliated scientific and educational organizations of the Prosecution Service and their deputies.

(paragraph 3 as amended by Federal Law No. 233-FZ of 21.07.2014)

4. The Prosecutor General of the Russian Federation shall be responsible for the fulfilment of tasks entrusted to prosecution bodies by this Federal Law.

Article 18. Powers of the Prosecutors of the Russian Federation Constituencies and Prosecutors of Equivalent Status in Relation to the Management of Prosecution Bodies Subordinate to Them

The prosecutors of the Russian Federation constituencies and prosecutors of equivalent status shall manage the activities of city and district prosecutor's offices and other prosecutor's offices of equivalent status on the basis of laws in force in the territory of the Russian Federation and normative acts of the Prosecutor General of the Russian Federation, issue orders, directions, and directives binding upon all subordinate officers, may introduce changes in the staffing tables of their executive offices and subordinate prosecutor's offices, within the confines of the allocated staff numbers and salary budget laid down by the Prosecutor General of the Russian Federation.

Article 19. Powers of the Prosecutors of the Cities Divided into Districts in Relation to the Management of Prosecution Bodies Subordinate to Them

Prosecutors of the cities divided into districts shall manage the activities of district prosecutor's offices and prosecutor's offices of equivalent status, submit their proposals regarding changes on the staff numbers of their executive offices and subordinate prosecutor's offices, as well as personnel changes, to higher-ranking prosecutors.

Article 19.1. The term of office of prosecutors appointed to office prior to the establishment of the term of office for prosecutors depending on the prosecutorial position.

(introduced by Federal Law No. 427-FZ of 22.12.2014)

1. Prosecutors who were appointed to their positions before the day of entering into force of Law of the Russian Federation on the Amendment to the Constitution of the Russian Federation No. 2-FKZ of 5.02.2014 "On the Supreme Court of the Russian Federation and the Prosecution Service of the Russian Federation" shall exercise their powers for term expiring after five years since their appointment.

2. In the event that the five-year term of office of the prosecutor has expired before the entry into force of this Act of the Russian Federation on the amendment to the

Constitution of the Russian Federation, the prosecutor holding this office shall continue to exercise his/her powers until their extension or until a new prosecutor has been appointed to this position in the procedure established by this Federal law, but no later than 1 July 2015.

Article 20. Collegia in Prosecution Bodies

Collegia in prosecution bodies shall be advisory bodies. Orders shall be issued by appropriate prosecutors on the grounds of decisions taken by collegia.

Article 20.1. Lost force since the 15th of January 2011. - Federal Law No. 404-FZ of 28.12.2010.

SECTION III. PROSECUTORIAL SUPERVISION

Chapter 1. SUPERVISION OVER COMPLIANCE WITH LAWS

Article 21. Subject of Supervision

(as amended by Federal Law No. 31-FZ of 10.02.1999)

ConsultantPlus: note.

Art. 21, para 1 in conjunction with other norms was recognised partly incompatible with the RF Constitution (Ruling of the RF CC No. 13-II of 18.07.2003).

1. Supervision shall be exercised over:

the compliance with the Constitution of the Russian Federation and the execution of laws that are in force in the territory of the Russian Federation by federal executive authorities, the Investigative Committee of the Russian Federation, representative (legislative) and executive public authorities of the Russian Federation constituencies, local self-government authorities, bodies of military administration, controlling bodies and their officials, entities of public control over ensuring human rights in places of forced detention and rendering assistance to persons held in places of forced detention and assistance to persons held in places of forced detention, and by management bodies and directors of commercial and non-commercial organisations;

(as amended by Federal Laws No. 132-FZ of 01.07.2010, No.427-FZ of 22.12.2014)

the compliance with the law of legal acts issued by the bodies and officials specified in this clause.

2. In exercising supervision over compliance with laws, the prosecution bodies shall not substitute other public agencies. Inspections of compliance with laws shall be carried out on the bases of information received by prosecution bodies on facts of law violations that require taking measures by the prosecutor, where this information cannot be confirmed or refuted without conducting such inspection.

(paragraph 2 as amended by Federal Law No. 27-FZ of 07.03.2017)

3. The decision to conduct an inspection shall be made by the prosecutor or his deputy and is brought to the attention of the head or other authorized representative of the body (organization) that is being inspected, no later than the day of the beginning of the inspection. The decision on inspection shall necessarily specify the objectives, grounds and subject matter of the inspection.

In the event that in the course of this inspection the information was received of other violations of the laws in the activity of the inspected body (organization) requiring actions by the prosecutor that cannot be confirmed or refuted without an inspection, the prosecutor or his deputy shall make a motivated decision to expand the scope of the inspection or to conduct a new inspection and shall bring the decision to the attention of the head or other authorized representative of the inspected body (organization) not later than the day of its adoption.

The standard form of the decision on conducting inspection and the standard form of a reasoned decision to expand the scope of the specified inspection shall be approved by the Prosecutor General of the Russian Federation.

(paragraph 3 was introduced by Federal Law No. 27-FZ of 07.03.2017)

4. The term for conducting inspection shall not exceed 30 calendar days from the day of the start of inspection. In exceptional cases related to the need for the prosecutor to conduct additional verification activities within the framework of this inspection, upon the decision of the prosecutor or his deputy, the time limit for carrying out inspection may be extended. The time limit for inspection can be extended for no more than 30 calendar days. If necessary, the decision on further extension for a period not exceeding 30 calendar days may be made only by the Prosecutor General of the Russian Federation or the Deputy Prosecutor General of the Russian Federation authorized by him.

(paragraph 4 was introduced by Federal Law No. 27-FZ of 07.03.2017)

5. The time limit for conducting inspection in respect of the body (organization) operating in the territories of several constituencies of the Russian Federation shall be established separately for each branch, representative office, separate structural subdivision, and regional branch of the body (organization).

(item 5 was introduced by the Federal law No. 27-ФЗ of 07.03.2017)

6. Conduct of inspection by decision of the prosecutor or his deputy may be suspended on several occasions:

if it is necessary to conduct complex and (or) lengthy research, tests, expert review to obtain additional information that may affect the inspection findings, where the time frame of their conduct exceeds the deadline for carrying out the specified inspection;
if due to the actions (failure to act) of the inspected body (organization), impeding the conduct of the specified inspection, lead to the impossibility of completing the specified inspection within the time limits of its conduct;
in case of failure to provide the requested information, documents and materials or their copies within the time limits established for their submission, which leads to the impossibility of completing the specified inspection within the time limit for its conduct.

(paragraph 6 was introduced by the Federal law No. 27-Φ3 of 07.03.2017)

7. The total period of suspension by the prosecutor or his deputy of the inspection cannot exceed six months. In the event that it is not possible within six months to complete the measures specified in paragraph 6 of this Article, or to obtain the necessary information, documents and materials or their copies, the suspension of inspection may be extended by decision of the Prosecutor General of the Russian Federation or the Deputy Prosecutor General of the Russian Federation authorized by him, but not more than six months.

(paragraph 7 was introduced by Federal Law No. 27-FZ of 07.03.2017)

8. The inspection shall be resumed by the decision of the prosecutor or his deputy in the event of termination of the grounds specified in clause 6 of this Article.

(paragraph 8 is introduced by Federal law No. 27-FZ of 07.03.2017)

9. The following deadline shall not be included in the inspection period:

the time for which the inspection was suspended;
the time between the deadline for submission of necessary information, documents and materials or copies thereof, established by the first paragraph of paragraph 2 and paragraph 2.1 of Article 6 of this Federal Law, and the date of their submission;

the period established by the second paragraph of paragraph 2 of Article 6 of this Federal Law.

(paragraph 9 was introduced by Federal law No. 27-FZ from 07.03.2017)

10. In the event of suspension of inspection, the documents and materials seized from the inspected body (organization) shall be returned to the inspected body (organization), unless such documents and materials are necessary:
to resolve the issue of criminal prosecution;

for conducting research, testing, special expertise, the results of which may affect the findings of the inspection.

(paragraph 10 was introduced by Federal law No. 27-FZ of from 07.03.2017)

11. The head or other authorized representative of the inspected body (organization) shall be notified of the extension (suspension, renewal) of the deadline for the inspection within two days from the date of the decision to extend (suspend, renew) the time limit set for conducting an inspection.

(paragraph 11 was introduced by Federal law No. 27-FZ of 07.03.2017)

12. A repeated inspection in connection with the same facts, in respect of which according to the results of the previous inspection a legal assessment had been previously provided or should have been provided, may be allowed in the following exceptional cases:

for new or newly discovered circumstances;

upon the expiration of the time limit for eliminating violations of the law established by Article 24 of this Federal Law revealed during the initial prosecutorial inspection.

(paragraph 12 was introduced by Federal law No. 27-FZ of 07.03.2017)

13. Representatives of other state bodies may be invited to participate in the inspection in order to carry out expert-analytical functions.

(paragraph 13 was introduced by Federal law No. 27-FZ of 07.03.2017)

14. If no violations are found during the inspection, an act shall be issued within 10 days from the date of its completion in the form established by the Prosecutor General of the Russian Federation, a copy of which shall be sent to the head or other authorized representative of the inspected body (organization).

(paragraph 14 was introduced by Federal law No. 27-FZ of 07.03.2017)

15. Actions (omissions) and decisions of the prosecutor related to the conduct of the inspection can be appealed in accordance with the procedure established by law.

(paragraph 15 was introduced by Federal Law No. 27-FZ of 07.03.2017)

Article 22. Powers of the Prosecutor

1. In performing the functions entrusted to him, the prosecutor shall have the following rights:

to enter unhindered, upon presentation of his official identity card, the grounds and premises of the agencies specified in Article 21, clause 1, of this Federal Law, to have access to their documents and materials, to inspect the enforcement of laws in connection with information received by prosecution bodies concerning facts of law violations;

to request from the heads and other officials of the said bodies to provide the necessary documents and materials or their copies, statistical and other information within the time limits and in accordance with the procedure established by paragraphs 2, 2.1, 2.3, 2.4, 2.5 of Article 6 of this Federal Law; to assign specialists to clarify emerging issues; conducting inspections on materials and appeals submitted to the prosecution bodies, audits of the activities of organizations that are controlled or subordinated to them;

(as amended by Federal Law No. 27-FZ of 07.03.2017)

to summon officials and citizens for explanations concerning violations of laws.

2. On the grounds laid down by law, the prosecutor and his deputy shall initiate proceedings on administrative violations, request that the persons who violated the law be brought to other law-provided liability, and warn of inadmissibility of law violation.

(as amended by Federal Laws No. 31-FZ of 10.02.1999, No.87-FZ of 05.06.2007)

ConsultantPlus: note.

Art. 22, para 3 in conjunction with other norms was recognised partly incompatible with the RF Constitution (Ruling of the RF CC No. 13-II of 18.07.2003).

3. In the event of establishing a fact of law violation by the agencies and officials specified in Article 21, paragraph 1, of this Federal Law, the prosecutor or his deputy shall:

release, by his resolution, the persons illegally subjected to administrative custody on the basis of decisions of non-judicial bodies;

ConsultantPlus: note.

Art. 22, para 3, subpara 3 was recognised partly incompatible with the RF Constitution (Ruling of the RF CC No. 6-II of 11.04.2000).

file protests against legal acts contrary to the law, apply to the court or commercial court for invalidating the said acts;

submit representations concerning the elimination of law violations.

4. The officials of the agencies specified in Article 21, paragraph 1 of this Federal Law shall be under obligation to promptly begin carrying out the requests by the prosecutor or his deputy concerning the performance of inspections and audits.

Article 23. Protest by the Prosecutor

1. The prosecutor or his deputy shall submit a protest against a legal act which is contrary to the law, to the agency or official who issued this act, or to a higher-ranking agency or higher-ranking official, or turn to the court in accordance with the procedure provided for in the procedural laws of the Russian Federation.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

2. The protest shall be subject to mandatory consideration within no later than 10 days from the time of its receipt, and if a protest is submitted against a decision of the representative (legislative) public body of a Russian Federation constituency or a local self-government authority, — at the earliest session. Under exceptional circumstances requiring that the violation of law be eliminated promptly, the prosecutor shall have the right to establish a reduced time for the consideration of the protest. The results of consideration of the protest shall be promptly communicated to the prosecutor in writing.

3. If the protest is to be considered by a collegial authority, the prosecutor who has submitted the protest shall be advised of the day of the session.

4. Before the protest has been considered it may be withdrawn by the person who has submitted it.

Article 24. Submission by the Prosecutor

1. A submission concerning the elimination of violations of the law shall be filed by the prosecutor or his deputy to the agency or official who have the powers to eliminate the violations committed, and it shall be subject to prompt consideration.

Within one month from the day of filing a submission, specific measures for the elimination of the committed violations of the law, their reasons and conditions facilitating them must be taken; the results of the measures taken must be communicated to the prosecutor in writing.

2. If the submission is to be considered by a collegial authority, the prosecutor shall be advised of the day of the session.

3. In the event that a decree of the Government of the Russian Federation does not comply with the provisions of the Constitution of the Russian Federation and the

laws of the Russian Federation, the Prosecutor General of the Russian Federation shall advise thereof the President of the Russian Federation.

Article 25. Resolution by the Prosecutor

1. The prosecutor, taking into account the nature of the violation of the law by an official, shall issue a motivated resolution to initiate administrative proceedings.
(as amended by Federal Law No. 87-FZ of 05.06.1999)

2. The resolution by the prosecutor to initiate administrative proceedings shall be subject to consideration by an authorised body or official within the time frame laid down by law. The results of consideration shall be communicated to the prosecutor in writing.

Article 25.1. Warning of the Inadmissibility of Violating the Law

(was introduced by Federal Law No. 31-FZ of 10.02.1999)

With a view to preventing violations of the law, and if information is reported on preparation of unlawful acts, the prosecutor or his deputy shall forward a written warning to officials, and if information is reported on the preparation of unlawful acts containing elements of extremist activities, to the heads of social (religious) associations as well as to other persons, of the inadmissibility of violating the law.
(part 1 as amended by Federal Law No. 112-FZ of 25.07.2002)

In the event of failure to comply with the requests set forth in the said warning, the official to whom the warning has been announced may be held liable in accordance with the procedure laid down by law.

Chapter 2. SUPERVISION OVER OBSERVANCE OF THE RIGHTS AND FREEDOMS OF MAN AND CITIZEN

Article 26. Subject of Supervision

1. Supervision shall be exercised over the observance of the rights and freedoms of man and citizen by federal executive authorities, the Investigative Committee of the Russian Federation, representative (legislative) and executive public authorities of the Russian Federation constituencies, local self-government authorities, bodies of military administration, controlling bodies and their officials, entities of public control over ensuring human rights in places of forced detention and providing assistance to persons held in places of forced detention, and by management bodies and directors of commercial and non-commercial organisations;
(as amended by Federal Law No. 31-FZ of 10.02.1999, No. 132-FZ of 01.07.2010, No. 427-FZ of 22.12.2014)

2. The prosecution bodies shall not substitute other public agencies and officials that exercise control over the observance of the rights and freedoms of man and citizens, shall not interfere in the operational economic activities of organizations. The conduct of the check of compliance with the rights and freedoms of man and citizen shall be in accordance with the provisions of paragraphs 2-15 of Article 21 of this Federal law.

(as amended by Federal Law No. 27-FZ of 07.03.2017)

Article 27. Powers of the Prosecutor

1. In performing the functions entrusted to him, the prosecutor shall:

consider and inspect applications, complaints, and other communications concerning violations of the rights and freedoms of man and citizen;

explain to the victims the procedure for protecting their rights and freedoms;

take measures for the prevention and suppression of violations of the rights and freedoms of man and citizen, charging with liability the persons that have violated the law, and compensation of the damages caused;

use the powers provided for in Article 22 of this Federal Law.

