

27 July 2004

No. 79-Φ3

RUSSIAN FEDERATION
FEDERAL LAW
ON THE PUBLIC CIVIL SERVICE
OF THE RUSSIAN FEDERATION

Adopted
by State Duma
on 7 July 2004

Approved
by Federation Council
on 15 July 2004

List of amending documents

(as amended by Federal laws No.19-FZ of 02.02.2006,
No.24-FZ of 02.03.2007, No.48-FZ of 12.04.2007, No.309-FZ of 01.12.2007
No.30-FZ of 29.03.2008, No.160-FZ of 23.07.2008, No. 280-FZ of 25.12.2008
No.160-FZ of 17.07.2009, No.187-FZ of 18.07.2009, No.269-FZ of 25.11.2009,
No. 322-FZ of 17.12.2009, No.1-FZ of 01.21.2010, No. 9-FZ of 14.02.2010,
No.317-FZ of 29.11.2010, No. 419-FZ of 28.12.2010, No. 155-FZ of 27.06.2011,
No. 204-FZ of 11.07.2011, No.329-FZ of 21.11.2011, No. 395-FZ of 06.12.2011,
No. 231-FZ of 03.12.2012 , No. 295-FZ of 30.12.2012 , No. 327-FZ of 30.12.2012,
No. 57-FZ of 05.04.2013 , No. 99-FZ of 07.05.2013 , No. 102-FZ of 07.05.2013,
No. 116-FZ of 06.07.2013, No. 149-FZ of 02.07.2013 , No. 170-FZ of 02.07.2013,
No. 185-FZ of 02.07.2013, No. 284-FZ of 10.22.2013, No. 317-FZ of 25.11.2013,
No. 396-FZ of 28.12.2013, No. 53-FZ of 02.04.2014, No. 431-FZ of 22.12.2014,
No. 509-FZ of 31.12.2014, No. 510-FZ of 31.12.2014, No. 147-FZ of 08.06.2015,
No. 262-FZ of 13.07.2015, No. 285-FZ of 05.10.2015 , No. 395-FZ of 29.12.2015,
No. 418-FZ of 30.12.2015, No. 143-FZ of 23.05.2016, No. 176-FZ of 02.06.2016,
No. 224-FZ of 03.07.2016, No. 276-FZ of 03.07.2016, No. 505-FZ of 28.12.2016,
No. 64-FZ of 03.04.2017, No. 132-FZ of 01.07.2017, No. 133-FZ of 01.07.2017,
No. 192-FZ of July 26, 2017, No. 275-FZ of 29.07.2017, N 423-FZ of 28.12.2017,
No. 307-FZ of 03.08.2018, No. 337-FZ of 03.08.2018, No. 382-FZ of 30.10.2018, No.
461-FZ of 11.12.2018, No. 99-FZ of 01.05.2019, No. 418-FZ of 02.12.2019,
No. 432-FZ of 16.12.2019, No. 181-FZ of 08.06.2020, No. 226-FZ of 20.07.2020,
No. 227-FZ of 20.07.2020, No. 268-FZ of 31.07.2020, No. 288-FZ of 31.07.2020, No.
346-FZ of 27.10.2020, No. 429-FZ of 08.12.2020 and No. 52-FZ of 24.03.2021,
as amended by Federal Law No. 313-FZ dated 17.12.2009 and
Federal Law No. 358-FZ dated 13.12.2010,
Resolutions of the Constitutional Court of the Russian Federation No. 25-P dated

22.11.2011,
No. 26-P dated 15.11.2012, and No. 31-P dated 06.12.2012,
Federal Law No. 350-FZ dated 02.12.2013, Federal Law No. 396-FZ dated 01.12.2014,
Federal Law No. 68-FZ dated 06.04.2015 (as amended on 19.12.2016), and Federal
Law No. 395-FZ dated 08.12.2020)

This Federal Law according to the Constitution of the Russian Federation and Federal Law No. 58-FZ "About the System of Public Service of the Russian Federation" (hereinafter - the Federal Law "On the System of Public Service of the Russian Federation") of 27 May 2003, establishes legal, organizational and financial-economic basis of the public civil service of the Russian Federation.

Chapter 1. GENERAL PROVISIONS

Article 1. Main terms

For the purposes of this Federal Law, the terms used shall mean the following:

1) public positions of the Russian Federation and public positions of the constituencies of the Russian Federation (hereinafter also - public positions) shall be understood the positions established by the Constitution of the Russian Federation, federal laws for the direct exercise of the powers of federal state bodies, and positions established by constitutions (statutes), laws of the constituencies of the Russian Federation for direct execution of powers of state bodies of the constituencies of the Russian Federation;

2) the representative of the employer shall be understood as the head of the state body, the person filling the public office, or the representative of the said leader or persons exercising the powers of the employer on behalf of the Russian Federation or a constituency of the Russian Federation.

Article 2. The subject of regulation of this Federal Law

The subject of regulation of this Federal Law shall be the relations pertaining to entrance to the state civil service of the Russian Federation, its performance and termination, as well as definition of the legal status of the federal state civil servant and state civil servant of the constituency of the Russian Federation (hereinafter also - a civil servant).

Article 3. State civil service of the Russian Federation

1. The state civil service of the Russian Federation (hereinafter also referred to as the civil service) is a type of civil service which is official activities of citizens

of the Russian Federation (hereinafter referred to as citizens) in the positions of the state civil service of the Russian Federation state bodies (hereinafter also civil service positions), state bodies of the constituencies of the Russian Federation, persons filling public positions of the Russian Federation, and persons filling public positions of the constituencies of the Russian Federation.
(as amended by Federal law No. 116-FZ of 07.06.2013)

2. The state civil service of the Russian Federation is divided into the federal state civil service (hereinafter also referred to as the "federal civil service") and the state civil service of the constituencies of the Russian Federation (hereinafter - civil service of the constituencies of the Russian Federation).

Article 4. Principles of civil service

The principles of civil service are as follows:

- 1) priority of the rights and freedoms of persons and citizens;
- 2) uniformity of legal and organizational foundations of the federal civil service and civil service of the constituencies of the Russian Federation;
- 3) equal access of citizens proficient in the state language of the Russian Federation to the civil service and equal conditions of performing civil service regardless of gender, race, nationality, origin, property and official status, place of residence, attitude to religion, beliefs, membership in public associations, and also of other circumstances not related to the professional and other qualities of a civil servant;
- 4) professionalism and competence of civil servants;
- 5) stability of the civil service;
- 6) availability of information on the civil service;
- 7) interaction with public associations and citizens;
- 8) protection of civil servants from undue interference in their professional service activities.

Article 5. Legislation of the Russian Federation on the state civil service of the Russian Federation

1. The relations pertaining to the civil service shall be regulated by:

- 1) the Constitution of the Russian Federation;
- 2) Federal Law "On the Civil Service System of the Russian Federation";

- 3) this Federal Law;
- 4) other federal laws, including federal laws regulating the specifics of civil service;
- 5) decrees of the President of the Russian Federation;
- 6) resolutions of the Government of the Russian Federation;
- 7) regulatory legal acts of federal executive bodies;
- 8) by constitutions (statutes), laws and other normative legal acts of the constituencies of the Russian Federation;
- 9) regulatory legal acts of state bodies.

2. If an international agreement of the Russian Federation establishes rules other than those provided by this Federal Law, the rules of the international treaty shall apply.

3. Decisions of interstate bodies adopted on the basis of the provisions of international treaties of the Russian Federation in their interpretation that contradicts the Constitution of the Russian Federation shall not be subject to execution in the Russian Federation. Such a contradiction may be established in accordance with the procedure established by the federal constitutional law. (Part 3 is introduced by Federal Law No. 429-FZ dated 08.12.2020)

Article 6. Interrelation between the civil service and other types of public service of the Russian Federation

The interrelation between the civil service and other types of public service of the Russian Federation is provided on the basis of the uniform system of public service of the Russian Federation and the principles of its construction and functioning, and also by:

- 1) correlation between the basic conditions and the size of labor remuneration, the basic state social guarantees;
- 2) established restrictions and obligations in performing public service of the Russian Federation of various types;
- 3) inclusion in the length of service of the Russian Federation of other types of public service when calculating the length of civil service;
- 4) correlations of the main conditions of state pension provision for citizens who have performed the civil service of the Russian Federation.

Article 7. Interrelation between the civil service and municipal service

The interrelation between the civil service and municipal service shall be provided by:

1) uniformity of basic qualification requirements for filling civil service positions and municipal service positions;
(as amended by Federal Law No. 224-FZ of 30.06.2016)

2) uniformity of restrictions and obligations in the performance of civil service and municipal service;

3) uniformity of requirements for training the personnel for the civil service and municipal service and the professional development of civil servants and municipal employees;
(as amended by Federal laws No.185-FZ of 02.07.2013, No.275-FZ of 29.07.2017)

4) inclusion the length of municipal service in calculating the length of civil service and the length of civil service in calculating the length of municipal service;

5) correlation between the basic conditions of labor remuneration and the social guarantees of civil servants and municipal employees;

6) correlation between the basic conditions of state pension provision for citizens who have performed civil service, and the citizens who have performed the municipal service, and their families in case of loss of the bread-winner.

Chapter 2. CIVIL SERVICE POSITIONS

Article 8. Civil service positions

Positions of the federal civil service shall be established by a federal law or a decree of the President of the Russian Federation, positions of the state civil service of the constituencies of the Russian Federation shall be established by laws or other regulatory legal acts of the constituencies of the Russian Federation, taking into account the provisions of this Federal Law, in order to ensure the exercise of the powers of a state body or a person filling a public position.

Article 9. Classification of civil service positions

1. Civil service positions are divided into categories and groups.

2. Civil service positions are divided into the following categories:

1) heads are the positions of heads and deputy heads of state bodies and their

structural subdivisions (hereinafter also referred to as the subdivision), positions of heads and deputy heads of territorial federal executive bodies and their structural subdivisions, positions of heads and deputy heads of representations of state bodies and their structural subdivisions, filled for a certain term of office or without limitation of the term of office;

2) assistants (advisers) are the positions established to assist in performing their powers to the persons holding public positions, heads of state bodies, heads of territorial federal executive bodies and heads of representative offices of state bodies, which positions are filled for a certain period, limited by the term of office of the said persons or managers;

3) specialists are the positions established for the professional provision of execution by the state bodies of assigned tasks and functions and held without restriction of the term of office;

4) providing specialists are the positions established for organizational, informational, documentary, financial, economic, day-to-day and other support of the activities of state bodies and held without restriction of the term of office.

3. Civil service positions are divided into the following groups:

1) supreme civil service positions;

2) main civil service positions;

3) leading civil service positions;

4) senior civil service positions;

5) junior civil service positions.

4. Positions of the "heads" and "assistants (advisers)" category are divided into supreme, main and leading groups of civil service positions.

5. Positions of the "specialists" category are divided into supreme, leading, main and leading groups of civil service positions.

6. Positions of the "supporting specialists" category are divided into main, leading, senior and junior groups of civil service positions.

Article 10. Registers of state civil service positions of the Russian Federation

1. Positions of the federal state civil service, classified according to state bodies, categories, groups, and to other elements, shall constitute lists of federal state civil service positions which are corresponding sections of the Register of

Federal State Civil Service Positions. The Register of Federal State Civil Service Positions shall be approved by the decree of the President of the Russian Federation.

2. Positions of the state civil service of a constituency of the Russian Federation in state bodies of a constituency of the Russian Federation established with regard to the structure of these bodies and classified by categories, groups of positions in accordance with Article 9 of this Federal Law, shall constitute lists of positions of the state civil service of a constituency of the Russian Federation which are corresponding sections of the Register of State Civil Service Positions of a constituency of the Russian Federation. The Register of State Civil Service Positions of a constituency of the Russian Federation shall be drawn up taking into account the principles of compiling the Register of Positions of the Federal State Civil Service and approved by law or other normative legal act of the constituency of the Russian Federation.

(part2 as amended by Federal Law No. 149-FZ of 02.07.2013)

3. Lost force. - Federal Law No. 419-FZ of 28.12.2010.

Article 11. Class ranks of the civil service, class ranks of justice, and diplomatic ranks

(as amended by Federal Law No. 99-FZ dated 01.05.2019)

1. A federal civil servant shall be assigned a class rank of the state civil service of the Russian Federation (hereinafter referred to as the “class rank of the civil service of the Russian Federation”), a class rank of justice or a diplomatic rank. The civil servant of the constituent entity of the Russian Federation shall be assigned the class rank of the civil service of the constituent entity of the Russian Federation.

2. Class ranks of the civil service of the Russian Federation shall be assigned to federal civil servants who are filling civil service positions for which the assignment of class ranks of justice and diplomatic ranks is not provided.

3. Class ranks of justice shall be assigned to federal civil servants who are filling civil service positions, the qualification requirement for filling of which is the presence of a legal education, in federal state bodies and their territorial bodies (authorities), as well as in the offices of federal courts determined by the President of the Russian Federation.

4. Diplomatic ranks shall be assigned to federal civil servants in accordance with Federal Law No. 205-FZ “On the Features of the Federal State Civil Service in the System of the Ministry of Foreign Affairs of the Russian Federation” dated July 27, 2010.

5. Class ranks, including class ranks of the civil service of the Russian Federation, class ranks of the civil service of the constituent entities of the Russian Federation, and class ranks of justice, shall be assigned to civil servants personally on a rotating basis in accordance with the position of the civil service being filled, as well as taking into account the professional level, the duration of civil service in the previous class rank and in the position of the civil service being filled.

6. Federal civil servants who are filling the positions of the civil service belonging to the highest group of positions (except for the federal civil servants who are assigned diplomatic ranks) shall be assigned the class rank of the civil service of the Russian Federation, such as the 1st, 2nd or 3rd Class Full State Counsellor of the Russian Federation, or the class rank of justice, such as the 1st, 2nd or 3rd Class Full State Counsellor of Justice of the Russian Federation. Civil servants who are filling the positions of the civil service of the constituent entity of the Russian Federation belonging to the highest group of positions shall be assigned the class rank of the civil service of the constituent entity of the Russian Federation, such as the 1st, 2nd or 3rd Class Full State Counsellor of the Constituent Entity of the Russian Federation.

7. Federal civil servants who are filling the positions of the civil service belonging to the main group of positions (except for the federal civil servants who are assigned diplomatic ranks) shall be assigned the class rank of the civil service of the Russian Federation, such as the 1st, 2nd or 3rd Class State Counsellor of the Russian Federation, or the class rank of justice, such as the 1st, 2nd or 3rd Class State Counsellor of Justice of the Russian Federation. Civil servants who are filling the positions of the civil service of the constituent entity of the Russian Federation belonging to the main group of positions shall be assigned the class rank of the civil service of the constituent entity of the Russian Federation, such as the 1st, 2nd or 3rd Class State Counsellor of the Constituent Entity of the Russian Federation.

8. Federal civil servants who are filling the positions of the civil service belonging to the leading group of positions (except for the federal civil servants who are assigned diplomatic ranks) shall be assigned the class rank of the civil service of the Russian Federation, such as the 1st, 2nd or 3rd Class State Civil Service Counsellor of the Russian Federation, or the class rank of justice, such as the 1st, 2nd or 3rd Class Counsellor of Justice. Civil servants who are filling the positions of the civil service of the constituent entity of the Russian Federation belonging to the leading group of positions shall be assigned the class rank of the civil service of the constituent entity of the Russian Federation, such as the 1st, 2nd or 3rd Class State Civil Service Counsellor of the Constituent Entity of the Russian Federation.

9. Federal civil servants who are filling positions of the civil service belonging to the senior group of positions (except for the federal civil servants who are assigned diplomatic ranks) shall be assigned the class rank of the civil service of the Russian Federation, such as the 1st, 2nd or 3rd Class State Civil Service Assistant of the Russian Federation, or the class rank of justice, such as the 1st, 2nd or 3rd Class Lawyer. Civil servants who are filling positions of the civil service of the constituent entity of the Russian Federation belonging to the senior group of positions shall be assigned the class rank of the civil service of the constituent entity of the Russian Federation, such as the 1st, 2nd or 3rd Class State Civil Service Assistant of the Constituent Entity of the Russian Federation.

10. Federal civil servants who are filling the positions of the civil service belonging to the junior group of positions shall be assigned the class rank of the civil service of the Russian Federation, such as the 1st, 2nd or 3rd State Civil Service Secretary of the Russian Federation. Civil servants who are filling positions of the civil service of the constituent entity of the Russian Federation belonging to the junior group of positions shall be assigned the class rank of the civil service of the constituent entity of the Russian Federation, such as the 1st, 2nd or 3rd State Civil Service Secretary of the Constituent Entity of the Russian Federation.

11. Class ranks of the civil service of the Russian Federation, such as the 1st Class Full State Counsellor of the Russian Federation, the 2nd Class Full State Counsellor of the Russian Federation, and the 3rd Class Full State Counsellor of the Russian Federation, and class ranks of justice, such as the 1st Class Full State Counsellor of Justice of the Russian Federation, the 2nd Class Full State Counsellor of Justice of the Russian Federation, and the 3rd Class Full State Counsellor of Justice of the Russian Federation, shall be assigned by the President of the Russian Federation.

12. In the federal executive authorities, the class ranks of the civil service of the Russian Federation, such as the 1st Class State Counsellor of the Russian Federation, the 2nd Class State Counsellor of the Russian Federation, and the 3rd Class State Counsellor of the Russian Federation, shall be assigned by the Government of the Russian Federation. In other federal state bodies, these class ranks shall be assigned by head of the federal state body.

13. Class ranks of the civil service provided for in [Parts 8-10](#) of this Article shall be assigned by the employer's representative.

14. Class ranks of the civil servants who are filling civil service positions for a certain term of office (except for the civil servants who are filling positions of the civil service with the category "heads" belonging to the highest group of positions, civil servants who are filling positions of the civil service with the category "assistants (counsellors)", the appointment to which and dismissal from which are

carried out by the President of the Russian Federation, and civil servants who are filling positions of the civil service belonging to the highest and main groups of positions, the appointment to which and dismissal from which are carried out by the Government of the Russian Federation) shall be assigned according to the results of the qualification examination.

15. As an incentive for significant distinctions in the civil service, the following class ranks of the civil service of the Russian Federation or the following class ranks of justice may be assigned to a federal civil servant:

1) not higher than the class rank corresponding to this position of the civil service before the expiration of the term established by a decree of the President of the Russian Federation for passing the civil service in the corresponding class rank, but not earlier than after six months of stay in the position of the civil service being filled;

2) one step higher than the class rank corresponding to the position of the civil service being filled within the group of positions to which the position being filled belongs after the expiration of the term established by a decree of the President of the Russian Federation for passing the civil service in the corresponding class rank.

16. The order of assignment and preservation of class ranks of the civil service of the Russian Federation to federal civil servants, the ratio of class ranks of the civil service of the Russian Federation, military and special ranks, class ranks of justice, class ranks of public prosecutor's employees, as well as the correspondence of class ranks of the civil service of the Russian Federation to the positions of the federal civil service of the highest group of positions shall be established by a decree of the President of the Russian Federation.

17. The correspondence of class ranks of the civil service of the Russian Federation to the positions of the federal civil service of the main, leading, senior, and junior groups of positions in the federal executive bodies shall be established by a decree of the Government of the Russian Federation. In other federal state bodies, this correspondence shall be established by an act of the federal state body.

18. The procedure for assigning and maintaining the class ranks of justice to federal civil servants, as well as the correspondence of the class ranks of justice to the positions of the federal civil service shall be established by a decree of the President of the Russian Federation.

19. The procedure for assigning and maintaining the class ranks of the civil service of the constituent entity of the Russian Federation, as well as the correspondence of the class ranks belonging to the civil service of the constituent

entity of the Russian Federation to the positions of the civil service of the constituent entity of the Russian Federation shall be established by the law of the constituent entity of the Russian Federation subject to the provisions of this Article.

Article 12. Qualification requirements for the civil service positions

(as amended by Federal Law No. 224-FZ of 30.06.2016)

1. A candidate for a civil service position must meet the qualification requirements to the level of professional education, the length of civil service or work experience in the given specialization, the direction of training, knowledge and skills necessary for the performance of official duties, and subject to corresponding decision of the representative of the employer - to the specialty and/or field of education.

2. Qualification requirements for the filling civil service positions shall be established in accordance with the categories and groups of civil service positions, the scope and type of professional service activities of a civil servant.

3. A candidate for the civil service position of the "heads", "assistants (advisers)", "specialists" categories of the supreme and main groups of civil service positions, must have higher education not below a specialist's degree or a master's degree.

4. A candidate for a civil service position of the "heads", "assistants (advisers)" categories of the leading group of civil service positions, the "specialists" category of the leading and senior civil service groups, and "supporting specialists" category of the main and leading groups of civil service positions, must have higher education.

5. A candidate for a civil service position of the "supporting specialists" category of the senior and junior groups of civil service positions, must have professional education.

6. The qualification requirements for the length of the civil service or work in the given specialization, the field of education required for filling the position of the federal civil service, shall be established by a decree of the President of the Russian Federation, and for filling the position of the civil service of the constituencies of the Russian Federation - by the laws of the constituencies of the Russian Federation.

