

FEDERAL LAW

On amendments to the Russian Federation Code on administrative violations and the Federal law “On advertising” in connection with the adoption of the Federal law “On the Protection of Public Health from Exposure to Environmental Tobacco Smoke and the Consequences of Tobacco Use”

Article 1

Amend the Russian Federal Code on administrative violations (Collected Legislation of Russian Federation, 2002, No. 1, Art. 1; No. 18, Art. 1721; No. 44, Art. 4295; 2003, No. 27, Art. 2700, 2708, 2717; No. 46, Art. 4434, 4440; No. 50, Art. 4847, 4855; 2004, No. 31, Art. 3229; No. 34, Art. 3529, 3533; 2005, No. 1, Art. 9, 13, 37, 40, 45; No. 10, Art. 763; No. 13, Art. 1075, 1077; No. 19, Art. 1752; No. 27, Art. 2719, 2721; No. 30, Art. 3104, 3124, 3131; No. 50, Art. 5247; No. 52, Art. 5574; 2006, No. 1, Art. 4, 10; No. 10, Art. 1067; No. 12, Art. 1234; No. 17, Art. 1776; No. 18, Art. 1907; No.

19, Art. 2066; No. 23, Art. 2380; No. 28, Art. 2975; No. 31, Art. 3420, 3433, 3438, 3452; No. 45, Art. 4641; No. 50, Art. 5279; No. 52, Art. 5498; 2007, No. 1, Art. 21, 29; No. 16, Art. 1825; No. 26, Art. 3089; No. 30, Art. 3755; No. 31, Art. 4007; No. 41, Art. 4845; No. 43, Art. 5084; 2008, No. 18, Art. 1941; No. 20, Art. 2251; No. 29, Art. 3418; No. 30, Art. 3604; No. 52, Art. 6227, 6236; 2009, No. 7, Art. 777; No. 23, Art. 2759, 2776; No. 26, Art. 3120, 3122; No. 29, Art. 3597, 3599, 3635, 3642; No. 30, Art. 3739; No. 48, Art. 5711, 5755; No. 52, Art. 6406, 6412; 2010, No. 1, Art. 1; No. 21, Art. 2525, 2530; No. 23, Art. 2790; No. 25, Art. 3070; No. 30, Art. 4006, 4007; No. 31, Art. 4164, 4195, 4207, 4208; No. 32, Art. 4298; No. 49, Art. 6409; No. 52, Art. 6984; 2011, No. 1, Art. 10, 23, 29, 54; No. 7, Art. 901; No. 15, Art. 2039; No. 17, Art. 2310; No. 23, Art. 3260; No. 27, Art. 3873, 3881; No. 29, Art. 4298; No. 30, Art. 4573, 4585, 4590, 4598, 4600, 4601, 4605; No. 46, Art. 6406; No. 48, Art. 6728; No. 49, Art. 7061; No. 50, Art. 7342, 7345, 7346, 7351, 7352, 7355, 7362, 7366; 2012, No. 6, Art. 621; No. 10, Art. 1166; No. 18, Art. 2126, 2128; No. 19, Art. 2278, 2281; No. 24, Art. 3069, 3082; No. 25, Art. 3268; No. 29, Art. 3996; No. 31, Art. 4320, 4322, 4330; No. 41, Art. 5523; No. 47, Art. 6402, 6403, 6404; No. 49, Art. 6757; No. 53, Art. 7577, 7602, 7640; 2013, No. 8, Art. 720; No. 14, Art. 1651, 1658, 1666; No. 19, Art. 2319, 2323, 2325; No. 23, Art. 2871; No. 26, Art. 3207, 3208; No. 27, Art. 3454; No. 30, Art. 4025, 4027, 4029, 4030, 4031, 4032, 4033, 4034,

4036, 4040, 4044, 4078, 4082; No. 31, Art. 4191) with the following changes:

1) to supplement Chapter 6 with Articles 6.23, 6.24 and 6.25 as follows:

“Article 6.23. Involvement of a minor in the process of tobacco consumption

1. The involvement of a minor in the process of tobacco consumption -
is punishable by an administrative fine on citizens in the amount of one thousand to two thousand rubles.