2. If there are grounds to believe that the violation of the rights and freedoms of man and citizen is of criminal nature, the prosecutor shall take measures for initiating prosecution based on the law against the persons who committed this violation.

(as amended by Federal Law No. 87-FZ of 05.06.2007)

3. In the event that the violation of the rights and freedoms of man and citizen is of administrative nature, the prosecutor shall either initiate administrative proceedings or promptly transfer the information on the violation and the inspection materials to the body or official authorised to consider cases of administrative offences.

4. In the event of a violation of the rights and freedoms of man and citizen protected in civil and administrative proceedings, when the victim cannot personally assert his rights and freedoms in a court or commercial court by reason of his state of health, age or other reasons, or when the rights and freedoms of a significant number of citizens have been violated, or the violation has acquired special social significance due to other circumstances, the prosecutor shall file and prosecute an action in favour of the victims in the court or in the commercial court.

(as amended by Federal Law No. 23-FZ of 08.03.2015)

Article 28. Protest and Submission by the Prosecutor

The prosecutor or his deputy shall submit a protest against the act violating the rights of man and citizen to the body or official who have issued the said act or turn to the court in accordance with a procedure provided for by the procedural laws of the Russian Federation.

A submission concerning the elimination of violations of the rights of man and citizen shall be filed by the prosecutor or his deputy to the body or official authorised to eliminate the violation committed.

Protests and submissions shall be filed and considered in accordance with the procedure and within the time frame laid down in Articles 23 and 24 of this Federal Law.

CHAPTER 3. SUPERVISION OVER COMPLIANCE WITH LAWS BY BODIES CARRYING OUT OPERATIONAL AND SEARCH ACTIVITY, INQUIRIES, AND PRELIMINARY INVESTIGATIONS

Article 29. Subject of Supervision

Supervision shall be exercised over the observance of the rights and freedoms of man and citizen, the established procedure for resolution of applications and communications concerning crimes committed and being prepared, of carrying out operational and search measures and investigations, as well as the legality of decisions taken by bodies carrying out operational and search activities, inquiries, and preliminary investigations.

Article 30. Powers of the Prosecutor

1. The powers of the prosecutor in supervision over compliance with laws by the bodies carrying out operational and search activities, inquiries, and preliminary investigations shall be laid down in the criminal procedural laws of the Russian Federation and other federal laws.

2. The directions of the Prosecutor General of the Russian Federation with regard to inquiry which do not require legislative regulation, shall be binding.
(as amended by Federal Law No. 87-FZ of 05.06.2007)

Article 31. Lost force. - Federal Law No. 87-FZ of 05.06.2007

CHAPTER 4. SUPERVISION OVER COMPLIANCE WITH LAWS BY ADMINISTRATIONS OF PENITENTIARY INSTITUTIONS AND JUDICIAL

COERSIVE MEASURES BY ADMINISTRATIONS OF DETENTION FACILITIES

Article 32. Subject of Supervision

Supervision shall be exercised over:

the lawfulness of presence of persons in detention facilities, places of pre-trial detention, correctional labour facilities and other bodies and institutions for the enforcement of punishments and coercive measures imposed by courts;

observance of the rights and obligations provided by the Laws of the Russian Federation with regard to the apprehended persons, detainees, convicts, and persons subjected to coercive measures, as well as the rules and conditions of their detention;

the lawfulness of the enforcement of punishments not involving deprivation of liberty.

Article 33. Powers of the Prosecutor

1. In exercising supervision of the enforcement of laws, the prosecutor shall have the following rights:

to visit, at any time, the bodies and institutions specified in Article 32 of this Federal Law;

to question the apprehended persons, detainees, convicts, and persons subjected to coercive measures;

to review the documents based on which these persons were apprehended, placed in custody, convicted, or subjected to coercive measures, as well as the operational materials;

to require that the administration create conditions for ensuring the rights of the apprehended persons, detainees, convicts, and persons subjected to coercive measures, to control the compliance with orders, directions, and resolutions of the administration of bodies and institutions specified in Article 32 of this Federal Law with the laws of the Russian Federation, to require explanations from officials, to file protests and submissions, and to initiate administrative proceedings. Until the protest has been considered, the operation of the act protested against shall be suspended by the administration of the body or institution;

(as amended by Federal Law No. 87-FZ of 05.06.2007)

to cancel disciplinary penalties imposed in violation of law on persons placed in custody and convicted, to immediately release them by his resolution from the punishment isolation cell, cell-type room, solitary confinement cell, single cell, or disciplinary isolation cell.

2. The prosecutor or his deputy shall be obliged to immediately release, by his resolution, every person who is detained without lawful grounds in the penitentiary institutions, or who is subjected, contrary to the law, to apprehension, pre-trial detention, or placed in forensic psychiatric institution.

Article 34. Obligation to Enforce the Resolutions and Requirements of the Prosecutor

1. The resolutions and requirements of the prosecutor concerning the enforcement of the rules and conditions of detention of persons apprehended, taken into custody, convicted, and persons subjected to measures of coercive nature or placed into forensic psychiatric establishments shall be subject to mandatory enforcement by the administration, as well as by bodies enforcing court judgments passed on persons sentenced to a punishment not involving deprivation of liberty.

Section IV. Participation of the Prosecutor in the Consideration of Matters by Courts

Article 35. Participation of the Prosecutor in the Consideration of Matters by Courts

1. The prosecutor shall participate in the consideration of matters by courts in cases provided for in the procedural laws of the Russian Federation and other federal laws.

2. In carrying out criminal prosecution in court, the prosecutor shall act as a public prosecutor.

3. In accordance with the procedural laws of the Russian Federation, the prosecutor shall have the right to file an application to the court or to join the proceedings at any stage, if it is required for the protection of the rights of citizens and the law-protected interests of society or the state.

4. The powers of the prosecutor participating in the consideration of matters by courts shall be specified in the procedural laws of the Russian Federation.

Note: The Supreme Commercial Court of the Russian Federation was excluded from the federal courts system by Federal Law No. 4-FKZ of 05.02.2014

5. In accordance with the laws of the Russian Federation, the Prosecutor General of the Russian Federation shall take part in the sessions of the Supreme Court of the Russian Federation.

(as amended by Federal law No.363-FZ of 11.10.2018)

6. The Prosecutor General of the Russian Federation shall have the right to apply to the Constitutional Court of the Russian Federation with regard to the violation of citizens' constitutional rights and freedoms by the law that has been applied or is to be applied in a particular case.

Article 36. Filing Protests against Court Decisions

ConsultantPlus: note.

Art. 36, para 1 was recognised partly incompatible with the RF Constitution by Ruling of the RF CC No. 13-II of 17.07.2002.

1. The prosecutor or his deputy shall, within the limits of his competence, file a cassation protest, or a private protest, or a protest by way of supervision to the higher-level court, and a complaint of appeal, or a cassation complaint, or a protest by way of supervision to a commercial court against an unlawful or unjustified court decision, judgment, ruling, or resolution. An assistant prosecutor, prosecutor of a department, or prosecutor of a division may only file a protest in a matter which had been considered with their participation.

(paragraph 1 as amended by Federal Law No. 31-FZ of 10.02.1999)

ConsultantPlus: note.

Art. 36, para 2 was recognised partly incompatible with the RF Constitution by Ruling of the RF CC No. 13-II of 17.07.2002.

2. The prosecutor or his deputy shall, irrespective of their participation in the court proceedings, have the right to request and obtain, within the limits of his competence, any case file or a number of file cases in which the court decision, judgment, ruling, or resolution has entered into legal force. If the prosecutor finds that the court decision, judgment, ruling, or resolution is unlawful or unjustified, he shall file a protest by way of supervision or a submission to a higher-ranking prosecutor.

3. A protest against the judge's decision in the matter of administrative violation may be filed by a city prosecutor, district prosecutor, a higher-ranking prosecutor, and their deputies.

Article 37. Withdrawal of a Protest

Before the consideration of a protest against a court decision, judgment, ruling, or resolution by the court has begun, the protest may be withdrawn by the prosecutor who has filed it.

Article 38. Suspension of Enforcement of a Court Judgment

The filing by the Prosecutor General of the Russian Federation or his Deputy of a protest against a judgment imposing the death penalty as a punitive measure shall suspend the enforcement of the judgement.

Article 39. Submission Giving Clarifications to Courts

The Prosecutor General of the Russian Federation shall have the right to file submission to the Plenum of the Supreme Court of the Russian Federation for providing explanations to courts on the court practice in civil, commercial, criminal, administrative, and other matters.

(as amended by Federal law No.363-FZ of 11.10.2018)

SECTION V. SERVICE IN PROSECUTION BODIES AND ORGANIZATIONS. STAFF OF PROSECUTION BODIES AND ORGANIZATIONS

(as amended by Federal Law No. 233-FZ of 21.07.2014)

(as amended by Federal Law No. 31-FZ of 10.02.1999)

Article 40. Service in Prosecution Bodies and Organizations

(as amended by Federal Law No. 233-FZ of 21.07.2014)

1. The service in prosecution bodies and Organizations shall be part of the federal public service.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

The prosecution officers shall be federal public officers discharging their duties of office within the federal public service in accordance with the requirements of this Federal Law. The legal status and conditions of service of the prosecution staff shall be specified by this Federal Law.

(paragraph 1 as amended by Federal Law No. 404-FZ of 28.12.2010)

2. The labour relations of the staff of prosecution bodies and organizations (hereinafter also referred to as the “staff”) shall be regulated by the labour laws of the Russian Federation and the laws of the Russian Federation on public service, taking into account the particularities provided for in this Federal Law.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

3. The rules of service for military prosecutors shall be regulated by this Federal Law, the Federal Law “On Military Service Obligation and Military Service”, and the Federal Law “On the Status of Military Personnel”.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

4. The staff members shall have the right to lodge appeals against the decisions of the heads of prosecution bodies and organizations concerning the issues of service to a higher-ranking official and/or to the court.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

Article 40.1. Requirements to Persons to Be Appointed to Prosecutorial Positions

(as amended by Federal Laws No.87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010)

ConsultantPlus: note.

Art. 40.1, para 1 (as amended by FZ No.15-FZ of 06.02.2020) shall not apply to the legal relations arisen before 17.02.2020. The persons who have completed bachelor’s degree level in legal studies under an employer-sponsored education contract concluded before 17.02.2020 may be appointed to the position of a prosecutor.

1. Citizens of the Russian Federation who have completed higher legal education under state-accredited graduate education programs for specialty “Jurisprudence”, or higher education in the field of studies “Jurisprudence” with a master’s degree providing that they have a bachelor’s degree in the field of studies “Jurisprudence”, or higher education in specialties included in an enlarged group of specialties “Jurisprudence”, being certified as a “lawyer”, who have necessary professional and moral qualities, and who are able, on account of their health, to perform the official duties entrusted to them shall be eligible to be prosecutors.

(para 1 as amended by Federal Law No. 15-FZ of 06.02.2020)

2. A person may not be admitted to serve in the prosecution bodies and organizations, and may not be a staff member of the said service if he:

(as amended by Federal Law No. 233-FZ of 21.07.2014)

has a foreign citizenship;

has been deemed by a court decision to have no legal capacity or a restricted legal capacity;

has been deprived by a court decision of the right to occupy public positions of the public service during a certain time period;

has had, or does have, a criminal record;

has a disease that prevents admission to the service in the bodies and organizations of the prosecution service and performance of official duties of the member of the prosecution staff. The procedure for medical examination of a person for the presence (absence) of a disease that prevents admission to the service in the bodies and organizations of the prosecution service and the performance of official duties of the prosecution officer, a list of diseases that prevent admission to the service in the bodies and organizations of the prosecution service and performance of official duties of the prosecution officer and the form of the conclusions on the presence (absence) of the disease, preventing admission to the service in the bodies and organizations of the prosecution service and the performance of official duties of the prosecution officer, shall be approved by the RF Government;

(as amended by Federal Laws No. 297-FZ of 06.11.2011, No. 233-FZ of 21.07.2014)

has a close relation by blood or by marriage (parents, husband or wife, brothers, sisters, or children, as well as brothers, sisters, parents, or children of husband or wife, and children's husbands or wives) who is an officer of a prosecution body or institution, if their service involves direct subordination or controllability of one of them to another;

(as amended by Federal Laws No. 329-FZ of 21.11.2011, No. 233-FZ of 21.07.2014)

refuses to undergo the security clearance procedure for access to the information classified as state secret, if the discharge of the duties of office in the position for which the person is applying involves using such information.

3. Persons shall be admitted for service in the prosecution bodies and organizations on the basis of a labour contract for an indefinite period or a period not exceeding five years.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

4. Lost force. - Federal Law No. 233-FZ of 21.07.2014.

5. Lost force. - Federal Law No. 427-FZ of 22.12.2014.

Article 40.2. Restrictions, Prohibitions, and Duties Related to Service in Prosecution Bodies and Organizations

(as amended by Federal Law No. 285-FZ of 05.10.2015)

The restrictions, prohibitions, and duties provided for the civil servants by Federal Law No.273-FZ of 25 December 2008 "On Combating Corruption" and by Articles

17, 18, and 20 and 20.1 of Federal Law No. 79-FZ of 27 of July 2004 “On the Public Civil Service of the Russian Federation” (hereinafter referred to as the “Federal Law “On the Public Civil Service of the Russian Federation”) shall apply to persons occupying the positions specified in Article 40 (paragraph 1, subparagraph 2), of this Federal Law.

2. The restrictions and duties established by Article 12.1 of Federal Law No. 273-FZ of 25 December 2008 “On Combating Corruption” shall apply to the Prosecutor General of the Russian Federation.

3. The Prosecutor General of the Russian Federation is obliged to report, in accordance with the procedure, established by the decrees of the President of the Russian Federation, about the emergence of personal interest in the performance of the official duties that leads or may lead to a conflict of interests, and to take measures to prevent or resolve such a conflict.

Article 40.3. Probation Procedure for Entry in the Prosecution Service

1. For persons who enter in the prosecution service for the first time, with the exception of those who are recruited to serve in the prosecution bodies for the first time within one year since graduation from an educational organization, a probationary period of up to six months may be established, with a view to test their suitability for the occupied position. The duration of the probationary period shall be determined by the head of the appropriate prosecution body whose competence includes appointment to the appropriate position, upon agreement with the person employed for the service. In the course of service, the probationary period may be reduced or extended within the limits of six months by agreement of the parties. Periods of temporary disability and other periods when the probationer was absent from service for justified reasons shall not count as part of the probationary period. The probationary period shall be included in the term of service in the prosecution bodies.

(as amended by Federal Law No. 185-FZ of 02.07.2013)

2. The persons specified in paragraph 1 of this Article shall be appointed to the appropriate position without conferral of a class rank, and during their probationary period shall discharge the official duties entrusted to them.

3. If the results of probation are unsatisfactory, the officer may be dismissed from prosecution bodies or, upon agreement with him, transferred to another position.

If the probationary period has expired and the officer continues to discharge the official duties entrusted to him, he shall be deemed to have passed the probation and no additional decisions on his appointment to the position shall be taken.