7. Qualification requirements to knowledge and skills necessary for performance of official duties shall be established depending on the scope and type of professional employment activities of a civil servant by his job regulations. The job regulations of a civil servant (hereinafter - the job regulations) may also

provide for qualification requirements to the specialty, field of education, which are necessary to fill a civil service position.

8. The federal state body for the management of the civil service, in order to provide methodological assistance to state bodies, shall compile a directory of qualification requirements to the specialties, field of education, knowledge and skills required to fill civil service positions, taking into account the area and type of professional activity of civil servants.

Chapter 3. LEGAL STATUS OF CIVIL SERVANTS

Article 13. Civil servant

A civil servant is a citizen of the Russian Federation who has assumed the obligation to perform civil service. A civil servant shall carry out professional service activities in the civil service position in accordance with the act of appointment to the position and the service contract and receive salary payments from the federal budget or the budget of the constituency of the Russian Federation.

Article 14. Basic rights of civil servants

1. A civil servant shall have the right to:

1) proper organizational and technical conditions necessary for the performance of official duties;

2) familiarization with the official regulations and other documents that determine his/her rights and responsibilities for the filled position of the civil service, the criteria for assessing the effectiveness of the performance of official duties, performance indicators of professional performance and the conditions of official growth;

3) rest secured by establishing of normal length of office hours, the provision of days off and non-working holidays, as well as annual paid basic and additional holidays;

4) remuneration of labour and other payments in accordance with this Federal Law, other regulatory legal acts of the Russian Federation and with an employment contract;

5) obtaining, in accordance with the established procedure, the information and materials necessary for the performance of official duties, as well as making suggestions on improving the activities of the state body;

6) access in accordance with the established procedure to information constituting a state secret, if the performance of official duties involves the use of such information;

7) access in accordance with the established procedure in connection with the performance of official duties to the state bodies, local self-government bodies, public associations and other organizations;

8) familiarization with assessments of his/her professional service activities and other documents before entering them into his/her personal file, materials of a personal file, as well as to attaching his/her written explanations and other documents and materials to the personal file;

9) protection of information about a civil servant;

10) official growth on a competitive basis;

11) professional development in accordance with the procedure established by this Federal Law and other federal laws;
(as amended by Federal laws No. 185-FZ of 02.07.2013, No. 275-FZ of 29.07.2017)

12) membership in the trade union;

13) consideration of individual service disputes in accordance with this Federal Law and other federal laws;

14) carrying out official check upon his/her application;

15) protection of rights and legitimate interests in the civil service, including appeals against their violation;

16) medical insurance in accordance with this Federal Law and the federal law on medical insurance of civil servants of the Russian Federation;

17) state protection of their life and health, life and health of their family members, as well as property belonging to him/her;

18) state pension provision in accordance with federal law.

2. A civil servant has the right, upon prior notification of a representative of the employer, to perform other paid work, if this does not entail a conflict of interest.

Article 15. The main duties of a civil servant

1. A civil servant shall:

1) comply with the Constitution of the Russian Federation, federal constitutional laws, federal laws, other normative legal acts of the Russian Federation, constitutions (statutes), laws and other normative legal acts of the constituencies of the Russian Federation and provide for their implementation;

2) perform official duties in accordance with the official regulations;

3) execute the assignments of the corresponding superior officers given within the limits of the powers established by the legislation of the Russian Federation;

4) observe the rights and legitimate interests of citizens and organizations in the performance of their official duties;

5) observe the official schedule of the state body;

6) maintain the level of qualifications necessary for the proper performance of official duties;

7) not disclose information constituting a state secret or other secret protected by the federal law, as well as information that has become known to him/her in connection with the performance of his/her official duties, including information concerning the private life and health of citizens or affecting their honor and dignity;

8) protect state property, including those granted to him/her for the performance of official duties;

9) submit in the prescribed manner the information provided by the federal law about themselves and their family members;
(paragraph 9 as amended by Federal Law No. 329-FZ of 21.11.2011)

10) to inform about the withdrawal from the citizenship of the Russian Federation or about the acquisition of the citizenship of another state on the day of withdrawal from the citizenship of the Russian Federation or on the day of acquiring the citizenship of another state;

11) comply with restrictions, fulfill obligations and requirements for official behavior, do not violate the prohibitions established by this Federal Law and other federal laws;

12) inform the representative of the employer about personal interest in the performance of official duties, which can lead to a conflict of interests, take measures to prevent such a conflict.

1.1. The civil servant shall be obliged to indicate values figures in accordance with the requirements established by federal laws, decrees of the President of the Russian Federation.

(part one.1 was introduced by Federal Law No. 48-FZ of 12.04.2007)

2. The civil servant shall not be entitled to carry out an illegal commission given to him/her. Upon receiving an instruction from a corresponding superior officer, which is, in the opinion of a civil servant, is unlawful he must provide in writing the justification for the unlawfulness of this instruction, indicating the provisions of the legislation of the Russian Federation that may be violated in executing this instruction, and receive confirmation of this instruction from the superior officer in writing. In case a superior officer confirms this order in writing, a civil servant must refuse from its execution.

3. If an unlawful instruction has been executed by the civil servant, the civil servant and the superior officer who had given the instruction shall bear disciplinary, civil, administrative or criminal liability in accordance with federal laws.

4. The civil servant who fills a civil service position of the "heads" category of the supreme group of civil service positions, in order to exclude a conflict of interest in the state body, cannot represent the interests of civil servants in the elected trade union body of this state body during the period of his holding this position.

5. Civil servants are subject to mandatory state fingerprinting registration in cases and in the manner established by the federal law.

Article 16. Restrictions relating to the civil service

1. The citizen may not be admitted to the civil service, and a civil servant may not stay in the civil service in the following cases:

1) if he or she has was found incapable or partially incapable by a court decision that has entered into legal force;

2) he or she was sentenced to punishment by a court decision that has entered into force which precludes the possibility of performing official duties in a state service (civil service), and in the event of a conviction not yet expunged or canceled in accordance with the procedure established by the federal law;

3) refusal to undergo the procedure for issuance a permit for access to information constituting a state secret or other secret protected by federal law, if the performance of official duties of a civil service position for which a citizen applies or a civil service position occupied by a civil servant involves the use of such information;

4) having a disease confirmed by the conclusion of a medical organization that prevents from being employed as a civil servant. The procedure for the

prophylactic medical examination, the list of such diseases and the form of conclusion of medical organization are established by the federal executive body authorized by the Government of the Russian Federation;

(as amended by Federal Laws No. 160-FZ of 23.07.2008, No. 317-FZ of 25.11.2013)

5) a close relationship (parents, spouses, children, brothers, sisters, as well as brothers, sisters, parents, children of spouses and spouses of children) with a civil servant, if the employment in a civil service position is connected with direct subordination or control of one by the other;

(as amended by Federal Law No. 329-FZ of 21.11.2011)

6) withdrawal from the citizenship of the Russian Federation or acquisition of a citizenship of another state;

7) the existence of a citizenship of another state (other states), unless otherwise provided by an international treaty of the Russian Federation;

8) submission of false documents or knowingly false information when entering the civil service;

9) failure to submit information specified by this Federal Law or submission of knowingly false information about income, property and property-related liabilities when entering the civil service;

(as amended by Federal Law No. 329-Z of 21.11.2011)

10) loss of confidence by a representative of the employer in a civil servant in cases of non-compliance with restrictions and prohibitions, requirements for prevention or settlement of a conflict of interest and non-fulfillment of the obligations established for the purpose of combating corruption by this Federal Law, Federal Law No.273-FZ of 25.12.2008 "On Combating Corruption" and other federal laws;

(as amended by Federal Law No. 329-FZ of 21.11.2011, No. 231-FZ of 03.12.2012)

11) if he or she has not completed military service as a person subject to conscription, without having legal grounds for this in accordance with the conclusion of the draft commission (with the exception of citizens who have served in the army on a contractual basis);- within 10 years from the date of expiration of the period established for appealing this conclusion to the conscription commission of the relevant constituency of the Russian Federation, and if this conclusion and (or) the decision of the conscription commission of the corresponding constituency of the Russian Federation on the complaint of the citizen for the said conclusion was appealed in the court, - within 10 years from the date of entry into legal force of the court decision, which recognized that the

rights of a citizen in making this conclusion and (or) the decision of the draft commission of the corresponding constituency of the Russian Federation on the complaint of a citizen to the above conclusion have not been violated;

(para. 11 was introduced by Federal law No. 170-FZ of 02.07.2013 as amended by Federal law No. 192-FZ of 26.07.2017)

12) failure to provide information specified in Article 20.2 of this Federal law.
(para. 12 was introduced by Federal law No. 224-FZ of 06.30.2016)

2. Other restrictions related to access and performing civil service, except for the restrictions specified in part one of this Article, shall be established by federal laws.

3. The responsibility for non-compliance with the restrictions provided for in Part one of this Article shall be established by this Federal Law and other federal laws.

Article 17. Prohibitions relating to the civil service

1. In connection with the performance of civil service, a civil servant shall be prohibited to:

1) lost force on 1 January 2015.- Federal Law No. 431-FZ of 22 December 2014;

2) fill the civil service position in the event of:

a) election or appointment to public office, with the exception of the case established by part 2 of Article 6 of Federal Constitutional Law No. 2-FKZ "On the Government of the Russian Federation" of 17 December 1997;
(subpara."a" as amended by Federal Law No. 1-FZ of 29.01.2010)

b) election to an elective position in the local government;

c) election to a paid elective office in the body of the trade union, including in the elective body of the primary trade union organization established in the state body;

3) participate in the management of a commercial or non-commercial organization, except in the following cases:

a) participation on a gratuitous basis in the management of a political party, a trade union body, including an elected body of a primary trade union organization established in a state body, participation in a congress (conference) or general

meeting of another public organization, housing, housing and construction, garage cooperatives, and real estate owners' associations;

b) participation on a gratuitous basis in the management of a non-profit organization (except for participation in the management of a political party, a trade union body, including an elected body of a primary trade union organization established in a state body, participation in a congress (conference) or general meeting of another public organization, housing, housing and construction, garage cooperatives, and real estate owners' associations) with the permission of the employer's representative, which is obtained in accordance with the procedure established by a regulatory legal act of the state body;

c) participation on a gratuitous basis in the management of a commercial organization that is an organization of a state corporation, state company or public law company, more than 50 percent of the shares of which is owned by a state corporation, a state company or a public law company, as a member of the collective management body of this organization in accordance with the procedure established by the regulatory legal acts of the Government of the Russian Federation or the regulatory legal acts of the constituent entity of the Russian Federation determining the procedure for such participation, unless otherwise provided for by federal constitutional laws or federal laws;

d) joining a collegial body of a commercial or non-commercial organization on a gratuitous basis on the basis of an act of the President of the Russian Federation or the Government of the Russian Federation;

e) representation on a gratuitous basis of the interests of the Russian Federation or the constituent entity of the Russian Federation in the management bodies and the audit commission of an organization whose founder (shareholder, participant) is the Russian Federation or the constituent entity of the Russian Federation in accordance with the regulatory legal acts of the Government of the Russian Federation or the regulatory legal acts of the constituent entity of the Russian Federation determining the procedure for exercising the powers of the founder of an organization on behalf of the Russian Federation or the constituent entity of the Russian Federation, or the procedure for managing shares (shares in the authorized capital) that are in federal ownership or the property of the constituent entity of the Russian Federation;

f) other cases provided for by international treaties of the Russian Federation or federal laws;

(item 3 as amended by Federal Law No. 432-FZ dated 16.12.2019)

3.1) engage in entrepreneurial activity in person or through authorized persons;

(item 3.1 is introduced by Federal Law No. 432-FZ dated 16.12.2019)

4) acquire income-generating securities in cases established by the federal law;

5) be an attorney or representative for the affairs of third parties in the state body in which he fills a civil service position, unless otherwise provided by this Federal Law and other federal laws;

6) receive remuneration from individuals and legal entities (gifts, monetary compensation, loans, services, entertainment, recreation, transport expenses and other fees) in connection with the performance of official duties. Gifts received by civil servants in connection with protocol activities, official trips and other official events shall be recognized respectively as federal property and property of the constituency of the Russian Federation and shall be transferred to civil servants under the act in the state body in which he fills the civil service position, except in cases, established by the Civil Code of the Russian Federation. A civil servant who has handed down in a gift, received by him/her in connection with a protocol event, a business trip or other official event, can redeem it in the manner established by the regulatory legal acts of the Russian Federation;
(as amended by Federal Law No. 280-FZ of 25.12.2008)

7) travel outside the territory of the Russian Federation in connection with the performance of official duties with funding by individuals and legal entities, with the exception of business trips carried out in accordance with the legislation of the Russian Federation, by agreement between the state bodies of the Russian Federation, state bodies of the constituencies of the Russian Federation or municipal bodies with state or municipal authorities of foreign states, international or foreign organizations;
(paragraph 7 as amended by Federal Law No. 329-FZ of 21.11.2011)

8) use, for purposes not related to the performance of official duties, the means of material and technical and other support, other state property, and also transfer them to other persons;

9) disclose or use, for purposes not related to the civil service, the information classified in accordance with federal law as confidential, or restricted information that has become known to him/her in connection with the performance of official duties;

10) make public statements, judgments and assessments, including in the mass media, regarding the activities of state bodies, their leaders, including decisions of a higher state body or state body in which a civil servant fills a civil service

position, if this is not included in the his/her official duties;

11) accept without a written permission of the representative of the employer awards, honorary and special titles (except for scientific) of foreign states, international organizations, as well as political parties, other public and religious associations if his/her duties include interaction with the said organizations and associations;

12) take advantage of the official position for pre-election campaigning, as well as for campaigning on referendum issues;

13) use official powers in the interests of political parties, other public, religious associations and other organizations, and publicly express the attitude towards these associations and organizations as a civil servant, if this is not part of his/her job duties;

14) create in state bodies political parties' structures and other public associations (with the exception of trade unions, veterans' and other bodies of public initiative) and religious associations or facilitate the creation of these structures;

15) terminate the performance of official duties in order to resolve a service dispute;

16) be a member of the management bodies, guardianship or supervisory boards, other bodies of foreign non-profit non-governmental organizations and their structural divisions operating on the territory of the Russian Federation, unless otherwise stipulated by an international treaty of the Russian Federation or the legislation of the Russian Federation;

(para. 16 was introduced by Federal law No. 24-FZ of 02.03.2007)

17) engage without written permission of the representative of the employer in paid activity financed solely from the funds of foreign states, international and foreign organizations, foreign citizens and stateless persons, unless otherwise provided by an international treaty of the Russian Federation or the legislation of the Russian Federation.

(para. 17 was introduced by Federal law No. 24-FZ of 02.03.2007)

1.1. The civil servant, his wife (spouse) and minor children shall be prohibited from opening and holding accounts (deposits), keep cash and valuables in foreign banks located outside the territory of the Russian Federation, own and (or) use foreign financial instruments in the cases provided for the federal law "On prohibition for certain categories of individuals 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". In this case, the term "foreign financial instruments" is used in this Federal Law within

the meaning specified by the Federal Law.

(Part 1.1 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. In the event that the ownership of securities by a civil servant (membership interests, shares in the charter (joint-stock) capital of organizations) leads or can lead to a conflict of interests, the civil servant is obliged to transfer the securities (membership interests, shares in the authorized (joint-stock) capitals of organizations) in trust management in accordance with the civil legislation of the Russian Federation.

(as amended by Federal laws No. 329-FZ of 21.11.2011, No. 285-FZ of 05.10.2015)

3. The citizen after dismissal from the civil service shall not be entitled to disclose or use, in the interests of organizations or individuals, confidential information or restricted information that has become known to him/her in connection with the performance of his official duties.

(part 3 as amended by Federal Law No. 329-FZ of 21.11.2011)

3.1. The citizen who filled a civil service position included in the list of positions established by the regulatory legal acts of the Russian Federation shall not, within two years after the dismissal from the civil service, have the right, without the consent of the corresponding commission for compliance with the requirements for the conduct of public civil servants and the settlement of conflicts of interest, to hold positions under the terms of employment contract in the organization and (or) perform work in this organization (provide services to this organization) under the terms of civil contract (civil contracts) in the cases stipulated by federal law, if certain functions of the state management of this organization were included in the official (service) duties of a civil servant. The consent of the corresponding commission on compliance with the requirements for the conduct of civil servants and the settlement of conflicts of interest shall be given in the manner established by the regulatory legal acts of the Russian Federation.

(part 3.1 was introduced by the Federal Law No. 329-FZ of 21.11.2011)

4. The responsibility for non-compliance with prohibitions provided for by this Article is established by this Federal Law and other federal laws.

Article 18. Requirements for official behavior of civil servants

1. A civil servant shall be obliged to:

1) perform official duties in good faith, at a high professional level;

2) proceed from the fact that the recognition, observance and protection of the

rights and freedoms of persons and citizens determine the meaning and content of his/her professional service;

3) carry out professional service in the framework of the competence of the state body established by the legislation of the Russian Federation;

4) ensure an equal, impartial attitude to all individuals and legal entities, not to exercise preference in favor of any public or religious associations, professional or social groups, citizens and organizations, and not be biased against such associations, groups, citizens and organizations;

(paragraph 4 as amended by Federal Law No. 284-FZ of 22.10.2013)

5) not commit acts influenced by any personal, property (financial) and other interests that interfere with conscientious performance of official duties;

6) comply with the restrictions established by this Federal Law and other federal laws for civil servants;

7) maintain neutrality, eliminating the possibility of their professional service activities being influenced by the decisions of political parties, other public, religious associations and other organizations;

8) not to commit acts that discredit his/her honor and dignity;

9) be correct and proper in communicating with citizens;

10) show respect for the moral customs and traditions of the peoples of the Russian Federation;

11) take into account cultural and other characteristics of various ethnic and social groups, as well as religious denominations;

12) promote inter-ethnic and inter-religious harmony;

13) to prevent conflict situations that could damage his/her reputation or the authority of the state body;

14) observe the established rules for public statements and provision of official information.

2. A civil servant who fills a civil service position of the "heads" category is obliged to prevent instances of inclining civil servants to participate in the activities of political parties, other public and religious associations.

Article 19. Conflict of interest in the civil service

1. For the purposes of this Federal Law the term "conflict of interest" is used

which is established by part 1, Article 10, of Federal Law No. 273-FZ of 25 December 2008 "On Combating Corruption".

(part 1 as amended by Federal Law No. 285-FZ of 05.10.2015)

2. The occurrences of a personal interest of a civil servant which leads or may lead to a conflict of interest shall be prevented in order to avoid harm to the legitimate interests of citizens, organizations, society, a constituency of the Russian Federation or the Russian Federation.

3. For the purposes of this Federal Law the term "personal interest" is used which is established by part 2, Article 10 of Federal Law No. 273-FZ of 25 December 2008 "On Combating Corruption".

(part 3 as amended by Federal Law No. 285-FZ of 05.10.2015)

3.1. The prevention or settlement of a conflict of interest may consist in changing the occupational or official position of a civil servant who is a party to a conflict of interests, up to his suspension from performance of official (job) functions in accordance with the established procedure and (or) his/her refusal of the benefit, which was the cause of a conflict of interest.

(part 3.1 was introduced by Federal Law No. 329-FZ of 21.11.2011)

3.2. Failure of a civil servant who is a party to a conflict of interest to take measures to prevent or resolve a conflict of interest shall be an offense leading to dismissal of a civil servant from the civil service.

(part 3.2 introduced by Federal Law No. 329-FZ of 21.11.2011)

4. The representative of the employer who became aware of a personal interest of a civil servant that leads or can lead to a conflict of interests shall be obliged to take measures to prevent or resolve a conflict of interest, up to the suspension of a civil servant who is a party to a conflict of interests from the filled civil service position according to the procedure established by this Federal Law.

4.1. Failure to take measures aimed at preventing or settling a conflict of interests by a civil servant who is a representative of the employer with knowledge that his subordinate civil servant has a personal interest which leads or may lead to a conflict of interests shall be an offense entailing dismissal from civil service of a civil servant who is a representative of the employer.

(Part 4.1 was introduced by the Federal Law No. 329-FZ of 21.11.2011)

5. In order to comply with the requirements for the civil servants' professional conduct and the settlement of conflicts of interest commissions shall be set up in the state body, the federal state body for the management of the civil service and the state body of the constituency of the Russian Federation for management of the civil service (hereinafter - the public service management body), on compliance with the requirements for official behavior of civil servants and settlement of

conflicts of interest (hereinafter –Commission on conflict resolution).

6. A commission on conflict resolution shall be formed by a legal act of a state body in the procedure determined by the President of the Russian Federation.
(part 6 as amended by Federal Law No. 329-FZ of 21.11.2011)

7. Commissions on conflict resolution shall be formed in such a way as to exclude the possibility of conflicts of interest which may influence the decisions made by the commissions.
(as amended by Federal Law No. 329-FZ of 21.11.2011)

8. Regulations on commissions on compliance with the requirements for the conduct of official behavior of federal civil servants and the settlement of conflicts of interest shall be approved in the procedure determined by the President of the Russian Federation.
(part 8 as amended by Federal Law No. 329-FZ of 21.11.2011)

Article 20. Submission of information on income, property and property-related liabilities

(as amended by Federal Law No. 280-FZ of 25.12.2008)

1. Information on their income, property and property-related liabilities, as well as on income, property and property-related liabilities of members of their families to the representative of the employer shall be submitted by:

1) a citizen applying for a civil service position - upon admission to the service;

2) a civil servant who fills a civil service position included in the list established by the regulatory legal acts of the Russian Federation –every year but not later than the date established by the regulatory legal acts of the Russian Federation.

