

LEGISLATIVE ACTS OF THE USSR

Book Four

- Law of the USSR
On Defence of Peace
Decree of the Presidium of the Supreme Soviet
of the USSR
On International Lenin Prizes for Strengthening Peace
Among Peoples
Statute
of the Committee on International Lenin Prizes
for Strengthening Peace Among Peoples
Law of the USSR
On the Budgetary Powers of the USSR and the Union
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On Work Collectives and on Increasing Their Role
in the Management of Enterprises, Institutions,
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Statute
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On the State Notary Office
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On the Basic Rights and Duties of District Soviets
of People's Deputies
Consular Statute of the USSR
Statute
of Diplomatic and Consular Representations
of Foreign States on the Territory of the USSR
Statute
of the USSR Trade Representations Abroad

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Book Four



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INTRODUCTORY NOTE

Book Four of legislative acts of the USSR, intended for the foreign reader, includes acts passed in between 1951 and 1983. All of them conform with the 1977 Constitution of the USSR; some have been amended.

The major aspects of socio-economic and state life in the USSR are regulated by laws. The latter are instrumental in organising the economic activities of work collectives and in regulating civil behaviour and the work of state bodies and officials.

Legislative power in the USSR is exercised by the Supreme Soviet of the USSR, the country's highest representative body of state authority. The power to initiate legislation in the Supreme Soviet of the USSR belongs to its chambers, the Soviet of the Union and the Soviet of Nationalities, and also to the Presidium of the Supreme Soviet, the Council of Ministers, the standing committees of the two chambers, the Deputies of the Supreme Soviet, to the Supreme Court of the USSR, and the Procurator-General of the USSR. This power is also enjoyed by social organisations represented by their all-Union bodies.

Laws of the USSR are adopted during sessions of the USSR Supreme Soviet. In between its sessions, the Presidium of the USSR Supreme Soviet issues Decrees. When Decrees are of a legislative nature, they are later endorsed at sessions of the Supreme Soviet of the USSR.

The legislative acts of the USSR are designed to ensure the successful and peaceful construction of the new society. It is not by accident, therefore, that this collection of legi-

slative acts begins with the Law of the USSR on Defence of Peace, the urgency of which is of basic significance in our time.

The Second World Congress of Peace Supporters, held in 1950 in Warsaw, demonstrated the peoples' unshakeable will to defend peace. Much attention at the Congress was devoted to anti-war propaganda. The participants in the Congress called on the parliaments of all countries to adopt laws for the defence of peace that would provide for criminal responsibility for all forms of war propaganda.

This appeal was heartily supported by millions of people all over the globe and especially in the Soviet Union. The Law of the USSR on Defence of Peace adopted by the Supreme Soviet of the USSR demonstrated the peaceful disposition of the Soviet people and contributed to the cause of peace.

Lenin Prizes are important for promoting international solidarity. They are, in effect, an incentive for outstanding achievements in science, technology, literature, art, and architecture. Lenin Prizes are awarded once every two years on the birthday of Lenin, the organiser of the Communist Party of the Soviet Union (CPSU) and the founder of the Soviet state.

This volume includes acts that regulate matters connected with awarding international Lenin Prizes for Strengthening Peace Among Peoples, and also the Statute of the Committee on International Lenin Prizes. Anyone is eligible to become a Lenin Prize Winner, irrespective of his citizenship, political views, party affiliation, convictions, and race.

A number of the legislative acts, included in this volume, pertain to the legal regulation of the Soviet economy; the most important of these is the Law of the USSR on the Budgetary Powers of the USSR and the Union Republics. This Law fixes the principle of the unity of the Soviet budgetary system: the State Budget of the USSR combines the Union budget and the state budgets of the Union Republics, which in turn include the budgets of Autonomous Republics and local budgets. The State Budget of the USSR determines only the total revenues and expenditures for the budget of each Union Republic, and the latter assigns these amounts to the respective items of revenue and expenditure.

Each Autonomous Republic has its own state budget endorsed by its Supreme Soviet. Each territory, region, area,

district, city, township and rural locality also has its own local budget approved by its own Soviet of People's Deputies.

