

**RUSSIAN FEDERATION**  
**THE FEDERAL LAW**  
**ON ANTI-CORRUPTION EXPERT REVIEW**  
**OF REGULATORY LEGAL ACTS**  
**AND DRAFT REGULATORY LEGAL ACTS**

Adopted by  
the State Duma  
on 3 July 2009

Approved by  
the Federation Council  
on 7 July 2009

List of amending documents  
(as amended by Federal laws No. 329-FZ of 21.11.2011,  
No. 279-FZ of 21.10.2013, No. 145-FZ of 04.06.2018,  
No. 362-FZ of 11.10.2018 )

**Article 1**

1. This Federal Law establishes the legal and organizational basis for anti-corruption expert review of regulatory legal acts and draft regulatory legal acts with a view to identifying in them corruption-related factors and their subsequent elimination.

2. Corruption factors are deemed the provisions of legal acts (draft regulations) set for the law enforcer unduly broad discretion, or the possibility of abusive use of exceptions to the general rules as well as provisions containing vague, exigent and (or) the burdensome requirements for individuals and organizations, and thereby creating conditions for corruption.

**Article 2**

The main principles of the organization of anti-corruption expert review of regulatory legal acts (draft regulatory legal acts) are as follows:

- 1) mandatory anti-corruption expert review of draft regulatory legal acts;

2) assessment of a regulatory legal act (a draft regulatory legal act) in conjunction with other regulatory legal acts;  
(as amended by Federal law No. 145-FZ of 04.06.2018)

3) validity, objectivity and verifiability of the results of anti-corruption expert review of regulatory legal acts (draft regulatory legal acts);

4) competence of persons conducting anti-corruption expert review of regulatory legal acts (draft regulatory legal acts);

5) cooperation of federal executive bodies, other state bodies and organizations, state authorities of the constituencies of the Russian Federation, local self-government bodies and their officials (hereinafter - bodies, organizations, their officials) with civil society institutions in carrying out anti-corruption expert review of regulatory legal acts (draft regulatory legal acts).

### **Article 3**

1. Anti-corruption expert review of regulatory legal acts (draft regulatory legal acts) shall be conducted by:

1) the Prosecution Service of the Russian Federation - in accordance with this Federal Law and the Federal Law "On the Prosecution Service of the Russian Federation", pursuant to the procedure established by the Prosecutor General's Office of the Russian Federation and in accordance with the methodology established by the Government of the Russian Federation;

2) by the federal executive authority in the field of justice - in accordance with this Federal Law, in accordance with the procedure and in accordance with the methodology established by the Government of the Russian Federation;

3) bodies, organizations, their officials - in accordance with this Federal Law, in accordance with the procedure established by regulatory legal acts of the corresponding federal executive bodies, other state bodies and organizations, state authorities of the constituencies of the Russian Federation, local self-government bodies, and in accordance with the methodology, determined by the Government of the Russian Federation.

2. Prosecutors in the course of exercising their powers shall conduct an anti-corruption examination of regulatory legal acts of the bodies, organizations, their officials on matters relating to:

1) rights, freedoms and duties of persons and citizens;

2) state and municipal property, state and municipal services, budgetary, tax, customs, forest, water, land, urban development, environmental legislation,

legislation on licensing, as well as the legislation regulating the activities of public corporations, foundations and other organizations established by the Russian Federation on the basis of the federal law;

3) social guarantees to persons who hold (held) state or municipal positions, positions of state or municipal service.

3. The federal executive body in the field of justice shall conduct anti-corruption expert review of:

1) draft federal laws, draft decrees of the President of the Russian Federation and draft resolutions of the Government of the Russian Federation, developed by federal executive bodies, other state bodies and organizations - in conducting their legal expert review;

2) draft amendments of the Government of the Russian Federation to draft federal laws prepared by federal executive bodies, other state bodies and organizations - in conducting their legal expert review;  
(as amended by Federal laws No. 329-FZ of 21.11.2011, No. 279-FZ of 21.10.2013)

3) regulatory legal acts of federal executive bodies, other state bodies and organizations affecting the rights, freedoms and duties of individuals and citizens, establishing the legal status of organizations or interagency regulatory acts, as well as charters of municipalities and municipal legal acts on introducing amendments to the charters of municipal formations - at their state registration;

4) regulatory legal acts of the constituencies of the Russian Federation - when monitoring their application and when entering information in the federal register of regulatory legal acts of the constituencies of the Russian Federation.  
(as amended by Federal Law No. 329-FZ of 21.11.2011)

4. The bodies, organizations and their officials shall conduct an anti-corruption examination of the regulatory legal acts (draft regulatory legal acts) they have adopted when conducting their legal assessment and monitoring their application.

5. The bodies, organizations, their officials in the event of identifying in regulatory legal acts (draft regulatory legal acts) corruption factors requiring measures which are outside the limits of their competence, shall inform thereof the prosecution bodies.

6. Anti-corruption expert review of regulatory legal acts adopted by reorganized and (or) abolished bodies and organizations shall be carried out by bodies, organizations, to whom the powers of reorganized and (or) abolished bodies and organizations were transferred, while monitoring the application of

these regulatory legal acts.