(part 1 as amended by Federal Law No. 431-FZ of 22.12.2014)

2. The regulation on submission by a civil servant who fills a civil service position which is included in the list established by the regulations of the Russian Federation, of information on incomes, property and property-related liabilities of a civil servant and members of his family shall be approved, respectively, by an act of the President of the Russian Federation or a normative legal act of a constituency of the Russian Federation in accordance with the requirements of this Article.

3. Information on income, property and property-related liabilities, submitted by civil servants in accordance with this Article, shall be confidential information, unless they it is classified as state secret by the federal law.

4. It shall not be allowed to use information about incomes, property and property-related liabilities of a civil servant and his family members for establishing or determining the solvency of a civil servant and the solvency of members of his family, for collecting direct or indirect donations (contributions) to foundations of public or religious associations, other organizations, as well as in favor of individuals.

5. The persons guilty of divulging information about incomes, property and property-related liabilities of a civil servant and members of his family or of using this information for purposes not provided for by federal laws shall be liable in accordance with this Federal Law and other federal laws.

6. Verification of the reliability and completeness of information on incomes, property and property-related liabilities of a civil servant who fills a civil service position included in the list established by the regulatory legal acts of the Russian Federation and members of his family shall be carried out in accordance with the procedure established by the Federal Law "On Combating Corruption" and other normative legal acts of the Russian Federation.

6.1. Non-submission of information by a civil servant about his/her income, property and property-related liabilities, as well as about income, property and property-related liabilities of members of their family where submission of such information is mandatory, or submission of knowingly inaccurate or incomplete information shall be an offense entailing dismissal of a civil servant from the civil service.

(Part 6.1 was introduced by Federal Law No. 329-FZ of 21.11.2011, as amended by Federal Law No. 231-FZ of 03.12.2012)

7. The family members of a civil servant in this Article and Article 20.1 of this Federal Law shall be understood a spouse and minor children.
(as amended by Federal Law No. 231-FZ of 03.12.2012)

Article 20.1. Reporting of expenses

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

1. A civil servant who fills a civil service position included in the list established by the corresponding normative legal act of the Russian Federation is obliged to provide to the representative of the employer the information about his/her expenses, as well as expenses of his family members in accordance with the procedure established by the federal law and other regulatory legal acts of the Russian Federation.

2. Control over consistency of expenditures of a civil servant and his family members with their incomes shall be carried out in the procedure established by Federal Law No. 273-FZ of 25 December 2008 "On Combating Corruption" and

Federal Law "On Control over consistency of expenditures of persons holding government offices and other persons to their incomes", normative legal acts of the President of the Russian Federation and other normative legal acts of the Russian Federation.

3. Non-submission by civil servants or submission of incomplete or unreliable information about their incomes, expenses, property and property-related liabilities, or failure to submit or submission of knowingly incomplete or unreliable information about incomes, expenses, property and property-related liabilities of members of their family where submission of such information is mandatory, shall be an offense entailing dismissal of a civil servant from the civil service.

Article 20.2. Submission of reports on posting the information in the "Internet"

(introduced by Federal Law No. 224-FZ of 30.06.2016)

1. Information on the addresses of sites and/or pages of sites in the Internet where a citizen applying for a civil service position, or a civil servant posted publicly available information, as well as the data enabling their identification, to the representative of the employer shall be submitted by:

1) a citizen applying for a civil service post - upon admission to service for three calendar years preceding the year of entering the civil service;

2) a civil servant - annually for the calendar year preceding the year of submission of the said information, except for cases of posting public information in the performance of official civil service duties.

2. The information specified in part 1 of this Article shall be submitted by citizens applying for civil service positions when they are admitted to the civil service, and by civil servants, no later than on 1 April of the year following the reporting year. The information specified in part 1 of this Article shall be submitted in accordance with the form established by the Government of the Russian Federation.

3. By decision of the representative of the employer, the civil servants authorized by him/her shall process publicly available information placed in the Internet by the applicants for civil service positions and civil servants, as well as check the accuracy and completeness of the information provided for in part 1 of this Article.

Chapter 4. ENTRY INTO THE CIVIL SERVICE

Article 21. The right to enter the civil service

1. Citizens of the Russian Federation who have attained the age of 18 years and have command of the state language of the Russian Federation and meet the qualification requirements established by this Federal Law may enter the civil service.

2. Lost force.- Federal Law No. 317-FZ of 29.11.2010.

Article 22. Entry into the civil service and filling of the civil service position on a competitive basis

1. The entry into the civil service by a citizen to fill a civil service position or fill another civil service position by a civil servant shall be carried out according to the results of the competition, unless otherwise stipulated by this Article. The competition consists in assessing the professional level of applicants for a civil service position, their compliance with the established qualification requirements for filling a civil service position.

(as amended by Federal Law No. 224-FZ of 30.06.2016)

2. Competition shall not be carried out in the following cases:

1) when appointing the positions of the civil service for a certain term of office in the categories of "heads" and "assistants (advisers)";

2) when appointing to civil service positions of "heads" category the appointment to and dismissal from which are carried out by the President of the Russian Federation or the Government of the Russian Federation;

3) when concluding a fixed-term service contract;

4) when appointing a civil servant to another civil service position in cases stipulated by Article 28 (2), Article 31 (1) and Article 60.1 (9) of this Federal Law;

(as amended by Federal laws No. 395-FZ of 06.12.2011, No. 57-FZ of 05.04.2013)

5) when appointing to a civil service position the civil servant (citizen) shall be included in the personnel civil service reserve.

(paragraph 5 as amended by Federal law No. 116-FZ of 07.06.2013)

3. The competition may not be held when appointing to certain civil service positions, involving the use of the information constituting state secrets, according to the list of positions approved by the normative act of the state body.

(as amended by Federal Law No. 9-FZ of 14.02.2010)

4. According to the decision of the representative of the employer, the competition may not be held in appointing to civil service positions belonging to the group of junior civil service positions.

5. The applicant for a civil service position may be denied admission to the competition due to non-compliance with the qualification requirements for a vacant civil service position, as well as in connection with the restrictions established by this Federal Law for entry into the civil service and its performance.

6. The applicant for a civil service position who was not admitted to the competition has the right to appeal this decision in accordance with this Federal Law.

7. To conduct a competition for filling a vacant civil service position, a competition commission shall be formed by a legal act of the corresponding state body.

8. The competition commission consists of a representative of the employer and/or civil servants authorized by the employer (including those from the civil service and personnel subdivision and the subdivision where the competition is held to fill a vacant civil service position), as well as independent experts included in the competition commission in accordance with the provisions of [Part 8.2](#) of this Article, such as representatives of scientific, educational, and other organizations specializing in the relevant fields and types of professional service activities of civil servants on the issues of personnel technologies and civil service. The number of independent experts shall be at least one quarter of the total number of members of the competition commission.

(as amended by Federal Law No. 185-FZ dated 02.07.2013 and Federal Law No. 346-FZ dated 27.10.2020)

8.1. The competition commission in the federal executive body, in which a public council is formed in accordance with Article 20 of Federal Law No. 32-FZ “On the Public Chamber of the Russian Federation” dated April 4, 2005, as well as in the executive body of the constituent entity of the Russian Federation, in which a public council is formed in accordance with the normative legal act of the constituent entity of the Russian Federation, along with the persons specified in [Part 8](#) of this Article, shall include representatives of these public councils. The total number of these representatives and independent experts shall be at least one quarter of the total number of members of the competition commission.

(Part 8.1 is introduced by Federal Law No. 295-FZ dated 30.12.2012)

8.2. Representatives of scientific, educational, and other organizations included in the competition commissions shall be invited and selected by the federal executive body responsible for the development and implementation of state policy and legal regulation in the field of state civil service, or by the authorized state body of the constituent entity of the Russian Federation upon request of the employer’s representative sent without specifying the personal data

of independent experts in the manner established by a regulatory legal act of the Government of the Russian Federation or a regulatory legal act of the constituent entity of the Russian Federation adopted in accordance with the procedure established by the Government of the Russian Federation. Representatives of public councils included in the composition of the competition commissions shall be determined by decisions of the relevant public councils.

(Part 8.2 is introduced by Federal Law No. 346-FZ dated 27.10.2020)

8.3. The total term of stay of an independent expert in the competition commission of a state body shall not exceed three years. The calculation of this period shall be carried out from the date of the first inclusion of an independent expert in the composition of the competition commission. The re-inclusion of this independent expert in the composition of the competition commission may be carried out no earlier than three years after the end of the term of stay in the competition commission.

(Part 8.3 is introduced by Federal Law No. 346-FZ dated 27.10.2020)

8.4. The term of stay of an independent expert in the competition and certification commissions of one state body shall not exceed three years in total.

(Part 8.4 is introduced by Federal Law No. 346-FZ dated 27.10.2020)

9. The competitive commission for a competition for a vacant civil service position, involving the use of information constituting state secrets, shall be formed taking into account the provisions of the Russian Federation legislation on state secrets.

10. The competitive commission shall be formed so as to exclude the possibility of conflicts of interest that could influence the decisions made by the commission.

11. An applicant for a civil service position may appeal against the decision of a competitive commission in accordance with this Federal Law.

12. Regulation on the competition for a vacant position of the state civil service of the Russian Federation, determining the procedure and conditions for its holding shall be approved by the decree of the President of the Russian Federation.

Chapter 5. SERVICE CONTRACT

Article 23. Concept and parties to the service contract

1. Service contract is an agreement between a representative of the employer and a citizen entering the civil service, or a civil servant on performance of civil service and filling of a civil service position. The service contract shall establish

the rights and obligations of the parties.

2. The representative of the employer shall undertake to provide to the citizen entering the civil service a possibility to perform civil service and to provide to this citizen or civil servant a possibility to fill a certain civil service position, to enable them to perform civil service and fill the civil service position in accordance with this Federal Law, other laws and other normative legal acts on the civil service, to pay salaries to the civil servant on time and in full and to provide him/her with state social guarantees.

3. A citizen who is entering the civil service, when concluding a service contract for civil service and filling of a civil service position, and a civil servant when signing a service contract for filling of a civil service position, shall undertake to perform official duties in accordance with the official regulations and observe the internal rules of the state body.

Article 24. The content and form of the service contract

1. The service contract shall include the rights and obligations of the parties specified in parts 2 and 3 of Article 23 of this Federal Law.

2. The service contract shall contain the surname, name, patronymic of the citizen or civil servant and the name of the state body (name, patronymic of the representative of the employer).

3. Essential terms of the service contract shall be:

1) the name of the filled civil service position, indicating the subdivision of the state body;

2) the date of commencement of the performance of official duties;

3) rights and duties of civil servants, job regulations;

4) types and conditions of medical insurance for civil servants and other types of insurance;

5) the rights and duties of the representative of the employer;

6) the conditions for professional performance, compensation and benefits provided for professional service in difficult, harmful and (or) dangerous conditions;

7) the regime of official time and rest time (in case it is different for the civil servant from the official order of the state body);

8) terms of labour remuneration (the amount of the civil servant's salary,

allowances and other payments, including those related to his/her professional activity), established by this Federal Law, other federal laws and other regulatory legal acts;

9) the types and conditions of social insurance associated with professional activity;

10) finding a position, filled by civil servants, in the list of civil service positions, for which rotation of civil servants is envisaged.

(Para. 10 is introduced by Federal law No. 395-FZ of 06.12.2011)

4. In the service contract, the following conditions may be provided:

1) a competition established in accordance with Article 27 of this Federal Law;

(paragraph 1 as amended by Federal Law No. 509-FZ of 31.12.2014)

2) non-disclosure of information constituting a state secret and other secrets protected by federal law and restricted information, if the official regulations provide for the use of such information;

3) the duty of a person to undergo civil service after completion of education in a professional educational organization or academic institution of higher education not less than the period established by the contract on target admission or contract on target education provided the education was funded from the corresponding budget;

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

4) indicators of the effectiveness of the professional performance of a civil servant and the conditions of payment for his labor associated with them;

5) other conditions that do not impair the civil servant's position in comparison with the provision established by this Federal Law, other laws and other normative legal acts.

5. The terms of the service contract may be changed only upon agreement of the parties and in writing.

6. If a fixed-term service contract is signed, it shall contain the period of its validity and the circumstances (reasons) which served as the ground for a fixed-term service contract, in accordance with this Federal Law and other federal laws.

7. The service contract shall provide for the parties' liability for failure to perform or improper performance of their obligations and obligations in accordance with the legislation of the Russian Federation. It is forbidden to demand from a civil servant to perform the official duties not established by an official contract and official regulations.

8. The service contract shall be signed in writing in two copies, and each of them is signed by the parties. One copy of the service contract is transferred to a civil servant, the other is kept in his personal file. A model form of the service contract is established by the President of the Russian Federation.

Article 25. Term of the service contract

1. To fill a civil service position, the representative of the employer may conclude with a civil servant:

- 1) a service contract for an indefinite period;
- 2) a fixed-term service contract.

2. A fixed-term service contract for a period from one to five years shall be concluded if not established otherwise by this Federal Law.

3. A fixed-term service contract shall be concluded in cases when relations related to the civil service cannot be established for an indefinite period, taking into account the category of the filled civil service position or the terms of the civil service, unless otherwise provided by this Federal Law and other federal laws.

4. A fixed-term service contract shall be concluded in the following cases:

1) filling of certain position of the civil service of the "heads" category, as well as civil service positions of the "assistants (advisers)" category;

2) filling of a civil service position for a period of absence of a civil servant, who, in accordance with this Federal Law and other federal laws, shall retain a civil service position;

3) filling of a civil service position after completion of education by a citizen who has concluded a contract on target education in a professional educational organization or an academic institution of higher education with of subsequent mandatory performance of civil service;
(as amended by Federal Law No. 185-FZ of 02.07.2013)

4) filling of a civil service position in diplomatic missions and consular offices of the Russian Federation, other representative offices of the Russian Federation and representative offices of state bodies located outside the territory of the Russian Federation;

5) filling of a civil service position in a state body formed for a certain period of time or for performing certain tasks and functions;

6) filling of a temporary civil service position or a civil service position for a period of temporary absence of a civil servant upon agreement of the parties to the

service contract;

Consultant Plus: note.

Fixed-time service contracts, concluded prior to 1 January 2017, in accordance with Clause 6.1 of Part 4 of Article 25 with state civil servants under 65 years of age, shall be deemed to be concluded for an indefinite period (Federal Law No. 143-FZ of 23.05.2016).

6.1) filling of the civil service position by a civil servant who has reached the age limit for the civil service tenure, and whose term of civil service, in accordance with Article 25.1(1) of this Federal Law, was extended beyond the established age limit for the civil service tenure;

(para. 6.1 introduced by Federal Law No. 317-FZ of 29.11.2010)

7) filling of the civil service position, in respect of which in accordance with Article 50(14) of this Federal Law a special procedure was established for labour remuneration;

7.1) filling of a civil service position by rotation;

(paragraph 7.1 was introduced by Federal Law No. 395-FZ of 06.12.2011)

8) in other cases provided for by this Federal Law and other federal laws.

5 - 7. Lost force.- Federal Law No. 317-FZ of 29.11.2010.

Article 25.1. Age limit for the civil service tenure

(introduced by the Federal Law No. 317-FZ of 29.11.2010)

1. The maximum age of stay in the civil service shall be 65 years. For the civil servant who has reached the maximum age of stay in the civil service and is filling a civil service position of the category “assistants (counsellors)” established to assist the person filling the public position, the term of civil service with the consent of this civil servant may be extended by the decision of the employer’s representative until the end of the term of office of the specified person. For the civil servant who has reached the maximum age of stay in the civil service and is filling a civil service position of the category “heads” belonging to the highest group of civil service positions, the term of civil service may be extended with their consent (but no more than until they reach the age of 70) by the state body or the corresponding official who appointed them to the position. Civil servants who are filling civil service positions, the appointment and dismissal of which are carried out by the President of the Russian Federation, shall not be subject to the restriction associated with their reaching the age of 70 years when extending the term of civil service.

(as amended by Federal Law No. 143-FZ dated 23.05.2016, Federal Law No. 133-FZ dated 01.07.2017, and Federal Law No. 52-FZ dated 24.03.2021)

2. When the civil servant reaches the maximum age of the civil service tenure he/she may, by the decision of the representative of the employer and with the consent of the citizen, continue working in a state body on the basis of a fixed-term employment contract in a position which is not a civil service position.

Article 26. Conclusion of the service contract

1. The service contract shall be concluded on the basis of an act of the state body on appointment to the position of the civil service.

2. A citizen entering the civil service, when concluding an employment contract, shall present to the representative of the employer:

1) application for admission to the civil service and filling of a civil service position;

2) check-list of the approved form filled out and signed by him/her;

3) passport;

4) an employment record book and/or information on the labor activity issued in accordance with the procedure established by law, except for cases when official (labor) activity is carried out for the first time;

(as amended by Federal Law No. 268-FZ dated 31.07.2020)

5) a document confirming registration in the system of individual (personalized) accounting, except for cases when official (labor) activity is carried out for the first time;

(as amended by Federal Law No. 181-FZ dated 08.06.2020)

6) certificate of registration of a natural person with the tax authority at the place of residence in the territory of the Russian Federation;

7) documents of military registration - for citizens staying in the reserve, and persons subject to conscription for military service;
(as amended by Federal Law No. 170-FZ of 02.07.2013)

8) document on education and qualifications;
(paragraph 8 as amended by Federal Law No. 185-FZ of 02.07.2013)

9) information on incomes, property and property-related liabilities;

10) information provided for in Article 20.2 of this Federal Law.
(para. 10 was introduced by Federal law No. 224-FZ of 06.30.2016)

3. In certain cases, taking into account the conditions for the civil service, established by this Federal Law, other federal laws, decrees of the President of the Russian Federation and resolutions of the Government of the Russian Federation, submission of other documents may be required for the conclusion of an employment contract.

4. The service contract cannot worsen the conditions for the performance of civil service and violate the rights of a civil servant established by this Federal Law, other federal laws and other normative legal acts of the Russian Federation.

5. The service contract shall come into force from the date of its signing by the parties, unless otherwise established by federal laws, other regulatory legal acts of the Russian Federation or an employment contract.

6. When concluding a service contract, the representative of the employer is obliged to familiarize the civil servant with the internal rules of the state body, with other normative acts related to the performance of official duties by civil servants.

7. After the appointment to the civil service position, a civil servant shall be given a service certificate of the established form.

Article 27. Entrance test in the civil service

(as amended by Federal Law No. 509-FZ of 31.12.2014)

1. When concluding a service contract with a citizen entering the civil service for the first time, this contract and the act of the state body on appointment to the civil service position provide for probation of a civil servant for a term of from one month to one year in order to check his/her suitability for the filled civil service position, unless otherwise provided by this Article.

(part 1 as amended by Federal Law No. 509-FZ of 31.12.2014)

2. The probation may be provided:

1) when appointing a citizen or civil servant to the civil service position, the appointment to and dismissal from which is carried out by the President of the Russian Federation or the Government of the Russian Federation, for a period of from one month to one year;

2) when appointing to a civil service position a citizen who previously performed a civil service of the Russian Federation, for a period of one to six months;

3) when appointing a civil servant to a civil service position due to transfer

from another state body - for a period of from one to six months.
(part 2 as amended by Federal Law No. 509-FZ of 31.12.2014)

3. The probation shall not be carried out:

1) for citizens who enter the civil service for first time and received secondary vocational education under the training program for middle level specialists or higher education in accordance with the target education agreement containing a provision on subsequent civil service and;

2) for civil servants appointed in accordance with Article 31(part 1, para 1) of this Federal Law to a civil service position due to transfer in connection with the reduction of civil service positions or the abolition of a state body;

3) for other citizens and civil servants for whom the legislation of the Russian Federation provides for retaining job (position).
(part 3 as amended by Federal Law No. 509-FZ of 31.12.2014)

4. The provisions of this Federal Law, other laws and other regulatory legal acts on the civil service shall apply to a civil servant during his/her probation period.
(part 4 as amended by Federal Law No. 509-FZ of 31.12.2014)

5. After completion of established probation period, given a civil servant has no class rank of the corresponding filled civil service position, he/she shall be accorded a class rank pursuant to Article 11 of this Federal Law.
(part 5 as amended by Federal Law No. 204-FZ of 11.07.2011)

6. The probation period shall not include the period of temporary incapacity of a civil servant and other periods when he/she actually did not perform official duties.

7. If the result of the probation is not satisfactory, the representative of the employer has the right to terminate a service contract with the civil servant before expiration of the probation period, giving him/her at least three days' written notice containing the grounds for considering the civil servant not having passed the test.
(part 7 as amended by Federal Law No. 509-FZ of 31.12.2014)

8. The decision of the representative of the employer can be appealed by the civil servant in the court.

9. If the probation period has expired and the civil servant continues to fill the civil service position, he/she is considered to have passed the probation.

