

RUSSIAN FEDERATION. FEDERAL LAW ON SELF-REGULATING ORGANIZATIONS

Passed
by the State Duma
on November 16th, 2007

Approved
by the Federation Council
on November 23rd, 2007

(as amended by Federal Laws dd. 22.07.2008 No. 148-FZ,
dd. 23.07.2008 No. 160-FZ)

(Ref. to the List of this document amendments)

Article 1. Subject and Scope of this Federal Law

1. This Federal Law governs the relationships arising in connection with the acquisition and cessation of the self-regulating organization status, activities of self-regulating organizations embodying business entities or professionals, interactions between self-regulating organizations and their members, consumers of their products (works, services), federal executive authorities, executive authorities of the Russian Federation constituent territories, and local self-government agencies.

2. Particular issues associated with the acquisition/cessation of the self-regulating organization status, legal status of self-regulating organizations, self-regulating organizations' activities, procedure for the admission to and cessation of membership in a self-regulating organization, procedure for the exercise of control by self-regulating organizations over their members' activities and imposition by self-regulating organizations of disciplinary measures on their members, as well as the procedure for governmental control (supervision) of compliance by self-regulating organizations embodying business entities or professionals, engaged in certain activities, with the Russian Federation laws governing such entities' activities and Russian Federation laws on self-regulating organizations, may be defined by federal laws.

(as amended by Federal Law dd. 22.07.2008 No. 148-FZ)(Ref. to previous version of the text)

3. This Federal Law shall not be applicable to self-regulating organizations embodying professional securities market participants, incorporated investment funds, investment fund management companies and specialized depositories, mutual investment funds and non-governmental pension fund management companies, housing-saving cooperatives, non-governmental pension funds, lending institutions, or credit reference bureaus. Any relationships arising in connection with the acquisition or cessation of such self-regulating organization status, their activities, as well as with the interactions between self-regulating organizations and their members, consumers of their services (works), federal executive authorities, executive authorities of the Russian Federation constituent territories, and local self-government agencies, shall be defined by federal laws governing the respective activities.

Article 2. Definition of Self-Regulation

1. 'Self-Regulation' shall mean independent and self-motivated activity by business entities or professionals consisting in the development and establishment of standards and rules for their business or professional activities, and control of compliance with such standards and rules.

2. To conduct Self-Regulation under this Federal Law, business entities or professionals shall unite in self-regulating organizations.

3. For the purposes of this Federal Law, the term 'business entities' shall mean individual entrepreneurs and corporate entities, duly registered and carrying out business activities as defined by the Russian Federation Civil Code, and the term 'professionals' shall mean individuals carrying out professional activities subject to federal laws.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

Article 3. Self-Regulating Organizations

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

Article 4. Subject of Self-Regulation; Self-Regulating Organizations' Standards and Rules

1. The subject of self-regulation shall be the business and professional activities of the entities or individuals united in self-regulating organizations.

2. Self-Regulating Organization shall develop and approve standards and rules for business or professional activities (hereinafter referred to as 'self-regulating organization's standards and rules') representing requirements to business or professional activities, compulsory for all members of the Self-Regulating Organization. Federal laws may establish other requirements, standards and rules, as well as specific requirements to the contents, development and establishment of self-regulating organizations' standards and rules.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

3. Self-Regulating Organizations' standards and rules shall be consistent with federal laws and other regulations adopted in accordance with such laws. Self-Regulating Organizations' standards and rules may establish supplementary requirements to the relevant types of business or professional activities.

4. Any Self-Regulating Organization has the right to petition a court, in its own name and on behalf of its members, to declare invalid a regulation to which the Self-Regulating Organization's members are subjects and which is inconsistent with a federal law, including any regulation broadly construing a federal law in general or in part without such construction being provided for in the law.

5. Self-Regulating Organizations shall establish disciplinary measures to be taken against the Self-Regulating Organization members for non-compliance with the Self-Regulating Organization's standards or rules, and to ensure transparency of the Self-Regulating Organization members' activity affecting rights and legitimate interests of any persons.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

6. Self-Regulating Organizations' standards shall be in line with business ethics rules, preclude or mitigate conflict of interests of the Self-Regulating Organization members, their employees and members of the Self-Regulating Organization's Permanent Collegial Management Body.

7. Self-Regulating Organizations' standards shall prohibit the Self-Regulating Organization members to carry out activities to the prejudice of other business entities or professionals, and shall

establish requirements preventing unfair (deceptive) trade practices or actions causing moral or other damages to consumers of goods (works, services) and other persons, actions injuring the Self-Regulating Organization member's or Self-Regulating Organization's business reputation.

Article 5. Membership of Business Entities or Professionals in Self-Regulating Organizations

1. Membership of business entities or professionals in Self-Regulating Organizations shall be voluntary.
2. Federal Laws may provide for mandatory membership of business entities or professionals in Self-Regulating Organizations in certain cases.
(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
3. Any entity or individual carrying out various types of business or professional activity may be member of various Self-Regulating Organizations, provided that such Self-Regulating Organizations embody business entities or individuals engaged in the respective business or professional activities.
4. Any entity or individual carrying out a single type of business or professional activity may be member of only one Self-Regulating Organization embodying business entities or individuals engaged in that specific type of activity.