Article 40.4. Prosecutor's Oath

(as amended by Federal Law No. 404-FZ of 28.12.2010)

1. A person being appointed for the first time to the position of prosecutor shall take the following Prosecutor's Oath:

(as amended by Federal Law No. 404-FZ of 28.12.2010)

"I dedicate myself to serving the Law and I do solemnly swear

to scrupulously abide by the Constitution of the Russian Federation, the laws and international obligations of the Russian Federation, not allowing even a slightest deviation from them;

to fight without compromise against any violations of the law, whoever has committed them, to seek achieving high efficiency of prosecutorial supervision;

(as amended by Federal Law No. 404-FZ of 28.12.2010)

to actively protect the interests of individuals, society and the state;

to mindfully and carefully consider any proposals, applications and complaints of citizens, to be fair in taking decisions and impartial in deciding people's fates;

to strictly keep state secrets and other secrets protected by the law;

to constantly improve my professional skills, value my professional honour, be a model of integrity, moral purity, and decency, to scrupulously preserve and enrich the best traditions of the Prosecution Service.

I am aware that any violation of this Oath will be inconsistent with my further service in prosecution bodies".

2. The procedure for taking Prosecutor's Oath shall be laid down by the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

Article 40.5. Powers of Appointment to Office and Dismissal from Office

1. The Prosecutor General of the Russian Federation shall appoint to office and dismiss from office:

a) at the Prosecutor General's Office of the Russian Federation — heads of general departments, departments, and divisions and their deputies, advisors, senior assistants, and senior assistants for special assignments, assistants and assistants for

special assignments to the Prosecutor General of the Russian Federation, assistants for special assignments to the first deputy and deputies of the Prosecutor General of the Russian Federation, senior prosecutors and prosecutors of chief directorates, directorates, and divisions and their assistants.

(as amended by Federal Law No. 87-FZ of 05.06.2007)

The appointment of staff members to other positions may be carried out by Deputies Prosecutor General of the Russian Federation;

- b) lost force. - Federal Law No. 427-FZ of 22.12.2014;
- c) deputy prosecutors of the Russian Federation constituencies and prosecutors of equivalent status;
- d) city and district prosecutors, and prosecutors of equivalent status;
- e) rectors (directors), vice-rectors (deputy directors) of scientific and educational organizations of the prosecution service and directors of the affiliated branches of scientific and educational organizations of the prosecution service and their deputies.
(subparagraph (e) as amended by Federal Law No.233-FZ of 21.07.2014)

2. The prosecutor of a Russian Federation constituency and prosecutors of equivalent status shall appoint to office and dismiss from office:

- a) staff members of the executive office of the appropriate prosecutor's office, with the exception of their own deputies;
- b) deputy prosecutors, heads of divisions, senior assistants and assistant prosecutors.
(subparagraph (b) as amended by Federal Law No. 87-FZ of 05.06.2007)

3. City and district prosecutors and prosecutors of equivalent status shall appoint to office and dismiss from office those staff members who do not hold prosecutorial positions.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

4. Rectors (directors) of scientific and educational organizations of the prosecution service, directors of their affiliated branches shall appoint to office and dismiss from office scientific and teaching staff of scientific and educational organizations of the prosecution service, their affiliated branches (hereinafter referred to as the "scientific and teaching staff"), as well as other staff of the specified organizations and their affiliated branches except those appointed to the office and dismissed from office by the Prosecutor General of the Russian Federation.

(as amended by Federal Law No.233-FZ of 21.07.2014)

Article 41. Qualification Appraisal of the Prosecution Officers. Class Ranks of the Prosecution Officers

1. Qualification appraisal of the prosecution officers shall be carried out to determine their suitability for the position occupied, as well as with a view to upgrading professional skills of the prosecution staff and to enhance service discipline.

(as amended by Federal Law No.185-FZ of 02.07.2013)

2. The prosecution officers who have class ranks or occupy positions requiring assignment of class ranks shall be subject to qualification assessment.

3. The procedure and timing of carrying out qualification appraisal shall be established by the Prosecutor General of the Russian Federation.

(paragraph 3 as amended by Federal Law No. 404-FZ of 28.12.2010)

4. Scientific and teaching staff shall be subject to qualification appraisal in accordance to the procedure determined by the Prosecutor General of the Russian Federation, taking into account the specifics of scientific and teaching activities.

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No.404-FZ of 28.12.2010)

5. Prosecutors and scientific and teaching staff shall be assigned class ranks for life, in accordance with the positions occupied by them and their work experience. The Prosecutor General of the Russian Federation may also assign class ranks to other staff members.

(as amended by Federal Law No.404-FZ of 28.12.2010)

6. The procedure for assigning class ranks is defined by the Regulation on the Class Ranks of the Prosecution Officers approved by the President of the Russian Federation.

Article 41.1. Service Identification Document

The prosecution officers shall be issued service identification documents of the standardized format established by the Prosecutor General of the Russian Federation.

(as amended by Federal Law No.214-FZ of 24.07.2007, No.404-FZ of 28.12.2010)

The service identification document is a document identifying personality of the prosecution officer, his class rank and position occupied.

The identification documents of prosecutors shall affirm their rights to carry and keep hand-held service firearms and special devices, as well as other rights and powers granted to prosecutors by this Federal Law.

(as amended by Federal Law No.404-FZ of 28.12.2010)

Article 41.2. Personal File of the Prosecution Officer

1. Personal file of the prosecution officer shall contain information about this officer, his service in prosecution bodies and organizations, and additional professional training.

(as amended by Federal Law No.185-FZ of 02.07.2013, No.233-FZ of 21.07.2014)

2. A prosecution officer shall have access to all materials contained in his personal file, and to attach his written explanations to his personal file.

(paragraph 2 as amended by Federal Law No.99-FZ of 07.05.2013)

3. The procedure for keeping personal files of the prosecution officers shall be established by the Prosecutor General of the Russian Federation.

(as amended by Federal Laws No.214-FZ of 24.07.2007, No.404-FZ of 28.12.2010)

4. Processing of personal data included in the personal file of a prosecution officer, implementation of the prosecution officers' rights as personal data subjects shall be performed in accordance with the provisions set out by the legislation of the Russian Federation in the area of personal data.

(paragraph 4 was introduced by Federal Law No.99-FZ of 07.05.2013)

5. It is forbidden to process, including to add to the personal file of the prosecution officer his personal data which according to the legislation of the Russian Federation in the area of personal data are deemed personal data of special category, except as provided by this Federal law and other federal laws.

(as amended by Federal Law No.99-FZ of 07.05.2013)

Article 41.3. Special Uniform

1. Prosecution officers shall be provided with special uniform in accordance with the procedure and standards laid down by the Government of the Russian Federation.

(as amended by Federal Laws No.122-FZ of 22.08.2004, No.145-FZ of 04.06.2014)

The description of special uniform and insignia, the rules for wearing special uniform, the procedure of its storage, issuance, writing-off, inventory, creation and maintaining supplies shall be determined by the Prosecutor General of the Russian Federation.

(the subparagraph was introduced by Federal Law No.84-FZ of 18.04.2018)

In the cases and in the procedure determined by the decision of the Prosecutor General of the Russian Federation a prosecution officer shall receive payment as

compensation for the special uniform in the amount determined by the Government of the Russian Federation.

(the subparagraph was introduced by Federal Law No.84-FZ of 18.04.2018)

2. In case a prosecution officer participates in consideration of criminal, civil, or commercial matters in court, as well as in other cases of his acting as an official representative of the bodies of the prosecution service, he shall be obliged to wear a special uniform or military uniform.

(as amended by Federal Laws No.145-FZ of 04.06.2014, No.23-FZ of 08.03.2015)

3. The persons dismissed from the bodies and organizations of the prosecution service, who have length of service in the bodies and organizations of the Prosecution Service not less than 20 years, except for those dismissed for the acts discrediting the honour of the prosecution officer or deprived of the class rank by a court decision, shall have right to wear a special uniform or military uniform.

(as amended by Federal Laws No.145-FZ of 04.06.2014, No.233-FZ of 21.07.2014)

Article 41.4. Leave entitlements

1. Prosecutors, scientific and teaching staff shall be granted annual paid vacation leave of 30 (thirty) calendar days not including the time of travel to the place of resort and back, the fare for the part of the voyage taking place within the limits of the territory of the Russian Federation being paid.

(as amended by Federal Laws No.404-FZ of 28.12.2010, No.284-FZ of 30.12.2012)

Prosecutors working in areas with harsh and unfavourable climatic conditions shall be provided annual paid leave in accordance with the standards established by the Government of the Russian Federation, but not less than 45 (forty-five) calendar days.

(as amended by Federal Law No.404-FZ of 28.12.2010)

Prosecutors, scientific and pedagogical personnel serving in the regions of the Far North and similar areas with unfavourable climatic or environmental conditions, including remote areas, for which coefficients are provided (regional, for service in high-mountain areas, for service in desert and waterless areas) or in the bodies and organizations of the prosecution service located in a Russian Federation constituency that is part of the Urals, Siberian or Far Eastern Federal District or outside the territory of the Russian Federation, shall be reimbursed the cost of travel to and back from the place of the main leave on the territory (within the limits of) the Russian Federation and once a year, unless stipulated otherwise by federal laws or by normative legal acts of the President of the Russian Federation or the Government of the Russian Federation. If the place of the main holiday is the sanatorium and resort organization subordinate to the Prosecutor General's Office of the Russian

Federation, whereto the persons indicated in this paragraph are referred for treatment by the medical organization in which they are registered, the cost of travel to and back from the sanatorium and resort organization shall be also reimbursed for one member of their families (given his/her referral for treatment by the medical organization in which s/he is registered). The procedure for compensation of travel expenses shall be established by the Prosecutor General of the Russian Federation.

(paragraph was introduced by Federal Law No. 284-FZ of 30.12.2012, as amended by Federal Laws No. 233-FZ of 21.07.2014, No. 246-FZ of 29.07. 2017)

An additional annual paid leave for the length of service in the capacity of a prosecutor, scientific or teaching staff member shall be provided as follows:

(as amended by Federal Law No.404-FZ of 28.12.2010)

- 5 (five) calendar days — after 10 (ten) years of service;
- 10 (ten) calendar days — after 15 (fifteen) years of service;
- 15 (ten) calendar days — after 20 (twenty) years of service.

The periods of internship in prosecution bodies and organizations shall be also included in the period of service granting the right to an additional leave. Service in other law enforcement agencies, military service, as well as work as a judge shall be included as part of the said period of service in calendar days.

(as amended by Federal Law No.233-FZ of 21.07.2014)

2. At the request of prosecutors and scientific and teaching staff, upon consent of the administration, the leave may be split in two parts. In this case, the travel expense to the place of resort and back shall be reimbursed, and the time for the said travel shall be granted only once.

(as amended by Federal Law No.404-FZ of 28.12.2010)

3. On individual occasions the annual paid leave may be provided to the officer next year, on his application and upon consent of the head of the appropriate prosecution body or organization.

(as amended by Federal Law No.233-FZ of 21.07.2014)

4. Officers who are dismissed from prosecution bodies due to the liquidation of the prosecutorial body or organization, reduction in staff (hereinafter organisational restructuring measures), illness, resignation from office, and retirement, shall be provided a regular annual paid leave, if they so wish. A monetary compensation shall be paid for the regular annual paid leave unused in the dismissal year in proportion to the time of work.

(as amended by Federal Law No.233-FZ of 21.07.2014)

Article 41.5. Transfer of a Prosecution Officer to Serve in Another Area

1. The transfer of a prosecution officer (with the exception of a military officer of the military prosecutor's office), for the service reasons, to another locality shall be allowed only with his/her consent, and in case of transfer to a place with severe and unfavourable climatic conditions – subject to a medical conclusion on the absence of contraindications for the service in these areas in respect of health of the prosecution officer, in the form approved by the Government of the Russian Federation.

(as amended by Federal Laws No. 297-FZ of 06.11.2011, No. 434-FZ of 19.12.2016)

Transfer of a prosecution officer to another area at his own initiative shall be allowed only upon agreement with the heads of the appropriate prosecution bodies.

2. The prosecution officers transferred to another area on a permanent basis shall have the expenses for their and their families' relocation fully reimbursed from the federal budget.

Article 41.6. Staff Incentives

1. For exemplary performance by the officers of their official duties, lengthy and impeccable service in prosecution bodies and organizations, carrying out of tasks of special significance and complexity, the following incentives shall be used:

(as amended by Federal Law No.233-FZ of 21.07.2014)

commendation;

award of a Certificate of Honour;

placing on the Board of Honour or in the Book of Honour;

award of a monetary bonus;

award of a gift;

award of a valuable gift;

award of a personal engraved weapon;

early conferral of class rank or promotion to the class rank that is one level higher than the next one;

award of the badge “For impeccable service in the Prosecution Service of the Russian Federation”;

award of the badge “Honorary Officer of the Prosecution Service of the Russian Federation” together with the handing over of the Certificate of Honour of the Prosecutor General of the Russian Federation.

2. Officers who have particularly excelled may be nominated for the honorary title “Meritorious Lawyer of the Russian Federation” and state awards of the Russian Federation.

3. The Prosecutor General of the Russian Federation may establish other kinds of incentives which have not been provided for in paragraph 1 of this Article.

4. The Regulations on the badges “Honorary Officer of the Prosecution Service of the Russian Federation” and “For impeccable service in the Prosecution Service of the Russian Federation” shall be approved by the Prosecutor General of the Russian Federation.

5. The rewarding of the staff shall be effected with the funds from the reward and gift budgets.

6. The Prosecutor General of the Russian Federation may use the incentives laid down in this Article to the persons who are not officers of prosecution bodies and organizations but provide substantial assistance in strengthening of the rule of law and order and development of the system of the Prosecution Service of the Russian Federation.

(as amended by Federal Law No.233-FZ of 21.07.2014)

Article 41.7. Disciplinary Liability

1. If prosecution officers fail to perform or improperly perform their official duties and commit acts discrediting the honour of the prosecution officer, the heads of prosecution bodies and institutions shall have the right to impose on them the following disciplinary penalties:

(as amended by Federal Law No.233-FZ of 21.07.2014)

admonition;

reprimand;

severe reprimand;

demotion in grade rank;

deprivation of the badge “For impeccable service in the Prosecution Service of the Russian Federation”;

deprivation of the badge “Honorary Officer of the Prosecution Service of the Russian Federation”;

warning of the unsuitability for the official position taken;

dismissal from the prosecution bodies.

2. The Prosecutor General of the Russian Federation shall have the right to impose on prosecution officers disciplinary penalties provided by paragraph 1 of this Article, except in cases provided by paragraph 2.2 of this Article.
(as amended by Federal Laws No.404-FZ of 28.12.2010, No.427-FZ of 22.12.2014)

The Prosecutor General of the Russian Federation shall determine the powers of the appropriate leaders for bringing to disciplinary responsibility the officers appointed to the position by the Prosecutor General of the Russian Federation.

2.1. Repealed since 15 January 2011. - Federal Law No.404-FZ of 28.12.2010.

2.2. The Prosecutor General of the Russian Federation has no right to impose disciplinary sanctions:

in the form of reduction in class rank - to prosecutors, to whom a class rank was conferred by the President of the Russian Federation;

in the form of dismissal from the prosecution service - to Deputy Prosecutor General of the Russian Federation, as well as to prosecutors appointed to the office by the President of the Russian Federation.

(paragraph 2.2 introduced by the Federal Law No. 427-FZ of 22.12.2014)

2.3. The Prosecutor General of the Russian Federation is obliged to inform the President of the Russian Federation about imposing a disciplinary penalty on the Deputy Prosecutor General of the Russian Federation or a prosecution officer appointed to the position by the President of the Russian Federation.

(paragraph 2.3 was introduced by the Federal Law No. 427-FZ of 22.12.2014)

3. Prosecutors of the Russian Federation constituencies, prosecutors of equivalent status, and directors (rectors) of scientific and educational institutions of the Prosecution Service shall have the right to impose disciplinary penalties on the officers appointed to the position by them, with the exception of deprivation of the badge “Honorary Officer of the Prosecution Service of the Russian Federation”.

