



A PROCEDURE FOR LISTING COMPANIES AS ECONOMICALLY SIGNIFICANT ORGANISATIONS NOW APPROVED

27 November 2023

On 20 November, the Russian Government published Resolution No. 1836 approving “the rules for listing Russian business entities as “economically significant organisations” (the **Resolution**).

The procedure for inclusion in the list of economically significant organisations (the **List**, and each company listed on it, a **Significant Company**) was introduced by the Procedure with a view to implementing Federal Law No. 470-FZ On the Specifics of Regulating Corporate Relationships in Business Entities that are Economically Significant Companies (the **Federal Law**). For more information about the Federal Law, please see our materials [here](#).

The procedure includes the following steps:

- 01.** the federal regulatory authority responsible for the sector in which the relevant Russian business entity operates (the **Competent Authority**) prepares a proposal for its inclusion of the Russian business entity in the List (the **Proposal**);

The Proposal must be accompanied by requisite information as per the list set forth in the Resolution, including, inter alia, the book value of the company’s assets for the most recent financial year, a reasoned justification as to why the company in question meets with the listing criteria set forth by the Law, and a draft of a written decision to be taken by the Russian Government to put the Russian business entity on the List. Once ready, the Competent Authority then submits the Proposal to the Ministry of Economic Development;

- 02.** once in receipt of the Proposal, the latter Ministry then must, within 14 business days, review it and, if it supports the same, submit it, together with the supporting documentation, to the Federal Government, accompanied by its reasoned opinion in support of the Proposal;

- 03.** on the basis of the submission by the Ministry of Economic Development, the Federal Government must then decide whether to put the company on the List.

The Russian company in question may itself apply to the Competent Authority for inclusion on the List, which will start the procedure described above.

Furthermore, the Resolution clarifies that, once the company is on the List, the Competent Authority may then apply to a court “under the suspension of foreign shareholders’ corporate rights” scheme, on the basis of the Proposal used for the listing.

The Resolution enters into force from its official publication.