Article 6. Main Functions, Rights and Obligations of Self-Regulating Organizations

1. Any Self-Regulating Organization shall perform the following main functions:
 - 1) Develop and establish terms and conditions of business entity or individual membership in the Self-Regulating Organization;
(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
 - 2) Apply disciplinary measures, provided for by this Federal Law and the Self-Regulating Organization's internal documents, against its members;
 - 3) Constitute tribunals of arbitrators to resolve disputes arising between the Self-Regulating Organization members, between them and consumers of the Self-Regulating Organization members' products (works, services), and other persons in accordance with the laws on arbitral tribunals;
 - 4) Analyze its members' activities on the basis of data provided by them to the Self-Regulating Organization in the form of reports in accordance with the procedure, established by the Self-Regulating Organization's charter or other document, approved by the General Meeting of the Self-Regulating Organization members;
(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
 - 5) Represent the Self-Regulating Organization members' interests before governmental authorities of the Russian Federation, constituent territories of the Russian Federation and local self-government agencies;
 - 6) Arrange professional training for and certification of the Self-Regulating Organization members' employees, or certification of the Self-Regulating Organization's products (works, services), unless otherwise provided for by federal laws;
 - 7) Ensure transparency of its members' activities and publish information about such activities as required by this Federal Law and the Self-Regulating Organization's internal regulations;
 - 8) Verify compliance of its members' activities with the Self-Regulating Organization's standards and rules, and the Self-Regulating Organization membership terms and conditions;
(Paragraph 8 introduced by Federal Law dd. 22.07.2008 No.148-FZ)

9) Administer complaints against actions of the Self-Regulating Organization members and review cases of breach by the Self-Regulating Organization members of its standards and rules or membership terms and conditions.

(Paragraph 9 introduced by Federal Law dd. 22.07.2008 No.148-FZ)

2. Along with the main functions as set out in Part 1 of this Article, any Self-Regulating Organization shall have the right to perform other functions provided for by federal laws and its charter.

(Part Two as amended by Federal Law dd. 22.07.2008 No.148-ФЗ)

(Ref. to previous version of the text)

3. Any Self-Regulating Organization shall have the right to:

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

1) Repealed. - Federal Law dd. 22.07.2008 No.148-FZ;

(Ref. to previous version of the text)

2) In its own name and in accordance with the procedure, established by the Russian Federation laws, challenge any acts, decisions and/or actions (omissions) by governmental authorities of the Russian Federation, governmental authorities of the Russian Federation constituent territories, and local self-government agencies, where such acts, decisions and/or actions (omissions) infringe rights or legitimate interests of the Self-Regulating Organization, its member or members, or create a threat of such infringement;

3) Participate in discussions of draft federal laws and other draft regulations of the Russian Federation and constituent territories of the Russian Federation, and governmental programs concerning issues related to the subject of self-regulation; and submit findings of independent expert reviews of draft regulations, conducted by it, to the governmental authorities of the Russian Federation, governmental authorities of the Russian Federation constituent territories, and local self-government agencies;

4) Submit suggestions to the governmental authorities of the Russian Federation, governmental authorities of the Russian Federation constituent territories, and local self-government agencies on the development of the governmental policy for the subject of self-regulation and implementation of such policy by the local self-government agencies;

5) Request from the governmental authorities of the Russian Federation, governmental authorities of the Russian Federation constituent territories, and local self-government agencies and obtain from the above authorities information as required for the Self-Regulating Organization to perform its functions as provided for by federal laws in accordance with the procedure, established by federal laws.

4. Along with the rights, defined by Item 3 of this Article, Self-Regulating Organizations shall have other rights, unless their rights are restricted by federal laws and/or the organization's constitutive instruments.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

5. Any Self-Regulating Organization shall perform the Self-Regulating Organization's functions as provided for by Paragraphs 1, 2, 4, 7 - 9 of Part 1 of this Article.

(Part Five as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

6. Self-Regulating Organizations may not carry out any activities or perform any acts resulting in a conflict of interests between the Self-Regulating Organization and its members, or creating a threat of such conflict.

Article 7. Disclosure of Information by a Self-Regulating Organization and Protection by a Self-Regulating Organization of Information against Misuse

1. Any Self-Regulating Organization shall provide access to the following information by publishing it in the mass media and/or data telecommunications networks:

1) Composition of its membership;

- 2) Conditions, methods and procedure to ensure responsibility of the Self-Regulating Organization members before consumers of their products (works, services) and other persons; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
- 3) Members who terminated their membership in the Self-Regulating Organization and the reasons for such termination, and business entities or professionals who have become members of the Self-Regulating Organization;
- 4) Terms and conditions of membership in the Self-Regulating Organization;
- 5) Contents of the Self-Regulating Organization's standards and rules;
- 6) Structure and terms of reference of the Self-Regulating Organization management bodies and special-purpose bodies;
- 7) Resolutions passed by the Self-Regulating Organization General Meeting and Permanent Collegial Management Body of the Self-Regulating Organization; (Paragraph 7 as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
- 8) cases of the Self-Regulating Organization members being held liable for breach of the Russian Federation laws in conducting their business or professional activities, or Self-Regulating Organization standards and rules (if such information is available); (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
- 9) Any claims or petitions filed by the Self-Regulating Organization with courts of law;
- 10) Composition and value of the Self-Regulating Organization's compensation fund assets;
- 11) Certificates issued to the Self-Regulating Organization members or their employees, where such Self-Regulating Organization carries out certification of its members' employees; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
- 12) Progress and findings of the expert review of a regulation in which the Self-Regulating Organization has been participating;
- 13) Results of inspections by the Self-Regulating Organization of the Self-Regulating Organization members' activities; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)
- 14) Self-Regulating Organization's annual accounting reports and audit findings;
- 15) Other information provided for by federal laws and the Self-Regulating Organization. (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

2. Self-Regulating Organizations shall provide information to federal executive bodies in accordance with the procedure established by the Russian Federation laws.