10. before the expiry of the probation period, a civil servant has right to terminate the service contract at his/her own will, giving at least three days' written notice thereof to the representative of the employer.

Article 28. Transfer to another civil service position or relocation

1. Transfer of a civil servant to another civil service position in the cases established by this Federal Law, in the same state body, or transfer of a civil servant to another civil service position in another state body, or transfer of a civil servant to another locality together with the state authority shall be allowed with a written consent of a civil servant.

2. A civil servant who cannot perform official duties of his/her corresponding civil service position for health reasons shall be provided another civil service position that corresponds to his/her qualification and does not jeopardize his/her health.

3. If a civil servant refuses to transfer to another civil service position or if there is no such position in the same state body, the service contract shall be terminated, the civil servant shall be released from his/her civil service position and dismissed from the civil service in accordance with Article 33(part 1, para 8) of this Federal Law.

4. Transfer to another civil service position without changing the official duties established by the service contract and job regulations shall not be considered a transfer to another civil service position and shall not require a consent of a civil servant.

Article 29. Change in the material terms of the service contract

1. In the event of a change in the material terms of professional service activities at the initiative of the representative of the employer when a civil servant continues professional work without changing their job responsibilities, some essential terms of the service contract agreed by the parties may be changed.

2. The civil servant must be notified in writing of the changes in the material terms of the service contract by the representative of the employer not later than two months before the introduction thereof.

3. If a civil servant does not agree to filling a civil service position and the performance of civil service in the same state body or other state body in connection with a change in the material terms of the service contract, the representative of the employer has the right to release him/her from the filled civil service position and dismiss him/her from the civil service.

4. In the case of a written refusal of a civil servant from the proposed other civil service position due to a change in the material terms of the service contract, the service contract shall be terminated in accordance with Article 33(part 1,para 7)

of this Federal Law.

Article 30. Temporary filling of another civil service position

1. Subject to service requirements, the representative of the employer has the right to transfer a civil servant for up to one month to a non-contracted civil service position in the same state body with payment for a temporarily replaced civil service position, but not less than the previously established salary. Such transfer is allowed to prevent a catastrophe, an industrial accident or eliminate the consequences of a catastrophe, an industrial accident or a natural disaster, to prevent accidents, temporary suspension of professional service activities for economic, technological, technical or organizational reasons, destruction or damage to property, and for substitution of a temporarily absent civil servant. At the same time, a civil servant may not be transferred to another civil service position contraindicated to his/her health.

2. The duration of the transfer for the filling of the temporarily absent civil servant may not exceed one month during the calendar year.

3. By agreement of the parties to the service contract, the representative of the employer has the right to appoint a civil servant to a civil service position not stipulated by the service contract, previously filled by a temporarily absent civil servant, including a higher group of positions, with an official salary for a temporarily filled civil service position, but not less than the official position salary for the previously replaced civil service position, payment of the civil service established for the temporarily replaced position and the provision of state social guarantees.

Article 31. The civil service relations during reduction of civil service positions or the liquidation of the public authority

(as amended by Federal Law No. 57-FZ of 05.04.2013)

1. While reducing civil service staff or the liquidating a state body, the state-service relations with the civil servant shall continue given the civil servant filling the reduced civil service position in the public authority or the civil service position in the liquidated state body, is provided reassignment with his/her written consent, in the state body or in the state body to which the functions of the liquidated state were transferred to or other public body with regard to:

1) the level of his/her qualification, specialty, field of education, duration of civil service or work in the specialty, field of education;
(paragraph 1 as amended by Federal Law No. 224-FZ of 30.06.2016)

2) the level of his/her professional education, the length of his/her civil service

or work in the specialty, field of education, provided that he/she receives additional professional education in the corresponding field and the type of professional performance of the civil service position.

(paragraph 2 as amended by Federal Law No. 224-FZ of 30.06.2016)

2. A civil servant who fills a reduced civil service position in a public authority or a civil service position in an abolished state body shall be warned on the forthcoming dismissal in connection with the reduction of civil service positions or the liquidation of a state body by the representative of the employer personally and under signed receipt at least two months before the dismissal.

3. Within the period specified in part 2 of this Article, an extraordinary appraisal of civil servants may be conducted in a state body in accordance with Article 48 of this Federal Law. According to the results of the extraordinary appraisal the civil servants who have the priority right to fill a civil service position, may be offered other positions of the civil service, including in another state body.

4. The priority right to fill a civil service position shall be granted to a civil servant who has higher qualification, specialty, the field of education corresponding to the area and type of his/her professional service, longer working experience in the civil service or in the specialty, field of education and higher results of professional performance.

(part 4 as amended by Federal Law No. 224-FZ of 30.06.2016)

5. The representative of the employer of the state body, in which the civil service positions are reduced, or the state body to which the functions of the liquidated state body are transferred, shall be obliged, within two months from the day of notifying the civil servant of dismissal, to offer to a civil servant who fills the reduced civil service position in a state body or civil office service in the liquidated state body, all available vacant civil service positions in the same state body or in the state body to which the functions of the liquidated state body were transferred, taking into account the category and group of the employee's civil service position, the level of his/her qualification, his/her specialty, field of education, length of the civil service working experience or experience in the specialty, field of education, and in the absence of such positions in the specified state bodies, he may offer vacant civil service positions in other state bodies in the procedure determined by the Government of the Russian Federation.

(as amended by Federal laws No. 185-FZ of 02.07.2013, No. 224-FZ of 30.06.2016)

6. If a civil servant refuses a proposed civil service position, including positions in another state body, when civil service positions are reduced or a state body is abolished, a civil servant shall be released from the filled civil service position and dismissed from the civil service. In this case, the service contract shall

be terminated under reduction of civil service positions in accordance with of Article 37(part 1, paragraph 8.2) of this Federal Law and under abolishment of the state body in accordance with Article 37(part 1, paragraph 8.3) of this Federal Law.

7. The representative of the employer, with the written consent of the civil servant, shall have the right to terminate the service contract with him/her before the expiration of the period specified in part 2 of this Article, paying him/her additional compensation in the amount of the retained salary, calculated in proportion to the time remaining before the expiry of the dismissal notice.

Article 32. Suspension from a civil service position

1. The representative of the employer shall be obliged to suspend a civil servant from the filled civil service position (to keep him/her out of the duties of a civil servant) if:

1) he or she showed up for work in the state of alcohol, narcotic or other form of intoxication;

2) he or she has not received training in the prescribed manner and failed the test of knowledge and skills in the area of protection of professional performance (labor protection);

3) at the request of bodies or officials authorized by federal laws and other regulatory legal acts of the Russian Federation.
(paragraph 3 as amended by Federal Law No. 276-FZ of 3.07.2016)

2. The representative of the employer shall have the right to suspend from the position of the civil service (not to allow performance of official duties) a civil servant for the period of:

1) conflict of interest settlement;

2) verification:

a) of the reliability and completeness of information on incomes, expenditures, property and property-related obligations submitted by a civil servant in accordance with Federal Law No. 273-FZ of 25.12.2008 "On Combating Corruption" and other federal laws;
(subpara. "a" as amended by Federal law No. 231-FZ of 03.12.2012)

b) of the information provided by a civil servant when entering the civil service in accordance with the regulatory legal acts of the Russian Federation;

c) of observance of restrictions and prohibitions by civil servants,

requirements for prevention or settlement of conflicts of interests, fulfillment of their duties, established by Federal Law No. 273-FZ of 25.12.2008 "On Combating Corruption" and other federal laws.

(part 2 as amended by Federal Law No. 329-FZ of 21.11.2011)

3) conducting an internal audit in accordance with [Article 59](#) of this Federal Law. (item 3 is introduced by Federal Law No. 418-FZ dated 02.12.2019)

(Part 2 as amended by Federal Law No. 329-FZ dated 21.11.2011)

2.1. No longer valid. - Federal Law No. 418-FZ dated 02.12.2019.

3. The representative of the employer shall suspend the civil servant from the civil service position (shall not allow him/her to perform official duties) for the entire period until the circumstances due to which the civil servant through his/her fault was suspended from the civil service (not allowed to perform his/her official duties) have been eliminated.

4. During the period of suspension of a civil servant from a civil service position (non-admission to the performance of official duties) on any of the grounds provided for in Part 1 of this Article, the monetary allowance shall not be retained, except in cases provided for by other federal laws. During the period of suspension of a civil servant from a civil service position (non-admission to the performance of official duties) on any of the grounds provided for in Part 2 of this Article, they shall retain the monetary allowance for the civil service position for the period of such suspension.

(Part 4 as amended by Federal Law No. 418-FZ dated 02.12.2019)

Chapter 6. BASIS AND CONSEQUENCES OF TERMINATION OF SERVICE CONTRACT

Article 33. Basic grounds for termination of the service contract, dismissal from the filled position of the civil service and dismissal from the civil service

1. The general grounds for termination of the service contract, dismissal from the filled position of the civil service and dismissal from the civil service shall be:

1) the agreement of the parties to the service contract (Article 34 of this Federal Law);

2) the expiry of the term of the fixed-term service contract (Article 35 of this Federal Law);

3) termination of the service contract on the initiative of a civil servant

(Article 36 of this Federal Law);

4) termination of the service contract on the initiative of the representative of the employer (part 7 of Article 27 and Article 37 of this Federal Law);
(as amended by Federal Law No. 509-FZ of 31.12.2014)

5) the transfer of a civil servant at his/her request or with his/her consent to another public body or to a public service of a different kind;

6) lost force.- Federal Law N 57-FZ of 05.04.2013;

7) refusal of a civil servant from another civil service position proposed to him/her due to a change in the material terms of the service contract (Article 29 of this Federal Law);

8) refusal of a civil servant to transfer to another position of the civil service for health reasons in accordance with medical assessment or the absence of such a position in the same state body (parts 2 and 3 of Article 28 of this Federal Law);

9) refusal of a civil servant to transfer to another locality with a state body;

10) circumstances that do not depend on the will of the parties to the service contract (Article 39 of this Federal Law);

11) violation of the mandatory rules for conclusion of an employment contract, established by this Federal Law or other federal laws, if this violation excludes the possibility of filling a civil service position (Article 40 of this Federal Law);

12) withdrawal of a civil servant from the citizenship of the Russian Federation (Article 41 of this Federal Law);

13) non-observance of restrictions and non-fulfillment of obligations established by this Federal Law and other federal laws;

14) violation of prohibitions related to the civil service provided for by Article 17 of this Federal Law;

15) Lost force. - Federal Law N 509-FZ of 31.12.2014.

2. Termination of the service contract, release from the filled position of the civil service and dismissal from the civil service are formalized by a legal act of the state body.

Article 34. Termination of the service contract by agreement of the parties

A service contract may be terminated at any time by agreement of the parties to a service contract with simultaneous dismissal of a civil servant from the filled civil service position and dismissal from the civil service.

Article 35. Termination of a fixed-term service contract

1. The fixed-term service contract shall be terminated at the expiration of its validity period, of which a civil servant shall be notified in writing no later than seven days prior to the day of dismissal from the filled civil service position and dismissal from the civil service, unless otherwise provided by this Federal Law.

2. The fixed-term service contract concluded for the duration of a specific assignment shall be terminated upon completion of this assignment, and the civil servant shall be dismissed from the filled civil service position and dismissed from the civil service.

3. The fixed-term service contract concluded for the period of replacing the absent civil servant who retains the civil service position in accordance with this Federal Law, shall be terminated upon this civil servant's return to the service; the civil servant who replaced the said position shall be dismissed from the filled civil service position and dismissed from civil service.

4. After the expiration of the established term of office of a civil servant who filled a civil service position of the "heads" or "assistants (advisers)" category, a civil servant may be appointed to a previously filled position or another civil service position, except if he/she commits guilty actions, provided this condition is stipulated by a fixed-term service contract.

5. Upon termination of a fixed-term service contract on filling by a civil servant of a civil service position on a rotation basis, his/her dismissal from a filled position and dismissal from the civil service in cases specified in part 9 of Article 60.1 of this Federal Law, a civil servant shall be paid compensation in the amount of four months' salary. At the same time, severance pay shall not be paid. (Part 5 introduced by the Federal Law No. 395-FZ of 06.12.2011)

Article 36. Termination of the service contract on the initiative of a civil servant

1. A civil servant has the right to terminate a service contract and resign from the civil service on his/her own initiative, with prior two-weeks written notification of the representative of the employer.

2. In the event the civil servant's application on termination of the service contract and dismissal from the civil service on his own initiative is due to the impossibility of his/her further performance of official and civil service duties

(employment in an organization carrying out educational activities, retirement, transfer to a substitute position and other circumstances), as well as in case of violation of laws, other regulatory legal acts and employment contract identified by the representative of the employer, a representative of the employer shall be obliged to terminate the service contract within the period specified in the statement of a civil servant.

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

3. Prior to the expiry of the notice of termination of the service contract and the dismissal from the civil service, the civil servant shall have the right to withdraw his/her application at any time. Dismissal of a civil servant from a filled civil service position and dismissal from the civil service shall not be carried out unless another civil servant or citizen was invited to his position.

4. After expiry of the notice of termination of the service contract and the dismissal from the civil service, the civil servant shall have the right to cease the performance of official duties.

5. On the last day of the civil servant's performance of official duties, the employer's representative shall upon the written application of the civil servant issue an employment record book to the civil servant or provide information on the work activity during the period of civil service in the relevant state body, issue other documents related to the civil service and pension provision, and make all final settlements. Information on the employment shall be provided in the manner specified in the application of the civil servant (duly certified information in hard copy or in the form of an electronic document signed with a strengthened qualified electronic signature (if available from the employer's representative), submitted by the civil servant in writing or sent in accordance with the procedure established by the employer's representative to the email address of the employer's representative. (as amended by Federal Law No. 268-FZ dated 31.07.2020).

6. Upon termination of the service contract and dismissal from the civil service, the civil servant shall be removed from the register of civil servants of the state body, and his/her personal file shall be duly handed over to the archives of this state body.

7. Under an agreement between a civil servant and a representative of an employer, a civil servant may be dismissed from the filled civil service position and dismissed from the civil service earlier than the time specified in this Article.

8. Upon a written application of a civil servant, he/she shall be released from the filled position of the civil service and discharged from the civil service after giving him/her an annual paid leave or after the end of his/her temporary incapacity for work.

Article 37. Termination of the service contract on the initiative of the representative of the employer

1. The service contract may be terminated by the representative of the employer, and the civil servant may be released from the filled position of the civil service and dismissed from the civil service in the following instances:

1) non-suitability of a civil servant for the filled civil service position in terms of:

a) health reasons in accordance with a medical opinion;

b) insufficient qualification, confirmed by the results of appraisal;

1.1) loss of confidence in a civil servant by a representative of the employer in cases of non-compliance with restrictions and prohibitions, requirements for prevention or settlement of conflicts of interest and failure to fulfill obligations aimed against corruption established by this Federal Law, Federal Law No. 273-FZ “On combating corruption” of 25 December 2008 and other federal laws; (para. 1.1 was introduced by Federal Law No. 329-FZ of 21.11.2011, as amended Federal Law No. 231-FZ of 03.12.2012)

2) repeated failure by civil servants, without good reason, to perform official duties, if he/she has a disciplinary penalty imposed on him/her;

3) a single gross violation by a civil servant of official duties:

a) non-attendance (absence on duty without good reason for more than four consecutive hours during the working day);

b) appearance at work in the state of alcohol, narcotic or other toxic intoxication;

c) disclosure of information constituting a state secret and other secrets protected by federal law, and restricted information that has become known to a civil servant in connection with the performance of his/her official duties;

d) commission of theft of other people's property, embezzlement, intentional destruction or damage to such property, established by a court verdict or ruling of a body authorized to consider administrative offenses;

e) violation by a civil servant of the requirements for protection of professional service activities (labor protection), if this violation entailed grave consequences (employment injury, accident, catastrophe) or deliberately created a real threat of such consequences;

4) commission of guilty actions by a civil servant who is directly in charge of

monetary or commodity values, if these actions give rise to a loss of confidence by a representative of the employer in him/her;

5) making by a civil servant who fills the civil service of the “heads” category an unreasonable decision which entailed impairment of property, its unlawful use or other damage to the property of the state body;

6) a single gross violation by a civil servant who fills a civil service position of the “heads” category of his/her official duties, which caused damage to the state authority and/or violation of the legislation of the Russian Federation;

7) providing by the civil servant to a representative of the employer forged documents or knowingly false information when concluding a service contract;

8) termination of the civil servant's admission to information constituting a state secret, if the performance of official duties requires admission to such information;

8.1) absence from service for more than four consecutive months due to temporary incapacity for work, if the legislation of the Russian Federation does not establish a longer term for the retaining the job (position) for a particular disease, or if the legislation of the Russian Federation does not provide guarantees for retaining the job (position) for a certain category of citizens;
(Paragraph 8.1 was introduced by Federal Law No. 155-FZ of 27.06.2011)

8.2) reduction of civil service positions in the state body;
(Paragraph 8.2 was introduced by Federal law No. 57-FZ of 05.04.2013)

8.3) abolishment of the state body;
(Paragraph 8.3 was introduced by Federal Law No. 57-FZ of 05.04.2013)

9) in other cases provided for by this Federal Law and other federal laws.

2. Dismissal from the civil service on the grounds provided for in paragraph 1 of part 1 of this Article shall be allowed if it is impossible to transfer a civil servant with his/her consent to another civil service position.

3. A civil servant may not be released from a filled civil service position and dismissed from the civil service on the initiative of the representative of the employer during the period of the civil servant's stay on leave and during his/her absence in the service due to temporary incapacity for work less than the periods specified in clause 8.1 of part 1 of this Article, as well as during his/her temporary incapacity for work in connection with an injury, occupational disease or other health damage associated with the performance of his/her duties, irrespective of the duration of this period.
(part 3 as amended by Federal Law No. 57-FZ of 05.04.2013)

3.1. In the event of the termination of the service contract on the grounds provided for in paragraphs 8.1 - 8.3 of part 1 of this Article, a civil servant shall be paid compensation in the amount of four months' salary. At the same time, severance pay shall not be paid.

(part 3.1 as amended by Federal Law No. 57-FZ of 05.04.2013)

3.2. A civil servant who is dismissed from a state authority located in the Far North and equivalent localities on the grounds provided for in paragraphs 8.2 and 8.3 of part 1 of this Article, in addition to the compensation specified in part 3.1 of this Article, shall be additionally paid compensation for the fifth and sixth months from the day of dismissal by decision of the employment service body, provided that the civil servant applied to this body within one month after the dismissal and was not employed by it. The payment of the said compensation shall be made by the representative of the employer of the state body, in which the civil servant filled the civil service position, and with the funds of the state body.

(part 3.2 was introduced by Federal Law No. 57-FZ of 05.04.2013)

4. Civil servant shall hand over the service certificate to the subdivision of the state body for public service and human resources on the day of dismissal from the filled position of the civil service and dismissal from the civil service.

Article 38. Informing an elected trade union body upon termination of an employment contract

When deciding on possible termination of an employment contract with a civil servant in accordance with Article 33 of this Federal Law, the representative of the employer shall inform the elected trade union body of this state body in writing not later than two months before the reduction of the corresponding civil service position.

Article 39. Termination of the service contract due to circumstances beyond the control of the parties

(as amended by Federal law No. 116-FZ of 07.06.2013)

1. The service contract shall be terminated, the civil servant shall be released from the filled civil service position, dismissed from the civil service and, with his consent, included in the personnel reserve in connection with:

1) conscription of a civil servant to military service or his/her transfer to an alternative civilian service;

2) reinstatement in the service of the civil servant who previously filled this civil service position in accordance with the decision of the court;

3) election or appointment of a civil servant to a public office, except in cases

provided by part 2 of Article 6 of Federal Constitutional Law No. 2-FKZ of 17 December 1997 "On the Government of the Russian Federation", to a municipal office or election of a civil servant to a paid elective office in a trade union body, including in the elective body of primary trade union organization created in a state body;

4) emergence of extraordinary circumstances hampering the continuation of relations pertaining to civil service (military action, catastrophe, natural disaster, major accident, epidemic and other emergency circumstances), if this circumstance is recognized as extraordinary by the decision of the President of the Russian Federation or the state authority of the corresponding constituency of the Russian Federation;

5) execution of civil duties by civil servants in cases stipulated by federal law.

2. The service contract shall be terminated, the civil servant shall be released from the filled position of the civil service and dismissed from the civil service in connection with:

1) sentencing of a civil servant by enforceable court decision to a punishment precluding the possibility of filling a civil service position;

2) the recognition of a civil servant completely incapable of working in conformity with a medical certificate issued in accordance with the procedure established by federal laws and other regulatory legal acts of the Russian Federation;

3) the recognition of a civil servant of legally incapable or partially incapacitated by a court decision that has entered into legal force;

4) attainment by civil servants of the age limit for civil service tenure, except in cases when, pursuant to part 1 of Article 25.1 of this Federal Law, the period of civil service for a civil servant has been extended beyond the established age limit for civil service tenure;

5) application of administrative punishment to a civil servant in the form of disqualification.