(as amended by Federal Laws No.87-FZ of 05.06.2007, No.404-FZ of 28.12.2010, No.233-FZ of 21.07.2014)

4. City and district prosecutors, and prosecutors of equivalent status shall have the right to impose such penalties as admonition, reprimand, and severe reprimand, as well as dismissal of officers appointed to the position by them.

(as amended by Federal Laws No.87-FZ of 05.06.2007, No.404-FZ of 28.12.2010)

5. The disciplinary penalty in the form of dismissal from prosecution bodies of officers who have been awarded the badge “Honorary Officer of the Prosecution Service of the Russian Federation” may only be imposed upon the consent of the Prosecutor General of the Russian Federation.

(as amended by Federal Laws No.214-FZ of 24.07.2007, No.404-FZ of 28.12.2010)

6. The disciplinary penalty shall be imposed immediately following the identification of misconduct, but not later than within one month from the date of its identification, not including the days of the officer’s illness or being on leave.

7. A disciplinary penalty may not be imposed at the time when the officer is ill or on leave.

8. A disciplinary penalty may not be imposed later than six months after the day of misconduct, and in case it was identified during the audit or check of financial and economic activities — not later than 2 (two) years after the day the misconduct occurred.

9. The officer who has committed misconduct may be suspended from office (but not more than for one month) with retention of salary until the issue of imposing a disciplinary penalty on him has been resolved.

The suspension from office shall be carried out upon order of the head of the prosecution body or organization who is authorized to appoint the officer to the appropriate position. During the period of the officer’s suspension from office he shall be paid a financial allowance in the amount of his salary plus bonus for class rank and length of service.

(as amended by Federal Law No.233-FZ of 21.07.2014)

Article 41.8. Penalties for Failure to Comply with Restrictions and Prohibitions, Requests for Prevention or Settlement of Conflict of Interests, and Failure to Discharge Duties established with a View to Countering Corruption

(was introduced by Federal Law No.329-FZ of 21.11.2011)

1. An officer who fails to comply with restrictions and prohibitions, requests for prevention or settlement of conflict of interests, and fails to discharge the duties established with a view to countering corruption by this Federal Law, Federal Law No. 273-FZ of 25.12.2008 “On Combating Corruption”, and other federal laws shall be subject to penalties provided for in Article 41.7 of this Federal Law.

2. The report on application of penalty against the officer who committed a corruption offence shall refer to this Article as the basis for imposing the penalty.

Article 41.9. Dismissal from Office Due to Loss of Confidence

(was introduced by Federal Law No.329-FZ of 21.11.2011)

1. Pursuant to the procedure laid down in the laws of the Russian Federation regulating issues of service in prosecution bodies, an officer shall be subject to dismissal from office due to loss of confidence in the following cases:

failure by the officer to take measures to prevent and/or resolve a conflict of interests whereto he was a party;

failure by the officer to submit information on his income, expenses, property and property liabilities, as well as on the income, expenses, property and property liabilities of his spouse and minor children, or submission of knowingly unreliable or incomplete information;

(as amended by Federal Law No.231-FZ of 03.12.2012)

participation of the officer, on a paid basis, in the activities of a management body of a commercial organisation, with the exception of cases provided for by the federal law;

business activities carried out by the officer;

if the officer is a member of a management body, board of trustees or supervisory board, or another body of a foreign non-commercial non-governmental organisation or its organisational unit operating in the territory of the Russian Federation, if not provided for otherwise in an international treaty of the Russian Federation or the laws of the Russian Federation;

violations by the officer, his wife (spouse) and minor children in cases stipulated by the Federal Law "On the prohibition for certain categories of persons to open and have accounts (deposits), keep cash and valuables in foreign banks located outside the territory of the Russian Federation, to own and (or) use foreign financial instruments", of the ban to open and have accounts (deposits), store cash and valuables in foreign banks located outside the territory of Russia the Russian Federation, to own and (or) use foreign financial instruments. In this case, the term "foreign financial instruments" is used in the meaning defined by the above Federal Law.

(the paragraph was introduced by Federal Law No. 102-FZ of 07.05.2013, as amended by Federal Law No. 505-FZ of 28.12.2016)

2. The head of prosecution body or organisation who has become aware that an officer subordinate to him gained a personal interest which leads or may lead to a conflict of interests, shall be subject to dismissal due to loss of confidence given he has failed to take measures to prevent and/or resolve a conflict of interests involving the officer subordinate to him, in accordance with the procedure laid down in the laws of the Russian Federation regulating issues of service in prosecution bodies.
(as amended by Federal Law No.233-FZ of 21.07.2014)

3. The information on the application of penalties against the officers in the form of dismissal due to loss of confidence for corruption offences shall be included by the bodies and organizations in which the officers served in the list of persons dismissed due to loss of confidence provided by Federal Law No. 273-FZ of 25.12.2008 “On Combating Corruption”.
(paragraph 3 was introduced by Federal Law No.132-FZ of 01.07.2017)

Article 41.10. Procedure for Imposition of Penalties for Corruption Offences
(was introduced by Federal Law No.329-FZ of 21.11.2011)

1. Penalties provided for in Articles 41.8 and 41.9 of this Federal Law shall be applied pursuant to the procedure laid down in Article 41.7, paragraphs 2-9, of this Federal Law, taking into account the particularities specified in this Article.

2. Penalties provided for in Articles 41.8 and 41.9 of this Federal Law shall be applied on the basis of the report on the results of an inspection carried out by the personnel division of the relevant the prosecution body for prevention of corruption and other offences, and in the event the report on the results of the inspection had been forwarded to the commission on compliance by federal public servants with the official conduct requirements and conflicts of interest settlement (attestation commission) — also based on the recommendation by the said Commission. With the consent of the employee and subject to recognition by him/her of the fact of commission of a corruption offense, a penalty may be applied, except a dismissal due to loss of trust and confidence, on the basis of a report on corruption offense of the personnel service of a relevant prosecution body for the prevention of corruption and other offenses, describing the actual circumstances of its commission, and a written explanation of such employee.

(as amended by Federal Law No.307-FZ of 03.08.2018)

3. When imposing penalties provided for in Articles 41.8 and 41.9 of this Federal Law the following shall be taken into account: nature of the offence committed by the officer, its gravity, circumstances in which it was committed, compliance by the officer with other restrictions and prohibitions, requests for prevention or settlements of conflict of interests, and performance by him of the duties provided with a view to

countering corruption, as well as previous results of performing by the officer of his official duties.

3.1. A penalty in the form of reproof or reprimand may be applied to an officer, if the corruption violation committed by him/her is of insufficient gravity.

(paragraph 3.1 was introduced by Federal Law No. 354-FZ of 28.11.2015; as amended by Federal Law No. 307-FZ of 03.08.2018)

4. The penalties provided for by Articles 41.8 and 41.9 of this Federal Law shall be applied not later than six months from the date of the report of a corruption offense committed by an officer excluding the time of his/her illness, or being on vacation and not later than three years from the date of the commission by him/her of a corruption offence. The length of the proceedings in the criminal matter shall not be included in the above time limit.

(paragraph 4 as amended by Federal Law No. 432-FZ of 16.12.2019)

5. The report of imposition of penalty on the officer in the event of commission by him/her of a corruption offence shall refer to Article 41.8 or 41.9 of this Federal Law as the authority for imposing the penalty.

6. A copy of the act on application of penalty against the officer specifying the corruption offence and the normative legal acts which have been violated by the officer or the refusal to impose the said penalty specifying the motives for that decision shall be served upon the officer against his signature within 5 (five) days from the day of issue of the said act.

7. The officer shall have the right to appeal against the penalty in writing, pursuant to the established procedure.

8. If, within one year from the day a penalty was applied to the officer, he has not been subjected to a disciplinary penalty provided for in Article 41.7, paragraph 1, of this Federal Law, with the exception of dismissal from prosecution bodies or the penalty provided for in Article 41.8 of this Federal Law, the officer shall be deemed as having no penalty.

Article 42. Procedure for Bringing Prosecutors to Criminal and Administrative Liability

(as amended by Federal Law No.404-FZ of 28.12.2010)

1. Verification of the report on the offence committed by a prosecutor shall be within the exclusive competency of the prosecution bodies.

Verification of the report on the offence committed by a prosecutor, initiation of a criminal case against the prosecutor (except for cases when the prosecutor has been

caught in the act of committing an offence) and its preliminary investigation shall be carried out by the Investigative Committee of the Russian Federation pursuant to the procedure laid down in the criminal procedural laws of the Russian Federation.

For the period of investigation of the criminal case initiated against the prosecutor, s/he shall be suspended from office. During the period of the officer's suspension from office s/he shall be paid a financial allowance (military allowance) in the amount of his salary of office plus bonus for class rank (military class pay) and length of service.

(paragraph 1 as amended by Federal Law No.404-FZ of 28.12.2010)

2. Apprehension, compulsory delivery, body search of the prosecutor and examination of his personal things and transport means used by him shall not be allowed, with the exception of cases when it is provided for in federal laws in order to ensure safety of other persons and apprehension at the time of the commission of an offence.

Article 43. Termination of Service in Prosecution Bodies and Organizations

(as amended by Federal Law No.233-FZ of 21.07.2014)

1. Service in prosecution bodies and organizations shall terminate upon dismissal of the prosecution officer.

(as amended by Federal Law No.233-FZ of 21.07.2014)

In addition to the grounds for the dismissal provided for in the labour laws of the Russian Federation, the prosecution officer may be dismissed due to his resignation from office and on the initiative of the head of the prosecution body or organization in the following cases:

(as amended by Federal Law No.233-FZ of 21.07.2014)

a) the prosecution officer has attained the maximum age for service in prosecution bodies and organizations;

(as amended by Federal Law No.233-FZ of 21.07.2014)

b) termination of citizenship of the Russian Federation;

c) violation of Prosecutor's Oath, as well as the commission of misconduct discrediting the honour of prosecution officer;

(as amended by Federal Law No.404-FZ of 28.12.2010)

d) failure to comply with the restrictions and to perform the service duties, as well as emergence of other circumstances provided for in Articles 16 and 17 of the Federal Law "On the Public Civil Service of the Russian Federation";

(subparagraph (d) as amended by Federal Law No.87-FZ of 05.06.2007)

- e) disclosure of state secrets and other secrets protected by the law;
- f) loss of confidence pursuant to Article 41.9 of this Federal Law;
(subparagraph (f) was introduced by Federal Law No.329-FZ of 21.11.2011)
- g) decline of appointment to the positions proposed due to expiration of the term of office or early termination of powers;
(subparagraph “g” was introduced by Federal Law No. 205-FZ of 26.07.2019)
- h) absence from service for more than four consecutive months due to temporary disability unless a longer period for job (position) retention is provided by the legislation of the Russian Federation in the event of a certain disease or unless job (position) retention guarantees are provided by the legislation of the Russian Federation for a certain category of citizens. The prosecutor shall retain his job (position) throughout the period of his temporary disability due to injury, occupational disease or other harm to health sustained in the performance of official duties, regardless of the duration of this period.
(subparagraph “h” was introduced by Federal Law No. 205-FZ of 26.07.2019)

1.1. The presence of a disease that interferes with the performance of the official duties of a prosecution officer shall be the ground for termination of service in the bodies and organizations of the prosecution service and dismissal of the prosecution officers.

(paragraph 1.1 was introduced by Federal Law No. 297-FZ of 06.11.2011, as amended by Federal Law No. 233-FZ of 21.07. 2014)

1.2 Prosecutors of the constituent entities of the Russian Federation, cities, districts and specialized prosecutors of equivalent status (except military prosecutors), at the end of their tenure, as well as in case of early termination of powers in order to resolve the issue of the terms of their further service, may be placed, accordingly, at the disposal of the Prosecutor General's Office of the Russian Federation, prosecutor's office of a constituent entity of the Russian Federation, specialized prosecutor's office of equivalent status for a term of up to two months from the date of signing the act of the President of the Russian Federation or the publication of the act of the Prosecutor General of the Russian Federation on dismissal from the filled position. The procedure for placing a prosecution officer at the disposal of the prosecution body and his/her stay at the disposal of the prosecution body, the scope of service duties performed by him/her during the specified period shall be determined by the Prosecutor General of the Russian Federation.

The prosecution officer, during his/her stay at the disposal of the prosecution body, shall be offered both vacant positions commensurate with his/her qualifications, and lower-level vacancies available in this prosecution body, and in case of their absence,

appropriate vacancies in other prosecution bodies, including those located in other areas, which may be filled by the prosecution officer, taking into account his/her health status.

Throughout the period of being at the disposal of prosecution body, the prosecution officer's status, guarantees of legal and social protection provided by this Federal law, as well as the remuneration in the amount of the official salary for the latest filled position, bonuses for a class rank, for length of service, along with hardship bonuses, rated increases, for work in areas with adverse climatic or environmental conditions, including remote areas, shall be retained.

By decision of the relevant prosecutor, the prosecution officer shall be payable other allowances provided for by this Federal Law taking into account the actual amount of duties performed during the period of being at the disposal of the prosecution body.

If a prosecutor is temporarily designated to perform duties in another position, including in another prosecution body, he/she shall be paid the salary assigned for this position. In this case, the payments provided for in subparagraph three of this paragraph shall not be made.

During the secondment in the prosecution body, incentives and disciplinary measures provided for in this Federal law may be applied to the prosecution officer. The time spent by the prosecutor at the disposal of the prosecution body shall be included in calendar days in the total length of work, in the length of service entitling to a next class rank and additional leave, in the length of service for granting a seniority pay and a pension for length of service. The periods of temporary disability and leave shall not be included in the prosecution officer's length of secondment in the prosecution body.

In case of refusal to fill the proposed vacant position, the prosecution officer who is at the disposal of the prosecution body, shall be dismissed from the prosecution service in conformity with subparagraph "g" of paragraph 1 of this article.
(Paragraph 1.2 was introduced by Federal Law No. 205-FZ of 26.07.2019)

2. The age limit for the service of prosecution staff (except scientific and pedagogical staff) in the prosecution bodies and organizations shall be 65 years. The age limit for the prosecution staff appointed by the President of the Russian Federation or at his recommendation shall be 70 years.
(as amended by Federal Laws of 28.11.2009, No. 303-FZ, No. 233-FZ of 21.07.2014 No. 269-FZ of 13.07.2015)

By the decision of the head of the relevant prosecutorial body or organization, the term of service of the employees who have reached the age limit and hold positions indicated in Articles 14, 15 and 16 of this Federal Law may be extended. The term of

employment in the prosecutorial bodies and organizations may be extended only once for not more than a year.

(as amended by Federal Law No. 233-FZ of 21.07.2014, No. 427-FZ of 22.12.2014, and No. 269-FZ of 13.07.2015)

The term of employment in the service of the officer who has a disease preventing him from performance of his official duties of a prosecution officer, as well as an officer who has reached the age of 70 may not be extended. After reaching the above age, the officer may continue his work in the bodies and organizations of the prosecution service on the basis of a fixed-term employment contract with the preservation of full rate of salary for his position provided for in paragraph 1 of Article 44 of this Federal Law.

(as amended by Federal Laws No. 303-FZ, No. 297-FZ, of 06.11.2011, No. 233-FZ of 21.07.2014)

3. Prosecutors shall have the right to resign from office. The grounds for resignation shall be:

(as amended by Federal Law No.404-FZ of 28.12.2010)

- a) retirement as provided for in Article 44, paragraph 2, of this Federal Law;
- b) disagreement with the decisions or actions of a public agency or a higher-ranking direct supervisor.