3. Along with disclosure of information as provided for in this Article Part 1, Self-Regulating Organizations shall have the right to disclose other information about their activities and their members' activities in accordance with procedures established by their internal regulations, provided that such disclosure does not result in breach of procedures or conditions of access to commercial classified information, established by the Self-Regulating Organization members, or conflict of interests between the Self-Regulating Organization and its members, and is considered by the Self-Regulating Organization to be a reasonable measure to improve self-regulation quality and enhance transparency of the Self-Regulating Organization and its members' activities.

4. Unless otherwise provided for by federal laws, Self-Regulating Organizations shall at their own discretion designate the methods for information disclosure under this Article Part 1, provided that disclosed information shall be made available to the maximum possible number of consumers of the Self-Regulating Organization members' products (works, services), as well as to the Self-Regulating Organization members' shareholders, investors, and creditors.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

5. Self-Regulating Organizations shall provide for appropriate procedures for obtaining, use, processing, storage and protection of information, which, if misused by the Self-Regulating Organization employees, might cause moral and/or property damage to the Self-Regulating Organization members or create preconditions for such damages.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

6. Self-Regulating Organizations shall be liable to their members for misuse by the Self-Regulating Organization employees of information made known to them ex officio.

7. Self-Regulating Organization members shall provide information about their activities which is subject to disclosure under the Russian Federation laws and the Self-Regulating Organization's regulations.

Article 8. Interested Persons. Conflict of Interests

1. For the purposes of this Federal Law, the term 'Interested Persons' shall mean the Self-Regulating Organization members, members of Self-Regulating Organization management bodies, Self-Regulating Organization personnel employed on the basis of labour contracts or civil law contracts.

2. For the purposes of this Federal Law, 'vested interests' of the persons, specified in this Article Part 1, shall mean material or other interests that affect or might affect security of the Self-Regulating Organization's and/or its members' rights and legitimate interests.

3. For the purposes of this Federal Law, 'Conflict of Interests' shall mean circumstances in which vested interests of persons, specified in this Article Part 1, that adversely affect or might adversely affect performance of their professional duties and/or result in a conflict between such vested interests and legitimate interests of the Self-Regulating Organization, or create a threat of a conflict that may damage the Self-Regulating Organization's legitimate interests.

4. Interested Persons shall observe the Self-Regulating Organization's legitimate interests, primarily those related to the objectives of its activity, and shall not use the opportunities, related to their professional duties, or allow others to use such opportunities, for the purposes that are in conflict with the Self-Regulating Organization's constitutive instruments.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

5. Measures to prevent or resolve conflicts of interests shall be defined in the Self-Regulating Organization charter, standards and regulations.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

Article 9. Control by Self-Regulating Organizations of their member activities

1. Self-Regulating Organizations shall control business and professional activities of their members through routine and extraordinary inspections.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

2. Routine inspections shall include verification of compliance by the Self-Regulating Organization members with the Self-Regulating Organization's standards and rules, and membership terms and condition. Routine inspection duration shall be established by the Self-Regulating Organization's Permanent Collegial Management Body.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

3. Routine inspections shall be carried out at least once in three years and not more than once a year.

4. The reason for inspection by a Self-Regulating Organization may be a complaint, submitted to the Self-Regulating Organization, against a Self-Regulating Organization member breaching the Self-Regulating Organization's standards and rules.

5. Along with the reasons specified in this Article Part 4, Self-Regulating Organizations may provide for other grounds for extraordinary inspections.

6. Extraordinary inspections shall not include investigation of any facts other than those specified in the complaint or those that are subject to inspection appointed for other reasons.

7. Self-Regulating Organization members shall provide all information, as required to conduct the inspection and requested by the Self-Regulating Organization, in accordance with the procedure established by the Self-Regulating Organization.

8. Where a Self-Regulating Organization member is found to be in breach of the Self-Regulating Organization's standards, rules, or membership terms and conditions, the relevant inspection findings shall be submitted to a body in charge of proceedings on the application of disciplinary measures against the Self-Regulating Organization members.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

9. Self-Regulating Organizations, their employees and officials, participating in inspections, shall be held liable for disclosure and/or dissemination of information, obtained in the process of inspection, in accordance with this Federal Law and other federal laws.

10. Self-Regulating Organizations shall be liable to their members under the Russian Federation laws and the Self-Regulating Organization's charter for the Self-Regulating Organization employee misconduct when carrying out control over the Self-Regulating Organization members' activities.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

Article 10. Procedure for the Application of Disciplinary Measures against Self-Regulating Organization Members

1. The body in charge of proceedings on the application of disciplinary measures against the Self-Regulating Organization members shall review complaints against the Self-Regulating Organization members' acts and cases of breach by its members of business or professional standards and rules, and Self-Regulating Organization membership terms and conditions.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

2. Procedure for the review of complaints and cases, specified in this Article Part 1, and elements essential to the above offences shall be defined by the Self-Regulating Organization's internal documents.

3. Review of complaints against the Self-Regulating Organization members' acts by the Self-Regulating Organization's body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members shall include meetings with the persons who lodged the complaint and those against whom application of such disciplinary measures is being considered.