In the USSR, national insurance is provided by the state. Therefore, the budget of national insurance is included in the State Budget of the USSR. The Soviet trade unions exercise broad rights in planning and using national insurance funds. These funds are chiefly used to pay pensions and temporary disability allowances; to pay for accommodation at sanatoria and holiday homes; and to provide material benefits, cultural and welfare services for the people.

The work collective is an important element in the political, economic and social systems of Soviet society; it is not simply a group of people who work together because it features the most significant components of many government and non-government organisations. Every work collective has a trade union organisation, and almost every work collective has a local Party organisation, a Komsomol organisation, and various voluntary social organisations.

The Law of the USSR on Work Collectives and on Increasing Their Role in the Management of Enterprises, Institutions and Organisations adopted in 1983 determines both the relations between work collectives and bodies of state authority and the principles of the work collective's participation in management. The Law contains provisions which provide for additional powers for the work collectives, especially in the sphere of labour administration. This is manifested, first of all, in the greater scope of questions—production, social and educational—now included in the work collective's sphere of operation. Second, work collectives do not simply draw up proposals and recommendations, but, conforming with the Law, they can decide numerous questions and take decisions which are binding on management. Third, the forms and methods for exercising the powers of work collectives are being improved, and their direct participation in management of enterprises, institutions and organisations—part of the unified national economic organism—are being enlarged.

It is noteworthy that the publication of the draft Law roused a broad response among Soviet citizens and government and non-government organisations. Over 110 million Soviet citizens took part in a nation-wide discussion of the draft Law, and 1,230,000 meetings of work collectives involving 5 million speakers were devoted to that discussion. Numer-

ous proposals were contained in letters addressed by citizens directly to the Presidium of the USSR Supreme Soviet. About 130,000 suggestions and remarks were received on the draft Law, and all of them were carefully considered. Many articles in the draft were amended to include over seventy additions.

The trade unions collaborate with the work collectives in the exercising of the latter's powers and fulfilment of responsibilities, no matter whether they concern the development of social production, improvement of working and living conditions, protection of people's rights and the improvement of their welfare, or any other sphere.

In accordance with the Statute on the Rights of the Enterprise, Institution or Organisation Trade Union Committee, included in this volume, the trade union committees are granted rights allowing them to exert more influence on all aspects of the work collective's activities. The Statute considerably expands the powers of trade union committees in drawing up production plans, distributing material incentive funds, promoting social and cultural work, housing construction, as well as in making decisions on other matters directly concerned with the interests of working people.

The Statute on Procedure for Examining Labour Disputes promotes socialist] legality in labour relations and protects the rights of workers and office employees, as well as the interests of enterprises, institutions and organisations. The Statute further develops the democratic principles which govern the activity of bodies which resolve labour disputes, increases guarantees for the protection in court of the labour rights of factory office and professional workers, and introduces certain amendments to the regulations concerning the activities of labour dispute commissions and the filing of appeals against their decisions.

The volume also includes several acts designed to increase the protection of citizens' rights and ensure that their legitimate interests match the interests of the society as a whole. One such act is the Law on the State Notary Office under which the functioning of state notary offices, first established in the earliest years of Soviet government is more broadly regulated by law.

In October 1922, the Soviet Government adopted the first Statute of the State Notary Office to establish it as an independent element in the state apparatus. In May 1926, the

Soviet Government's enactment On the Basic Principles for Organising the State Notary Office established a single procedure for organising notary offices in the USSR and the scope of deeds to be executed; it also ruled on other basic issues relating to this matter.

The Law now in force determines the tasks and basic principles which govern the activity of the State Notary Office, the work of which is in some measure connected with the Soviet foreign policy. From year to year, Soviet notary offices handle increasingly larger numbers of documents which are then sent abroad for notarisation. There was a need for more precise application of legislation on the notary office's work pertaining to aliens and stateless persons. Today, for instance, these persons, as well as foreign enterprises and organisations, may apply to USSR state notary offices enjoying the same rights there as Soviet citizens.

In turn, Soviet notaries can apply norms of foreign law in the scope and forms stipulated by the legislation of the USSR and the Union Republics, or by international treaties and agreements to which the USSR is a party. On the basis of reciprocity, the Soviet state notary offices must fulfil commissions duly entrusted to them by foreign judicial bodies regarding the execution of deeds. According to the principle of reciprocity, strictly observed in the Soviet state, the USSR Council of Ministers may establish retaliatory legal restrictions in regard to citizens and organisations of other countries which have enacted special restrictions on the rights of Soviet citizens and organisations when the latter apply to notary offices in such states.