Resignation of the Prosecutor General of the Russian Federation, his first deputy and deputies shall be deemed accepted after a decision of acceptance has been taken by the Federation Council of the Federal Assembly of the Russian Federation.

(as amended by Federal Laws No.87-FZ of 05.06.2007, No.404-FZ of 28.12.2010)

Resignation of prosecutors of the Russian Federation constituencies, city and district prosecutors, and prosecutors of equivalent status shall be deemed accepted after a decision of acceptance has been taken by the Prosecutor General of the Russian Federation.

Resignation of other prosecutors shall be deemed accepted after a decision of acceptance has been taken by the managing official having the right to appoint them to those positions.

(as amended by Federal Law No.404-FZ of 28.12.2010)

An entry shall be made in the employment record book of the prosecution officer with indication of his/her most recent position and marked “resigned”.

Article 43.1. Guarantees for Officers Elected as Deputy or as Elected Official of Public Authorities or Local Self-Government Authorities

(as amended by Federal Law No.122-FZ of 22.08.2004)

An officer elected as deputy or as elected official of public authorities or local self-government authorities shall, for the period of exercising appropriate powers, suspend service in prosecution bodies and organizations. After termination of the said powers, the officer, if he so wishes, shall be entitled to the previous position, — and given its non-availability, - to another equivalent position at the same or at another place of service as agreed by the officer. The afore-mentioned period shall be counted as part of the officer's total length of employment and length of service which entitles him to promotion to the next class rank, bonus for length of service, additional vacation leave, and pension entitlement for length of service.

(as amended by Federal Law No.122-FZ of 22.08.2004, No.233-FZ of 21.07.2014)

Article 43.2. Exclusion from the Lists of Officers of Prosecution Bodies and Organizations

(as amended by Federal Law No.233-FZ of 21.07.2014)

Perished (deceased) officers, as well as officers recognised as missing in accordance with the established procedure, shall be excluded from the lists of officers of prosecution bodies and organisations pursuant to the procedure laid down in the laws of the Russian Federation.

(as amended by Federal Law No.233-FZ of 21.07.2014)

Article 43.3. Reinstatement in Office, Class Rank, and to Service in Prosecution Bodies and Organizations

(as amended by Federal Law No.233-FZ of 21.07.2014)

1. Officers who have been recognised, in accordance to the established procedure, as illegally dismissed, illegally transferred to other positions, or deprived of their class rank, shall be subject to reinstatement to their previous position and class rank, or, upon their consent, to appointment to an equivalent position.

2. Officers who have been reinstated to service in prosecution bodies and organizations shall have the period of their forced absence from service counted as part of their total length of employment and length of service which entitles them to promotion to the next class rank, bonus for length of service, additional vacation leave, and award of pension for length of service.

(as amended by Federal Law No.233-FZ of 21.07.2014)

Article 43.4. Further Professional Education of the Prosecution Staff

(as amended by Federal Law No.185-FZ of 02.07.2013)

1. Further professional education of prosecution officers shall be carried out at least once every five years, with retention of the pay for the period of training.
(paragraph 1 as amended by Federal Law No. 233-FZ of 21.07.2014)

2. The results of the received further professional education of the prosecution officer shall be taken into account in assessing the issues of his suitability for the position held, awards and promotion.

3. Further professional education of prosecution officers shall be carried out using the funds of the federal budget.

Article 43.5. Training of Personnel for the Prosecution System

(as amended by Federal Law No. 233-FZ of 21.07.2014)

1. Training of personnel for the prosecution bodies shall be carried out in the scientific and educational organizations of the prosecution service, as well as in other organizations performing educational activities, including on the basis of the contract on employer-sponsored education, concluded in accordance with the legislation of the Russian Federation.

(as amended by Federal Law No. 337-FZ of 03.08.2018)

The peculiarities of concluding a contract on employer-sponsored education, with the obligation to perform service in bodies and organizations of the Prosecution Service shall be determined by the Prosecutor General of the Russian Federation.

(paragraph was introduced by Federal Law No. 15-FZ of 06.02.2020)

2. The post graduate education of the prosecution officers under the program for training of scientific and pedagogical personnel on a full-time basis shall be carried out in the scientific and educational organizations of the prosecution service.

Prosecution officers who receive post graduate education on a full time basis under the program for training scientific and pedagogical personnel shall be released from the held positions and seconded to the relevant scientific and educational organizations of the prosecution service.

During the term of post graduate education under the program for training of scientific and pedagogical personnel on a full-time basis, the prosecution officers shall retain their official salary, bonuses for class rank and length of service.

The term of post graduate education under the program for training of scientific and pedagogical personnel on a full-time basis shall count as the length of service of the prosecution officer entitling him to a regular class rank, an extra payment for length

of service and long service pension, provided that the service was resumed in bodies and organizations of the prosecution service not later than one month after the termination of postgraduate education on a full-time basis.

3. If the persons who have received or are receiving higher legal education on the basis of an employer-sponsored education contract, fail to comply with the obligations provided by this contract they shall be liable in accordance with the legislation of the Russian Federation.

(Paragraph 3 as amended by Federal Law No. 15-FZ of 06.02.2020)

Article 44. Financial Provision and Social Security of Prosecution Staff

1. The pay of prosecution staff shall consist of: the salary of office; bonus for class rank, for length of service, for special conditions of service (in an amount of 50 per cent of the salary of office), for hardships and stressfulness of service, and for high achievements in service (in an amount of 50 per cent of the salary of office); percentage additions to salary for doctoral degree and academic rank in the specialty corresponding to official duties, for the honorary title “Meritorious Lawyer of the Russian Federation”; quarterly and annual bonuses for service performance; other payments provided for in legislative and other normative legal acts of the Russian Federation.

(as amended by Federal Law No.284-FZ of 30.12.2012)

Bonus for hardships and stressfulness of service and for high achievements in service shall be established pursuant to a decision of the head of the prosecution body or organization, while taking into account the amount of work and service performance of each prosecution officer.

(as amended by Federal Law No.233-FZ of 21.07.2014)

The pay for the Prosecutor General of the Russian Federation shall be established by the President of the Russian Federation.

(as amended by Federal Laws No.87-FZ of 05.06.2007, No.404-FZ of 28.12.2010)

The salaries of office for prosecution staff shall be established by the Government of the Russian Federation upon a submission by the Prosecutor General of the Russian Federation, as a percentage of the salary of office of the First Deputy Prosecutor General of the Russian Federation which shall constitute 80 (eighty) per cent of the salary of office of the Chairman of the Supreme Court of the Russian Federation.

The persons occupying certain prosecutorial positions in the prosecution bodies, shall be entitled to monthly financial incentives calculated on the bases of their salaries of office at the rates specified in the annex to this Federal law. The President of the Russian Federation may establish additional monthly financial incentives for the

persons occupying certain state positions of the Russian Federation or federal civil service positions in the Prosecutor General's Office of the Russian Federation.
(as amended by Federal Law No.284-FZ of 30.12.2012)

Bonus for a class rank shall be paid monthly and shall be established as the following percentage of the salary of office of the prosecution officer:

Full State Counsellor of Justice: 30 per cent;

State Counsellor of Justice 1st Class: 27 per cent;

State Counsellor of Justice 2nd Class: 25 per cent;

State Counsellor of Justice 3rd Class: 23 per cent;

Senior Counsellor of Justice: 21 per cent;

Counsellor of Justice: 20 per cent;

Junior Counsellor of Justice: 19 per cent;

Lawyer 1st Class: 18 per cent;

Lawyer 2nd Class: 17 per cent;

Lawyer 3rd Class: 16 per cent;

Junior Lawyer: 15 per cent.

Bonus for length of service shall be paid monthly and shall be established as the following percentage of the salary of office and bonus for class rank of the prosecution officer:
(as amended by Federal Law No 309-FZ of 08.11.2011)

from 2 to 5 years: 20 per cent;

from 5 to 10 years: 35 per cent;

from 10 to 15 years: 45 per cent;

from 15 to 20 years: 55 per cent;

more than 20 years: 70 per cent.

Percentage additions to salary for post graduate degree and academic rank shall be paid to candidate of sciences or associate professors in the amount of 5 per cent of the salary of office, and to doctors of science or professors — in the amount of 10 per cent of the salary of office, and for the honorary title “Meritorious Lawyer of the Russian Federation” — in the amount of 10 per cent of the salary of office.

Quarterly and annual service performance bonuses to prosecution officers, as well as wages for other staff shall be paid in accordance with the standards laid down for the employees of executive public authorities.

(paragraph 1 as amended by Federal Law No. 85-FZ of 15.07.2005)

ConsultantPlus: note.

In case of reduction of pensions due to entry into force of Federal Law of No. 406-FZ of 20.12.2017, the below categories of persons shall continue to receive the amount of pensions provided by it in accordance with the RF legislation which was in force until 01.02.2018.

2. Pension provision of prosecutors, scientific and teaching staff, and their family members shall be effected in accordance with the conditions, standards, and procedure laid down in the laws of the Russian Federation for persons who served in the bodies of internal affairs and their family members (with the exception of the provisions of part 2, Article 43 of Law No. 4468-1 of the Russian Federation of 12.02.1993 “On Pension Provision for the Persons Who Have Performed Military Service, Service in the Internal Affairs Bodies, in the State Fire-Fighting Service, in the Bodies for Control of Traffic in Narcotic Drugs and Psychotropic Substances, in the Institutions and Bodies of the Penitentiary System, in the Federal Service of National Guard Troops of the Russian Federation and their Families”), Enforcement Bodies of the Russian Federation, and Their Families”, subject to particularities provided by this Federal law.

(as amended by Federal Laws No. 404-FZ of 28.12.2010, No. 309-FZ of 08.11.2011, No. 406-FZ of 20.12.2017, No. 536-FZ of 27.12.2018, No. 328-FZ of 01.10.2019)

Prosecutors, scientific and pedagogical staff and members of their families who are entitled to pensions in accordance with this paragraph shall be paid a monthly pension supplement in the amount of additional pay for the class rank specified in paragraph 1 of this Article, using the uplift factors established by the decree of the President of the Russian Federation. The specified monthly supplement to the pension shall be included in the pension. A monthly pension supplement of prosecutors, scientific and pedagogical workers and members of their families whose pensions are calculated using regional factors, shall be calculated using these factors.

(subparagraph was introduced by Federal Law No. 406-FZ of 20.12.2017)

The official salary, supplement pay for class rank, supplement pay for length of service and monthly supplement to pension, on the basis of which pensions are calculated, shall be adjusted in accordance with the federal law on the federal budget for the corresponding fiscal year and planning period.

(paragraph was introduced by Federal Law No. 406-FZ of 20.12.2017)

Since February 2018, pensions to prosecutors, scientific and pedagogical staff and members of their families who are entitled to pensions in accordance with this paragraph, shall be calculated based on the official salary, additional pay for class rank, additional pay for length of service and monthly supplement to pension, uplifted (adjusted) as of the date of granting or recalculation of the pension. In this respect, the size of official salary, additional pay for class rank, additional pay for length of service and a monthly supplement to a pension, on the basis of which pensions are calculated, shall be rounded to kopecks after each indexation.

(paragraph was introduced by Federal Law No. 406-FZ of 20.12.2017)

Prosecutors and scientific and teaching staff who have right to pension provision specified in this paragraph, whose length of service is not less than 20 years, and who do not receive any pension, shall be paid a monthly supplement to their pay in the amount of 50 per cent of the pension that could have been granted to them.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

Prosecutors and scientific and teaching staff having right to pension provision specified in this clause shall be paid severance pay in the event of leaving service due to:

(as amended by Federal Law No 404-FZ of 28.12.2010)

a) retirement;

b) resignation;

c) attaining the maximum age for service in prosecution bodies and institutions;

(as amended by Federal Law No 233-FZ of 21.07.2014)

d) state of health or disability;

e) organizational restructuring measures;

f) decline of appointment to the positions proposed due to expiration of the term of office or early termination of powers;

(subparagraph "f" was introduced by Federal Law No. 205-FZ of 26.07.2019)

g) absence from service for more than four consecutive months due to temporary

disability unless a longer period for job (position) retention is provided by the legislation of the Russian Federation in case of a certain disease or unless job (position) retention guarantees are provided by the legislation of the Russian Federation for a certain category of citizens.

(subparagraph “g” was introduced by Federal Law No. 205-FZ of 26.07.2019)

Prosecutors, scientific and teaching staff who are not entitled to pension provision specified in this paragraph shall only be paid severance pay in the event of their dismissal on the grounds provided for in subparagraphs “d”, “e” and “g” of this paragraph.

(as amended by Federal Laws No. 404-FZ of 28.12.2010, No. 205-FZ of 26.07.2019)

Prosecutors, scientific and teaching staff shall be paid severance pay for full years of service in the following amount:

(as amended by Federal Law No. 404-FZ of 28.12.2010)

less than 10 calendar years: 5 monthly salaries of office with bonus for class rank or military rank pay;

(as amended by Federal Laws No. 309-FZ of 08.11.2011, No. 145-FZ of 04.06.2014)

from 10 to 15 calendar years: 10 monthly salaries of office with bonus for class rank or military rank pay;

(as amended by Federal Laws No. 309-FZ of 08.11.2011, No. 145-FZ of 04.06.2014)

from 15 to 20 calendar years: 15 monthly salaries of office with bonus for class rank or military rank pay;

(as amended by Federal Laws No. 309-FZ of 08.11.2011, No. 145-FZ of 04.06.2014)

20 calendar years or more: 20 monthly salaries of office with bonus for class rank or military rank pay;

(as amended by Federal Laws No. 309-FZ of 08.11.2011, No. 145-FZ of 04.06.2014)

In case of dismissal of prosecutors and scientific and teaching staff after their re-entering service in prosecution bodies and organizations, the severance pay shall be paid with offsetting the severance payments made previously and calculated in salaries of office with bonus for class rank (military rank pay), including service in other agencies.

(as amended by Federal Laws No. 404-FZ of 28.12.2010, No. 145-FZ of 04.06.2014 No. 233-FZ of 21.07.2014)

Pension provision of other prosecution officers shall be granted in accordance with the laws on pension provision for public service staff.

3. For service purposes, prosecution officers shall be granted documents enabling to travel by any urban, suburban and local public means of transport (except for taxi), acquired by prosecution bodies from appropriate transport organisation in accordance with the procedure specified by the Government of the Russian Federation.

The procedure for travelling of officers of transport prosecution offices in pursuance of their official duties, within their areas of operation, by rail, river, sea, and air transport shall be determined by the Government of the Russian Federation.

Prosecutors seconded on official missions shall have a priority right to reserve and get accommodations at hotels and acquire travel documents for any means of transport.

(paragraph 3 as amended by Federal Law No. 122-FZ of 22.08.2004)

The prosecution officer shall be paid once a year the cost of travel by rail, air, water and road (except for taxi) transport to and from the sanatorium and resort organization subordinate to the Prosecutor General's Office of the Russian Federation (given his/her referral for treatment by a medical organization to which s/he is assigned). The procedure for compensation of travel expenses shall be established by the Prosecutor General of the Russian Federation. If a prosecution officer is entitled to reimbursement of travel expenses in accordance with subparagraph 3, paragraph 1 of Article 41.4 of this Federal Law, reimbursement of travel expenses shall be made only on a single ground at his/her choice.