3. In the event of the death (perishing) of a civil servant or the recognition of a civil servant as a missing person or declaring him/her a deceased by a court decision that has entered into force, the service contract shall be terminated.

Article 40. Termination of the service contract due to violation of mandatory rules in concluding a service contract

1. The service contract shall be terminated due to breach of its mandatory

rules established by this Federal Law or other federal laws, if violation of these rules precludes the further filling by a civil servant of a civil service position or performance of the civil service in case of:

1) conclusion of a service contract in violation of an enforceable sentence of the court on disqualification of a person from certain positions of the civil service or certain activities;

2) conclusion of a service contract for the performance of official duties contraindicated to a person for health reasons in accordance with a medical certificate;

3) not having a corresponding document on education and qualification if the performance of official duties requires special knowledge in accordance with this Federal Law or other normative legal act;
(as amended by Federal Law No. 185-FZ of 02.07.2013)

4) in other cases provided for by federal law.

2. In the event of termination of the service contract in accordance with paragraph 11 of part 1 of Article 33 of this Federal Law, the representative of the employer shall pay a monthly salary to the civil servant if the violation of the rules for concluding an employment contract occurred not through the fault of the civil servant.

Article 41. Termination of the service contract in connection with withdrawal of a civil servant from the citizenship of the Russian Federation

1. The service contract shall be terminated, the civil servant shall be dismissed from the filled position of the civil service and from the civil service by the decision of the representative of the employer from the date of withdrawal from the citizenship of the Russian Federation.

2. The civil servant shall be dismissed from the filled position of the civil service and dismissed from the civil service by the decision of the representative of the employer from the date of acquisition of the citizenship of another state, unless otherwise stipulated by the international treaty of the Russian Federation.

Chapter 7. PERSONAL DATA OF THE CIVIL SERVANT. HUMAN RESOURCES DEPARTMENT OF THE STATE BODY

Article 42. Personal data of a civil servant and maintaining a personal file of a civil servant

1. While processing personal data of a civil servant, the human resources

department of a government agency shall comply with the following requirements:
(as amended by Federal Law No. 99-FZ of 07.05.2013)

1) processing of personal data of a civil servant shall be carried out in order to ensure compliance with the Constitution of the Russian Federation, this Federal Law, the legislation of the Russian Federation in the field of personal data, other federal laws and other regulatory legal acts of the Russian Federation, to assist a civil servant in his/her exercise of the civil service, training and career, to ensure personal protection of the civil servant and his/her family members and also to protect his/her property, take into account the results of his/her exercise of official duties and protect the state body assets;
(as amended by Federal Law No. 99-FZ of 07.05.2013)

2) personal data should be obtained personally from a civil servant. If personal data of a civil servant need to be obtained from a third party, the civil servant should be notified in advance thereof, and his/her written consent be received and the civil servant should be informed about the purpose, the alleged sources and methods of obtaining personal data;

3) it is prohibited to process and add to the personal file of the civil servant personal information which is not provided by this Federal Law and other federal laws, about his/her political, religious and other views and private life, on membership in public associations, including in trade unions;
(as amended by Federal Law No. 99-FZ of 07.05.2013)

4) when making decisions affecting the interests of a civil servant, it is prohibited to rely on the personal data of a civil servant obtained solely as a result of its automated processing;
(as amended by Federal Law No. 99-FZ of 07.05.2013)

5) protection of personal data of a civil servant against improper use or loss shall be carried out with the funds of the state body in the procedure prescribed by this Federal Law and other federal laws;

6) transfer of personal data of a civil servant to a third party shall not be permitted without the written consent of a civil servant, except in cases established by the legislation of the Russian Federation in the field of personal data. The conditions for the transfer of personal data of a civil servant to a third party shall be specified by regulatory legal acts of the Russian Federation.
(as amended by Federal Law No. 99-FZ of 07.05.2013)

2. A civil servant guilty of violating the rules governing the processing of personal data of another civil servant shall be liable in accordance with this Federal Law and other federal laws.
(as amended by Federal Law No. 99-FZ of 07.05.2013)

3. A personal file of the civil servant shall include personal data of the civil servant and other information related to entering the civil service, its performance and dismissal from the civil service, which is necessary to ensure the activities of the state body.

4. The Regulation on the personal data of a public civil servant of the Russian Federation and the maintenance of his/her personal file shall be approved by the President of the Russian Federation.

Article 43. Registers of state civil servants of the Russian Federation

1. The representative of the employer shall maintain a register of civil servants.

2. Information from the personal file of a civil servant shall be included in the register of civil servants in a state body and stored in databases of state information systems provided for in Article 44.1 of this Federal Law, providing protection against unauthorized access and copying.
(as amended by Federal Law No. 423-FZ of 28.12.2017)

3. A civil servant who has died (perished) or a civil servant who is recognized as missing or declared dead by a court decision that entered into legal force shall be deleted from the register of civil servants on the day following the day of death (perishing) of a civil servant or the day of entry into legal force of a court decision.

4 - 5. Lost force. - Federal Law No. 419-FZ of 28.12.2010.

Article 44. Personnel administration

1. Personnel administration shall include the following:

1) formation of staffing pool for filling civil service positions;

2) preparation of proposals on implementation of the provisions of this Federal Law, other federal laws and other regulatory legal acts on the civil service and the submission of these proposals to the representative of the employer;

3) organizing the preparation of draft acts of the state body related to entering the civil service, its performance, signing an employment contract, appointing to a civil service position, dismissal from a filled civil service position, dismissal of civil servant from the civil service and retiring for a long service pension, and execution of the corresponding decisions of the state body;

4) 4) maintenance of employment record books of civil servants (if any), formation of information on employment during the period of civil service by civil servants and submission of such information in accordance with the procedure

established by the legislation of the Russian Federation on individual (personalized) accounting in the mandatory pension insurance system for storage in the information resources of the Pension Fund of the Russian Federation; (as amended by Federal Law No. 268-FZ dated 31.07.2020)

5) maintenance of personal files of civil servants;

6) maintaining the register of civil servants in the state body;

7) registration and issue of service certificates of civil servants;

8) support of activity of the commission on settlement of conflicts of interest;

9) organization and provision of competitions to fill vacant civil service positions and the inclusion of civil servants in the personnel reserve;

10) organization and support of appraisals of civil servants;

11) organization and provision of qualification examinations for civil servants;

12) organization of conclusion of contracts on target admission and contracts on target education;
(paragraph 12 as amended by Federal Law No. 185-FZ of 02.07.2013)

13) organization of professional development of civil servants;
(as amended by Federal laws No. 185-FZ of 02.07.2013, No. 275-FZ of 29.07.2017)

14) formation of the personnel reserve, organization of work with the personnel reserve and its effective use;

15) ensuring career growth of civil servants;

16) organization of verification of reliability of personal data submitted by a citizen and other information while entering the civil service, as well as procedure of admission in due form with the established information constituting a state secret;

17) organization of internal service checks;

18) organization of verification of information on income, property and property-related liabilities, as well as compliance by civil servants with restrictions established by this Federal Law and other federal laws;

19) advising civil servants on legal and other issues of the civil service.

2. The regulation on the subdivision of the state body in charge of public

service and personnel shall be approved by the head of the state body.

3. Human resources support shall be carried using state information systems provided for in Article 44.1 of this Federal Law.

(Part 3 was introduced by Federal Law No. 423-FZ of 28.12.2017)

Article 44.1. State information systems used in the civil service

(introduced by Federal Law No. 423-FZ of 28.12.2017)

1. In order to provide information support of the federal civil service and optimize the work of the personnel services of federal state bodies, the federal state information system in the field of public service shall be used. The procedure for the use of the federal state information system in the field of public service shall be established by the Government of the Russian Federation.

2. Particular aspects of using the federal state information system in the field of public service in certain federal state bodies shall be determined by the President of the Russian Federation.

3. In order to provide information support of the civil service of the constituency of the Russian Federation and optimize the work of the human resources services of the state bodies of the Russian Federation constituencies, a federal state information system shall be used in the field of public service based on the normative legal act of the Russian Federation constituency, or a state information system in the field of civil service of the Russian Federation constituency shall be set up which must be compatible with federal state information system in the field of civil service and comply with the unified requirements for the scope and content of information on the staffing of government bodies to be retained, processed and transmitted electronically. These requirements shall be established by the federal executive body authorized by the Government of the Russian Federation.

Chapter 8. DUTY AND REST TIME

Article 45. DUTY HOURS AND REST TIME

1. Duty hours shall be deemed the time during which a civil servant, in accordance with the official schedule of a state agency or with a schedule of service or the conditions of a service contract, must perform his//her official duties, as well as other periods which, in accordance with federal laws and other regulatory legal acts, are considered duty hours.

2. The normal length of duty hours for a civil servant may not exceed 40 hours per week. A civil servant shall have a five-day working week.

3. An irregular working day shall be established for civil servants who fill supreme and main civil service positions. For civil servants filling civil service positions of other groups, a non-standardized working day shall be established in accordance with the official rules of the state body for the corresponding list of positions and the service contract.

4. Civil servants for whom an irregular working day is envisaged shall be granted additional annual paid leave for an irregular working day in accordance with Article 46 of this Federal Law.

(part 4 as amended by Federal Law No. 176-FZ of 02.06.2016)

5. Lost force. - Federal Law No. 176-FZ of 02.06.2016.

6. The right for rest shall be exercised by granting to the civil servant free time from work (free time) outside the limits of the normal duration of duty hours established by this Federal Law.

Consultant Plus: note.

Civil servants who do not use annual leave until 02.08.2016, retain the right to monetary compensation or vacation itself, calculated under the new rules of Art. 46 (as amended by N 176-FZ of 02.06.2016) from their new official service year.

Article 46. Holidays in the civil service

1. A civil servant shall be entitled to an annual leave with the retention of the filled civil service position and pay.

2. The annual paid vacation of a civil servant shall consist of a basic paid leave and additional paid leaves.

3. Civil servants shall be entitled to an annual basic paid leave of 30 calendar days.

(part 3 as amended by Federal Law No. 176-FZ of 02.06.2016)

4. Lost force. - Federal Law No. 176-FZ of 02.06.2016.

5. Civil servants shall be granted an annual additional paid leave for long service:

- 1) with civil service experience from 1 to 5 years - 1 calendar day;
- 2) with civil service experience from 5 to 10 years - 5 calendar days;
- 3) with civil service experience from 10 to 15 years - 7 calendar days;
- 4) with civil service experience of 15 years or more - 10 calendar days.

(part 5 as amended by Federal Law No. 176-FZ of 02.06.2016)

6. When calculating the total duration of annual paid leave, the additional annual paid leave for length of service shall be added to the annual basic paid leave.

(as amended by Federal Law No. 176-FZ of 02.06.2016)

Additional leaves for irregular working day, as well as for hard, harmful and (or) dangerous conditions of civil service shall be granted beyond the annual paid leave provided for in this part.

(as amended by Federal Law No. 418-FZ of 30.12.2015)

6.1. Civil servants for whom an irregular working day is established shall be granted an annual additional paid leave for irregular working day of three calendar days.

(part 6.1 was introduced by the Federal Law No. 176-FZ of 02.06.2016)

7. A civil servant shall be granted annual additional paid leave due to severe, harmful and (or) dangerous conditions of the civil service, including in connection with the service in the areas with special climatic conditions, in accordance with the legislation of the Russian Federation.

8. Lost force.- Federal Law No. 418-FZ of 30.12.2015.

9. Annual paid leave should be granted to a civil servant annually in accordance with the holidays schedule approved by the representative of the employer.

9.1. The minimum duration of annual paid leave used by a civil servant in the service year for which an annual paid leave is granted, may not be less than 28 calendar days. At the same time, at least one part of the annual paid leave must be at least 14 calendar days.

(part 9.1 was introduced by the Federal Law No. 418-FZ of 30.12.2015)

9.2. In exceptional cases, if an annual paid leave granted to a civil servant of total duration calculated in accordance with part 6 of this Article, may adversely affect the performance of the tasks and functions of a state body or the exercise of the powers of a person filling a public position, a part of the annual paid leave exceeding 28 days may be transferred to a next service year, upon a decision of the employer and with the written consent of a civil servant, In this case, the transferred part of the annual paid leave should be used no later than 12 months after the end of the service year for which this part of the leave was granted.

(part 9.2 was introduced by Federal Law No. 418-FZ of 30.12.2015)

9.3. Part of the annual paid leave exceeding 28 calendar days, or any number

of days of this part, may be substituted, upon a written application of a civil servant, by monetary compensation.

(part 9.3 was introduced by Federal Law No. 418-FZ of 30.12.2015)

10. Payment of the salary to a civil servant for the period of annual paid leave should be made not later than 10 calendar days before the beginning of the specified holiday.

11. When a federal civil servant receives an annual paid leave, a one-time payment shall be paid once a year in the amount of two monthly salaries.

12. When a civil servant of a constituency of the Russian Federation receives an annual paid vacation, a one-time payment shall be made once a year in accordance with the legislation of the constituency of the Russian Federation.

13. In case of cancellation or termination of a service contract, the civil service and dismissal from a civil service, the civil servant shall be paid monetary compensation for all unused leaves. Under a written application of a civil servant, the unused leaves may be granted to him/her with subsequent dismissal (except when released from the civil service position and dismissed from the civil service for guilty actions). At the same time, the last day of leave shall be considered the day of discharge from the filled civil service position and dismissal from the civil service.

14. In case of dismissal in connection with the expiration of the service contract, a leave with subsequent dismissal may be granted even when the time of leave fully or partially extends beyond the scope of the service contract. In this case, the last day of leave shall be also considered the day of discharge from the filled civil service position and dismissal from the civil service.

15. For family reasons and other valid reasons, a civil servant, upon his/her written application, by a decision of the employer's representative, may be granted a leave without pay for a period not exceeding one year. A civil servant shall be also granted leave without pay in other cases provided for by federal laws.

16. During the leave without pay the civil servant shall retain the civil service position filled by him/her.

Chapter 9. PREFORMANCE OF CIVIL SERVICE

Article 47. Job Regulations

1. Professional performance of civil servant shall be carried out in accordance with the official regulations, approved by the representative of the employer which is an integral part of the administrative regulations of the state body.

2. The official regulations shall include the following:

1) qualification requirements for filling the civil service position;
(paragraph 1 as amended by Federal Law No. 224-FZ of 30.06.2016)

2) official duties, rights and responsibilities of a civil servant for non-fulfillment (improper performance) of official duties in accordance with the administrative regulations of the state body, tasks and functions of the structural subdivision of the state body and the functional features of the civil service position filled in it;

3) a list of issues on which a civil servant is entitled or obliged to take managerial and other decisions on his/her own;

4) a list of issues on which a civil servant is entitled or obliged to participate in the preparation of draft normative legal acts and (or) draft management and other decisions;

5) the timing and procedures for preparation, consideration of draft managerial and other decisions, the procedure for agreeing and adopting these decisions;

6) the procedure for service interaction of a civil servant in connection with performance of his/her official duties with civil servants of the same state body, civil servants of other state bodies, other citizens, as well as with organizations;

7) a list of state services provided to citizens and organizations in accordance with the administrative regulations of the state body;

8) indicators of efficiency and effectiveness of professional performance of civil servants.

3. The provisions of the job regulations shall be taken into account during a competition for filling a vacant civil service position, appraisal, qualification examination, planning professional activity of a civil servant.

4. The results of the civil servant's compliance with job regulations shall be taken into account during a competition for filling a vacant civil service position or in making decision on inclusion of a civil servant in the personnel reserve, assessing his/her professional performance in the course of appraisal, a qualification exam, or on rewarding a civil servant.

5. Model official regulations shall be approved by the corresponding body for the management of public service.

Article 48. Appraisal of civil servants

1. Appraisal of a civil servant shall be carried out in order to determine his/her compliance with the filled civil service position.

2. When conducting an appraisal, the immediate supervisor of a civil servant shall present a motivated opinion on execution of service duties by the civil servant for the period under review. The motivated opinion must be accompanied by the information on the assignments carried out by the civil servant during the evaluation period and draft documents prepared by him/her contained in the annual reports on the professional performance of the civil servant and, if necessary, an explanatory note of the civil servant to the opinion of the immediate supervisor.

3. Civil servants filling civil service positions in the "heads" and "assistants (advisers)" category with whom a fixed-term employment contract is concluded (with the exception of civil servants filling certain positions of the civil service the appointment to and dismissal from which is carried out by the President of the Russian Federation or the Government of the Russian Federation, which have to be assessed in accordance with the decree of the President of the Russian Federation or a Resolution of the Government of the Russian Federation, respectively) shall not be subject to appraisal.

(part 3 as amended by Federal Law No. 147-FZ of 08.06.2015)

4. Appraisal of a civil servant shall be conducted once every three years. Appraisal of civil servants filling certain position of the civil service the appointment to and dismissal from which are carried out by the President of the Russian Federation or the Government of the Russian Federation, which have to be assessed in accordance with the decree of the President of the Russian Federation or the Government of the Russian Federation, respectively, may be performed in alternate time intervals established by these acts.

(as amended by Federal Law No. 147-FZ of 08.06.2015)

5. An extraordinary appraisal of the civil servant may be conducted earlier than the time specified in part 4 of this Article after a decision made in accordance with the established procedure:

- 1) on the reduction of civil service positions in the state body;
- 2) changes in the terms of payment for civil servants.

6. By agreement of the parties to the service contract, taking into account the results of the annual report on the professional performance of a civil servant, an extraordinary appraisal of a civil servant may also be conducted.

7. In the course of appraisal, the compliance by a civil servant with restrictions, absence of violations of prohibitions, observance of requirements for service conduct and obligations established by this Federal Law shall be taken into account.

8. A civil servant who is on maternity or on parental leave until the child reaches the age of three years shall be appraised not earlier than one year after the end of the leave.

9. In order to conduct appraisal of civil servants, an appraisal board shall be formed by a legal act of a state body.

10. The certification commission shall include the employer's representative and/or authorized civil servants (including those from the civil service and personnel subdivision and the subdivision in which the civil servant subject to certification fills the civil service position), as well as independent experts included in the certification commission in accordance with the provisions of [Part 10.2](#) of this Article, such as representatives of scientific, educational, and other organizations specializing in the relevant fields and types of professional service activities of civil servants on the issues of personnel technologies and civil service. The number of independent experts shall be at least one quarter of the total number of members of the competition commission.

(as amended by Federal Law No. 185-FZ dated 02.07.2013 and Federal Law No. 346-FZ dated 27.10.2020)

10.1. The competition commission in the federal executive body, in which a public council is formed in accordance with Article 20 of Federal Law No. 32-FZ "On the Public Chamber of the Russian Federation" dated April 4, 2005, as well as in the executive body of the constituent entity of the Russian Federation, in which a public council is formed in accordance with the normative legal act of the constituent entity of the Russian Federation, along with the persons specified in Part 10 of this Article, shall include representatives of these public councils. The total number of these representatives and independent experts shall be at least one quarter of the total number of members of the competition commission.

(Part 10.1 is introduced by Federal Law No. 295-FZ dated 30.12.2012)

10.2. Representatives of scientific, educational, and other organizations included in the competition commissions shall be invited and selected by the federal executive body responsible for the development and implementation of state policy and legal regulation in the field of state civil service, or by the authorized state body of the constituent entity of the Russian Federation upon request of the employer's representative sent without specifying the personal data of independent experts in the manner established by a regulatory legal act of the Government of the Russian Federation or a regulatory legal act of the constituent entity of the Russian Federation adopted in accordance with the procedure established by the Government of the Russian Federation. Representatives of public councils included in the composition of the competition commissions shall be determined by decisions of the relevant public councils.

(Part 10.2 is introduced by Federal Law No. 346-FZ dated 27.10.2020)

10.3. The total term of stay of an independent expert in the competition commission of a state body shall not exceed three years. The calculation of this period shall be carried out from the date of the first inclusion of an independent expert in the composition of the competition commission. The re-inclusion of this independent expert in the composition of the competition commission may be carried out no earlier than three years after the end of the term of stay in the competition commission.

(Part 10.3 is introduced by Federal Law No. 346-FZ dated 27.10.2020)

10.4. The term of stay of an independent expert in the competition and certification commissions of one state body shall not exceed three years in total.

(Part 10.4 is introduced by Federal Law No. 346-FZ dated 27.10.2020)

11. The appraisal board for assessment of civil servants who fill civil service positions involving the use of information constituting state secrets, shall be formed taking into account the provisions of the legislation of the Russian Federation on state secrets.

12. The appraisal board shall be formed so as to eliminate the possibility of conflicts of interest that could influence the decisions made by the appraisal board.

13. For the time of appraisal of a civil servant who is a member of the Appraisal Board, his/her membership in this board shall be suspended.

14. If a civil servant fails to appear for appraisal without valid reasons or refuses to undergo appraisal, the civil servant shall be made disciplinary liable in accordance with Article 57 of this Federal Law, and the appraisal shall be postponed.