The adoption of a new Constitution in 1977 gave rise to the need to make some amendments and additions to the legislative acts on the local representative bodies of state authority, the Soviets of People's Deputies. In view of this, in November 1978 the Presidium of the USSR Supreme Soviet amended the Decrees on the Basic Rights and Duties of District, City, Ward, Rural and Township Soviets. The new amendments reflect the further development of democratic principles in the activity of local Soviets, enhancing their role in resolving major issues of state, economic, social and cultural construction. Within their jurisdiction, the Soviets ensure the comprehensive economic and social development of their area. They exercise systematic control over the activities of executive and administrative bodies and over the

implementation of resolutions passed by local Soviets, whose standing committees render them large assistance. The Soviets fulfil their responsibilities in close contact with mass organisations and work collectives; they consider the electorate's mandates, taking them into account when elaborating plans for economic and social development and when drafting budgets.

In pursuing a consistent policy of peace and international cooperation, the USSR is successfully developing external economic, scientific and cultural ties. In recent years, the role of Soviet consular institutions has been significantly expanded, and certain changes have taken place in consular practice. These factors have given rise to the need to revise legislation regulating the legal status of Soviet consuls. The Consular Statute of the USSR defines the tasks and the organisation of USSR consular institutions and their functions abroad. It takes into account consular conventions and treaties on legal aid concluded by the USSR with other states.

The Soviet state has a reputation for attributing major significance to the implementation of the recommendations contained in the Final Act of the 1975 Helsinki Conference on European Security and Cooperation. For instance, measures have been taken to create better conditions for foreign journalists resident in the USSR; the procedure for granting visas has been simplified, broader opportunities have been provided for travelling within the USSR.

The Statute of Diplomatic and Consular Representations of Foreign States on the Territory of the USSR grants these representatives privileges and immunities for performing their duties. It contains a number of rules requiring that diplomatic and consular representations and their officials respect the laws, enactments and regulations effective in the USSR and in its constituent republics.

The task of USSR trade representations abroad is to represent Soviet interests in the countries to which they have been assigned on all issues relating to foreign trade and other kinds of external economic activity. USSR trade representations observe the fulfilment of international treaties on foreign trade and commercial, economic, and industrial cooperation. The scope of activity of these organisations is determined by the Statute of the USSR Trade Representations Abroad, which has also been included in this volume.

The adoption of the Decree of the Presidium of the USSR

Supreme Soviet on the Functioning of the Joint Economic Organisations of the USSR and Other CMEA Member-Countries on Soviet Territory is connected with the further development of industrial, scientific and engineering, and other economic activities of socialist countries. These organisations are established by agreement between the USSR Government and the governments of CMEA member-countries, and function on the basis of the legislation of the USSR, the Union Republics, and of corresponding international treaties.

The approval of the Statute of the Foreign Trade Arbitration Commission of the USSR Chamber of Commerce and Industry was preceded by the conclusion of a number of international agreements by the USSR. For instance, in 1973 the Presidium of the USSR Supreme Soviet ratified a Convention on the Arbitration of Civil Legal Disputes arising from economic, scientific and technological cooperation among CMEA member-countries. The Convention calls for the broadening of the competence of arbitration courts under the chambers of commerce of these countries.

According to this Statute, the arbitration commission resolves disputes arising not only from foreign trade agreements, but also disputes which pertain to contractual and other civil legal relations in the sphere of international economic, scientific and technological cooperation.

The Statute of the Maritime Arbitration Commission of the USSR Chamber of Commerce and Industry takes into account the existing practice of considering disputes connected with merchant shipping, and reflects corresponding rules in the Law on the Supreme Court of the USSR,* the Statute of the Foreign Trade Arbitration Commission, and other legislation.