4. The body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members may, to the extent established by the Self-Regulating Organization, resolve to apply the following disciplinary measures:

1) Issue an order binding the Self-Regulating Organization member to correct the identified breaches and establishing the time for correction of such breaches;

2) Issue a warning to the Self-Regulating Organization member;

3) Impose a fine upon the Self-Regulating Organization member;

4) Issue a recommendation to expel the person from the Self-Regulating Organization membership, such recommendation being subject to consideration by the Self-Regulating Organization's Permanent Collegial Management Body; (75%)

5) Other measures established by the Self-Regulating Organization's internal documents.

5. Resolutions under Items 1 - 3 and 5 of this Article Part 4 shall require a majority vote of the Self-Regulating Organization's body in charge of proceedings on application of disciplinary measures against its members, and shall take effect from the moment of passing by the above body.

Resolutions under this Article Part 4 Item 4 shall require at least seventy five per cent vote of the body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members.

6. Self-Regulating Organization shall, within two business days from passing by the Self-Regulating Organization's body in charge of proceedings on application of disciplinary measures of a resolution to apply such measures against the organization member, issue copies of such resolution to the subject Self-Regulating Organization member and the person who had lodged the complaint on the basis of which the resolution was made.

7. Resolutions by the Self-Regulating Organization's body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members, except for the resolutions under Part 4 Item 4 herein, may be appealed against by the Self-Regulating Organization members to the Self-Regulating Organization's Permanent Collegial Management Body within the time limits established by the Self-Regulating Organization.

8. Resolution by the Self-Regulating Organization's Permanent Collegial Management Body to expel a person from the Self-Regulating Organization membership may be appealed against by such person to a court of law in accordance with the procedure established by the Russian Federation laws.

9. Money received by a Self-Regulating Organization from the fine imposed upon a Self-Regulating Organization member under this Article shall be allocated to the Self-Regulating Organization's compensation fund.

Article 11. Procedure for Appeals against Self-Regulating Organization Acts (Omissions) and/or Its Management Body Resolutions

Should any Self-Regulating Organization member's right or legitimate interests be breached by acts/omissions of the Self-Regulating Organization, its employees and/or its management body resolutions, such Self-Regulating Organization member shall have the right to appeal against such acts/omissions and/or resolutions to a court of law and to claim compensation of damages from the Self-Regulating Organization as provided for by the Russian Federation laws.

Article 12. Sources of Formation of the Self-Regulating Organization Assets

1. Sources of formation of the Self-Regulating Organization assets shall be:

1) Regular and one-time receipts from the Self-Regulating Organization members (subscription/membership fees and special-purpose contributions);

2) Voluntary asset contributions and donations;

3) Revenues from provision of information that may be disclosed on a fee paid basis; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

4) Revenues from provision of training services related to the Self-Regulating Organization members' business, commercial or professional interests; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

5) Revenues from sales of information related to the Self-Regulating Organization members' business, commercial or professional interests; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

6) Revenues from bank deposits;

7) Other sources not provided against by law.

2. Federal laws may restrict sources of revenues for Self-Regulating Organizations.

3. Procedures for regular and one-time contributions from Self-Regulating Organization members shall be defined by the Self-Regulating Organization's internal documents approved by the Self-Regulating Organization general meeting, unless otherwise provided for by federal laws or the organization's charter.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

4. Self-Regulating Organizations' accounting procedures and financial (accounting) statements shall be subject to mandatory audit.

Article 13. Methods to ensure financial liability of the Self-Regulating Organization members before consumers of their products (works, services) and other persons

1. Self-Regulating Organizations may use the following methods to ensure financial liability of the Self-Regulating Organization members before consumers of their products (works, services) and other persons:

1) Establish a system of individual and/or collective insurance;

2) Set up a compensation fund.

2. The compensation fund shall be initially set up by monetary contributions from the Self-Regulating Organization members in the amount of at least three thousand Russian Roubles from each member.

3. Where an individual and/or collective insurance system is used as a method of assuring the Self-Regulating Organization members' liability before consumers of their products (works, services) and other persons, the minimum annual insurance payment under a liability insurance contract for each member shall be at least thirty thousand Russian Roubles.

4. Federal Laws may establish other requirements to the Self-Regulating Organization compensation fund set up procedure, minimum amount, use of such fund assets, or the Self-Regulating Organization member liability insurance, than those established by this Federal Law.

(Part Four as amended by Federal Law dd. 22.07.2008 No.148-FZ)

(Ref. to previous version of the text)

5. Placement of compensation fund assets to save and augment them and investment of such assets shall be done through management companies, unless otherwise provided for by a federal law.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

(Ref. to previous version of the text)

6. Control of compliance by the management companies with restrictions on the placement and investing of the compensation fund assets, regulations for such asset placement and investment requirements, and control of the compensation fund asset investment, established by this Federal Law and the Self-Regulating Organization's investment declaration, shall be done by a special depository under a special depository services agreement.

7. Revenues from the compensation fund asset placement and investment shall be used to replenish the compensation fund and to cover expenses related to ensuring appropriate conditions for the compensation fund asset investment.

8. Self-Regulating Organizations may not contract management companies or specialized depositories, unless such companies or depositories are selected by tender in accordance with the procedure established by the Self-Regulating Organization's internal documents.

