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Regulatory Framework in Russia: Legal Old-New Reality and Beyond

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About SILQ Royal:

SILQ Royal, is a full-service corporate boutique law firm dedicated to bridging the gap between global business ambitions and the intricacies of Thai law

SILQ is best described through an acronym:

S – Service: Delivering exceptional legal support with a client-first approach, ensuring every case is handled with dedication and care.

I – Integrity: Upholding the highest ethical standards in every aspect of legal practice, fostering trust and reliability.

L – Leadership: Guiding clients through complex legal challenges with expertise, confidence, and innovative solutions.

Q – Quality: Providing top-tier legal representation and outcomes, driven by precision, excellence, and attention to detail.



Regulatory Framework in Russia: Legal Old-New Reality and Beyond

- Doing Business in Russia: current situation
- Intensification of business activities between Russia and Thailand, improving connections
- Regulation on commercial business activities
- Regulation in food/food supplement products
- Obligation to register the product for export with updated formula in case of amendments of original
- Compliance of quality standard certifications
- Mission (Im)Possible or How to get a Notarization of English translations

Doing Business in Russia: current situation

- Economic growth despite geopolitical challenges
- Talents and Technologies
- Market restructuring and business opportunities for "new players"

Intensification of business activities between Russia and Thailand, improving connections

Business activity between Russia and Thailand is intensifying, particularly in areas like tourism, real estate, and trade, despite some fluctuations in bilateral trade. Western sanctions on Russia have, in some cases, created new trade opportunities for Thailand, and there's growing interest from both Russian and Thai businesses in collaboration.

- **Trade**
 - ✓ focus on expanding trade relations
 - ✓ interest from various sectors like IT, healthcare, and agriculture
- **Investment**
- **Sanctions and Opportunities**
- **Government Support**
 - ✓ Thai-Russian Chamber of Commerce is seeing increased membership
 - ✓ Russian forums are promoting business and investment opportunities in Thailand

Regulation on commercial business activities

In Russia, commercial business activities are primarily regulated by the Civil Code, the Tax Code, the Labor Code, and various federal laws. These laws cover aspects such as company registration, licensing, taxation, and labor practices. Recent legislation has also introduced restrictions on certain transactions and business activities, particularly those involving foreign entities or those in the fuel and energy sector.

- ✓ **Civil Code:** Defines legal entities, contracts, and liability
- ✓ **Tax Code:** Outlines tax obligations for businesses
- ✓ **Labor Code:** Governs employment relationships
- ✓ **Federal Laws:** Address specific industries or activities like banking, insurance, and securities

Key Aspects of Business Regulation in Russia

Company Registration:

Businesses must register with the tax authorities and comply with corporate governance regulations

Licensing:

Certain businesses require specific licenses to operate

Taxation:

Businesses are subject to corporate income tax, VAT, personal income tax, and social security contributions

Labor Laws:

Businesses must adhere to Russian labor laws regarding employment contracts, wages, and working conditions

Foreign Investment:

Foreign companies can establish businesses in Russia, but may face specific regulations

State Registers:

Certain commercial transactions and civil states must be officially registered in state registers



Regulation in food/food supplement products

- ✓ Food and food supplements are regulated under a combination of Customs Union Technical Regulations and national laws, primarily focusing on safety and consumer protection
Key regulations include TR CU 021/2011 "On safety of food products" and the Unified Sanitary Requirements
- ✓ Marking and Labelling: food supplements must be marked with mandatory crypto codes, and labelling must comply with established requirements.

Obligation to register the product for export with updated formula in case of amendments of original

- ✓ In Russia, it is necessary to register changes in the formula of products intended for export if these changes affect the characteristics of the product and its compliance with the requirements of the importing country or international standards
- ✓ This is to ensure compliance with regulations and to reflect the accurate composition of the exported product
- ✓ The procedure for registering changes is usually associated with the re-registration of permits, certificates of conformity and other documents confirming the quality and safety of the goods
- ✓ Changes in the formula: If changes to the product formula affect its properties, such as composition, quality, safety or compliance with established requirements, then these changes must be reflected in the product documentation and the appropriate re-registration must be carried out

Nota Bene:

either food product recipe has been amended or the amount of a certain component in the cosmetic product has been changed:

When making changes to the formula of a product intended for export, it is necessary to carefully study the requirements of the importing country and the legislation of the Russian Federation to ensure that it is necessary to register the changes and to comply with all procedures

Compliance of quality standard certifications

- ✓ In Russia, quality standard certifications (the GOST system), ensure products and services meet safety and quality requirements
- ✓ GOST R certification is often mandatory for products sold in Russia, while other standards like ISO 9001 are recognized but not always mandatory
- ✓ Compliance with these standards is crucial for market access and building consumer trust

GOST R Certification

Purpose:

- ✓ GOST R certification verifies that products meet Russian national standards, technical regulations, and safety requirements.
- ✓ Mandatory vs. Voluntary: some products require mandatory GOST R certification, while others may be voluntarily certified.

Types of Certificates:

- ✓ There are certificates for conformity to national standards (GOST) and technical regulations

Issuance:

- ✓ Certificates are issued by accredited organizations, often after product testing and evaluation

Importance:

- ✓ GOST certification is essential for selling products in the Russian market and demonstrates compliance with Russian regulations

Mission (Im)Possible or How to get a Notarization of English translations

General Rule:

- ✓ to notarize an English translation in Russia, the document should be translated by a qualified translator, and then have the translator's signature certified by a Russian notary
- ✓ the notary confirms the translator's qualifications and the authenticity of their signature, making the translation officially recognized
- ✓ very conservative approach by notaries in Russia

Steps:

Translation:

- ✓ Find a qualified translator: In Russia, a translator is typically considered qualified if they hold a degree in linguistics. You can find translators through translation agencies or by searching for certified translators in Russia
- ✓ Translate the document: The translation must be accurate and complete
- ✓ Consider using a translation agency: Agencies often have a network of translators and can handle the notarization process for you

Notarization:

- ✓ Identify a notary: You'll need to find a Russian notary public
- ✓ Provide the original document and the translation: The notary will need to see the original document and the translated copy
- ✓ Notary certifies the translator's signature: The notary will verify the translator's signature and confirm their qualifications
- ✓ Notary affixes their seal and signature: The notary will stamp and sign the translated document, officially notarizing it

General Conclusion on Certification in Russia

- ✓ There are several product and service certification systems in Russia
- ✓ The main ones are:
 - mandatory certification
 - voluntary certification and
 - the GOST R certification system
- ✓ **Mandatory certification:** applies to products whose safety is legally established as a mandatory requirement. The goal is to confirm the compliance of products with safety requirements established in technical regulations and other regulatory documents
- ✓ **Voluntary certification:** allows manufacturers/sellers to confirm that their products and services meet voluntary requirements, increasing consumer confidence
- ✓ **GOST R certification system:** Previously the main system of mandatory certification, but now partially replaced by technical regulations of the Customs Union. However, many goods and services are still certified under GOST

THANK YOU!

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