In recent decades, Soviet civil aviation has grown considerably. Aeroflot makes regular flights to 116 cities in nearly 100 countries. In 1970, the USSR joined the International Civil Aviation Organisation and signed a number of international multilateral and bilateral agreements on civil aviation. All this has created the need for a more detailed Air Code of the USSR, which was endorsed by a Decree of the Presidium of the USSR Supreme Soviet in May 1983. Its

* See *Legislative Acts of the USSR. 1977-1979*, Book One, Progress Publishers, Moscow, 1980.

purpose is to help improve civil aviation, satisfy the growing needs of the economy and the population, and protect still better the interests of the Soviet state.

In waging a struggle for their class and national liberation, the working people of the USSR created their own symbols back in the early years of the Soviet Republic. These symbols reflected the revolutionary spirit of the Paris Communards and the Russian workers of the 1905 revolution with their red banners and revolutionary songs. These revolutionary symbols became the foundation of the emblem, flag and anthem first of the Soviet Republic in 1918, and then of the USSR.

The Statute on the National Emblem of the USSR includes a description of the country's emblem and specifies the cases when its image must be reproduced. Such emblem's elements as the sickle and hammer embody the peaceful labour and unbreakable alliance of the workers, peasants and intellectuals. The emblem reflects the idea of friendship and fraternity of the working people of all the nations and nationalities of the Soviet Union.

Every Union and Autonomous Republic has its own national emblem.

The main distinctive feature of the National Flag of the USSR is its red colour. This colour and the flag design were approved by the Soviet Republic back in 1918. The National Flag of the USSR depicts the elements of the USSR National Emblem, i.e., the hammer and sickle and the red five-pointed star.

Formerly, the *Internationale* was the national anthem of the USSR as well as the Communist Party anthem. In 1943, it was decided that the state should have its own anthem. The *Internationale* was left to the Party, and the poets S. Mikhalkov and G. El-Registan with the composer A. Alexandrov wrote a new anthem for the USSR, which was revised in 1977.

The Union Republics also have their own national anthems.

Matters connected with conferring titles and awarding the highest degrees of distinction, e.g., Hero of the Soviet Union, Hero of Socialist Labour, Hero City, Hero Fortress, and Heroine] Mother, are regulated by the General Statute on Orders, Medals and Honorary Titles of the USSR. It includes a list of orders, medals and honorary titles of the USSR, specifies the procedure for recommending people to USSR

state awards, while establishing the rights and duties of the recipients of awards.

The Statutes on the Titles of Hero of the Soviet Union and Hero of Socialist Labour are also included in this volume. The title of Hero of the Soviet Union was established in 1934, and the Statute on this title was endorsed in 1936. In 1938, the Presidium of the USSR Supreme Soviet established one more higher degree of distinction, the title of Hero of Socialist Labour, and endorsed a relevant Statute. In 1973, both these Statutes were amended.

Other legislative acts included in this volume are concerned with the payment of specific taxes, the state duty, and with property insurance. A noteworthy item is the Decree on Compulsory National Insurance of Citizens' Property which considerably enlarges the list of terms under which compensation is to be paid. Moreover, the Decree calls for the payment of compensation when buildings are destroyed or damaged as a result of floods, mud flows, tsunami, outcrop of ground waters, lengthy rainfalls and big snowfalls, and breakdown of heating- and water-supply systems; it also cancels the compulsory insurance of some species of animals, whose loss inflicts no serious damage to farmers' households.

Volunteer public order squads play an increasingly greater role in preventing crime. Organised on the initiative of the people, they successfully combat infringements of the rules of socialist community life. In recent years, these squads have become better organised, have accumulated considerable experience in fighting breaches of the law, and have earned the gratitude of the populace as a whole. The squads' tasks, procedures and interaction with state bodies and mass organisations, and their guidance by local Soviets of People's Deputies are regulated by the Decree of the Presidium of the Supreme Soviet of the USSR on the Basic Duties and Rights of Volunteer Public Order Squads, also included in this volume.

In recent years, extensive work has been done to make existing legislation correspond to the Constitution of the USSR, the Fundamental Law of the Soviet state. New acts have been written and adopted and already existing legislation has been amended or revised. At the same time, *A Statute Book of Laws of the USSR* is being compiled and published. Its publication will help strengthen the legal foundation of state and public life in the USSR, make legis-

lation more stable and more accessible to all Soviet citizens, and provide for the further consolidation of socialist legality and the better protection of public order, social interests, and civil rights and freedoms.