9. Investments into real estate shall not exceed ten per cent of the compensation fund assets.

10. Investments into the Russian Federation government securities shall amount to at least ten per cent of the compensation fund assets.

11. Further requirements to the makeup and structure of the compensation fund assets shall be defined by the investment declaration adopted by the Self-Regulating Organization.

12. Self-Regulating Organizations shall, to the extent provided for by federal laws and within the amount of compensation fund assets, be responsible for liabilities incurred by their members due to damages caused by defects in the Self-Regulating Organization members' products (works, services).

(Part Twelve as amended by Federal Law dd. 22.07.2008 No.148-FZ)

(Ref. to previous version of the text)

13. No payments from the compensation fund shall be permitted, except for those to cover the Self-Regulating Organization members' liabilities to consumers of their products (works,

services). Return of contributions to the Self-Regulating Organization members shall not be permitted.

14. Self-Regulating Organization's liabilities, including those for damages caused to the Self-Regulating Organization member, may not be recovered from the Self-Regulating Organization compensation fund's property.

Article 14. Limitation of Rights of the Self-Regulating Organization, Its Officials and Other Employees

1. Self-Regulating Organizations may not engage in business activities.

2. Self-Regulating Organizations may not establish business partnerships or companies, or engage in business activities which are subject of self-regulation of the Self-Regulating Organization, or enter such business partnerships or companies.

3. Self-Regulating Organizations may not perform the following acts or conduct the following transactions, unless otherwise provided for by federal laws:

1) Pledge its property as security to ensure performance by third parties of their obligations;

2) Grant surety for other persons, except for their employees;

3) Purchase shares, bonds or other securities, issued by their members, unless such securities are traded at stock exchanges and/or at other securities markets;

4) Secure performance of its obligations by pledge of its members' property, or by guarantees or sureties granted by its members;

5) Act as intermediary (broker, agent) in sales of the Self-Regulating Organization members' products (works, services);

6) Make other transactions, provided against by other federal laws.

4. Persons performing the Self-Regulating Organization's chief executive officer functions may not:

1) Acquire stock or debt securities issued or guaranteed by the Self-Regulating Organization members, their subsidiaries or affiliates;

2) Enter in any property insurance agreements, loan agreements or surety agreements with the Self-Regulating Organization members, their subsidiaries or affiliates;

3) Engage, as an individual entrepreneur, in business activities being the subject of regulation by the Self-Regulating Organization;

4) Establish business partnerships or companies to engage in business activities which are subject of self-regulation of the Self-Regulating Organization, or become member (shareholder) of such business partnerships or companies.

5. Persons performing the Self-Regulating Organization's chief executive officer functions may not be members of management bodies of the Self-Regulating Organization members, their subsidiaries or affiliates, or be employed on a permanent basis by such organizations.

6. Federal laws, Self-Regulating Organization charter or other Self-Regulating Organization's regulations may provide for other restrictions for the Self-Regulating Organization or its employees, aiming to prevent circumstances that might give rise to a conflict of interests as defined by this Federal Law [Article 8 Part 3](#), or create a threat of misusing by the Self-Regulating Organization employees of information about the Self-Regulating Organization members' activities, which become known to them ex officio.

(as amended by Federal [Law](#) dd. 22.07.2008 No.148-FZ)(Ref. to previous [version](#) of the text)

Article 15. Self-Regulating Organization Management Bodies

1. Self-Regulating Organization management bodies shall be:

1) Self-Regulating Organization General Meeting;

2) Self-Regulating Organization Permanent Collegial Management Body;

3) Self-Regulating Organization Executive Body.

2. Self-Regulating Organization General Meeting may perform the functions of the Permanent Collegial Management Body.

Article 16. Self-Regulating Organization General Meeting

1. Self-Regulating Organization General Meeting shall be the supreme management body of the Self-Regulating Organization, empowered to deal with any Self-Regulating Organization activity related issues within its terms of reference as defined by this Federal Law, other federal laws and Self-Regulating Organization's charter.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

2. Procedure and frequency of calling the Self-Regulating Organization General Meeting shall be established by the Self-Regulating Organization charter, but shall be at least once a year.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

3. Terms of reference of the Self-Regulating Organization General Meeting shall include:

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

- 1) Approval and amendment of the Self-Regulating Organization Charter;
- 2) Election of members to the Self-Regulating Organization Permanent Collegial Management Body, early termination of authorities of this body or its individual members;
- 3) Appointment of the Self-Regulating Organization Chief Executive Officer and early termination of his/her office;
- 4) Approval of disciplinary measures, procedure and grounds for their application, procedure for investigating cases of breach by the Self-Regulating Organization members of the Self-Regulating Organization's standards and rules, and membership terms and conditions;

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)(Ref. to previous version of the text)

5) Definition of priorities in the Self-Regulating Organization's activities, principles for the formation and use of its assets;

6) Approval of the Self-Regulating Organization Permanent Collegial Management Body and Executive Body reports;

7) Approval or amendment of the Self-Regulating Organization budget and annual accounting statements;

8) Resolution on voluntary removal of information about the Self-Regulating Organization from the State Register of Self-Regulating Organizations;

9) Resolution on re-organization or liquidation of the Self-Regulating Organization, appointment of a liquidator or liquidation committee;

10) Review of complaints from persons, expelled from the Self-Regulating Organization membership, against the relevant resolutions, made by the Self-Regulating Organization Permanent Collegial Management Body on the basis of recommendations from its body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members, and issue of a resolution on such complaint;

11) Other resolutions as provided for by federal laws and the Self-Regulating Organization charter.