15. Based on the results of the appraisal of a civil servant, the appraisal board shall make one of the following decisions:

1) suits the filled civil service position;

2) suits the filled position of the civil service and is recommended to be included in the personnel reserve to fill the vacant civil service position by way of job promotion;

(as amended by Federal law No. 116-FZ of 07.06.2013)

3) suits the filled position of the civil service subject to additional successful completion of additional professional education;

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

4) does not suit the filled position of civil service.

16. Within one month after the appraisal, a legal act of the state body based on results thereof shall be issued stating that a civil servant:

1) is to be included in the personnel reserve to fill a vacant civil service position by way of job promotion;

(as amended by Federal law No. 116-FZ of 07.06.2013)

2) is to be sent for completion of additional professional education;

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

3) is to be demoted and subject to exclusion from the personnel reserve if included therein.

(paragraph 3 as amended by Federal law No. 116-FZ of 07.06.2013)

17. If a civil servant refuses to receive additional professional education or to be transferred to another civil service position, the representative of the employer has the right to discharge the civil servant from the filled position and dismiss him/her from the civil service in accordance with this Federal Law.

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

18. A civil servant has the right to challenge the results of appraisal in accordance with this Federal Law.

19. The Regulation on the appraisal of state civil servants of the Russian Federation shall be approved by a decree of the President of the Russian Federation.

Article 49. Qualification examination

(as amended by Federal Law No. 204-FZ of 11.07.2011)

1. The qualification examination shall be passed by civil servants specified in part 2 of Article 11 of this Federal Law.

2. Qualification examination shall be conducted when deciding whether to grant a civil service class rank on the initiative of a civil servant no later than three months after the day of his/her submission of a written application for conferring a civil service class rank.

3. Qualification examination shall be conducted in accordance with the established form in order to assess the knowledge, skills and abilities (professional level) of a civil servant by a competition commission or an appraisal board.

4. A civil servant has the right to appeal the results of the qualification examination in accordance with this Federal Law.

5. The procedure for passing the qualification examination by civil servants

shall be determined by a decree of the President of the Russian Federation.

Chapter 10. SALARY OF CIVIL SERVANTS

Article 50. Salary of civil servant

1. The civil servant's salary shall be paid in the form of allowance, which is the main means of providing him/her with material support and stimulating professional service in the filled civil service position.

2. The monetary allowance of a civil servant shall consist of the monthly salary of a civil servant in accordance with the civil service position being filled (hereinafter referred to as the “official salary”) and the monthly salary of a civil servant in accordance with the civil service class rank assigned thereto, or the justice class rank, or the diplomatic rank (hereinafter referred to as the “class rank salary”), which constitute the salary of a civil servant’s monthly salary (hereinafter referred to as the “civil servant’s salary”), as well as monthly and other additional payments (hereinafter referred to as the “additional payments”).

(as amended by Federal Law No. 99-FZ dated 01.05.2019)

3. The amount of fixed official salaries and salaries for class rank of federal state civil servants shall be established by a decree of the President of the Russian Federation upon the proposal of the Government of the Russian Federation. For individual positions of the civil service, a decree of the President of the Russian Federation may establish a salary in the form of a single monetary reward, which takes into account the official salary, the salary for a class rank and monthly additional payments to the official salary for long service in the civil service, for special conditions of civil service, for work with information constituting a state secret, but not taking into account the bonuses and monthly salary.

4. The amounts of fixed official salaries and salaries for a class rank of state civil servants of the constituencies of the Russian Federation shall be established in accordance with the normative legal acts of the constituencies of the Russian Federation.

5. Additional payments shall include the following:

1) a monthly increment to the official salary for long service in the civil service in the following amounts:

with civil service working experience	in percentages
from 1 year to 5 years	10

from 5 to 10 years	15
from 10 to 15 years	20
over 15 years	30;

2) a monthly increment to the official salary for special conditions of civil service in the amount of up to 200 per cent of this salary;

3) a monthly percentage increment to the official salary for work with information that constitutes a state secret in the amounts and in the manner determined by the legislation of the Russian Federation;

4) bonuses for the performance of particularly important and complex assignments, the procedure for payment of which shall be determined by the representative of the employer, taking into account the tasks and functions of the state body, the execution of the official regulations (the maximum size is not limited);

5) monthly financial incentive;

6) a one-time payment when granting an annual paid leave and financial assistance paid from the salary fund of the civil service.

6. The amount of the monthly financial incentive paid to the federal civil servant shall be established by federal state bodies on a case by case basis by decrees of the President of the Russian Federation.

7. The procedure for paying a monthly increment for special conditions of the civil service shall be determined by the representative of the employer.

8. The procedure for payment of financial assistance from the salary fund of the civil service shall be determined by the corresponding provision approved by the representative of the employer.

9. In the cases established by the legislation of the Russian Federation, the regional coefficient (coefficient) shall be established to the salary of the civil servant.

10. Civil servants shall receive other payments provided for by the corresponding federal laws and other regulatory legal acts.

11. The amount of the substantive pay salaries for the positions of the federal civil service shall be increased (indexed) annually in accordance with the federal law on the federal budget for the corresponding year, taking into account the level of inflation (consumer prices). The decision to increase (index) the amount of the

substantive pay for the positions of the federal civil service shall be made by the President of the Russian Federation upon the proposal of the Government of the Russian Federation.

12. The amount of substantive pay for the civil service of the constituency of the Russian Federation shall be increased (indexed) annually in accordance with the law of the constituency of the Russian Federation on the budget of the constituency of the Russian Federation for the corresponding year, taking into account the level of inflation (consumer prices). The increase (indexation) of the substantive pay for the positions of the civil service of the constituency of the Russian Federation shall be made in accordance with the legislation of the constituency of the Russian Federation.

13. A federal civil servant who fills civil service positions in a government agency outside the territory of the Russian Federation shall receive cash in foreign currency and in rubles in the manner and in the amounts established by the President of the Russian Federation and the Government of the Russian Federation.

14. For certain positions of the civil service, a special procedure for payment of salary of civil servants may be established, in which payment shall be made depending on the efficiency and effectiveness of professional performance, defined in the fixed-term service contract. For the civil servants, whose salaries are paid in the specified special order, the terms of payment established by other parts of this article shall not be applied. Generalized indicators of the efficiency and effectiveness of government agencies, the adoption and implementation of the decisions of the management and other decisions, as well as legal, organizational and documentation support for the implementation of these decisions, common for the government agencies and civil servants, shall be approved respectively by the President of the Russian Federation and the Government of the Russian Federation.

15. The list of civil service positions for which a special procedure for payment of salary may be established, as well as the procedure for determining the remuneration of civil servants provided for in part 14 of this Article, shall be approved by the decree of the President of the Russian Federation on the proposal of the Government of the Russian Federation and regulatory legal acts of the constituencies of the Russian Federation, respectively.

16. The remuneration provided for in part 14 of this Article shall be made within the established salary fund of the civil service.

17. Specific indicators of the effectiveness and effectiveness of the state body, the adoption and implementation of the decisions of the management and other decisions, as well as legal, organizational and documentation support for the implementation of these decisions shall be approved by a legal act of the state body in accordance with the peculiarities of its tasks and functions.

Article 51. Salary fund of the civil service of the state body

1. The salary fund for federal civil servants and the salary fund for employees who fill positions other than those of the federal civil service shall constitute the salary fund of federal civil servants and employees of the federal government body.

2. When forming a salary fund of federal civil servants exceeding the amount of funds allocated for payment of official salaries, the following means shall be provided for payment (per year):

- 1) salary for the class rank - in the amount of four official salaries;
- 2) monthly increment to the official salary for long service in the civil service - in the amount of three official salaries;
- 3) monthly increment to the official salary for special conditions of civil service - in the amount of fourteen official salaries;
- 4) monthly percentage mark-up to the official salary for work with information constituting state secrets - in the amount of one and a half salaries;
- 5) bonuses for performing particularly important and complex tasks - in the amount of two substantive pays;
- 6) monthly monetary incentives - in the amount that is established for federal state bodies differentially by decrees of the President of the Russian Federation;
- 7) one-time payment for the annual paid leave and financial assistance - in the amount of three substantive pays.

3. The payroll fund for federal civil servants of federal state bodies shall be formed at the expense of the funds provided for in Part 2 of this Article, as well as at the expense of the following funds:

(as amended by Federal Law No. 288-FZ dated 31.07.2020)

1) for the payment of the district coefficient (coefficient) if such payment is made in accordance with the legislation of the Russian Federation in the federal state body;

(as amended by Federal Law No. 288-FZ dated 31.07.2020)

2) for the payment in certain federal state bodies of an increased monetary allowance, the amount of which is established by the President of the Russian Federation;

(as amended by Federal Law No. 288-FZ dated 31.07.2020)

3) for other payments provided for by this Federal Law, other federal laws, and other regulatory legal acts of the Russian Federation.

(as amended by Federal Law No. 288-FZ dated 31.07.2020)4. The representative of the employer shall have the right to redistribute the funds of the salary fund of federal civil servants among the payments provided for in part 2 of this Article.

5. In the state bodies where civil servants are paid in accordance with Part 14 of Article 50 of this Federal Law, the salary fund (the corresponding part of the fund) of civil servants shall be formed on the basis of the indicators of efficiency and effectiveness of the activity of the state body. Other conditions for the formation of the salary fund of federal civil servants may be established by federal laws.

6. The procedure for the formation of the salary fund for federal state civil servants and employees of the federal state body shall be established by the President of the Russian Federation on the proposal of the Government of the Russian Federation.

7. The procedure for the formation of the salary fund of state civil servants of a constituency of the Russian Federation and the salary fund for employees who fill positions that are not state civil service positions of a constituency of the Russian Federation shall be established by the legislation of the constituency of the Russian Federation, subject to the provisions of this Article.

Chapter 11. STATE GUARANTEES IN THE CIVIL SERVICE

Article 52. The basic state guarantees of civil servants

1. To ensure the legal and social protection of civil servants, to increase the motivation for effective performance of their official duties, to strengthen the stability of the professional staff of the civil service and in order to compensate for the restrictions established by this Federal Law and other federal laws, civil servants shall be guaranteed:

1) equal terms of payment for labor, as well as comparable indicators for assessing the effectiveness of the results of professional performance in filling corresponding civil service positions, unless otherwise provided by this Federal Law;

2) right of a civil servant to timely and full payment of a salary;

3) conditions for the performance of the civil service providing the

performance of official duties in accordance with the job regulations;

4) rest provided by the establishment of a normal length of office hours, the provision of days off and non-working holidays, as well as annual paid basic and additional holidays;

5) medical insurance of a civil servant and his/her family members, including after superannuation retirement of the civil servant, in accordance with this Federal Law and the federal law on health insurance of civil servants of the Russian Federation;

6) compulsory state social insurance in the event of illness or disability during civil service, or retaining of salary during temporary disability, as well as during examination in a medical organization that provides specialized medical assistance, in accordance with federal law;

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

7) payments under compulsory state insurance in cases, manner and amounts established by federal laws and laws of the constituencies of the Russian Federation, respectively;

8) reimbursement of expenses related to official business trips. The order and conditions for seconding a civil servant shall be established by the decree of the President of the Russian Federation and regulatory legal acts of the constituencies of the Russian Federation, respectively;

9) reimbursement of expenses related to a move of a civil servant and his/her family members to another locality when a civil servant is transferred to another public body. The procedure and conditions for the reimbursement of expenses to a civil servant shall be established, respectively, by a decree of the Government of the Russian Federation and regulatory legal acts of a constituency of the Russian Federation;

9.1) when appointing a civil servant by way of rotation to a civil service position in a government agency located in another area within the Russian Federation - reimbursement of expenses associated with the relocation of a civil servant and his/her family members to a duty station in another locality within the Russian Federation, at the expense of the state body, to which the civil servant is sent by way of rotation; costs associated with the relocation of civil servants and members of his/her family to another place within the Russian Federation after the termination of fixed-term service contract or a dismissal from the filled civil service position and dismissal from the civil service, with the funds of the state body in which the civil servant filled the latest position of the civil service. The reimbursement of expenses provided for in this paragraph shall be made in the manner and under the conditions established for the reimbursement of expenses

related to the relocation of a civil servant and his/her family members to another locality within the Russian Federation when a civil servant is transferred to another state body;

(para. 9.1 was introduced by the Federal law No. 395-FZ of 06.12.2011)

9.2) provision of service housing to a civil servant who is appointed by way of rotation to the civil service position in a state body located in another area within the Russian Federation, and in the absence of service premises in the new place of work - reimbursement of rental (sub-rental) expenses to the civil servant. If a civil servant is a tenant of the living premises under social rental agreement at the previous place of civil service, the social rent agreement with a civil servant cannot be terminated at the request of the landlord during the term of fixed-term service contract on filling the civil service position by way of rotation. The procedure and conditions for provision living premises to federal civil servants, as well as the procedure and amount of reimbursement of rental (sub-rental) expenses to federal civil servants shall be established by the Russian Government, the procedure and conditions for provision of service premises to civil servants of the Russian Federation, as well as procedures and the amount of reimbursement of rental (sub-rental) expenses to civil servants of the constituencies of the Russian Federation shall be established by regulatory legal acts of the Russian Federation;

(para. 9.2 was introduced by the Federal law No. 395-FZ of 06.12.2011)

10) protection of a civil servant and his/her family members from violence, threats and other unlawful actions in connection with performance of their official duties in cases, manner and in conditions established by federal law;

11) state pension provision in accordance with the procedure and on the terms established by the federal law on state pensions for citizens of the Russian Federation who have performed public service and their families.

1.1. Regulatory legal acts of the President of the Russian Federation, the Government of the Russian Federation or the constituent entity of the Russian Federation may provide other guarantees to civil servants appointed (to be appointed) on a rotation basis to civil service positions in state bodies located in another regions within the Russian Federation, along with the guarantees provided for in item 9.1 and item 9.2 of Part 1 of this Article.

(Part 1.1 is introduced by Federal Law No. 461-FZ dated 11.12.2018)

2. In the case of dismissal of a civil servant from a filled position in connection with the election or appointment to a public office, election to an elective office in a local government body, election (delegation) to a paid elective office in the body of the trade union, including the elective body of the primary trade union organization, set up in the state body, the conditions of pension provision of this civil servant shall be established at his/her choice.

3. Civil servants shall be also provided with other state guarantees established by federal laws.

Article 53. Additional state guarantees for civil servants

Civil servants may, under certain conditions provided for by this Federal Law or other normative legal acts of the Russian Federation, laws or other normative legal acts of the constituencies of the Russian Federation, be entitled to the following:

1) additional vocational education with retention of the filled position of the civil service and salary for this period;
(as amended by Federal Law No. 185-FZ of 02.07.2013)

2) transport services provided in connection with performance of official duties, depending on the category and group of the filled position of the civil service, as well as compensation for the use of personal transport for official purposes and reimbursement of costs associated with its use in the cases and in the procedure established by normative legal acts of the Russian Federation and regulatory legal acts of the constituency of the Russian Federation, respectively;

3) filling of another civil service position when downsizing civil service positions or liquidating a state body in accordance with Article 31 of this Federal Law;
(paragraph 3 as amended by Federal Law No. 57-FZ of 05.04.2013)

4) a one-time subsidy for the purchase of living premises once per entire period of the civil service in the procedure and under the terms established by the resolution of the Government of the Russian Federation and the normative legal act of the constituency of the Russian Federation, respectively;
(as amended by Federal Law No. 269-FZ of 25.11.2009)

5) other state guarantees.

Article 54. Length of Civil Service

1. The length of service (total duration) of the civil service shall include the following periods:

1) civil service positions, military positions and positions of the federal public service of other types;
(as amended by Federal Law No. 262-FZ of 13.07.2015)

2) state positions;

3) municipal positions;

4) positions of municipal service;

5) other positions in accordance with federal laws.

(part 1 as amended by Federal Law No. 510-FZ of 31.12.2014)

2. The length of civil service for granting to a civil servant a monthly increment to the official salary for long service in the civil service, determining the duration of the annual additional paid leave for length of service and the amount of incentives for impeccable and efficient civil service, shall include (count), in addition to the periods of filling of positions specified in part 1 of this Article, pursuant to the procedure for calculating the length of civil service established by the President of the Russian Federation, other periods of filling the positions, the list of which is approved by the President of the Russian Federation.

(part 2 as amended by Federal Law No. 395-FZ of 29.12.2015)

3. The length of the state civil service of the Russian Federation for granting a pension for length of service for civil servants shall be determined in accordance with the federal law on state pensions for citizens of the Russian Federation who have completed the public service and their families.

Chapter 12. REWARDS AND AWARDS. OFFICIAL DISCIPLINE IN THE CIVIL SERVICE

Article 55. Rewards and awards for civil service

1. For the impeccable and efficient civil service, the following types of rewards and awards shall be applied:

1) expression of gratitude with the payment of a one-time reward;

2) awarding a Certificate of Merit of a state body with payment of a one-time reward or with giving a valuable gift;

3) other types of rewards and awards of the state body;

4) payment of a one-time reward in connection with retirement for long service;

5) reward of the Government of the Russian Federation;

6) reward of the President of the Russian Federation;

7) state awards of the Russian Federation;

(item 7 as amended by Federal Law No. 288-FZ dated 31.07.2020)

8) - 9) No longer valid. - Federal Law No. 288-FZ dated 31.07.2020.

1.1. For the purpose of granting promotion and awards to civil servants of the constituent entity of the Russian Federation for impeccable and effective civil service, the laws of the constituent entity of the Russian Federation may provide for the promotion of the highest official of the constituent entity of the Russian Federation (head of the highest executive body of state power of the constituent entity of the Russian Federation), as well as awards of the constituent entity of the Russian Federation.

(Part 1.1 is introduced by Federal Law No. 288-FZ dated 31.07.2020)2. The decision to reward or award a civil servant in accordance with paragraphs 1 to 4 of part 1 of this Article, shall be made by the representative of the employer, and the decision to reward or award a civil servant in accordance with paragraphs 5 to 9 of part 1 of this Article shall be made upon submission by the representative of the employer in the procedure established by legislation of the Russian Federation.

3. Payment of a one-time reward to a civil servant provided for in paragraphs 1 to 3 of part 1 of this Article shall be made in the procedure and in amounts approved by the representative of the employer within the established salary fund of civil servants.

4. No longer valid. - Federal Law No. 288-FZ dated 31.07.2020.

5. Decisions on granting promotion or awards in accordance with items 1-4 of Part 1 of this Article shall be executed by a legal act of a state body, and by legal acts of the Russian Federation in accordance with items 5-7 of Part 1 of this Article. The corresponding record of granting the promotion or award shall be entered in the employment record (if any) and the personal file of the civil servant.

(as amended by Federal Law No. 268-FZ dated 31.07.2020 and Federal Law No. 288-FZ dated 31.07.2020)

5.1. When being recommended for granting promotion or awards in accordance with Part 2 of this Article, when being awarded state awards of the Russian Federation, or being promoted by the President of the Russian Federation or the Government of the Russian Federation, civil servants, as well as citizens dismissed from the civil service shall be paid a one-time promotion at the expense of the civil servants' payroll fund.

(Part 5.1 is introduced by Federal Law No. 288-FZ dated 31.07.2020)

5.2. In the event of the death of a civil servant or the death of a citizen specified in Part 5.1 of this Article, who has been awarded a state award of the Russian Federation or has been promoted by the President of the Russian Federation or the Government of the Russian Federation, as well as in the case of a

posthumous award of the state award of the Russian Federation, a one-time incentive shall be paid to the family members of the civil servant or citizen. Payment of a one-time incentive in such cases shall be made no later than one month from the date of expiration of the six-month period during which family members of the deceased civil servant or deceased citizen can apply to the state body in which the specified person filled the position for payment of a one-time incentive. In this case, the specified period shall be calculated from the date of publication of the legal act of the Russian Federation on granting promotion or awards to such a civil servant or citizen. If several family members apply for a one-time promotion that is not received by the specified civil servant or citizen in connection with the death of such civil servant or citizen, the amount of the promotion shall be divided equally among the family members.

(Part 5.2 is introduced by Federal Law No. 288-FZ dated 31.07.2020)

5.3. The list of family members who are entitled to receive a one-time incentive provided for in Part 5.1 and Part 5.2 of this Article shall be as follows:

- 1) a spouse who was married to a civil servant on the day of the death of such civil servant or the death of a citizen dismissed from the civil service;
- 2) parents of a civil servant or a citizen dismissed from the civil service;
- 3) children of a civil servant or a citizen dismissed from the civil service;
- 4) persons who were dependent on a deceased civil servant or a deceased citizen who was dismissed from the civil service.

(Part 5.3 is introduced by Federal Law No. 288-FZ dated 31.07.2020)

5.4. The amount and procedure for payment of a one-time incentive to federal civil servants and citizens dismissed from the federal civil service, as well as to family members of these persons in the cases provided for in Part 5.1 and Part 5.2 of this Article shall be established by the President of the Russian Federation.

(Part 5.4 is introduced by Federal Law No. 288-FZ dated 31.07.2020)

6. The laws and other normative legal acts of the constituent entity of the Russian Federation shall establish the amounts, procedure, and conditions for the payment of a one-time incentive to civil servants of the constituent entity of the Russian Federation and to citizens dismissed from the civil service of the constituent entity of the Russian Federation after being recommended for granting promotion or awards subject to the provisions of this Article.