(paragraph was introduced by Federal Law No. 246-FZ of 29.07.2017)

The prosecution officer who receives a pension in the procedure provided for by subparagraph 1, paragraph 2 of this Article (with the exception of persons dismissed on the grounds specified in subparagraphs "c" - "f" of paragraph 1, Article 43 of this Federal Law) and one of his family members, as well as the prosecution officer who was dismissed from the bodies or organizations of the prosecution service and was disabled due to injury or other damage to health in connection with the performance of official duties, or due to a disease contracted in the course of service in the bodies or organizations of the prosecution service, shall be paid monetary compensation for the expenses associated with the cost of travel by rail, air, water and road (except for taxi) transport to and from the sanatorium-resort organization subordinate to the Prosecutor General's Office of the Russian Federation (once a year). The procedure for reimbursement of travel expenses shall be determined by the Prosecutor General of the Russian Federation.

(paragraph was introduced by Federal Law No. 246-FZ of 29.07.2017)

4. **Lost force.** - Federal Law No. 492-FZ of 31.12.2017.

5. **The subparagraph was deleted.** - Federal Law No. 77-FZ of 28.06.2002.

5. Installation of telephones in living quarters occupied by prosecutors shall be carried out on a high priority basis at current tariff rates. On the same priority basis, prosecutors' children shall be granted places at children's preschool organizations, general education organizations that have boarding facilities, and summer health-improvement facilities.

(as amended by Federal Laws No. 77-FZ of 28.06.2002, No. 122-FZ of 22.08.2004, No. 404-FZ of 28.12.2010, No. 185-FZ of 02.07.2013)

6. Medical care (including provision of medicines) of prosecution officers and their family members living with them shall be financed from the funds of the federal budget.

(as amended by Federal Law No. 317-FZ of 25.11.2013)

7. **The subparagraph lost force.** - Federal Law No. 246-FZ of 29.07.2017.

The subparagraph was deleted. - Federal Law No. 77-FZ of 28.06.2002.

Medical care of prosecution officers who receive pensions and their family members, as well as of parents, spouses, and minor children of perished (deceased) prosecution officers shall be carried out, pursuant to paragraph 6 of this Article, in the healthcare facilities to which they were assigned.

(as amended by Federal Laws No. 77-FZ of 28.06.2002, No. 317-FZ of 25.11.2013)

8. **Lost force.** - Federal Law No 122-FZ of 22.08.2004.

ConsultantPlus: note.

The provisions of this document (as amended by the Federal Law No. 492-FZ of 31.12.2017) shall also apply to prosecutors who had been registered as of 11.01.2018 as being in need of living premises (service dwellings), as well as those who are living in service dwellings.

Article 44.1. Provision of prosecutors with living accommodation

(was introduced by the Federal Law of 31.12. 2017 No. 492-FZ)

1. Provision of public prosecutors with living accommodation, taking into account the members of their families living together with them, shall be carried out in accordance with the procedure and the terms established by this Federal Law, other federal laws and other normative legal acts of the Russian Federation, within the limits of budgetary allocations provided in the prosecution service of the Russian Federation, by granting to public prosecutors a one-time social payment for the acquisition or construction of residential premises (hereinafter - one-time social payment).

2. Prosecutors and persons referred to in paragraph 17 of this Article, at their application or with their consent, may be granted ownership for living accommodation, instead of one-time social payment by the decision of the Prosecutor General of the Russian Federation, given there are appropriate grounds and terms set forth in this Article.

3. One-time social payment shall be granted to prosecutors who have worked in the bodies and organizations of the prosecution service for at least 10 years in calendar terms in the class ranks positions of prosecutors, employees of scientific and educational organizations, who were found as being in need of living accommodation, once throughout the entire term of the civil service, including in the bodies and organizations of the prosecution service.

4. With the view of providing one-time social payment or ownership to the living accommodation the prosecutor shall be recognised as being in need of living accommodation if he:

- a) is not a tenant under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, a member of the family of a tenant under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, or an owner of the living premises or a family member of the owner of the living premises;
- b) is a tenant under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, a member of the family of a tenant under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, or an owner of the living premises or a family member of the owner of the living premises with less than 15 square meters of living space per one family member;
- c) is living in the premises that do not meet the standards for living accommodation, regardless of the size of the occupied premises;
- d) is a tenant under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, a member of the family of a tenant under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, or an owner of the living premises or a family member of the owner of the living premises living in an apartment occupied by several families, given there is a sick person in the family suffering from a severe form of a chronic disease, which makes it impossible living together with him in one apartment, and does not have any other premises occupied under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs or based on ownership rights. A list of relevant diseases is

established by the federal executive body authorized by the Government of the Russian Federation;

d) living in a communal apartment regardless of the size of the occupied dwelling;

f) residing in an adjacent non-isolated room or in a one-room apartment consisting of two families and more regardless of the size of the occupied living premises, including where the family consists of parents and adult married children who permanently reside together with the prosecutor.

5. if the prosecutor and/or members of his family have several living premises under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs or based on ownership rights, the assessment of the level of availability of the total area of the living premises with the view of granting one-time social payment or ownership right to living accommodation shall be carried out based on the summed up total space of all these residential premises.

6. When assessing the level of public prosecutors' provision with the total living space for granting one-time social payment or entitlement to living accommodation for ownership, including in evaluating the actions that caused deterioration of their housing conditions, the family members shall be understood persons designated as family members in the Housing Code Russian Federation.

When calculating the amount of one-time social payment, as well as assessing the total space of the living premises provided for ownership, in accordance with this Federal Law, the spouse (spouse) married to the prosecutor or married to the deceased (deceased) the prosecutor on the day of death (death), minor children, children over 18 who became disabled before reaching the age of 18, children under the age of 23 who study in full time educational organizations performing their activities in accordance with basic educational programs.

7. When calculating the amount of one-time social payment, as well as assessing the total area of the living premises provided for ownership, the following standards for the provision of living space shall be applied:

a) 33 square meters of total living space - per one person;

b) 42 square meters of total living space - for a family of two;

c) 18 square meters of the total living space for each member of the family - for a family of three or more people.

8. Prosecutors shall have the right to additional living space.

When calculating the amount of one-time social payment, consideration shall be made of the right of prosecutors to additional living space of 15 square meters of the total floor space of the living premises, and when providing a living accommodation

for ownership, to additional floor space of 20 square meters of the total space of living premises.

If the prosecutor and/or his family members have the right to additional living space on other grounds in accordance with the legislation of the Russian Federation, and if prosecutors are members of the same family, the size of additional space shall not be summed up.

9. Taking into account the constructive and technical parameters of a multi-apartment or residential building, a living accommodation may be provided for ownership the total space of which exceeds the total floor space of a living premise determined in accordance with paragraphs 7 and 8 of this Article, taking into account the right to additional living space, but not more than 9 square meters of the total floor space of premise.

10. Residential premises with the total living space exceeding the total residential space determined in accordance with paragraphs 7 and 8 of this Article may be provided to prosecutors and persons referred to in paragraph 17 of this article, for ownership with their consent, providing that the payment for the total space of the living premise exceeding this size is made with their own funds, based on the average market value of one square meter of the total living space for the constituencies of the Russian Federation, established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by Federal Law No.516-FZ of 27.12.2019)

The procedure for payment for the total area of a living premise exceeding the size of the total space of a living premise determined on the basis of paragraphs 7 to 9 of this Article shall be established by the Government of the Russian Federation.

11. One-time social payment shall be provided in order of priority based on the date of application for registration as being in need of living premises.

12. Prosecutors and persons referred to in paragraph 17 of this Article registered as being in need of living premises, with three or more children living with them, or awarded a badge "Honorary Worker of the Prosecution Service of the Russian Federation", or awarded the title of Hero of the Russian Federation, or former participants or service-disabled veterans of combat operations, are entitled to one-time social payment prior to the prosecutors and persons specified in paragraph 17 of this Article registered the same year.

13. The right of persons referred to in paragraph 12 of this Article to provision with one-time social payment on a priority basis shall be carried out taking into account the date of their application for registration as being in need of living premises.

14. Prosecutors who, with the intention to receive one-time social payment or a living accommodation for their ownership, have carried out actions that caused deterioration of housing conditions, resulting in recognising them as being in need of living premises, shall be registered as being in need of living premises not earlier than five years from the date of the said actions.

15. Intentional actions resulting in deterioration of the housing conditions of the prosecutor shall be actions of the prosecutor or members of his family involving:

a) settling in the living premise of other persons (except for settling of the spouse, minor children, disabled parents, and children over 18 who became disabled before reaching the age of 18);

b) the change of living accommodation (exchange of living accommodation);

c) failure to comply with the terms of the social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, which resulted in eviction from the housing premises in a judicial procedure;

d) the allotment of shares by the owners of living premises from the common ownership to living premises;

e) with the alienation of living premises or their parts.

16. The procedure for calculating the size of one-time social payment and its transfer to prosecutors and persons specified in paragraph 17 of this article shall be determined by the Government of the Russian Federation.

17. The right to provide one-time-sum social payment or, in accordance with the decision of the Prosecutor General of the Russian Federation, of a living premise shall be retained by the following persons who are in need of living premises:

a) persons dismissed from the prosecution service with the right to a pension, given they are recognised as being in need of living premises during the period of service on the grounds provided for in this Article, exception for persons dismissed in accordance with subparagraphs b) - e) of paragraph 1, Article 43 of this Federal Law;

b) the members of the prosecutor's family who lived together with the prosecutor if the prosecutor perished (died) due to injury or other damage to health in connection with the performance of his official duties, or due to illness received during the service, regardless of the length of service of the deceased (dead) prosecutor, if these family members are deemed being in need of living accommodation on the grounds provided for in this article, or if these grounds existed at the time of the prosecutor's death and remained after his death. In this case, the one-time social payment or living

accommodation for ownership shall be provided to the above mentioned family members in equal shares. For widows (widowers) of prosecutors, the right to one-time social payment or housing for ownership shall be retained until another marriage;

c) the disabled persons of I and II groups who were dismissed from the prosecution service for health reasons, regardless of the length of service whose disability occurred as a result of injury or other damage to health received in connection with the performance of official duties, or due to illness received during the period of service, given they are recognised as being in need of living premises on the grounds provided for in this Article, or given these grounds existed at the time of their dismissal.

18. Prosecutors who do not have living accommodation at the place of service shall be provided with service housing.

19. With the view of providing with service housing the prosecutor shall be deemed having no living accommodation if he:

a) is not a tenant of housing under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, a member of the family of a tenant of housing under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, or an owner of the living premises or a family member of the owner of the living premises;

b) is a tenant of housing under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, a member of the family of a tenant of housing under a social rental agreement or rental agreement for living premises of the housing facilities allocated for social needs, or an owner of the living premises or a family member of the owner of the living premises but is unable to return every day to this living premise due to far distance from the place of service;

20. The composition of the family of the prosecutor for provision with service accommodation and the standards for the provision of a service living accommodation shall be determined in accordance with the second subparagraph of paragraph 6 and paragraph 7 of this Article.

The grounds and conditions for the provision of additional space for service living accommodation in accordance with the standards determined in accordance with the second subparagraph of paragraph 8 of this Article shall be established by the Prosecutor General of the Russian Federation.

In the event it is not possible to provide the prosecutor with a service living accommodation in accordance with established standards, he may be provided upon his consent with service living accommodation of lesser space.

21. If it is not possible to provide service living accommodation to a prosecutor who is recognised as having no living premises at the place of service, a monthly compensation shall be paid to him for renting (subrenting) the living premises in the amount and order established by the Government of the Russian Federation.
22. The employees occupying positions in the scientific and educational organizations of the prosecution service office for which class ranks are assigned shall be provide with service living accommodation in the procedure and in accordance with the terms specified in paragraphs 18 to 21 of this Article.
23. The persons referred to in subparagraphs (b) and (c) of paragraph 17 of this Article who live in service living premises shall have the right to reside in such living premises until they receive one-time social payment.
24. Persons living in service living accommodation, who have received one-time social payment in accordance with this Article, shall retain the right to reside in such living premises within three months from the date of one-time social payment.
25. The procedure for recognising prosecutors as being in need of living premises for the purpose of providing one-time social payment or living premises for ownership as having no living accommodation at the place of service, including prosecutors in the list of those being in need of housing with the view to be granted one-time social payment or living premises for ownership, as having no residential premises at the place of duty, maintaining the appropriate types of accounting and the procedure for making decisions on the provision of one-time social payment or living premises for ownership, service premises shall be established the Prosecutor General of the Russian Federation.

Article 45. Measures of Legal Protection and Social Support of Prosecutors

(as amended by Federal Laws No. 122-FZ of 22.08.2004, No. 404-FZ of 28.12.2010)

1. Prosecutors as representatives of state power shall be under special government protection. The same protection shall extend to their near relatives and, in exceptional cases, also to other persons whose life, health, and property are being encroached with a view to obstructing the prosecutors' lawful activities, or to compel them to introduce changes in the nature of these activities, or out of revenge for the said activities. The same protection shall extend to the property of the said persons.

(as amended by Federal Laws No. 120-FZ of 05.10.2002, No. 404-FZ of 28.12.2010)

The procedure and conditions for the implementation of government protection of prosecutors shall be specified in the Federal Law "On Government Protection of Judges and Officials of Law Enforcement and Controlling Agencies" as well as in other normative legal acts of the Russian Federation.

(as amended by Federal Law No 404-FZ of 28.12.2010)

The Prosecution Service of the Russian Federation shall have a service for its own internal security and physical protection of its officers and may create departmental security guard.

(as amended by Federal Law No 238-FZ of 29.07.2017)

2. Burial of prosecutors perished (deceased) in connection with the discharge of their duties of office as well as prosecutors dismissed from service who have died by reason of bodily injuries or other harm to their health caused in connection with performance of their duties of office shall be carried out using the funds allocated for the financing of prosecution bodies.

(as amended by Federal Law No 404-FZ of 28.12.2010)

3. Prosecutors shall have the right, in accordance with the procedure established by the laws of the Russian Federation, to carry and keep hand-held combat weapons, personal protective equipment and special devices intended for personal protection, as well as to use them. The types and models of the said weapons, personal protective equipment and special devices shall be established by the Government of the Russian Federation.

(as amended by Federal Law No. 84-FZ of 18.04.2018)

4. Prosecutors shall be subject to compulsory personal insurance by the government for an amount equal to 180 (one hundred and eighty) times the amount of their average monthly pay.

(as amended by Federal Law No 122-FZ of 22.08.2004, No 404-FZ of 28.12.2010)

5. Government insurance bodies shall pay out the insurance coverage amounts in the following cases:

perishing (death) of the prosecutor during his employment or after dismissal if it has occurred by reason of bodily injuries or other harm to his health caused in connection with his official activities — to his heirs, in an amount equal to 180 (one hundred and eighty) times the amount of the prosecutor's average monthly pay;

infliction of bodily injuries on the prosecutor or other harm to his health in connection with his official activities, which render it impossible for him to continue professional activities — in an amount equal to 36 (thirty-six) times the amount of his average monthly pay;

infliction of bodily injuries on the prosecutor or other harm to his health in connection with his official activities, which have caused no persistent loss of work capacity and have had no impact on the ability to continue performing professional

activities by him — in an amount equal to 12 (twelve) times the amount of his average monthly pay.

In the event of infliction of bodily injuries on the prosecutor or other harm to his health in connection with his official activities, which render it impossible for him to continue professional activities, he shall be paid a monthly compensation in an amount equal to the difference between his average monthly pay and the pension awarded to him in connection with the above, not taking into account the sum of payments received under the government compulsory personal insurance plan.