It is hoped that in further acquainting himself with legislative acts of the USSR the foreign reader will develop a clearer and fuller understanding of the existing system of Soviet legislation, the principal Soviet state institutions, and the regulation of legal relations at the current stage of development of socialist society.

V. Lashkov

LAW OF THE USSR ON DEFENCE OF PEACE

The Supreme Soviet of the Union of Soviet Socialist Republics, guided by the highest principles of Soviet peaceful policy, which pursues the aim of consolidating peace and friendly relations among peoples,

recognises that the conscience and legal awareness of the peoples who have, during the lifetime of one generation, endured the calamities of two world wars, cannot bear with impunity war propaganda spread by aggressive circles in certain states,

and makes common cause with the appeal of the Second World Congress of Peace Supporters which expressed the will of all progressive mankind in regard to banning and condemning criminal war propaganda.

The Supreme Soviet of the Union of Soviet Socialist Republics *decrees*:

1. Propaganda of war, no matter in what form it is conducted, undermines the peace, and should therefore be considered a threat of war, and the gravest crime against humanity.

2. Persons guilty of waging propaganda of war should be brought to trial and tried as dangerous criminals.

Adopted on March 12, 1951

Gazette of the USSR Supreme Soviet, No. 5, 1951.

DECREE
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR ON INTERNATIONAL LENIN PRIZES
FOR STRENGTHENING PEACE AMONG PEOPLES

The Presidium of the Supreme Soviet of the USSR *decrees*:

1. International Lenin Prizes for Strengthening Peace Among Peoples shall be awarded to outstanding fighters for peace in recognition of their extraordinary personal merits and of the active work of the organisations or movements they represent in the struggle for peace among nations.

2. Persons awarded the International Lenin Prize for Strengthening Peace Among Peoples shall receive:

- (a) diplomas of International Lenin Prize winners;
- (b) gold breast medals depicting Lenin; and
- (c) 25,000 rouble premiums.

3. Up to five International Lenin Prizes for Strengthening Peace Among Peoples shall be awarded annually by the Committee on International Lenin Prizes.

4. The procedure for nominating candidates to International Lenin Prizes for Strengthening Peace Among Peoples and for awarding these prizes shall be determined by the Statute of the Committee on International Lenin Prizes.

Approved on September 6,
1956

Gazette of the USSR Supreme Soviet,
No. 18, 1956, Item 393; No. 14, 1957,
Item 347; No. 10, 1962, Item 102;
No. 8, 1980, Item 133

STATUTE
OF THE COMMITTEE ON INTERNATIONAL
LENIN PRIZES FOR STRENGTHENING PEACE
AMONG PEOPLES

I

The Committee on International Lenin Prizes for Strengthening Peace Among Peoples shall be formed from among public figures of the Soviet Union and representatives of the democratic public in foreign countries actively upholding the cause of peace among nations.

The Committee shall be formed by the Presidium of the USSR Supreme Soviet with due consideration for representatives from all over the world on the recommendation of social democratic organisations and shall consist of a Chairman and 14 members. The term of office of the Committee Chairman and members shall be six years. The Committee shall be renewed by one-third every two years.

Persons leaving the Committee before their term of office expires may be replaced by other persons appointed according to the same procedure for a six-year term.

Persons leaving the Committee on expiration of their term of office shall receive a specially instituted diploma and a commemorative desk medal bearing the inscription "Supreme Soviet of the USSR".

II

The awarding of International Lenin Prizes for Strengthening Peace Among Peoples to outstanding public figures shall be a token in recognition of their extraordinary personal merits and of the active work of the organisations or

movements they represent in the struggle for peace among peoples.

In accordance with the Decree of the Presidium of the Supreme Soviet of the USSR dated September 6, 1956, the Committee on International Lenin Prizes shall have the right to award five prizes annually.

Persons awarded the prize shall receive:

- International Lenin Prize Winner diploma;
- gold breast medal depicting Lenin; and
- 25,000 rouble premium.

III

The Committee shall award International Lenin Prizes to outstanding fighters for peace, nationals of any country.

The Committee on International Lenin Prizes may award prizes to any persons, irrespective of their political views, party affiliation, creed, or race, for their outstanding activity in the struggle for peace among peoples, or if their scientific, literary or artistic works or other activities represent an outstanding contribution to peace among peoples.