(Part 6 as amended by Federal Law No. 288-FZ dated 31.07.2020)

Article 56. Service discipline in the civil service

1. Service discipline in the civil service is compulsory compliance of civil servants with internal service schedule of the state body and job regulations established in accordance with this Federal Law, other federal laws, other regulatory legal acts, regulatory acts of the state body and by the service contract.

2. The representative of the employer in accordance with this Federal Law, other federal laws, other normative legal acts on the civil service, regulatory acts of the state body and pursuant to the service contract shall be obliged to create the conditions necessary for compliance with the service discipline by the civil servants.

3. The internal service schedule of the state body shall be determined by the normative act of the state body regulating the schedule of service (work) and the time of rest.

4. The internal service schedule of the state body shall be approved by the representative of the employer, taking into account the opinion of the elected trade union body of this state body.

Article 57. Disciplinary sanctions

1. For the commission of a disciplinary offense, that is, for failure to perform or improper performance by a civil servant through his/her fault of official duties assigned to him/her, the representative of the employer shall have the right to apply the following disciplinary sanctions:

(as amended by Federal Law No. 329-FZ of 21.11.2011)

1) reprimand;

2) admonition;

3) a warning of incomplete job compliance;

4) lost force.- Federal Law N 116-FZ of 07.06.2013;

5) dismissal from the civil service on the grounds established by paragraph 2, subparagraphs "a" - "d" of paragraph 3, paragraphs 5 and 6 of part 1 of Article 37 of this Federal Law.

2. For each disciplinary offense, only one disciplinary sanction may be applied.

Article 58. The procedure of application and removal of a disciplinary sanction

1. Prior to application of disciplinary punishment, the representative of the employer shall request a written explanation from the civil servant. If a civil servant refuses to give such explanation, a corresponding act shall be drawn up. Refusal of a civil servant to provide an explanation in writing shall not be an obstacle to applying a disciplinary sanction.

2. Prior to application of a disciplinary action an agency check shall be conducted.

3. When disciplinary sanction is applied, the severity of a disciplinary offense committed by a civil servant, the degree of his/her guilt, the circumstances under which a disciplinary offense was committed, and the previous results of civil servants' performance of his/her official duties shall be taken into account.

4. Disciplinary punishment shall be applied immediately after finding of a disciplinary offense, but not later than one month from the date of its finding, not including the period of temporary incapacity of a civil servant, his/her stay on leave, other cases of his/her absence for valid reasons, and the time for conducting a functional audit.

5. Disciplinary punishment may not be applied later than six months from the date of commission of a disciplinary offense, and following the results of review of financial and economic activities or audit, - later than two years after the day of committing a disciplinary offense. The specified time does not include the time for investigating the criminal case.

6. A copy of the act on application of a disciplinary penalty to a civil servant with indication of the grounds for its application shall be handed to a civil servant against signed receipt within five days from the date of issuance of the corresponding act.

7. A civil servant has the right to appeal a disciplinary penalty in writing to a state body commission on service disputes or in court.

8. If the civil servant is not subjected to a new disciplinary penalty within one year from the day of application of the disciplinary penalty provided for in paragraphs 1 to 3 of part 1 of Article 57 of this Federal Law and the penalty provided for by Article 59.1 of this Federal Law, he/she shall be considered not having a disciplinary penalty.

(as amended by Federal laws No. 329-FZ of 21.11.2011, No. 116-FZ of 07.06.2013)

9. The representative of the employer has the right to lift disciplinary penalty from the civil servant before expiry of one year from the day of application of the disciplinary penalty on his/her own initiative, on the written application of the civil servant or at the request of his/her immediate supervisor.

10. Lost force. - Federal Law No. 116-FZ of 07.06.2013.

Article 59. Internal service check

1. The internal service check shall be carried out by the decision of the representative of the employer or on the written application of the civil servant.

2. When conducting internal service check, the following issues should be fully, objectively and comprehensively established:

1) the fact that a civil servant has committed a disciplinary offense;

2) the fault of a civil servant;

3) the reasons and conditions conducive to the commission of a disciplinary offense to civil servants;

4) the nature and amount of damage caused to civil servants as a result of a disciplinary offense;

5) the circumstances that served as the basis for a written application of a civil servant to conduct a functional audit.

3. The representative of the employer who ordered an internal service check shall be obliged to control the timeliness and correctness of its conduct.

4. The performance of the internal service check shall be entrusted to the subdivision of the state body for public service and personnel with the participation of the legal division and the elected trade union body of this state body.

5. A civil servant who is directly or indirectly interested in its results may not participate in an internal service check. In these cases, he/she shall be obliged to apply to the representative of the employer, who ordered the internal service check, with a written application for releasing him/her from participation in this internal service check. If the specified requirement is not complied with, the results of the internal service check shall be considered invalid.

6. The internal service check must be completed no later than one month after the date of the decision on its conduct. The results of the internal service check shall be communicated to the representative of the employer who ordered the internal service check in the form of a written opinion.

7. A civil servant in respect of whom an official check is carried out may be suspended from the filled position of the civil service for the duration of the service check while maintaining the monetary allowance for the filled position of the civil service for this period. Temporarily removal of a civil servant from the filled civil service position shall be made by a representative of the employer who

ordered the internal service check.

8. A civil servant, in respect of whom an internal service check is carried out, shall be entitled to:

1) give oral or written explanations, submit applications, petitions and other documents;

2) appeal against decisions and actions (inaction) of civil servants conducting the internal service check, to the representative of the employer who appointed the internal service check;

3) be familiarized at the end of the functional audit with a written conclusion and other materials based on the results of the internal service check, if this is not contrary to the requirements for non-disclosure of information constituting a state secret or other secret protected by federal law.

9. In a written opinion, according to the results of a functional audit, the following shall be indicated:

1) the facts and circumstances established on the basis of the results of the internal service check;

2) a proposal to apply a disciplinary punishment to a civil servant or not to apply disciplinary punishment to him/her.

10. The written opinion on the results of the internal service check shall be signed by the head of the division of the state body for public service and personnel and other participants of the internal service check and shall be attached to the personal file of the civil servant in respect of whom the internal service check was conducted.

Article 59.1 Penalties for non-compliance with restrictions and prohibitions, requirements for prevention or settlement of conflicts of interest, and failure to fulfill obligations established to combat corruption

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

The following penalties shall be imposed for non-compliance by civil servants with restrictions and prohibitions, requirements for prevention or settlement of a conflict of interests, and failure to fulfill the obligations established with the view of combating corruption, by this Federal Law, Federal Law No.273-FZ of 25 December 2008 "On Combating Corruption" and other federal laws:

1) reprimand;

2) admonition;

3) a warning of professional impropriety.

Article 59.2. Dismissal due to loss of trust

(introduced by the Federal Law N 329-FZ of 21.11.2011)

1. A civil servant shall be dismissed because of a loss of trust in the following cases:

1) failure of civil servants to take measures to prevent and (or) resolve the conflict of interests to which he/she is a party;

2) failure to provide information by a civil servant about his/her incomes, expenses, property and property-related liabilities, as well as incomes, expenses, property and property-related liabilities of the spouse and minor children or submission of knowingly unreliable or incomplete information;
(as amended by Federal Law No. 231-FZ of 03.12.2012)

3) participation of a civil servant on a paid basis in the activities of the management body of a commercial organization, except in cases established by the federal law;

4) conducting a business activity by a civil servant;

5) entry of a civil servant into the management bodies, guardianship or supervisory boards, other bodies of foreign non-profit and non-governmental organizations and their structural divisions operating in the Russian Federation, unless otherwise stipulated by an international treaty of the Russian Federation or legislation of the Russian Federation;

6) violation by a civil servant, his/her spouse and minor children of the prohibition to open and have accounts (deposits), to keep cash and valuables in foreign banks located outside the territory of the Russian Federation, to own and (or) use foreign financial instruments.

(paragraph 6 was introduced by Federal law No. 102-FZ of 07.05.2013)

2. The representative of the employer who became aware of a personal interest of a civil servant that leads or may lead to a conflict of interest shall be subject to dismissal because of a loss of trust also if the representative of the employer does not take measures to prevent and (or) resolve a conflict of interest to which his/her subordinate civil servant is a party.

3. The information on application of a penalty to a civil servant in the form of dismissal in connection with the loss of trust for the commission of an offense of corruption shall be included in the register of persons dismissed in connection with the loss of trust stipulated by Article 15 of Federal Law No. 273-FZ of 25 December 2008 "On Combating Corruption".

(Part 3 introduced by Federal Law No. 132-FZ of 01.07.2017)

Article 59.3. The procedure for applying penalties for corruption offenses
(introduced by the Federal Law No. 329-FZ of 21.11.2011)

1. The penalties provided for in [Article 59.1](#) and [Article 59.2](#) of this Federal Law shall be applied by the employer's representative on the basis of the report on the results of the audit conducted by the personnel service subdivision of the relevant state body for the prevention of corruption and other offenses, and on the basis of the recommendation of the said commission if the report on the results of the audit was sent to the commission for the settlement of conflicts of interest. With the consent of a civil servant and subject to the recognition of the fact of committing a corruption offense, the penalty, except for the dismissal due to loss of confidence, may be applied on the basis of a report of the personnel service subdivision of the relevant state body for the prevention of corruption and other offenses on the commission of a corruption offense, which sets out the actual circumstances of its commission, and a written explanation of such a civil servant. (as amended by Federal Law No. 307-FZ dated 03.08.2018)

2. In applying the penalties provided for in Articles 59.1 and 59.2 of this Federal Law, the nature of the corruption offense committed by a civil servant, its severity, the circumstances under which it was committed, the observance by civil servants of other restrictions and prohibitions, requirements for prevention or settlement of a conflict of interests, obligations established for the purpose of combating corruption, as well as the previous results of the performance by civil servants of their official duties shall be taken into account.

3. The penalties provided for in Article 59.1 and Article 59.2 of this Federal Law shall be applied no later than six months from the date of receipt of information on the commission of a corruption offense by a civil servant, except for the periods of temporary disability of a civil servant, their stay on vacation, and other cases of their absence from service for good reasons, and no later than three years from the date of the commission of a corruption offense. The specified time limits shall not include the time of criminal proceedings.

(Part 3 as amended by Federal Law No. 432-FZ dated 16.12.2019)

3.1. The penalty in the form of a reprimand may be applied to a civil servant if the corruption offense committed by him/her is of minor significance according to the recommendation of the commission for settlement of conflicts of interest. (Part 3.1 was introduced by Federal Law No. 431-FZ of 22.12.2014)

4. The act on application to a civil servant of a penalty in the event of the commission of a corruption offense, shall refer to Article 59.1 or 59.2 of this Federal Law as the basis for applying the penalty.

5. A copy of the act on the application to the civil servant of the penalty with the indication of the corruption offense and the normative legal acts, the provisions of which are violated, or the refusal to apply to the civil servant of such penalty with stating the motives shall be handed to the civil servant against signed acknowledgement within five days from the date of issuance of the corresponding act.

6. A civil servant shall have the right to appeal against the penalty in writing to a state body commission on service disputes or in court.

7. If, within one year from the date of application of penalty, a civil servant has not been subjected to a disciplinary penalty provided for in paragraph 1, 2, or 3 of part 1 of Article 57 of this Federal Law, or penalty provided for in paragraph 1, 2 or 3 of Article 59.1 of this Federal Law he/she shall be deemed not as not having a penalty.

Chapter 13. DELIVERING HUMAN RESOURCES FOR STAFFING THE CIVIL SERVICE

Article 60. Principles and priority areas for delivering human resources for staffing the civil service

1. Human resources for staffing the civil service shall be delivered on the basis of the following principles:

1) appointment of civil servants to the civil service position, taking into account their achievements in professional performance and professional aptitude;

2) improvement of professional skills of civil servants.

2. Priority areas for delivering human resources for staffing the civil service shall be as follows:

1) training of personnel for civil service and professional development of civil servants;

(as amended by Federal laws No. 185-FZ of 02.07.2013, No. 275-FZ of 29.07.2017)

2) encouraging career promotion of civil servants on a competitive basis;

3) rotation of civil servants;

4) building up the human resource pool on a competitive basis and its effective use;

5) evaluation of the results of professional performance of civil servants

through appraisal or qualification examination;

6) application of modern personnel technologies when entering the civil service and its performance.

3. Lost force on 1 January 2013.- Federal Law No. 395-FZ of 06.12.2011.

Article 60.1. Civil servants rotation

(introduced by Federal Law No. 395-FZ of 06.12.2011)

1. Civil servants shall be rotated to improve the effectiveness of the civil service and counter corruption by appointing civil servants to other civil service positions in the same or another public authority.

2. Rotation of federal civil servants shall be carried out in the territorial bodies of the federal executive authorities exercising control and supervisory functions. Federal civil servants who are filling the positions of heads of these bodies shall be subject to rotation. Rotation of federal civil servants who are filling other positions of the federal civil service of the category “heads”, the performance of official duties for which is associated with the implementation of control or supervisory functions, shall be carried out in accordance with the list of positions approved by head of the federal executive body in the territorial bodies of the federal executive body, the management of which is carried out by the President of the Russian Federation or the Government of the Russian Federation, and in the territorial bodies of the federal executive body under the jurisdiction of the federal ministry in accordance with the list of positions approved by head of the federal executive body in coordination with the federal minister.

(Part 2 as amended by Federal Law No. 461-FZ dated 11.12.2018)

2.1. No longer valid. - Federal Law No. 461-FZ dated 11.12.2018.

2.2. The rotation of federal civil servants may be conducted:

1) in the federal executive bodies supervised by the President of the Russian Federation - according to the lists of positions of the federal civil service approved by the President of the Russian Federation, formed on the basis of proposals of these federal executive bodies;

2) in the federal executive bodies supervised by the Government of the Russian Federation - according to the lists of positions of the federal civil service approved by the Government of the Russian Federation, formed on the basis of proposals of these federal executive bodies;

3) in other federal state bodies - according to the lists of positions of the federal civil service, approved by the President of the Russian Federation, formed

on the basis of proposals of the heads of these federal state bodies, in accordance with the procedure established by the President of the Russian Federation.
(part 2.2 was introduced by Federal Law No. 53-FZ of 02.04.2014)

3. The rotation plan of the federal civil servants shall be approved by head of the federal state body. The form of the rotation plan and the procedure for its approval shall be established by the federal executive body authorized by the Government of the Russian Federation.

(Part 3 as amended by Federal Law No. 461-FZ dated 11.12.2018).

4. The rotation of a federal civil servant who fills the position of the federal civil service in the federal executive body or its territorial body or in another federal state body, another federal executive body or its territorial body or another federal state body shall be conducted upon agreement between the heads of the corresponding federal executive bodies and (or) other federal state bodies, vested with authority to appoint to the positions of the federal civil service, which is carried out by rotation, and dismiss from such positions. The rotation of a federal civil servant to a federal executive body under the jurisdiction of the federal ministry or to the territorial body of such a federal executive body shall be subject to coordination with the federal minister.
(part 4 as amended by Federal Law No. 53-FZ of 02.04.2014)

5. When appointing a civil servant to another position of the civil service on a rotation basis, the level of their qualification, specialty, direction of training, experience of civil service or work in the specialty, as well as direction of training shall be taken into account. A civil servant shall not be appointed on a rotation basis to a civil service position, the amount of the official salary for which is lower than the amount of the official salary for the civil service position filled by this civil servant. (Part 5 as amended by Federal Law No. 461-FZ dated 11.12.2018)

6. The civil service position by way of rotation of civil servants shall be filled for a period of three to five years.

7. During the last year of validity of a fixed-term service contract with a civil servant who is filling a position of the civil service on a rotation basis, but not less than six months before the end of the term of the service contract, the employer's representative shall notify the civil servant in writing about the upcoming appointment of a civil servant to another position of the civil service on a rotation basis, thus indicating the terms of the service contract for the new position of the civil service. (Part 7 as amended by Federal Law No. 461-FZ dated 11.12.2018)

7.1. The transfer of a civil servant on a rotation basis to a civil service position in another state body shall be carried out with their written consent in accordance with [item 5 of Part 1 of Article 33](#) of this Federal Law.

(Part 7.1 is introduced by Federal Law No. 461-FZ dated 11.12.2018)

8. A civil servant shall be entitled to refuse to fill another civil service position on a rotation basis for the following reasons:

1) presence of a disease that prevents the residence of a civil servant and/or members of their family (spouse, minor children, children over 18 years old who have become disabled before they reach the age of 18, children under the age of 23 who are having full-time education in organizations that carry out educational activities, parents, as well as persons who are dependent on a civil servant and live together with him) in the area where the civil servant is appointed on a rotation basis. The list of such diseases shall be approved by the federal executive body authorized by the Government of the Russian Federation;

2) need for constant care for a father, mother, sibling, grandparent, or adoptive parent who live separately and are not fully supported by the state and who need constant outside care (assistance, supervision) in accordance with the conclusion of the federal institution of medical and social expertise at their place of residence. (Part 8 as amended by Federal Law No. 461-FZ dated 11.12.2018)

9. In case of refusal to fill a civil service position by way of rotation for the reasons specified in part 8 of this Article, a civil servant shall be offered in writing, no later than 30 days before the expiration of the term of the fixed service contract, another vacant civil service position in the same or another state body, taking into account the level of qualification, specialty, training, civil service or work in the specialty, the field of education, knowledge and skills, which are necessary for the performance of official duties. In case a civil servant refuses to fill another offered civil service position in the same or another public body or he/she is not offered another civil service position, a civil servant shall be dismissed from the filled civil service position and discharged from the civil service and the service contract shall be terminated in accordance with paragraph 2 of part 1 of Article 33 of this Federal Law. (part 9 as amended by Federal Law No. 224-FZ of 30.06.2016).

9.1. In case of refusal of the civil servant from the civil service position offered for filling on a rotation basis for the reasons not specified in Part 8 of this Article, the service contract with such civil servant shall be terminated, and the civil servant shall be released from the civil service position being filled and dismissed from the civil service in accordance with [item 2 of Part 1 of Article 33](#) of this Federal Law.

(Part 9.1 is introduced by Federal Law No. 461-FZ dated 11.12.2018)

10. The list of civil service positions of a constituency of the Russian Federation for which rotation of civil servants of a constituency of the Russian Federation is envisaged and the rotation plan for civil servants of a constituency of the Russian Federation shall be approved by regulatory legal acts of a constituency of the Russian Federation.

Article 61. Training of Personnel for the Civil Service

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

1. Training of personnel for the civil service shall be carried out in professional educational organizations and educational organizations of higher education in accordance with the legislation of the Russian Federation.

(part 1 as amended by Federal Law No. 185-FZ of 02.07.2013)

2. An agreement on target admission or agreement on target training between government and the citizen with subsequent obligation to perform civil service after graduation for a certain period shall be made on a competitive basis in the procedure established by decree of the President of Russian Federation, normative legal act of the federal executive body authorized by the Government of the Russian Federation and legislation of the constituency of the Russian Federation, respectively.

(as amended by Federal laws No. 160-FZ of 23.07.2008, No. 185-FZ dated 02.07.2013)

3. Coordination of training personnel for the civil service shall be carried out by the corresponding body for the management of the civil service.

Article 62. Professional development of a civil servant

(as amended by Federal Law No. 275-FZ of 29.07.2017)

1. Professional development of a civil servant is aimed at a civil servant's maintaining and enhancing the level of skills necessary for proper performance of service duties, and shall include additional professional education and other professional development activities.

2. Professional development of a civil servant shall be carried out during the whole period of the civil service.

3. The grounds for sending a civil servant to participate in professional development activities shall be as follows:

1) decision of the representative of the employer;

2) results of appraisal of a civil servant;

3) appointment of a civil servant to another civil service position in accordance with paragraph 2 of part 1 of Article 31 of this Federal Law;

4) appointment of a civil servant by way of career promotion to the official position of the civil service in the "heads" category of supreme or main group of civil service positions, or to the position of the civil service of the "specialists" category in the supreme group of civil service positions for the first time;

5) entry of a citizen into the civil service for the first time.

4. The activities for the professional development of civil servants may be carried out as follows:

1) through the state order for activities for the professional development of civil servants in accordance with the legislation of the Russian Federation on the contract system in the procurement of goods, works, services to provide for state and municipal needs;

2) within the limits of the state order in the manner established by the Government of the Russian Federation or normative legal acts of the constituency of the Russian Federation;

3) funded by the state body in which the civil servant fills the position of the civil service, in the organization that provides education on additional professional programs, as defined in accordance with the legislation of the Russian Federation on the contract system in the procurement of goods, works and services for state and municipal needs.

5. The activities for the professional development of civil servants may be carried out outside the territory of the Russian Federation.

6. Activities for the professional development of civil servants shall be carried under on-the-job or off-the-job schemes.

7. Professional development of a civil servant shall be carried out in the procedure determined by the President of the Russian Federation.

8. The representative of an employer, educational organization, government body or other organization shall create conditions for professional development of a civil servant who participates in professional development activities.

9. Additional professional education of a civil servant shall include professional retraining and advanced training.

10. Additional professional education of a civil servant shall be carried out in organizations that carry out educational activities for additional professional programs, including on the basis of the state educational certificate for additional professional education of civil servants (hereinafter referred to as the certificate).

