



**ADMINISTRATIVE LIABILITY FOR THE FAILURE TO MEET THE OBLIGATION TO BLOCK
INTERNET RESOURCES IN RUSSIA**



On 15 February 2017, the Federation Council approved the draft federal law "On the Introduction of Amendments to the Code of the Russian Federation on Administrative Offences" (hereinafter – the "Administrative Code"), which establishes the administrative liability for a failure by an Internet provider to perform the obligation to limit or resume access to the information access to which should be limited or resumed on the basis of the data received from the Federal Service for Supervision of Communications, Information technology, and Mass Media (Roskomnadzor). This obligation is established by Article 46.5 of the Federal Law "On Communication", the procedure to perform the obligation is set forth by the Law "On Information, Information Technologies and Information Protection" and Decree of the Government of the Russian Federation on the Uniform Register of Domain Names, Website Links and Network Addresses that Allow to Identify Websites Containing Information, Circulation of Which is Prohibited in the Russian Federation.

The Administrative Code is supplemented with a new Article 13.34 stating that a failure by an Internet provider to perform the obligation to block or unblock Internet resources based on the data received from Roskomnadzor involves a fine of up to 5,000 rubles; for individual entrepreneurs – up to 30,000 rubles; for legal entities - up to 100,000 rubles.

Protocols on administrative offences under the said article shall be issued by Roskomnadzor officials. The authority to consider cases on the respective administrative offences is conferred to judges.

Currently, the abovementioned failure of an Internet provider entails liability under the general provision of the Administrative Code on the liability for engaging in business activity in violation of the license, in the form of a fine of up to 40,000 rubles for legal entities.

The Federal Law enters into force 30 days after its official publication provided that it is signed by the President of the Russian Federation.

Best Regards,

GRATA International Law Firm (Moscow)

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What we do (in conjunction with a licensed provider in the area of information technology and personal data protection):

- comprehensive audit of information systems of personal data;
- development of the personal data protection system and recommendations to optimise data processing and protection;
- drafting a set of organisational and administrative documentation for the protection of personal data (including regulations on personal data processing and form of consent on personal data processing);
- representation of clients during Roskomnadzor inspections.

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