At its annual meetings the Committee on International Lenin Prizes shall discuss materials relating to Lenin Prize candidates nominated by:

- international and national democratic organisations (trade union, cooperative, women's, youth, and other organisations);
- research institutions and educational establishments;
- cultural, arts, and scientific associations; and
- individual members of the Committee on International Lenin Prizes.

Organisations and individuals nominating candidates to International Lenin Prizes shall submit to the Committee on International Lenin Prizes a detailed account of the reasons for nominating those candidates, and other materials characterising the scientific works, inventions, works of art, or public and political activities testifying to their contribution to the cause of strengthening peace among peoples.

The Committee shall consider the candidates nominated for International Lenin Prizes received by its Secretariat until February 1 of each respective year.

Should the Committee Secretariat receive supporting materials for a candidate after February 1, that candidate shall be considered a nominee for the following year's prize.

IV

Meetings of the Committee on International Lenin Prizes shall be convened in Moscow in March-April every year.

At such meetings a quorum shall consist of at least half of all the Committee members.

The Committee meetings shall be conducted by its Chairman, or on his behalf by one of the Committee members.

The question of awarding prizes shall be decided at Committee meetings by simple majority and by a show of hands.

In cases where the Committee member votes split equally, the vote of the man in the chair shall break the tie of controversial candidacy.

Members of the Committee shall take part in its meetings. The Committee Secretariat officials and interpreters may also attend the Committee meetings.

Materials relevant to the awarding of prizes (shorthand records of meetings, presentations on candidates, etc.) shall not be published.

Committee resolutions on the awarding of International Lenin Prizes for the past calendar year shall be published in the press on May 1.

Expenses connected with trips by members of the Committee on International Lenin Prizes to Moscow to attend the annual Committee meetings and expenses connected with their stay in the Soviet Union shall be borne by the Committee.

V

International Lenin Prizes shall be awarded to the winners by the Committee Chairman and, in some cases, on his behalf by one of the Committee members, or by some other person.

According to the wish of each prize winner, International Lenin Prizes may be awarded either in the Soviet Union, or in the country where a given prize winner resides or works.

The Committee on International Lenin Prizes shall bear all expenses connected with the awarding of Lenin Prizes

to winners in the Soviet Union and abroad, including the payment of fares for winners to travel to the Soviet Union and for Committee delegations or representatives to travel abroad.

Approved by Resolution
of the Presidium of the USSR
Supreme Soviet on April 22, 1966

*Gazette of the USSR Supreme
Soviet, No. 18, 1966, Item 251*

LAW OF THE USSR ON THE BUDGETARY POWERS OF THE USSR AND THE UNION REPUBLICS

Section I

General Provisions

ARTICLE 1. The State Budget of the USSR is the basic financial document for forming and utilising the state monetary fund of the Soviet state. The State Budget of the USSR concentrates part of the national revenues of the Soviet Union allocated on the planned development of industry, agriculture, transport, trade and other sectors of the economy; on raising the material and cultural standards of the people; on national defence; and on maintaining bodies of state power and state administration.

The funds of the State Budget of the USSR shall be formed primarily at the expense of revenues from the socialist economy, which grow on the basis of expansion and improvement of socialist production. Citizens of the USSR shall take part in forming the revenues of the State Budget of the USSR by paying taxes established by USSR legislative acts, and through voluntary payments.

The process of compiling and implementing the State Budget of the USSR involves control over the financial and economic activities of enterprises and organisations and over fulfilment by them of assignments set by the State Plan for the Economic and Social Development of the USSR.

ARTICLE 2. The budgetary system of the USSR shall be determined by the national-state and administrative-territorial structure of the Union of Soviet Socialist Republics as a single union multinational state formed on the principle of socialist federalism as a result of free self-determination of nations and voluntary unification of the Soviet Socialist Republics having equal rights. Accordingly, the State Budget

of the USSR shall combine the Union budget and the state budgets of the Union Republics.

Measures stipulated by the State Plan for the Economic and Social Development of the USSR, participation of the Union Republics in implementing measures of all-Union significance, and all-sided development of the economy and culture of the Union Republics and their mutual aid shall be financed by combining the Union budget and the state budgets of the Union Republics in the State Budget of the USSR.