11. The procedure for granting a certificate, the form of the certificate, the rules for applying for a certificate and the rules for issuing a certificate (its duplicate) shall be established by the Government of the Russian Federation.

Article 63. State order for measures aimed at professional development activities of civil servants

(as amended by Federal Law No. 275-FZ of 29.07.2017)

1. The state order for measures aimed at professional development of civil servants for the next year shall include the following:

1) state order for additional professional education of civil servants, including outside the territory of the Russian Federation;

2) state order for other measures for the professional development of civil servants.

2. Formation of the specified state order shall be carried out by the appropriate body for management of the civil service on the basis of applications of state bodies, taking into account the functions of state bodies and their specialization, and also taking into account professional education in civil service positions, filled in these state bodies.

3. The state order for measures aimed at professional development of federal civil servants, including its scope and structure, shall be approved by the Government of the Russian Federation after the day of the entry into force of the federal law on the federal budget for the corresponding fiscal year and planning period.

4. The state order of a constituency of the Russian Federation for measures aimed at professional development of civil servants of a constituent entity of the Russian Federation, including its scope and structure, shall be approved by the law or other normative legal act of the constituency of the Russian Federation, subject to the provisions of this Article.

Article 64. Staff reserve in the civil service

(as amended by Federal law No. 116-FZ of 07.06.2013)

1. A federal staff reserve, a staff reserve of a constituency of the Russian Federation, a staff reserve of a federal state body and a staff reserve of a state body of a constituency of the Russian Federation shall be formed from among civil servants (citizens) to fill vacant civil service positions.

2. The federal staff reserve shall be formed by the federal state body for managing the civil service to fill the position of the federal civil service of the supreme, main and leading groups in the manner determined by the President of the Russian Federation.

3. The staff reserve of a constituency of the Russian Federation shall be formed by the state body for managing the state service of a constituency of the Russian Federation to fill the position of the civil service of a constituent entity of

the Russian Federation of the supreme, main and leading groups from among the civil servants (citizens) included in the staff reserves of government agencies of the constituency of the Russian Federation.

4. The staff reserve of the federal state body and the staff reserve of the state body of a constituency of the Russian Federation (hereinafter also - the staff reserve of the state body) shall be formed by the corresponding representative of the employer.

5. Inclusion of civil servants (citizens) in the personnel reserve of the state body shall be carried out with indication of the group of civil service positions to which they may be appointed.

6. Inclusion in the staff reserve of the state body shall be performed as follows:

1) citizens - according to the results of the competition for inclusion in the staff reserve of the state body;

2) citizens - based on the results of a competition for filling a vacant civil service position with the consent of the said citizens;

3) civil servants to fill the vacant civil service position by way of career promotion - based on the results of the competition for inclusion in the personnel reserve of the state body;

4) civil servants to fill the vacant civil service position by way of career promotion - based on the results of the competition for filling a vacant civil service position with the consent of the said civil servants;

5) civil servants to fill a vacant civil service position by way of career promotion - according to the results of appraisal in accordance with paragraph 1, part 16, Article 48 of this Federal Law with the consent of the said civil servants;

6) civil servants dismissed from the civil service in connection with downsizing civil service positions in accordance with paragraph 8.2 of part 1 of Article 37 of this Federal Law or the liquidation of a state body in accordance with paragraph 8.3 of part 1 of Article 37 of this Federal Law - upon the decision of the representative of the employer the state body in which civil service positions are reduced, or the state body to which the functions of the abolished state body are transferred, - with the consent of the said civil service employees;

7) civil servants who are dismissed from the civil service on the grounds provided for in part 1 of Article 39 of this Federal Law, with the consent of the said civil servants.

7. Inclusion of civil servants in the personnel reserve of the state body in

accordance with paragraphs 6 and 7 of part 6 of this Article shall be made for filling of civil service positions of the same group of civil service positions, which includes the last civil service position filled by a civil servant.

8. The competition for inclusion in the personnel reserve of the state body shall be carried out by the competitive commission of the state body.

9. The inclusion of a civil servant (citizen) in the federal staff reserve shall be formalized by a legal act of the federal state body for the management of the civil service, in the staff reserve of the constituency of the Russian Federation - by a legal act of the state body for managing the state service of the constituency of the Russian Federation, and in the personnel reserve of the state body - by a legal act of the state body.

10. The appointment of a civil servant (citizen) included in the staff reserve, to a vacant civil service position shall be carried out with his/her consent by the decision of the representative of the employer.

11. Regulation on the staff reserve in the federal civil service determining the procedure for building federal staff reserve and staff reserve of the federal state body and work with them, shall be approved by the normative legal act of the President of the Russian Federation.

12. Regulation on the staff reserve in the civil service of a constituency of the Russian Federation determining the procedure for building the personnel reserve of a constituency of the Russian Federation and the staff reserve of a state body of a constituency of the Russian Federation and work with them shall be approved by a regulatory legal act of a constituency of the Russian Federation.

Chapter 14. FUNDUNG FOR THE CIVIL SERVICE. CIVIL SERVICE DEVELOPMENT PROGRAMS

Article 65. Funding for the civil service

Funding for the federal civil service and civil service of the constituencies of the Russian Federation shall be carried out with the funds of the federal budget and the budgets of the constituencies of the Russian Federation in accordance with the procedure established by this Federal Law, other federal laws, other regulatory legal acts of the Russian Federation, laws and other normative legal acts of the constituent entities of the Russian Federation.

Article 66. Civil service development

(as amended by Federal Law No. 226-FZ dated 20.07.2020)

1. The development of the federal civil service shall be carried out in accordance with the main directions of its development determined by the President of the Russian Federation and/or in accordance with the state programs of the Russian Federation.

2. The development of the civil service of the constituent entities of the Russian Federation shall be carried out in accordance with the main directions of its development determined by the normative legal acts of the constituent entities of the Russian Federation and/or in accordance with the state programs of the constituent entities of the Russian Federation, thus taking into account the main directions of the development of the federal civil service determined by the President of the Russian Federation.

3. Experiments on the application of new approaches to the organization of the civil service and ensuring the activities of civil servants may be conducted in a state body, its independent structural subdivision or territorial body, or in several state bodies (hereinafter referred to as the “experiment”).

4. For the period of the experiment, but not for more than one year, the terms of service contracts of civil servants participating in the experiment may be changed. Changing the terms of the service contract in this case shall be carried out in accordance with the procedure established by the legislation of the Russian Federation and shall not entail a reduction in the amount of the monetary allowance of the civil servant participating in the experiment in comparison with their monetary allowance at the beginning of the experiment, as well as to the demotion of such civil servant in the position in comparison with the position filled by them at the beginning of the experiment.

5. The procedure for organization and requirements for conducting experiments aimed at the development of the federal civil service shall be established by the decree of the President of the Russian Federation.

6. The procedure for the organization and requirements for conducting experiments aimed at the development of the civil service of the constituent entities of the Russian Federation shall be established by the normative legal acts of the constituent entities of the Russian Federation.

**Chapter 15. STATE SUPERVISION AND CONTROL OVER
COMPLIANCE WITH THE LEGISLATION
OF THE RUSSIAN FEDERATION
ON THE STATE CIVIL SERVICE OF THE RUSSIAN FEDERATION**

Article 67. Bodies of state supervision and control over compliance with

the legislation of the Russian Federation on the state civil service of the Russian Federation

1. The state supervision and extra-departmental control over compliance with the legislation of the Russian Federation on the state civil service of the Russian Federation shall be carried out by specially authorized state bodies, determined by federal laws and other normative legal acts of the Russian Federation.

2. The intra-departmental control over compliance with the legislation of the Russian Federation on the state civil service of the Russian Federation in subordinate state bodies shall be exercised by federal state bodies and state bodies of the constituencies of the Russian Federation.

3. The state supervision over the precise and uniform compliance with the legislation of the Russian Federation on the state civil service of the Russian Federation shall be exercised by the Prosecutor General of the Russian Federation and the prosecutors subordinate to him/her in accordance with federal law.

Article 68. Responsibility for violation of the legislation of the Russian Federation on the state civil service of the Russian Federation

Persons guilty of violating the legislation of the Russian Federation on the state civil service of the Russian Federation shall be held liable in accordance with the procedure established by this Federal Law and other federal laws.

Chapter 16. CONSIDERATION OF INDIVIDUAL SERVICE DISPUTES

Article 69. Individual service dispute

Individual service dispute shall be understood as disagreements unsettled between the representative of the employer and a civil servant or a citizen entering the civil service or formerly employed in the civil service, on the application of laws, other regulatory legal acts on the civil service and the service contract, which are reported to the individual review body service disputes.

Article 70. Bodies for examination of individual service disputes

1. Individual service disputes (hereinafter referred to as service disputes) shall be examined by the following bodies for consideration of individual service disputes (hereinafter referred to as bodies for consideration of service disputes):

- 1) by the service disputes commission of the state body;
- 2) by the court.

2. The procedure for consideration of service disputes in bodies for consideration of service disputes shall be governed by this Federal Law and other federal laws, and the procedure for considering cases involving service disputes in courts shall be also determined by the civil procedural law of the Russian Federation.

3. The commission of the state body on official disputes (hereinafter referred to as the “commission on official disputes”) shall be formed by the decision of the employer’s representative and shall consist of an equal number of the appointed representatives from among the employer’s representatives and representatives of civil servants elected at the meeting (conference) of civil servants of the state body, including the representative (representatives) of the elected trade union body (elected trade union bodies) of such state body.

(Part 3 as amended by Federal Law No. 227-FZ dated 20.07.2020)

4. A meeting (conference) of civil servants of a state body shall be held by a decision of the employer’s representative, including in connection with an appeal by civil servants or an elected trade union body of such state body.

(Part 4 as amended by Federal Law No. 227-FZ dated 20.07.2020)

4.1. A meeting of civil servants of a state body shall be considered duly constituted if it is attended by more than half of the civil servants of the state body.

(Part 4.1 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

4.2. A conference of civil servants of a state body shall be considered duly constituted if it is attended by at least two-thirds of the civil servants of the state body who are delegates from the subdivisions of the state body elected at the relevant meetings, including in the territorial bodies of the state body.

(Part 4.2 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

4.3. The decision of the meeting (conference) of civil servants of the state body shall be adopted by a majority of votes of civil servants (delegates) present at the meeting (conference).

(Part 4.3 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

4.4. The employer’s representative shall arrange the necessary organizational conditions for holding a meeting (conference) of civil servants of the state body.

(Part 4.4 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

5. The service disputes commission has its own stamp. Organizational and technical support for the activities of the commission on service disputes shall be carried out by the state body.

6. The service disputes commission shall elect from among its members the

chairman and secretary of the commission.

7. The service dispute is subject to review by the service disputes commission if the civil servant has not managed with or without the participation of his representative representing his/her interests to settle any disagreements through direct negotiations with the representative of the employer.

8. A civil servant or a citizen who is entering the civil service or previously employed in the civil service may apply to the service dispute commission within three months from the day he/she learned or ought to have learned about the violation of his/her right.

9. In the event the deadline specified in part 8 of this Article was missed for valid reasons, the service dispute commission may reinstate this deadline and consider the service dispute on the merits. The written application of a civil servant or a citizen entering the civil service or formerly employed in the civil service is subject to mandatory registration by the said commission on the day of its submission.

10. The commission on official disputes shall consider an official dispute within ten calendar days from the date of submission of a written application by a civil servant or a citizen entering the civil service or previously held in the civil service.

(as amended by Federal Law No. 227-FZ dated 20.07.2020)

11. A meeting of the commission on service disputes shall be considered duly constituted if it is attended by at least half of its members representing the employer's representative, and at least half of its members representing civil servants. If one or more representatives of an elected trade union body (elected trade union bodies) of such state body are elected to the commission on official disputes, it shall not be allowed to hold a meeting of the commission on official disputes without their participation.

(Part 11 as amended by Federal Law No. 227-FZ dated 20.07.2020)

11.1. If a conflict of interest arises or may arise during the consideration of an official dispute, a member of the commission on official disputes who has a direct or indirect personal interest in the decision on an official dispute shall declare this before the meeting of the commission on official disputes or during the consideration of an official dispute. In this case, the specified member of the commission on official disputes shall not take part in the further consideration of the official dispute and making a decision on the official dispute.

(Part 11.1 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

11.2. A member of the commission on official disputes who is directly subordinate to or under the control of a civil servant in respect of whom the commission is considering an official dispute, or who is closely related to this civil servant (parents, spouses, children, brothers, and sisters, as well as brothers, sisters, parents, children of spouses, and spouses of children) shall not participate in the meeting of the commission on official disputes and making a decision on this official dispute.

(Part 11.2 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

11.3. An official dispute shall be considered in the presence of a civil servant or a citizen entering the civil service or previously held in the civil service who has submitted a written application to the commission on official disputes, or a representative authorized by the said civil servant or citizen (hereinafter referred to in this article as the “authorized representative”). Consideration of an official dispute in the absence of the specified civil servant or citizen or authorized representative shall be allowed only on the written application of the specified civil servant or citizen.

(Part 11.3 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

11.4. In case of non-appearance of a civil servant or a citizen entering the civil service or previously held in the civil service, or an authorized representative at a meeting of the commission on official disputes for a valid reason, the consideration of the official dispute shall be postponed. In the event of a repeated non-appearance of the specified civil servant or citizen or authorized representative, the commission on official disputes may decide to withdraw the official dispute from consideration, which does not deprive the specified civil servant or citizen of the right to submit an application for consideration of the official dispute again within the period established by [Part 8](#) of this Article.

(Part 11.4 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

11.5. If the official dispute is not considered by the commission on official disputes within ten days, a civil servant or a citizen entering the civil service or previously held in the civil service shall be entitled to transfer the consideration of the official dispute to the court.

(Part 11.5 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

11.6. The commission on official disputes shall be entitled to call witnesses to the meeting, invite specialists, as well as to request information and materials necessary for the consideration of an official dispute, which are submitted to the commission on official disputes within the time limit established thereby.

(Part 11.6 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

11.7. The commission on official disputes shall make a decision by secret ballot by a simple majority of the votes of members of the commission present at the meeting. A copy of the decision of the commission on official disputes signed by the chairman of the commission on official disputes or their deputy and certified by the seal of the commission on official disputes shall be transferred to the employer's representative and the civil servant or a citizen entering the civil service or previously held in the civil service, or an authorized representative within three days from the date of the decision.

(Part 11.7 is introduced by Federal Law No. 227-FZ dated 20.07.2020)

12. The decision of the service dispute commission may be appealed by either party in court within ten days from the day of handing to it a copy of the decision of the commission. In the event the established deadline was missed for valid reasons, the court may reinstate this deadline and consider the service dispute on the merits.

13. Written claims related to service disputes filed by a civil servant or a citizen entering the civil service or previously employed in the civil service, a representative of the employer or representative of the elective trade union body of the state agency, shall be considered by the court if at least one of them does not agree with the decision of the service dispute commission or if a civil servant or a representative of the employer applied to a court without recourse to a service dispute commission, as well as at the request of the prosecutor, if the decision of the service dispute commission does not conform with federal laws or other normative legal acts of the Russian Federation.

14. The following official disputes on written applications shall be considered directly in the courts:

1) official disputes of a civil servant or a citizen who held previously in the civil service concerning the restoration of a previously filled civil service position, regardless of the grounds for termination of the service contract, dismissal from the civil service position, dismissal from the civil service, on changing the date of dismissal from the civil service position and the wording of the reason for this release, on transfer to another civil service position without the consent of the civil servant, on payment for the time of forced absenteeism or on payment of the difference in the monetary allowance for the time of performance of official duties for the lower-paid position of the civil service, on illegal actions (inaction) of the employer's representative or their authorized persons in the processing and protection of personal data of the civil servant; (as amended by Federal Law No. 227-FZ dated 20.07.2020)

2) official disputes of the employer's representative concerning compensation to civil servants for damage caused to a state body, unless otherwise provided for by federal laws. (as amended by Federal Law No. 227-FZ dated 20.07.2020)

15. The following official disputes shall also be considered directly in the courts:

- 1) on the unlawful refusal to enter the civil service;
- 2) on written statements of civil servants who believe that they have been discriminated against.

16. In cases of dismissal from a civil service position and dismissal from the civil service on the grounds not provided for by this Federal Law, or in violation of the established procedure for dismissal from a civil service position and dismissal from the civil service, or in case of illegal transfer to another civil service position, the court shall be entitled upon a written application of a civil servant to make a decision on recovery in favor of a civil servant of monetary compensation for the moral damage incurred. The amount of such compensation shall be determined by the court. (as amended by Federal Law No. 227-FZ dated 20.07.2020)

17. Terms of applying to the court for consideration of an official dispute and the procedure for exempting civil servants from court costs, the procedure for making decisions on official disputes related to dismissal from a civil service position and dismissal from the civil service, transfer to another civil service position without the consent of a civil servant, the procedure for satisfying monetary claims of civil servants, executing decisions on reinstatement in a previously filled civil service position and limiting the recovery of amounts paid by the decision of the bodies for the consideration of service disputes shall be determined in accordance with the procedure established by labor legislation in relation to the consideration and resolution of individual labor disputes.

(as amended by Federal Law No. 227-FZ dated 20.07.2020)

Chapter 17. ENTRY INTO FORCE OF THIS FEDERAL LAW

Article 71. Entry into force of this Federal Law

1. This Federal Law shall enter into force six months after the day of its official publication, with the exception of Articles 50, 51 and 55 of this Federal Law.

(as amended by Federal Law No. 280-FZ of 25.12.2008)

2. Lost force. - Federal Law No. 280-FZ of 25.12.2008.

3. The provisions of Articles 50, 51 and 55 of this Federal Law shall enter into force with respect to federal civil servants simultaneously with the entry into force

of the decree of the President of the Russian Federation on the salary of federal civil servants.

4. The procedure for entry into force of Articles 50, 51 and 55 of this Federal Law in respect of civil servants of the constituencies of the Russian Federation shall be determined by laws and other normative legal acts of the constituencies of the Russian Federation, taking into account the provisions of this Article.

5. The conditions for payment of salary or monetary remuneration of civil servants established by the civil servants, recognized in accordance with this Federal Law, including the amount of salary, official salaries, established increments, conditions and procedure for their payment, shall be applied until the date of entry into force of regulatory legal acts that establish the salary of civil servants in accordance with this Federal Law.

6. Before setting up of the relevant body for the management of the civil service, the tasks and functions of this body shall be carried out by state bodies in accordance with the legislation of the Russian Federation and the legislation of the constituent entities of the Russian Federation.

7. The amount of salary established for civil servants in accordance with this Federal Law may not be less than the amount of salary established for civil servants on the date of entry into force of this Federal Law.

8. The qualification grades previously accorded to the federal state civil servants shall be considered corresponding to the civil service class ranks provided for in Article 11 of this Federal Law.

9. The length of civil service for allocating monthly increments to the salary for long employment in the civil service, granting additional annual vacation for long service, rewarding for the civil service in accordance with this Federal Law and the laws of the constituent entities of the Russian Federation shall include the periods of work (service) previously included (counted) in the established order in this length of service.

10. The terms for medical and health resort treatment and rest for civil servants who are recognized civil servants in accordance with this Federal Law and members of their families, including after retirement of civil servants for length of service, shall remain in force until the entry into force of the federal law on health insurance of civil servants Russian Federation.

11. Pension support of federal civil servants for long service shall be maintained until entrance into force of the federal law on state pension support of citizens of the Russian Federation who have performed the state service, and their families.

Article 72. Recognition of certain legislative acts as expired

The following shall be recognized as having lost force from the date of entry into force of this Federal Law:

1) Federal Law No. 119-FZ of 31 July 1995 "On the Basics of the Civil Service of the Russian Federation" (Official gazette of the Russian Federation, 1995, No. 31, Article 2990);

2) Federal Law No. 35-FZ of 18 February 1999 "On Amending Article 6 of the Federal Law "On the Principles of the Public Service of the Russian Federation" (Official gazette of the Russian Federation, 1999, No. 8, Article 974);

3) Article 1 of Federal Law No. 135-FZ of 7 November 2000 "On Amendments and Additions to Certain Legislative Acts of the Russian Federation in Connection with the Adoption of the Federal Law on State Dactyloscopic Registration in the Russian Federation" (Official gazette of the Russian Federation, 2000, No. 46, Article 4537).

Article 73. Application of laws and other normative legal acts containing norms of labor law

Federal laws, other normative legal acts of the Russian Federation, laws and other normative legal acts of the constituencies of the Russian Federation containing the norms of labor law shall apply to the relations pertaining to the civil service, to the extent not regulated by this Federal Law.

Article 74. The application of laws and other regulatory legal acts on public service in connection with the entry into force of this Federal Law

Until federal laws, other normative legal acts of the Russian Federation, laws and other normative legal acts of the constituencies of the Russian Federation on the state service been harmonized with this Federal law, federal laws, other normative legal acts of the Russian Federation, laws and other normative legal acts of the constituencies of the Russian Federation on the state service shall apply insofar as they are not at variance with this Federal Law.

President
of the Russian Federation
VLADIMIR PUTIN

Moscow Kremlin

27 July 2004

No. 79-FZ