In the event of perishing (death) of a prosecutor in connection with the discharge of his duties of office, as well as of a prosecutor dismissed from service who have died by reason of bodily injuries or other harm to his health caused in connection with the discharge of their duties of office, the members of his family who are incapable of working and dependent on him shall be paid a monthly compensation in an amount equivalent to the difference between their share of the average monthly pay of the perished (deceased) person and the pension awarded to them in connection with loss of breadwinner, not taking into account the sum of payments received under the government compulsory personal insurance plan. In order to determine the said share of the pay, the average monthly pay of the perished (deceased) person shall be divided by the number of family members dependent on him, including those capable of working.

The family of the perished (deceased) person shall retain the right to obtain suitably equipped living accommodation on the conditions and grounds present at the time of perishing (death) of the prosecutor.

Damage caused by the destruction or spoilage of property belonging to a prosecutor or his family members in connection with his official activities shall be subject to compensation in full to the prosecutor or his family members, including lost profits, in accordance with a procedure established by the Government of the Russian Federation.

(as amended by Federal Law No 404-FZ of 28.12.2010)

6. The only ground for refusal to pay out the insurance coverage amounts and compensations in cases provided for in this Article shall be a court judgment or resolution against the person found guilty of perishing (death) of the prosecutor, inflicting bodily injuries on him, or destruction or spoilage of property belonging to him, that has established that the said events are unrelated to the official activities of the prosecutor.

(as amended by Federal Laws No 122-FZ of 22.08.2004, No 404-FZ of 28.12.2010)

SECTION VI. PARTICULARITIES OF ORGANISATION AND SUSTAINMENT OF ACTIVITIES OF MILITARY PROSECUTION BODIES

(as amended by Federal Law No. 31-FZ of 10.02.1999)

**Article 46. Structure and Organisation of Military Prosecution Bodies
(as amended by Federal Law No. 31-FZ of 10.02.1999)**

1. The system of military prosecution bodies shall be comprised of the Chief Military Prosecutor's Office, military prosecutor's offices of military districts, fleets, Strategic Missile Troops, Moscow City Military Prosecutor's Office, and other military prosecutor's offices with a status equivalent to prosecutor's offices of the Russian Federation constituencies, military prosecutor's offices of armies, divisions, garrisons, and other military prosecutor's offices with a status equivalent to city and district prosecutor's offices (hereinafter referred to as "military prosecution bodies").
(as amended by Federal Law No. 404-FZ of 28.12.2010)

Under a decision of the Chief Military Prosecutor, prosecutor's sections may be set up in military prosecutor's offices of a status equivalent to city and district prosecutor's offices.
(as amended by Federal Law No. 404-FZ of 28.12.2010)

In the areas where, due to exceptional circumstances, any other prosecution bodies of the Russian Federation do not operate, as well as outside of the territory of the Russian Federation where the troops of the Russian Federation are present pursuant to international treaties, prosecutorial functions may be entrusted by the Prosecutor General of the Russian Federation to military prosecution bodies.

2. Formation, reorganisation and liquidation of military prosecution bodies, determination of their status, competence, structure, and staffing tables, approval of a list of military positions in the military prosecution bodies, except for the military positions to be occupied by the senior officers,

shall be carried out by the Prosecutor General of the Russian Federation. Other organisational restructuring issues shall be decided by the Deputy Prosecutor General of the Russian Federation - Chief Military Prosecutor within the confines of the allocated staff numbers.

(as amended by Federal Law No. 145-FZ of 04.06.2014)

3. Military prosecution bodies shall be headed by Deputy Prosecutor General of the Russian Federation — the Chief Military Prosecutor who shall manage the activities of military prosecution bodies, provide for the selection, deployment, and training of staff, carry out qualification assessment of military prosecutors, issue orders and directions binding on all military prosecutor's offices.

(as amended by Federal Law No. 87-FZ of 05.06.2007)

4. Military prosecution bodies shall exercise their powers in the Armed Forces of the Russian Federation, other troops, military formations and bodies created pursuant to federal laws and other normative legal acts.

Article 46.1. The Chief Military Prosecutor's Office

(was introduced by Federal Law No. 31-FZ of 10.02.1999)

1. The Chief Military Prosecutor shall have a first deputy and deputies, senior assistants for special assignments, whose status shall correspond to that of a head of department, and assistants for special assignments, whose status shall correspond to that of a deputy head of department.

2. The structure of the Chief Military Prosecutor's Office shall consist of departments, divisions (independent ones and acting as part of a department), a clerical office and a reception office. Heads of departments and independent divisions shall be senior assistants, and their deputies and heads of divisions being part of a department, clerical and reception offices shall be assistants to the Chief Military Prosecutor. Statutes of organisational units shall be approved by the Chief Military Prosecutor.

3. The positions of senior prosecutors and prosecutors shall be established in departments and divisions.

(as amended by Federal Law No. 87-FZ of 05.06.2007)

4. A Collegium consisting of the Chief Military Prosecutor (the chairman), his first deputy and deputies (*ex officio*), and other prosecution officers appointed by the Chief Military Prosecutor shall be set up in the Chief Military Prosecutor's Office. The personal composition of the Collegium shall be approved by the Prosecutor General of the Russian Federation upon a submission by the Chief Military Prosecutor.

Article 47. Powers of Military Prosecutors

(as amended by Federal Law No. 31-FZ of 10.02.1999)

1. The Chief Military Prosecutor and prosecutors subordinate to him shall have, within the limits of their competence, powers determined by this Federal Law and exercise them independently of the command and bodies of military administration in accordance with the laws of the Russian Federation.

2. Military prosecutors shall also have the following powers:

to participate in sessions of collegia, military councils, and command meetings of bodies of military administration;

to order external audits and inspections, the costs of which shall be reimbursed, pursuant to the prosecutor's resolution, by the bodies of military administration which provide funds for the inspected units and institutions;

to enter unhindered, upon presentation of his official identity card, the grounds and premises of military units, enterprises, institutions, organisations, and headquarters irrespective of their regime and to have access to their documents and materials;

to check the lawfulness of detainment of sentenced, arrested, and apprehended military personnel in military arrest facilities, disciplinary military units, and other places of detainment, and to immediately release the persons unlawfully detained there;

to require to provide the guarding, detention, and convoy for persons detained in arrest facilities, as well as in other places of detention, by military units, military police of the Armed Forces of the Russian Federation, bodies and organizations of internal affairs of the Russian Federation, respectively.

(as amended by Federal Laws No 4-FZ of 07.02.2011, No 7-FZ of 03.02.2014)

Article 48. Staff of Military Prosecution Bodies

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010)

1. Citizens of the Russian Federation who, given their state of health, are fit for military service, have entered military service, hold an officer rank, and comply with the requirements of Article 40.1 of this Federal Law may be appointed military prosecutors.

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010, No. 68-FZ of 02.04.2014)

2. Under a decision of the Prosecutor General of the Russian Federation or upon his consent, civilians may be appointed to positions of military prosecutors.

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010)

3. Deputy Prosecutor General of the Russian Federation — the Chief Military Prosecutor shall be appointed to office and dismissed from office in accordance to the procedure established by Article 12.1 of this Federal Law. The Chief Military Prosecutor shall be subordinate and accountable to the Prosecutor General of the Russian Federation.

(as amended by Federal Laws No. 31-FZ of 10.02.1999, No. 427-FZ of 22.12.2014)

4. Military prosecutors shall be appointed to office and dismissed from office by the Prosecutor General of the Russian Federation, they be subordinate and accountable to higher-ranking prosecutors and the Prosecutor General of the Russian Federation.

(as amended by Federal Law No 31-FZ of 10.02.1999)

5. Deputies to Chief Military Prosecutor, heads of directorates and divisions of the Chief Military Prosecutor's Office and their deputies, as well as deputy prosecutors of military districts, fleets, and deputies of prosecutors of equivalent status shall be appointed to office and dismissed from office by the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 31-FZ of 10.02.1999)

6. Other prosecutors of the Chief Military Prosecutor's Office shall be appointed to office and dismissed from office by the Chief Military Prosecutor.

(as amended by Federal Law No. 87-FZ of 05.06.2007)

7. Prosecutors of military districts, fleets, and prosecutors of equivalent status shall appoint to office and dismiss from office military prosecutors of their executive offices and lower-ranking prosecutor's offices.

(as amended by Federal Laws No. 31-FZ of 10.02.1999, No. 87-FZ of 05.06.2007)

8. Officers of military prosecution bodies shall have the status of military personnel and serve in the military prosecution bodies in accordance with the Federal law "On Military Duty and Military Service" and shall have the rights and social guarantees established by the Federal Law "On the Status of Military Personnel", this Federal Law, other normative legal acts of the Russian Federation. The age limit for being in the military service in the military prosecution bodies shall be regulated by the Law "On Military Duty and Military Service".

(paragraph 8 as amended by Federal Law No. 145-FZ of 04.06.2014)

9. Military servicemen's enlistment (citizens' enrolment in the military service) in the military prosecution bodies and their dismissal from the military service shall be performed by the Prosecutor General of the Russian Federation and the Deputy Prosecutor General of the Russian Federation - the Chief Military Prosecutor.

(as amended by Federal Law No. 145-FZ of 04.06.2014 (with amendments of 19.12.2016)

The transfer of a serviceman from the military prosecution bodies to a new place of military service shall be carried out in accordance with the Regulations on the Procedure for the Conduct of Military Service in the general procedure provided for other servicemen.

(paragraph was introduced by Federal Law No. 434-FZ of 19.12. 2016)

Dismissal of senior military officers shall be carried out by the President of the Russian Federation upon the submission of the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 434-FZ of 19.12.2016)

(paragraph 9 as amended by Federal law No. 145-FZ of 04.06.2014)

10. Positions of military prosecutors and military ranks corresponding to them shall be included in the lists of military positions.

Assignment of military ranks to the servicemen of military prosecution bodies shall be effected in accordance with the Federal law "On Military Duty and Military Service"

(as amended by Federal Law No. 145-FZ of 04.06.2014)

Assignment of the first military rank of an officer, a military rank of a colonel of justice, accelerated promotion in military rank of an officer, promotion to one level above the military rank stipulated by the staff schedule for the held military position, military rank to servicemen who are successfully receiving post-graduate military training on a full-time basis, including as a doctoral students up to and inclusive the colonel of justice shall be made by the Prosecutor General of the Russian Federation.

(paragraph was introduced by Federal Law No. 145-FZ of 04.06.2014)

Deputy Prosecutor General of the Russian Federation - the Chief Military Prosecutor has the right to assign military ranks to the lieutenant colonel of justice inclusive, military district prosecutors - up to the major of justice inclusive.

(paragraph was introduced by Federal Law No. 145-FZ of 04.06.2014)

Military ranks of senior officers shall be assigned by the President of the Russian Federation upon the recommendation of the Prosecutor General of the Russian Federation.

(paragraph was introduced by Federal Law No. 145-FZ of 04.06.2014)

Military ranks of officers of military prosecution bodies shall correspond to class ranks of prosecutors of territorial offices of the prosecution service.

Upon separation of the military prosecution officers (up to and inclusive the colonel) from military service and their admission to the territorial or specialized prosecution bodies, they shall be assigned class ranks corresponding to their military ranks, and upon entry in the military service of prosecutors having class ranks (up to the senior adviser of justice inclusive), they shall be assigned the appropriate military ranks.

(paragraph 10 as amended by Federal Law No. 404-FZ of 28.12.2010)

11. Assessment of qualifications of military prosecutors shall be carried out in accordance with a procedure established by the Prosecutor General of the Russian Federation for all prosecution officers, taking into account the particularities of military service.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

Military prosecutors shall be assigned qualification grades taking into consideration their professional experience and skills, in accordance with a procedure established by the Prosecutor General of the Russian Federation.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

(paragraph 11 as amended by Federal Law No. 87-FZ of 05.06.2007)

12. Military prosecutors shall receive incentives and be held disciplinary liable in accordance with this Federal Law and the Disciplinary Regulations of the Armed Forces of the Russian Federation. Only higher-ranking military prosecutors and the Prosecutor General of the Russian Federation shall have the right to grant incentives and impose disciplinary penalties.

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No. 404-FZ of 28.12.2010)

13. Military and civilian personnel numbers of military prosecution bodies shall be established by the President of the Russian Federation upon the recommendation of the Prosecutor General of the Russian Federation in proportion to the personnel numbers of the Armed Forces of the Russian Federation, other troops, military formations, and bodies in which military service is provided for by the Federal law, and shall be included in the staff numbers of the Armed Forces of the Russian Federation.

(paragraph 13 as amended by Federal Law No. 145-FZ of 04.06.2014)

Article 49. Financial Provision and Social Security of Military Personnel and Staff Members of Military Prosecution Bodies

(as amended by Federal Law No. 404-FZ of 28.12.2010)

(as amended by Federal Laws No. 87-FZ of 05.06.2007)

1. Military personnel of military prosecution bodies shall be subject to the laws of the Russian Federation which provide for legal and social guarantees, pension support (with the exception of the provisions of part 2, Article 43 of Law No. 4468-1 of the Russian Federation of 12.02.1993 “On Pension Provision for the Persons Who Have Performed Military Service, Service in the Internal Affairs Bodies, in the State Fire-Fighting Service, in the Bodies for Control of Traffic in Narcotic Drugs and Psychotropic Substances, in the Institutions and Bodies of the Penitentiary System, in the Federal Service of National Guard Troops of the Russian Federation, Law Enforcement Bodies of the Russian Federation and their Families”), medical care, and other kinds of provision for military personnel taking into account the particularities laid down by this law.

(as amended by Federal Laws No. 404-FZ of 28.12.2010, No. 309-FZ of 08.11.2011, No. 536-FZ of 27.12.2018, No.328-FZ of 01.10.2019)

ConsultantPlus: note.

In case of reduction of pensions due to entry into force of Federal Law of No. 406-FZ of 20.12.2017, the below categories of persons shall continue to receive the amount of pensions, provided by it in accordance with the RF legislation which was in force until 01.02.2018.

2. The pay of military prosecutors shall consist of: the salary of office; military grade pay; bonus for length of service, for special conditions of service (in an amount of 50 per cent of the salary of office); for hardships, stressfulness, and special regime of service (in an amount of up to 50 per cent of the salary of office); rated increase for length of service (in the amount specified by Article 44, paragraph 1, subparagraphs 18-23, of this Federal Law), rated increases to salary for doctoral degree, for the honorary title “Meritorious Lawyer of the Russian Federation” (in the amount specified by Article 44, paragraph 1, subparagraph 24 of this Federal Law), as well as other bonuses and additional payments provided for the military personnel. The salaries of office for military prosecutors shall be established in accordance with Article 44, paragraph 1, paragraph 4 of this Federal Law with the application of the rate of 1,5 which is not used in calculating pensions in accordance with the Law of the Russian Federation No. 4468-1 of 12.02.1993 “On Pension Provision for the Persons Who Have Performed Military Service, Service in the Internal Affairs Bodies, in the State Fire-Fighting Service, in the Bodies for Control of Traffic in Narcotic Drugs and Psychotropic Substances, in the Institutions and Bodies of the Penitentiary System, in the Federal Service of National Guard Troops of the Russian Federation, Law Enforcement Bodies of the Russian Federation and their Families”).

(as amended by Federal Laws No. 309-FZ of 08.11.2011, No. 145-FZ of 04.06.2014, No. 536-FZ of 27.12.2018, No.328-FZ of 01.10.2019)

The salary for a position, the salary for military rank and the rated increase for length of service, taken into account in calculating pensions of military prosecutors and members of their families, are subject to indexation in the procedure prescribed by Article 44, paragraph 2, subparagraphs 3 and 4, this Federal Law.

(subparagraph was introduced by Federal Law No. 406-FZ of 20.12.2017)

(as amended by Federal Law No. 406-FZ of 20.12.2017)

3. Military prosecutors who have right to pension for length of service, shall be paid a monthly addition to their pay in the amount of 50 per cent of the pension that could be granted to them.