(Item 11 introduced by Federal Law dd. 22.07.2008 No.148-FZ)

3.1. Issues referred to under this Article Part 3 Items 1, 2, 4 - 10 may not be included by the Self-Regulating Organization charter into the terms of reference of other management bodies of the Self-Regulating Organization.

(Part 3.1 introduced by Federal Law dd. 22.07.2008 No.148-FZ)

4. Where the Self-Regulating Organization General Meeting performs the functions of its Permanent Collegial Management Body, the Self-Regulating Organization General Meetings shall be held at least once each three months.

Article 17. Self-Regulating Organization Permanent Collegial Management Body

1. Self-Regulating Organization Permanent Collegial Management Body shall be formed from among the Self-Regulating Organization individual members and/or representatives of its corporate members, and independent members.

2. For the purposes of this Federal Law, 'independent members' shall mean persons who do not have employment relationships with the organization or its members. The number of independent members shall be at least one third of the Self-Regulating Organization Permanent Collegial Management Body. Federal laws may establish other requirements to the number of independent members of the Self-Regulating Organization Permanent Collegial Management Body.

3. Prior to any Self-Regulating Organization Permanent Collegial Management Body meeting, independent members shall advise in writing about any conflict of interests that adversely affects, or may affect, impartial dealing with issues on the Self-Regulating Organization Permanent Collegial Management Body meeting agenda and making of resolutions on such issues, and which gives, or may give, rise to the conflict between such independent member's vested interests and the Self-Regulating Organization's legitimate interests resulting in damage to the organization's legitimate interests.

4. In the event of failure by an independent member of the Self-Regulating Organization Permanent Collegial Management Body to declare the conflict of interests, resulting in damage to the Self-Regulating Organization's legitimate interests, established by a judicial decision, the Self-Regulating Organization General Meeting shall make a resolution about early termination of such independent member's authorities.

5. Each member of the Self-Regulating Organization Permanent Collegial Management Body shall have one vote.

6. Quantitative composition of the Self-Regulating Organization Permanent Collegial Management Body, as well as the procedure and conditions for its formation, activities and resolution making, shall be defined by the Self-Regulating Organization charter.

(Part Six as amended by Federal Law dd. 22.07.2008 No.148-FZ)

7. Unless otherwise provided for by federal laws, terms of reference of the Self-Regulating Organization Permanent Collegial Management Body shall include:

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

1) Approval and amendment of the Self-Regulating Organization's standards and rules;
2) Establishment of the Self-Regulating Organization's special-purpose bodies, approval of regulations for such bodies and rules for their activities;

3) Appointment of auditors to check accounts and financial (accounting) statements of the Self-Regulating Organization, resolutions to carry out audits of the Self-Regulating Organization Executive Body;

4) Proposition to the Self-Regulating Organization General Meeting of a candidate or candidates to the Self-Regulating Organization Chief Executive Officer position;

5) Approval of the list of persons who may be proposed as arbitrators to be selected by parties to disputes to be resolved on the application of such parties by the arbitral tribunal established by the Self-Regulating Organization;

6) Resolutions on admission to or expulsion from membership of the Self-Regulating Organization on the grounds established by the Self-Regulating Organization charter;

7) Other issues provided for by the Self-Regulating Organization charter.

(Item 7 introduced by Federal Law dd. 22.07.2008 No.148-FZ)

8. Issues under this Article Part 7 Items 1 and 2, may be included by the organization's charter to the terms of reference of Self-Regulating Organization General Meeting.

(Part Eight introduced by Federal Law dd. 22.07.2008 No.148-FZ)

Article 18. Self-Regulating Organization Executive Body

Terms of reference of the Self-Regulating Organization Executive Body shall include any issues related to the organization's economic and other activities, not included in the terms of reference of the Self-Regulating Organization General Meeting and Permanent Collegial Management Body.

Article 19. Self-Regulating Organization Special-Purpose Bodies

1. Self-Regulating Organization Special-Purpose Bodies to be obligatory established by the Self-Regulating Organization Permanent Collegial Management Body shall include:

1) Body in charge of control of compliance by Self-Regulating Organization members of the Self-Regulating Organization's standards and rules;

2) Body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members.

2. In addition to the Self-Regulating Organization Special-Purpose Bodies, listed in Part 1 of this Article, other temporary or permanent special-purpose bodies may be established by resolution of the Self-Regulating Organization Permanent Collegial Management Body.

3. Each special-purpose body, established by the Self-Regulating Organization Permanent Collegial Management Body, shall act on the basis of relevant Regulations, approved by the Self-Regulating Organization Permanent Collegial Management Body.

4. Self-Regulating Organization special-purpose bodies shall perform their functions by their own resources.

5. Based on the results of the Self-Regulating Organization members' activity inspections, carried out by the body in charge of control of compliance by the Self-Regulating Organization members of the Self-Regulating Organization's standards and rules, the body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members shall review complaints against the Self-Regulating Organization members' acts and cases of breach by the Self-Regulating Organization members of the Self-Regulating Organization's standards and rules in conducting their activities.

6. The body in charge of proceedings on application of disciplinary measures against the Self-Regulating Organization members shall issue recommendations to the Self-Regulating Organization Permanent Collegial Management Body on the expulsion from the Self-Regulating Organization membership.

