



RUSSIA

New law introduces administrative liability for legal entities for the illegal receipt and disclosure of restricted information

On 11 June 2021 the President of the Russian Federation signed Federal Law No. 206-FZ “On the Introduction of Amendments to the Code of the Russian Federation on Administrative Offences”, aimed at ensuring compliance with requirements on the protection of restricted information.

Restricted information includes, for example, state, commercial, tax, banking and notary secrets, attorney-client privilege, audit secrets, personal data, the secrets of an investigation and other information categorised as restricted information by federal law.

Federal Law No. 206-FZ “On the Introduction of Amendments to the Code of the Russian Federation on Administrative Offences” (hereinafter the “**Code on Administrative Offences**”) introduces a number of amendments to strengthen administrative liability for the disclosure of restricted information, in particular:

(1) Legal entities may be held liable for the illegal receipt and disclosure of restricted information. Previously only individuals and officials could be held administratively liable in connection with the exercise of their official or professional duties.

(2) The size of the administrative fine for individuals and officials has been increased tenfold, while an administrative penalty has been introduced for officials in the form of disqualification for a period of up to three years.

(3) In addition, administrative liability has been introduced for the illegal receipt of restricted information for legal entities, individuals and officials (general norm). Previously, liability for the illegal receipt of information had been established by individual articles of the Code on Administrative Offences (for example, for violation of the established procedure for collecting information constituting the credit history of individuals or legal entities or for the illegal receipt of a credit report).

The new version of the Code on Administrative Offences stipulates the following administrative liability for the illegal receipt and disclosure of restricted information:

In the case of individuals: Administrative fine of RUB 5,000 to RUB 10,000.

In the case of officials: Administrative fine of RUB 40,000 to RUB 50,000 or disqualification for a period of up to three years.

In the case of legal entities: Administrative fine of RUB 100,000 to RUB 200,000.

The aforementioned amendments to the Code on Administrative Offences entered into force on 22 June 2021. We recommend taking these amendments into account when organising work with information, access to which is restricted by federal law.



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