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**Opinion 716-717/2013**

**CDL-REF(2014)026**

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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**AMENDMENTS**

**TO FEDERAL LAW N. 7-FZ ON NON-COMMERCIAL  
ORGANISATIONS**

**(FEDERAL LAWS N. 18-FZ OF 21 FEBRUARY 2014  
AND  
N. 147-FZ OF 4 JUNE 2014)**

**OF THE RUSSIAN FEDERATION**

**I. New Paragraph 4.2 of Article 32 of Federal Law N. 7-FZ, introduced by Federal Law N 18-FZ of 21.02.2014**

4.2 An unscheduled inspection of a non-commercial organisation can be conducted on the following grounds:

- 1) expiry of the delay for redressing of the violation indicated in the warning previously issued to a non-commercial organisation by an authorised state body or its territorial agency;
- 2) the authorised body or its territorial agency are provided by state bodies, bodies of local self-government with information that activities of a non-commercial organisation are carried out in violation of the legislation of the Russian Federation and (or) include elements of extremism;
- 3) the authorised body or its territorial agency receive a request from the electoral commission to conduct investigation in accordance with the paragraph 4 of Article 35 of the Federal Law N 95-FZ of July 11, 2001 "On political parties", paragraph 13 of Article 59 of the Federal Law N 67-FZ of June 12, 2002, "On basic guarantees of electoral rights and the right to participate in the referendum of the citizens of the Russian Federation";
- 4) an order (instruction) from the head of the authorised body or its territorial agency, is issued in accordance with the instructions from the President of the Russian Federation or the Government of the Russian Federation or on the basis of the prosecutor's request to conduct an unscheduled inspection as a measure of supervision of the execution of the laws based on the materials and appeals submitted to the prosecuting authorities.

## **II. Amendments to Federal Law N. 7-FZ, introduced by Federal Law N. 147- FZ of 4 June 2014**

Add to Article 32 of the Federal Law of January 12, 1996 N 7-FZ "On non-commercial organisations" (Collected Legislation of the Russian Federation, 1996, N 3, p. 145, 2006, N 3, p. 282, 2008, N 30 , Art. 3616, 2009, N 29, art. 3607, 2010, N 19, art. 2291, 2011, N 29, art. 4291; N 30, art. 4590; N 47, art. 6607, 2012, N 30 , Art. 4172, 2014, N 8, Art. 738) as follows:

1) to add to the para 4.2 a subparagraph 5 to read as follows:  
"5) communication to a competent body or its territorial office of information from state agencies, local self-government agencies, citizens or organizations regarding carrying out of activities by a non-commercial organisations (*further: NCO*) as a NCO acting as a foreign agent, which has not applied for inclusion into the register of non-commercial organizations acting as a foreign agent, foreseen by the paragraph 10 of article 13.1 of this federal law ";

2) sub-paragraph 6 of paragraph 5 and para 6.1 are declared null and void;

3) to add to the item 7 the following paragraph:

"If a NCO which carries out activities as a NCO acting as a foreign agent, has not applied for inclusion in registry of non-commercial organizations acting as a foreign agent foreseen by the paragraph 10 of Article 13.1 of this Federal Law, the competent body includes this NCO in the said register.

The decision to include a NCO in the register of NCOs acting as a foreign agent, can be appealed in court."

Paragraphs third and fourth of the paragraph "з" and sub "и" paragraph 5 of Article 2' Federal Law of 20 July 2012 N 121-FZ "On Amendments to Certain Legislative Acts of the Russian Federation in the regulation of non-commercial organizations acting as a foreign agent "(Collected Legislation of the Russian Federation, 2012, N 30, p. 4172) abrogated.