7. Procedure on the application of disciplinary measures against the Self-Regulating Organization members shall be established by the Self-Regulating Organization General Meeting.

Article 20. Maintenance of the State Register of Self-Regulating Organizations

1. State Register of Self-Regulating Organizations shall be maintained by the relevant federal executive authority performing state registration of non-for-profit organizations, unless a special federal executive authority is established to control (supervise) activities of Self-Regulating Organizations in the relevant area of activity.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

2. If a special federal executive authority is established to perform control (supervision) over Self-Regulating Organizations' activities in the relevant area, the State Register of Self-Regulating Organizations shall be maintained by such federal executive authority.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

3. The federal executive body, authorized by the Russian Federation Government, shall establish the procedure for maintenance of the State Register of Self-Regulating Organizations.

(as amended by Federal Law dd. 23.07.08 No.160-FZ)

4. State Register of Self-Regulating Organizations shall be maintained in hard copy and electronically. In the event of discrepancy between the hard copy and electronic records, hard copy records shall prevail.

5. Electronic maintenance of the State Register of Self-Regulating Organizations shall be performed in accordance with the unified organizational, methodological and hardware/software principles to ensure compatibility and interaction between the Register and other federal information systems and networks.

6. Information contained in the State Register of Self-Regulating Organizations shall be unrestricted and accessible to general public.

7. Rates of fees for entering data into the State Register of Self-Regulating Organizations and provision of information from the Register shall be established by the Russian Federation Government.

8. Information about a non-for-profit organization meeting the requirements established in this Federal Law Article 3 shall be entered into the State Register of Self-Regulating Organizations within seven business days from submission by the non-for-profit organization to the relevant federal executive authority, referred to in this Article Part 1 or 2, of an application and the following documents:

- 1) Copies of the non-for-profit organization state registration certificate;
- 2) Copies of the non-for-profit organization's charter;
- 3) Copies of documents evidencing state registration of the non-for-profit organization corporate members, certified by the non-for-profit organization;
- 4) Copies of state registration certificates of the non-for-profit organization's individual entrepreneur members, certified by the non-for-profit organization;
- 5) List of the non-for-profit organization members detailing their type (types) of business or professional activities which are subject of self-regulation by the Self-Regulating Organization; (as amended by Federal Law dd. 22.07.2008 No.148-FZ)
- 6) Documents evidencing that the non-for-profit organization has in place the methods to ensure liability of the non-for-profit organization members before consumers of their products (works, services), as provided for by this Federal Law;
- 7) Copies of documents evidencing that the non-for-profit organization has established special-purpose bodies as provided for by this Federal Law Article 3 Part 4, copies of Regulations on such bodies and documents listing the persons who participate in their activities;
- 8) Copies of the Self-Regulating Organization's standards and rules provided for by this Federal Law Article 3 Part 3 Paragraph 2;
- 9) Other documents as required to acquire the Self-Regulating Organization status by other federal laws.

9. The relevant federal executive authority, referred to in this Article Part 1 or 2, shall, within seven business days from the date of submission of the documents called for in this Article Part 8, either enter information on the non-for-profit organization in the State Register of Self-Regulating Organizations or resolve to refuse to enter information on the non-for-profit organization in the State Register of Self-Regulating Organizations.

10. Reasons to refuse to enter information on the non-for-profit organization in the State Register of Self-Regulating Organizations shall include: non-conformance by the non-for-profit organization to the requirements, established by this Federal Law Article 3 Part 3 and other federal laws to the number of the Self-Regulating Organization members and/or amount of the Self-Regulating Organization's compensation fund, failure by the non-for-profit organization to submit documents as listed in this Article, failure to submit any of the documents as listed in this Article Part 8, and/or cases described in this Federal Law Article 22 Part 6.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

11. Resolution to refuse to enter information on the non-for-profit organization in the State Register of Self-Regulating Organizations may be appealed against to a court of law.

12. Federal laws may establish particular requirements for the maintenance of the State Register of Self-Regulating Organizations, including other time limits for entering information on non-for-profit organizations, embodying business entities or professionals, into the State Register of Self-Regulating Organizations, and particular requirements to the composition and contents of documents to be submitted by non-for-profit organizations to the relevant federal executive authority, referred to this Article Part 1 or 2.

13. Non-for-profit organizations, information on which was not duly entered into the State Register of Self-Regulating Organizations, may not use the words 'self-regulating', 'self-regulation' or other words derived from 'self-regulation' as elements of their names or in their activities.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

Article 21. Removal of Information on Non-for-Profit Organizations from the State Register of Self-Regulating Organizations

1. The reasons to remove information on a non-for-profit organization from the State Register of Self-Regulating Organizations by the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, shall be:

- 1) Application from the Self-Regulating Organization to remove its information from the State Register of Self-Regulating Organizations;
- 2) Non-for-profit organization liquidation or re-organization;
- 3) Legally effective court decision to remove information on the non-for-profit organization from the State Register of Self-Regulating Organizations due to non-compliance with this Federal Law and/or other federal laws.

2. Removal of information on the non-for-profit organization from the State Register of Self-Regulating Organizations for any reasons, other than those listed in this Article Part 1, shall not be permitted.

3. Any non-for-profit organization shall be deemed to be excluded from the State Register of Self-Regulating Organizations and have terminated its activity as a Self-Regulating Organization from the date of submission of application to remove information on the non-for-profit organization from the State Register of Self-Regulating Organizations to the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, or from the date on which the court decision to remove information on the non-for-profit organization from the State Register of Self-Regulating Organizations becomes legally effective, or from the date of the non-for-profit organization liquidation or re-organization.