2. The same actions, committed by parents or other legal representatives of a minor, -

are punishable by an administrative fine on citizens in the amount of two thousand to three thousand rules.

Article 6.24. Violation of prohibition established by federal law of tobacco smoking on some territories, in premises and at sites

1. Violation of the prohibition established by federal law of tobacco smoking on some territories, in premises and at sites, with the exception of cases stipulated by Part 2 of this article, -

is punishable by an administrative fine on citizens in the amount of five hundred to one thousand five hundred rubles.

2. Violation of the prohibition established by federal law of tobacco smoking on playgrounds -

is punishable by an administrative fine on citizens in the amount of two thousand to three thousand rubles.

Article 6.25. **Failure to comply with the requirements for the sign on the prohibition of smoking, on the allocation and equipping of special places for smoking tobacco or non-fulfillment of the obligations for monitoring the observance of the requirements of legislation in the sphere of the protection of public health from exposure to ambient smoke and the consequences of tobacco use**

1. Failure to comply with the requirements for the sign on prohibition of smoking, designating the territories, buildings and sites where smoking is prohibited and for the procedure of its placement -

is punishable by an administrative fine on officials in the amount of ten thousand to twenty thousand rubles; on legal entities – from thirty thousand to sixty thousand rubles.

2. Failure to comply with the requirements for the allocation and equipping of special places outdoors for smoking tobacco or allocation and equipping of isolated places for smoking tobacco -

is punishable by an administrative fine on officials in the amount of twenty thousand rubles; on legal entities – from fifty thousand to eighty thousand rubles.

3. Failure by an individual businessman or legal entity to observe the obligations to monitor compliance with the norms of legislation in the sphere of protection of the public health from exposure to ambient smoke and the consequences of tobacco consumption on territories and in premises used to carry out its activities, -

is punishable by an administrative fine on individual businessmen in an amount from thirty thousand to forty thousand rubles; on legal entities – from sixty thousand to ninety thousand rubles.”;

2) Part 3 of Article 11.17 is deemed null and void;

3) in Chapter 14:

a) the first paragraph of Part 1 of Article 14.3 after the words “Parts 2 - 5 of this article,” add the words “Part 4 of Article 14.3¹,»;

b) add Article 14.3¹ as follows:

“Article 14.3¹. **Sponsorship of tobacco, promotion of the sale of tobacco, tobacco products or tobacco goods and/or tobacco use, or advertising of tobacco, tobacco products, tobacco goods or smoking accessories**

1. The sponsorship of tobacco or promotion of the sale of tobacco, tobacco products or tobacco goods and/or tobacco use, except in cases provided for in paragraphs 1 and 2 of this article, -

is punishable by an administrative fine on citizens in an amount from two thousand to three thousand rubles; on officials – from five thousand to fifteen thousand rubles; on legal entities – from eighty thousand to one hundred fifty thousand rubles.

2. Demonstration of tobacco products or the process of tobacco consumption recreated in audiovisual works intended for adults, including television programs and videos, in theatrical entertainment performances, in radio, television, video and newsreel programs, as well as public performance,

broadcast, on cable and any other use of said works, representations, programs, in which tobacco products and the process of tobacco consumption is displayed, with the exception of cases where such action is an integral part of artistic design, -

is punishable by an administrative fine on officials in an amount from twenty thousand to forty thousand rubles; on legal entities – from one hundred thousand to one hundred seventy thousand rubles.

3. The demonstration of tobacco products or the process of tobacco consumption recreated in audiovisual works intended for children, including television programs and videos, in theatrical entertainment performances, in radio, television, video and newsreel programs, as well as public performance, broadcast on cable and any other use of said works, representations, programs, in which there is a demonstration of tobacco products and the process of tobacco consumption, -

is punishable by an administrative fine on officials in an amount from twenty thousand to fifty thousand rubles; on legal entities – from one hundred thousand to two hundred thousand rubles.