(as amended by Federal Law No. 404-FZ of 28.12.2010)

Upon separation from military service of military prosecution officers who are eligible for retirement pension for length of service, as well upon dismissal for health reasons or due to organizational and staff arrangements, they shall be paid severance pay for full years of service in the amounts specified in Article 44, paragraph 2 of this Federal Law. The servicemen of the military prosecution bodies who received this

severance pay shall not be paid the allowance provided for by Article 3, part 3 of Federal Law No. 306-FZ of 07.11.2011 "On the monetary allowance of servicemen and granting to them separate payments."

(paragraph was introduced by Federal Law of No. 145-FZ of 04.06.2014)

3.1. Pension provision for servicemen of military prosecution bodies discharged from military service before 1 January 2017, and members of their families shall be carried out respectively by the Ministry of Defense of the Russian Federation, the Ministry of Internal Affairs of the Russian Federation, and the Federal Security Service of the Russian Federation. Pension provision for persons discharged from military service in of military prosecution bodies after 1 January 2017 and members of their families shall be carried out by the Prosecutor General's Office of the Russian Federation.

(paragraph 3.1 was introduced by Federal Law No.145-FZ of 04.06.2014)

3.2. Medical care for servicemen of military prosecution bodies and their family members, their sanatorium treatment, medical and psychological rehabilitation and organized rest (hereinafter referred to as medical care) in accordance with federal laws and other normative legal acts of the Russian Federation shall be carried out in medical and military medical units, units and institutions (organizations), sanatoria and health resorts (organizations) of the Ministry of Defense of the Russian Federation, the Ministry of Internal Affairs The Russian Federation, the Federal Security Service of the Russian Federation, other federal executive bodies, in which military service is provided by the federal law (hereinafter - military-medical institutions), with the mutual settlement of accounts in the procedure prescribed by the Government.

(paragraph 3.2 was introduced by Federal Law No. 145-FZ of 04.06.2014)

3.3. Medical care for citizens discharged from military service in bodies of the military prosecutor's office before 1 January 2017, and members of their families in accordance with federal laws and other normative legal acts of the Russian Federation, shall be provided by military medical institutions in which they were registered (serviced) and for citizens discharged from military service in the military prosecution bodies after 1 January 2017, and members of their families - by the same military medical institutions, with the mutual settlement of accounts in the procedure prescribed by the Government.

(paragraph 3.3 was introduced by Federal law No.145-FZ of 04.06.2014)

Consultant Plus: note.

The provisions of this document (as amended by the Federal Law No. 492-FZ of 31.12.2017) shall also apply to prosecutors who had been registered as of 11.01.2018 as being in need of living premises (service dwellings), as well as those who are living in service dwellings.

3.4. Provision of personnel of the military prosecution bodies and their families with living accommodation shall be carried out with the funds from the federal budget in accordance with the norms and procedures established by the legislation of the Russian Federation for military servicemen, taking into account the right of prosecutors to additional living space of the following size:

when granting an allowance for acquisition or construction of a living premise (housing allowance), a one-time payment for the acquisition or construction of a living premise, when issuing state housing certificates - in the amount of 15 square meters of the total space of the living premise;

when providing a living premise for ownership free of charge or under a social rental agreement - in the amount of 20 square meters of the total space of the dwelling;

when providing service living accommodation - in accordance with Article 44.1, subparagraph 2, paragraph 20 of this Federal Law.

If the right exists for additional living space in accordance with the legislation of the Russian Federation on several grounds, an increase in the size of the total living space shall be made only in accordance with only one of them.

The register of servicemen of military prosecution bodies and their family members who need to be provided with housing accommodation from specialized housing stock, as well as the register of servicemen of military prosecution bodies and their family members, who were recognised as being in need of housing after 1 January 2017, shall be maintained by the Prosecutor General's Office of the Russian Federation.

(as amended by Federal Law No.374-FZ of 30.10.2018)

Allocation of housing from specialized housing stock to the military prosecution bodies for the servicemen of these bodies, as well as the conclusion with servicemen of military prosecution bodies of a rental agreement for the housing accommodation from specialized housing stock shall be carried out by the Ministry of Defense of the Russian Federation, by the Federal Service of National Guard Troops of the Russian Federation, by the Federal Security Service of the Russian Federation, by other federal executive bodies in which military service is envisaged by the federal law, in proportion to the number of military personnel of the Armed Forces of the Russian Federation, other troops, military formations and bodies in which military service is envisaged by federal law, on the basis of the information provided by the Prosecutor General's Office of the Russian Federation on registration of military servicemen of military prosecution bodies and their families who need to be provided with housing accommodation from specialized housing stock. The procedure for allocation of

housing accommodation from specialized housing stock to military prosecution bodies and the procedure of conclusion with servicemen of military prosecution bodies of a rental agreement for the housing accommodation from specialized housing stock shall be determined by joint regulatory legal acts of the Ministry of Defense of the Russian Federation, of the Federal Service of National Guard Troops of the Russian Federation, of the Federal Security Service of the Russian Federation, of other federal executive bodies in which military service is envisaged by the federal law, and of the Prosecutor General 's Office of the Russian Federation.

(the subparagraph was introduced by Federal Law No.374-FZ of 30.10.2018)

(paragraph 3.4 as amended by Federal Law No.492-FZ of 31.12.2017)

3.5. Lost force. - Federal law No.374-FZ of 30.10.2018.

4. The legal status and financial provision of the civilian personnel of military prosecution bodies shall be determined in accordance with the rules in effect for officers of territorial prosecution bodies.

(as amended by Federal Law No.404-FZ of 28.12.2010)

Article 50. Material and Financial Support of Military Prosecution Bodies

(as amended by Federal Law No.145-FZ of 04.06.2014)

(as amended by Federal Law No.87-FZ of 05.06.2007)

1. Lost force. - Federal Law No.145-FZ of 04.06.2014

2. The provision of military prosecution bodies with transport, communications, information processing facilities and organizational multiplying equipment, office premises (given separate premises cannot be provided to the military prosecution bodies), storage of their archives, other types of material support needed to carry out the tasks by the military prosecution bodies, clothing and food supply of military personnel of the military prosecution service shall be carried out by the Ministry of Defense of the Russian Federation, by the Federal Security Service of the Russian Federation, by the Federal Service of National Guard Troops of the Russian Federation, by other federal executive bodies, in which military service is envisaged by the federal law, with the mutual settlements in the procedure established by the Government of the Russian Federation.

(as amended by Federal Law No.374-FZ of 30.10.2018)

Financial and material support of the military prosecution bodies located outside the territory of the Russian Federation shall be carried out by the Ministry of Defense of the Russian Federation and by other federal executive bodies in which military service is envisaged by the federal law, with mutual settlements in the procedure established by the Government of the Russian Federation.

The Ministry of Defense of the Russian Federation, the Federal Security Service of the Russian Federation, the Federal Service of the National Guard Troops of the Russian Federation and other federal executive bodies, in which military service is envisaged by the federal law, shall provide training (education) of personnel for the military prosecution bodies, with mutual settlements, in the procedure established by the Government of the Russian Federation.

(as amended by Federal Law No. 374-FZ of 30.10.2018)

The Prosecutor General's Office of the Russian Federation may on its own maintain the types of material support for military prosecution bodies specified in this paragraph at the expense and within the limits of the budget allocations provided for in the federal budget for the Prosecutor General's Office of the Russian Federation.

(the subparagraph was introduced by Federal Law No. 374-FZ of 30.10.2018)

(paragraph 2 as amended by Federal Law No. 145-FZ of 04.06.2014)

3. The guarding of office premises of the military prosecution bodies shall be carried out by military units or military police of the Armed Forces of the Russian Federation.

(as amended by Federal Laws of No. 404-FZ of 28.12.2010, No. 7-FZ of 03.02.2014)

SECTION VII. OTHER ISSUES OF ORGANISATION AND ACTIVITIES OF PROSECUTION BODIES

Article 51. Single state statistical recording of criminality, and crime reports, investigative work, inquiry, prosecutorial supervision

(as amended by Federal Law No.487-FZ of 27.12.2019)

1. The Prosecutor General's Office of the Russian Federation shall carry out single state statistical recording of criminality and crime reports, investigative work, inquiry, prosecutorial supervision (hereinafter - single state statistical recording), carry out federal statistical monitoring based on primary statistics provided by the government bodies.

2. Single state statistical recording shall be carried out in accordance with Federal Law No. 282-FZ of 29.11.2007 "On the Official Statistical Recording and System of the State Statistics in the Russian Federation" subject to the provisions of this Federal law.

3. The Prosecutor General's Office of the Russian Federation in consultation with federal public bodies and federal executive bodies possessing relevant primary statistics, shall approve the forms of federal statistical monitoring, instructions for their completion, official statistical methodology, the procedure and time limits for the provision of primary statistics.

ConsultantPlus: note.

Art. 51, para 4, shall enter into force from 01.01.2022.

4. Official statistical information obtained in pursuance of single state statistical recording, shall be placed by the Prosecutor General of the Russian Federation on the official website of the Russian Federation determined by the Government of the Russian Federation, in the information and telecommunication network “Internet” (hereinafter - the “Internet”) in the form of open data subject to restrictions established by federal laws.

A list of official statistical information published in the “Internet” shall be approved by the Prosecutor General of the Russian Federation in consultation with federal government bodies and federal executive bodies possessing the appropriate primary statistics.

Consultant Plus: note.

The provisions of art. 51, para 5 regarding the commissioning of the state automated legal statistics system shall be applied from 01.01.2022.

5. The Prosecutor General’s Office of the Russian Federation for the purpose of state single statistical recording shall create, develop, commission and maintain the state automated legal statistics system and shall be its operator. State information systems as well as software and hardware of other state bodies possessing relevant primary statistics may be used for the operation of the state automated legal statistics system.

Principles of creation, functioning and development of the state automated legal statistics system, its structure and main functions, participants of information interaction and their powers, rules and methods of information interaction with other information systems, including with the use of a single system of interagency electronic interaction, and conditions for access to information contained in the state automated legal statistics system shall be determined by the Government of the Russian Federation.

The requirements to the software and hardware used in creation, functioning and development of the state automated legal statistics system, the composition, rules of placement and time limits of retention of information in the specified system, the procedure for the operation of the system and the registration of users therein, the procedure and the terms of its commissioning shall be established by the Prosecutor General’s Office of the Russian Federations as agreed with federal public bodies and federal executive bodies possessing relevant primary statistical data.

6. The orders of the Prosecutor General of the Russian Federation in relation to the state single statistical recording and the state automated legal statistics system, coordinated with federal government bodies and federal executive bodies possessing relevant primary statistics shall be binding on the above government bodies.

Article 52. Financial and Material Support of Prosecution Bodies and Organizations

(as amended by Federal Laws No.122-FZ of 22.08.2004, No. 233-FZ of 21.07.2014)

1. Support of the activities of bodies and organizations of the Prosecution Service of the Russian Federation, including material and financial support, as well as the guarantees and compensations for officers of the said bodies and organizations which have been established by this Federal Law, shall be an expense obligation of the Russian Federation.

(paragraph 1 as amended by Federal Law No. 84-FZ of 18.04.2018)

2. Lost force. - Federal Law No. 122-FZ of 22.08.2004.

3. The Prosecutor General of the Russian Federation within the limits of his competences shall establish norms of material support of the bodies and organizations of the Prosecution Service of the Russian Federation at the expense of the Federal budget allocated for these purposes to the Prosecution Service of the Russian Federation, if not provided otherwise by the legislation of the Russian Federation.

(as amended by Federal Law No. 84-FZ of 18.04.2018)

4. Deleted. - Federal Law No. 182-FZ of 29.12.2001.

Article 53. Seal of Prosecution Bodies and Organizations

(as amended by Federal Law No. 233-FZ of 21.07.2014)

Prosecution bodies and organizations shall have a seal bearing an image of the Coat of Arms of the Russian Federation and the full name of the organizations.

(as amended by Federal Law No. 233-FZ of 21.07.2014)

Article 54. Explanation of Some Designations Contained in This Federal Law

(as amended by Federal Law No. 31-FZ of 10.02.1999)

The designations contained in this Federal Law shall have the following meanings:

Prosecutor (in: paragraph 3 of Article 1, Article 3, paragraphs 3 and 4 of Article 4, paragraphs 1 and 2 of Article 5, Articles 6, 7, and 10, paragraph 1 of Article 22, Articles 25 and 27, paragraph 1 of Article 30, Article 31, paragraph 1 of Article 33, Article 34, paragraphs 1 to 4 of Article 35, Article 37, paragraph 3 of Article 40, paragraphs 1 and 5 of Article 40.1, Article 40.4, paragraph 3 of Article 40.5,

paragraph 5 of Article 41, Article 41.1, Article 41.4, Article 42, paragraph 3 of Article 43, paragraph 2 of Article 43.4, paragraphs 2, 3, 5 and 7 of Article 44, Article 44.1, 45, paragraph 3 of Article 46, Article 47, paragraphs 1, 2, 6, 10 to 12 of Article 48, Article 49 of this Federal Law) *means*: the Prosecutor General of the Russian Federation, his advisors, senior assistants, assistants and assistants for special assignments, deputies of the Prosecutor General of the Russian Federation, their assistants for special assignments, deputies, senior assistants and assistants of the Chief Military Prosecutor, all lower-ranking prosecutors, their deputies, assistants to prosecutors for special assignments, senior assistants and assistants to prosecutors, senior prosecutors and prosecutors of departments and divisions acting within the limits of their competence;

(as amended by Federal Laws No. 87-FZ of 05.06.2007, No. 492-FZ of 31.12.2017)

Prosecution Officers/Staff *means*: prosecutors, as well as other staff of prosecution bodies and organizations having class ranks (military ranks).

(as amended by Federal Laws No. 404-FZ of 28.12.2010, No. 233-FZ of 21.07.2014)

President of the Russian Federation

B. ELTSIN

Moscow, the House of Soviets of Russia

17 January 1992

No. 2202-1

Annex
to Federal law
“On the Prosecution Service
of the Russian Federation”

**RATES
OF MONTHLY REMUNERATION
OF PROSECUTION OFFICERS**

List of Amending Documents
(introduced by Federal Law No. 284-FZ of 30.12.2012)

Position title	Amount of monthly remuneration (official salaries)
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1. The Prosecutor General's Office of the Russian Federation	
First Deputy Prosecutor General of the Russian Federation, Deputy Prosecutor General of the Russian Federation	5.0
Senior Assistant to the Prosecutor General of the Russian Federation, Senior Assistant for Special Assignments to the Prosecutor General of the Russian Federation, Advisor to the Prosecutor General of the Russian Federation	4.0
Assistant to the Prosecutor General of the Russian Federation, Assistant for Special Assignments to the Prosecutor General of the Russian Federation, Assistant for Special Assignments to the First Deputy Prosecutor General of the Russian Federation, Assistant for Special Assignments to the Deputy Prosecutor General of the Russian Federation	2.5
Senior prosecutor, prosecutor in the general department, department, division, deputy head of division in a department	2.0
2. Prosecutor's offices of constituent entities of the Russian Federation and specialized prosecutor's offices of equivalent status	
Prosecutor	3.75
First Deputy Prosecutor, Deputy Prosecutor	3.0
Senior Assistant to Prosecutor	2.0
Assistant to Prosecutor for Special Assignments	1.75
Assistant to Prosecutor	1.0
3. Prosecutor's offices of cities and regions, other territorial and specialized prosecutor's offices of equivalent status	
Prosecutor	1.0