4. Any Self-Regulating Organization, not meeting the requirements, established by this Federal Law Article 3 or other federal laws to the number of the Self-Regulating Organization members or amount of its compensation fund, shall submit a declaration of such non-conformance to the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2. The written declaration shall be submitted to the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, specifying the date, on which the non-conformance that may be the reason to remove information on the non-for-profit organization from the State Register of Self-Regulating Organizations occurred. Declarations of non-conformance by a Self-Regulating Organization to this Federal Law Article 3 may be submitted to the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, not more than one a year. Information on the non-for-profit organization may not be removed from the State Register of Self-Regulating Organizations due to the reason, specified in such declaration, during two months from receipt of such declaration. If, after the above period expiry, the Self-Regulating Organization does not provide to the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, any proof of its status or activities having been brought in compliance with this Federal Law Article 3, information on the non-for-profit organization shall be removed from the State Register of Self-Regulating Organizations.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

Article 22. Relations between Self-Regulation Organizations and the Relevant Federal Executive Authorities

1. The relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, shall issue to the Self-Regulating Organization information on the results of audits (carried out in accordance with the procedure and in cases provided for by the Russian Federation laws) of the Self-Regulating Organization members' business or professional activities, except for results of audits for which no audit reports have been drawn.

2. The relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, shall engage Self-Regulating Organizations in discussions of draft federal laws and other regulations of the Russian Federation and constituent territories of the Russian Federation, and governmental programs related to the subject of self-regulation.

3. Any Self-Regulating Organization shall submit to the relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2:

1) Self-Regulating Organization's standards and rules, and membership terms and conditions in accordance with the subject of regulation, and relevant amendments, within seven business days from introduction of such amendments by the Self-Regulating Organization Permanent Collegial Management Body;

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

2) Information on audits of the Self-Regulating Organization members' activities, planned and performed by the Self-Regulating Organization, results of such audits.

4. The relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, may not:

1) Request from any Self-Regulating Organization or its members any information, not required by federal laws;

2) Make any resolutions obliging any Self-Regulating Organization to act in breach of federal laws or other regulations, based on such federal laws, or not to act legally as required by the Self-Regulating Organization's standards and rules;

3) Require amendment or revocation of any resolutions made by the Self-Regulating Organization management bodies within their terms of reference, or require that such bodies make any resolutions concerning the self-regulation organization member or members, or the Self-Regulating Organization itself.

5. The relevant federal executive authority, referred to in this Federal Law Article 20 Part 1 or 2, shall have the right to appeal to a court of law to remove information on any non-for-profit organization from the State Register of Self-Regulating Organizations in the event of failure by the Self-Regulating Organization to comply with the requirements, established by this Federal Law Article 3 Part 3, or in the event of two or more breaches of other requirements, established for Self-Regulating Organizations by this Federal Law or other federal laws during a year, if such breaches have not been remedied or are irremediable.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

6. Where a court of law makes a decision to remove information on a non-for-profit organization from the State Register of Self-Regulating Organizations due to non-conformance of the Self-Regulating Organization or its activities with this Federal Law or other federal laws, the non-for-profit organization that had the status of a Self-Regulating Organization may not re-appeal for entry of its information into the State Register of Self-Regulating Organizations during a year from the date on which the court decision to remove information on the non-for-profit organization from the State Register of Self-Regulating Organizations becomes effective.

Article 23. State Control (Supervision) over Self-Regulating Organizations' Activities

State control (supervision) over Self-Regulating Organizations' activities shall be carried out in accordance with the procedure established by federal laws.

Article 24. Membership of Self-Regulating Organizations in Non-for-Profit Organizations

1. Self-Regulating Organizations shall have the right to create associations (unions) in accordance with the Russian Federation laws on non-for-profit organizations.

2. Associations (unions) of Self-Regulating Organizations may be established on the territorial, industrial or other basis.

3. Resolution on the membership of any Self-Regulating Organization in any association (union) of Self-Regulating Organizations shall be passed by the Self-Regulating Organization General Meeting in accordance with the procedure established by its charter.

4. Members of any association (union) of Self-Regulating Organizations may delegate to the association (union) their rights to develop Self-Regulating Organizations' unified standards and rules, terms and conditions of membership of business entities and professionals in the Self-Regulating Organizations – members of the association (union), to resolve disputes by arbitration, to conduct training and certification of the Self-Regulating Organization members, to carry out

certification of their products (works, services), to disclose information, and other Self-Regulating Organizations' rights.

(Part Four as amended by Federal Law dd. 22.07.2008 No.148-FZ)

5. All restrictions, established by this Federal Law Article 14, shall fully apply to any association (union) Self-Regulating Organizations, its officials and employees.

6. The charter of any association (union) of Self-Regulating Organizations may provide for additional financial liability of the association (union) to consumers of goods (works, services) produced by the Self-Regulating Organization members to be covered from compensation funds to be set up by such Self-Regulating Organizations.

7. Self-Regulating Organizations may be members of chambers of commerce and industry in accordance the Russian Federation laws on chambers of commerce and industry, and other non-for-profit organizations.

(as amended by Federal Law dd. 22.07.2008 No.148-FZ)

President of the
Russian Federation
V. PUTIN

Moscow, Kremlin
December 1st, 2007
No.315-FZ

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