4. Violation by an advertiser, producer or distributor of advertisements of the ban on advertising of tobacco, tobacco products, tobacco goods or smoking accessories -

is punishable by an administrative fine on citizens in the amount of three thousand to four thousand rubles; on officials – from ten thousand to twenty five

thousand rubles; on legal entities – from one hundred fifty thousand to six hundred thousand rubles.

5. The non-performance of the duty to broadcast public service announcements about the danger of tobacco consumption during the showing of audiovisual works, including television programs and videos, television, video and newsreel programs, in which tobacco products or the process of tobacco consumption is displayed, -

is punishable by an administrative fine on officials in the amount of ten thousand to twenty thousand rubles; on legal entities – from one hundred thousand to two hundred thousand rubles.”;

c) add Article 14.53 as follows:

“Article 14.53. **Failure to comply with restrictions and violation of the bans on the trade of tobacco products and tobacco goods**

1. Non-observance of the restrictions in the trade of tobacco products and tobacco goods -

is punishable by an administrative fine on citizens in the amount of two thousand to three thousand rubles; on officials – from five thousand to ten thousand rubles; on legal entities – from thirty thousand to fifty thousand rubles.

2. Wholesale or retail sale of naswar -

is punishable by an administrative fine on citizens in the amount of two thousand to four thousand rubles; on officials – seven thousand rubles; on legal entities – from forty thousand to sixty thousand rubles.

3. The sale of tobacco products or tobacco goods to minors -

is punishable by an administrative fine on citizens in the amount of three thousand to five thousand rubles; on officials – from thirty thousand to fifty thousand rubles; on legal entities – from one hundred thousand to one hundred fifty thousand rubles.”;

4) Part 1 of Article 23.2 to add the numbers “6.23,” after the number “6.10,”;

5) in Article 23.3:

a) in Part 1 replace the words “under Articles” with the words “under Article 6.24 (concerning administrative violations committed in public places),” replace the words “Parts 1, 2 and 3 of Article 11.17” with the words “Parts 1 and 2 of Article 11.17,” and after the number “13.24” add the words “by Part 1 of Article 14.3¹ (concerning imposition of administrative responsibility for the distribution of tobacco products or tobacco goods to the public for free, including as gifts),” after the number “14.26,” add the words “by Part 2 of Article 14.53,”;

b) in Part 2:

in paragraph 1 replace the words “under Articles” with the words “under Article 6.24 (concerning administrative violations committed in public places),” after the number “13.24,” add the words “Part 1 of Article 14.3¹ (concerning imposition of administrative responsibility for distribution of tobacco products

or tobacco goods to the public for free, including as gifts),”, after the number “14.26,” add the words “Part 2 of Article 14.53,”;

in paragraph 2 after the word “under” add the words “Article 6.24 (concerning administrative violations committed in public places),”, replace the words “Parts 1, 2 and 3 of Article 11.17,” with the words “Parts 1 and 2 of Article 11.17,”, after the number “14.26,” add the words “Part 2 of Article 14.53,”;

in paragraph 3 after the word “under” add the words “Article 6.24 (concerning administrative violations committed in public places),”, replace the words “Parts 1, 2 and 3 of Article 11.17, Article 13.24,” with the words “Parts 1 and 2 of Article 11.17, Article 13.24, Part 2 of Article 14.53, Article”;

in paragraph 4 after the word “under” add the words “Article 6.24 (for commission of violations on railway transport),”, replace the words “Parts 1, 2 and 3 of Article 11.17 (for commission of violations on railway transport)” with the words “Parts 1 and 2 of Article 11.17 (for commission of violations on railway transport), Part 2 of Article 14.53 (for commission of violations on railway transport)”;

in paragraph 9 after the words “under Article” add the words “6.24 (concerning administrative violations committed in public places), Article”;