(Part 6 was introduced by Federal Law No. 329-FZ of 21.11.2011)

7. Anti-corruption expert review of regulatory legal acts adopted by reorganized and (or) liquidated agencies, organizations, whose powers during the reorganization and (or) liquidation were not transferred, shall be carried out by the authority, whose powers include the implementation of the functions of public policy and legal regulation in the relevant field activities, while monitoring the application of these regulatory legal acts.

(Part 7 was introduced by Federal Law No. 329-FZ of 21.11.2011)

8. In case of detection of corruption factors in the legal acts of the bodies or organizations that were reorganized and (or) liquidated, the bodies and organizations, to which the powers of reorganized and (or) liquidated bodies and organizations were transferred, or the body whose competencies include the function of policy formulation and legal regulation in the corresponding field of activity, shall make a decision on drafting a regulatory legal act aimed at exclusion of corruption factors from regulatory legal act of the reorganized and (or) liquidated bodies or organization.

(Part 8 was introduced by Federal Law No. 329-FZ of 21.11.2011)

#### **Article 4**

1. Corruption factors identified in a regulatory legal acts (draft regulatory legal acts) shall be addressed:

1) in the prosecutor's request for amending a regulatory legal act or in the prosecutor's application to the court in the manner provided for by the procedural law of the Russian Federation;

2) in the conclusion drawn up during the conduct of anti-corruption expert review in cases provided for in part 3 and 4 of Article 3 of this Federal Law (hereinafter - the conclusion).

2. The prosecutor's request for amending a regulatory legal act and the conclusion, must include the corruption factors identified in the regulatory legal act (draft regulatory legal act) and the ways of their elimination.

3. The demand of the prosecutor to amend a regulatory legal act shall be subject to mandatory review by the relevant body, organization or official not later than within ten days from the date of receipt of the demand and shall be registered in due order by the body, organization or official who issued the act, in accordance with their competence. The demand of the prosecutor to amend a regulatory legal act transmitted to the legislative (representative) state authority of the constituency of the Russian Federation or to the representative body of local self-government

shall be subject to mandatory review at the nearest meeting of the relevant body and is taken into account in due course by the body that issued this act in accordance with its competence.

4. The prosecutor's demand to amend the regulatory legal act may be appealed in accordance with the established procedure.

4.1. Conclusions drawn up during the conduct of anti-corruption expert review in cases provided for by paragraph 3 of part 3 of Article 3 of this Federal Law shall be binding. Where corruption factors are identified in regulatory legal acts of federal executive bodies, other state bodies and organizations, affecting the rights, freedoms and duties of persons and citizens, establishing the legal status of organizations or having an interagency nature, as well as in the charters of municipalities and municipal legal acts on making changes in the charters of municipalities, these acts shall not be amenable to state registration.

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

5. Conclusions drawn up during the conduct of anti-corruption expert review in cases provided for in paragraphs 1, 2 and 4 of part 3 of Article 3 of this Federal Law, shall be recommendatory in nature and subject to mandatory review by the corresponding body, organization or official.

(part 5 as amended by Federal Law No. 329-FZ of 21.11.2011)

6. Disagreements arising during the evaluation of corruption factors specified in the conclusion shall be resolved in the manner established by the Government of the Russian Federation.

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

## **Article 5**

1. Civil society institutions and citizens of the Russian Federation (hereinafter – the citizens) may conduct independent anti-corruption expert review of regulatory legal acts (draft regulatory legal acts) at the expense of their own funds in the procedure prescribed by the regulatory legal acts of the Russian Federation. The procedure and conditions for the accreditation of experts to conduct independent anti-corruption expert review of regulatory legal acts (draft regulatory legal acts) shall be established by the federal executive body in the field of justice.

(as amended by Federal Laws No. 329-FZ of 21.11.2011, No. 362-FZ of 11.10.2018)

1.1. An independent anti-corruption expert review of regulatory legal acts (draft regulatory legal acts) may not be conducted by:

- 1) the citizens who have an outstanding or unexpunged conviction;
- 2) the citizens, the information on the application to whom of penalties in the form of dismissal (removal from office) due to a loss of confidence for a

corruption offense is included in the register of persons dismissed due to loss of confidence;

3) the citizens working in the bodies and organizations specified in paragraph 3, part 1, Article 3 of this Federal Law;

4) international and foreign organizations;

5) non-profit organizations that perform the functions of a foreign agent.

(Part 1.1 was introduced by Federal Law No. 362-FZ of 11.10.2018)

2. In the conclusion based on the results of independent anti-corruption expert review, the corruption factors identified in the regulatory legal act (draft regulatory legal act) and proposed ways of their elimination must be indicated.

3. The conclusion based on the results of an independent anti-corruption expert examination is of a recommendatory nature and shall be subject to mandatory review by the body, organization or official to whom it was sent, within thirty days from the date it was received. Based on the results of the examination, a motivated reply shall be sent to a citizen or organization that conducted an independent examination, except in cases when the conclusion does not contain a proposal on how to eliminate the identified corruption factors.

President  
of the Russian Federation  
DMITRY MEDVEDEV

Moscow, Kremlin

17 July 2009

No. 172-FZ

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