NEW REQUIREMENTS

A Federal Law No. 142-FZ On Amendment of Articles 6 and 30 of the Federal Law On Russian Federation Citizenship and Individual Regulations of the Russian Federation dated 4 June 2014 ("the Law") introduces a new requirement for Russian citizens holding any other (i) citizenship or (ii) permanent residence permit (or any other document granting the right to permanent residency) in a foreign state to notify the Russian Federal Migration Service ("FMS") of such foreign citizenship(s) or residence permit(s).

The Law does not introduce any other new requirements or restrictions for dual citizens apart from this notification requirement.

EXEMPTIONS

Importantly, the final version of the Law provides an exemption for Russian citizens who "permanently reside outside Russia". While the Law itself does not set forth a definition of people who "permanently reside outside Russia", based on applicable Russian regulations on a place of residence, it appears that this should include Russian citizens who have a permanent home outside Russia and do not have a permanent place of residence in Russia.

Consequently, the new notification requirements should not technically apply to Russian citizens who have a permanent place of residence outside Russia, even if they temporarily visit Russia from time to time.

Russian citizens who have a permanent place of residence in Russia are required to be registered with local migration authorities at that permanent place of residence. Such registration is evidenced by a stamp in the internal Russian passport held by an individual. To avoid any practical issues, including the risk of the new notification requirements applying, a Russian citizen with a registered Russian permanent residence who then emigrated from Russia should apply for de-registration on account of his/her emigration. Otherwise, he/she may continue to be deemed to have a permanent place of residence in Russia and therefore potentially subject to the new notification requirements.

NOTIFICATION PROCEDURE AND FORMS

The notification on foreign citizenship(s) or permanent residence permit(s) held by a qualifying Russian citizen must be filed within 60 days of obtaining a foreign citizenship or permanent residence permit.

Qualifying Russian citizens who received their foreign citizenship or permanent residence permit prior to the new regulations must file the notification within 60 days of the regulations entering into force (please see below).

The notification must be filed by the individual in person, either via a local FMS agency directly or via a Russian post office upon presentation of his/her Russian passport. The notification must be filed on behalf of qualifying Russian citizens under 18 years of age by a parent or legal representative.

The notification must include the following information on the individual:

- full name;
- date and place of birth;
- permanent place of residence;
- number of his/her Russian passport;
- name, number and date of issuance of his/her foreign passport (or other document evidencing his/her foreign citizenship) and/or permanent residence permit (or a similar document);
- date and grounds for his/her receipt of foreign citizenship or permanent residence permit;
- information on the extension of the period of his/her foreign permanent residence permit or receipt of a new relevant residence document;
- information on his/her application to the competent authority of a relevant foreign state on his/her refusal to be granted foreign citizenship or permanent residence permit (in the event of filing such application).

The notification must also include copies of the individual's Russian passport, foreign passport and/or permanent residence permit (or a similar document).
The exact form and procedure for filing notifications shall be approved by the FMS separately.

The Law does not expressly provide for the possibility of filing the notification from outside Russia, eg via Russian consulates abroad. As previously mentioned, the notification can only be filed in Russia, via a local FMS agency or a post office. The question remains as to the procedure for filing the notification by Russian citizens who are temporarily residing abroad and will remain outside Russia for more than 60 days after the new law becomes effective.

**SANCTIONS**

Failure to file the notification is a criminal offence and can lead to a penalty of a fine of up to RUB 200,000 (approximately USD 6,000) or up to the amount of the offender’s annual salary or up to 400 hours of community service.

A delay in filing or filing a notification which contains incomplete or inaccurate information is an administrative offence subject to a penalty of between RUB 500 and RUB 1,000 (approximately between USD 15 and USD 30).

**EFFECTIVE DATE**

The Law was published on 4 June 2014 and will enter into force 60 days thereafter.

*June 2014*