6) Part 1 of Article 23.13 after the words “under Articles 6.3-6.7,” add the numbers “6.24, 6.25,”;

7) Part 1 of Article 23.34 after the words “under Articles” add the numbers “6.24, 6.25,”;

8) in Article 23.36:

a) in Part 1 replace the words “under Articles” with the words “under Part 1 of Article 6.24, Article 6.25, Article”;

b) in Part 2:

in paragraph 1 replace the words “under Article” with the words “under Part 1 of Article 6.24, Article 6.25, Article”;

in paragraph 2 replace the words “under Article 8.2” with the words “under Part 1 of Article 6.24, Article 6.25, Article 8.2”;

in paragraph 3 replace the words “under Article 7.7” with the words “under Part 1 of Article 6.24, Article 6.25, Article 7.7”;

in paragraph 4 replace the words “under Article” with the words “under Part 1 of Article 6.24, Article 6.25, Article”;

9) Part 1 of Article 23.44 after the number “13.18,” add the words “Parts 2, 3 and 5 of Article 14.3¹,”;

10) Part 1 of Article 23.48 after the words “Articles 9.21, 14.3,” add the words “Parts 4 and 5 of Article 14.3¹, Articles”;

11) in Part 1 of Article 23.49 replace the words “Articles 14.2” with the words “Article 14.2, Part 1 of Article 14.3¹, Article”, after the words “Part 1 of Article 14.51,” add the words “Article 14.53,”;

12) Part 1 of Article 23.55 after the word “under” add the words “Article 6.24 (concerning smoking tobacco in elevators and common areas of apartment buildings),”;

13) in Article 28.3:

a) in Part 2:

paragraph 1 after the number “6.21,” add the numbers “6.23,”;

paragraph 18 after the number “6.16¹,” add the words “Article 6.24 (concerning smoking tobacco on territories and in premises intended for the provision of medical, rehabilitation and spa services), Articles 6.25,”;

paragraph 96 after the words “Article 13.21,” add the words “Part 3 of Article 14.3¹,”;

b) paragraph 2 of Part 5 after the number “6.10” add the numbers “, 6.23”.

Article 2

Amend Federal Law No. 38-FZ dated March 13, 2006 “On Advertising” (Collected legislation of the Russian Federation, 2006, No. 12, Art. 1232; 2007, No. 7, Art. 839; 2010, No. 21, Art. 2525; 2011, No. 23, Art. 3255; No. 30, Art. 4566, 4600; 2013, No. 19, Art. 2325; No. 30, Art. 4033) with the following changes:

1) supplement Article 7 paragraph 8 as follows:

“8) tobacco, tobacco products, tobacco goods and smoking accessories, including pipes, hookahs, cigarette papers, lighters.”;

2) Article 23 is deemed null and void;

3) in Article 38:

a) in Part 6 delete the words “Parts 1 and 3 of Article 23,”;

b) in Part 7 delete the words “Parts 2-4 of Article 23,”.

Article 3

Deemed no longer in force:

1) subparagraph four of paragraph 189 of Article 1 of Federal Law No. 116-FZ, dated June 22, 2007, “On Amendments to the Russian Federation Code on Administrative Offenses in Terms of a Change in the Mode of Expression of the Monetary Penalty Imposed for an Administrative Offense” (Collected Legislation of the Russian Federation, 2007, No. 26, Art. 3089);

2) paragraph 26 of Article 1 of Federal Law No. 380-FZ, dated December 28, 2009, “On Amendments to the Russian Federation Code on Administrative Offenses” (Collected Legislation of the Russian Federation, 2010, No. 1, Art. 1).

Article 4

1. This Federal Law shall enter into force on November 15, 2013, except for provisions, for which this article provides otherwise for their entry into force.

2. Subparagraphs eleven and twelve of paragraph “b” of item 3 of Article 1 of this Federal Law enter into force as of June 1, 2014.

President
Russian Federation

V. Putin