ARTICLE 3. The State Budget of the USSR shall be compiled, endorsed and implemented and its revenues and expenditures shall be delimited between the Union budget and the state budgets of the Union Republics on the basis of the principle of democratic centralism, which secures the observance of the sovereign rights of the Union Republics, the rights of the Autonomous Republics and local Soviets of People's Deputies, and the unity of the budgetary system and the financial policy of the Soviet socialist state.

In compiling the State Budget of the USSR, the electorate's mandates shall be taken into consideration.

ARTICLE 4. The State Budget of the USSR shall be endorsed by the Supreme Soviet of the USSR for a period of one year, from January 1 through December 31. An endorsed State Budget of the USSR is law.

Ministries, state committees and departments, enterprises, organisations, and institutions shall exactly and steadfastly implement the State Budget of the USSR; make full and timely prescribed payments into the budget and observe strict economy in the spending of state funds.

ARTICLE 5. Each Soviet Socialist Republic shall have its own state budget to be endorsed by the Supreme Soviet of the Union Republic.

The state budgets of the Union Republics shall combine the republican budgets of the Union Republics, state budgets of the Autonomous Republics, and local budgets.

ARTICLE 6. Each Autonomous Soviet Socialist Republic shall have its own state budget subject to approval by the Supreme Soviet of the Autonomous Republic.

The state budgets of the Autonomous Republics combine the republican budgets of the Autonomous Republics and local budgets.

ARTICLE 7. Each territory, region, autonomous region, autonomous area, district, town (city), township Soviet and rural Soviet shall have its own local budget, approved by the appropriate Soviet of People's Deputies.

The territory's budget shall include the territory budget, and the budgets of autonomous regions, autonomous areas, districts and towns of territory subordination.

The region's budget shall include the regional budget, and the budgets of autonomous areas, districts and towns of regional subordination.

The autonomous region's budget shall include the regional budget, the budgets of districts and towns of regional (autonomous region) subordination.

The autonomous area's budget shall include the area budget and the budgets of districts and towns of area subordination, and if the autonomous area is not divided into districts, it shall include township and rural budgets.

The district's budget shall include the district budget, the budgets of towns of district subordination, and township and rural budgets.

The budget of the city divided into wards shall include the city budget and the budgets of that city's wards.

In cases when the territories of townships and rural populated areas are administratively subordinate to the city or ward Soviet of People's Deputies, the township and rural budgets shall be included in the city or ward budget, respectively.

ARTICLE 8. The State Budget of the USSR shall include the budget for state social insurance.

The budget of state social insurance shall be drawn up by the All-Union Central Council of Trade Unions and shall be executed by trade union bodies.

ARTICLE 9. The social insurance of workers and other employees shall be effected at state expense.

State social insurance funds shall be formed at the expense of contributions made by enterprises, organisations, and institutions for state social insurance, revenues from accommodation passes to sanatorium and resort institutions and recreational institutions, and other sums entered in accordance with USSR legislation in the state social insurance budget.

State social insurance funds shall be allocated for payment of pensions; temporary disablement and pregnancy and childbirth benefits; for procuring accommodation passes to sanatorium and resort institutions and recreational institutions, and other expenses for providing working people with maintenance and welfare and cultural amenities.

Section II

State Budget of the USSR

ARTICLE 10. The State Budget of the USSR shall be drawn up for revenues and expenditures in accordance with the State Plan for the Economic and Social Development of the USSR as a whole and for the Union Republics.

ARTICLE 11. The revenues of the State Budget of the USSR shall include:

- a) part of the revenues of enterprises and industrial organisations in the form of turnover tax and payments from profits;
- b) income tax from collective farms, and income tax from cooperative and other social organisations;
- c) taxes from the population;
- d) other revenues stipulated by USSR legislation.

ARTICLE 12. USSR legislative enactments and resolutions of the Council of Ministers of the USSR shall determine payments by state enterprises and organisations, collective farms, other cooperative and social organisations, interfarm enterprises and organisations, and private individuals going towards the State Budget of the USSR.

Taxes from the population shall be established solely by legislative enactments of the USSR.

ARTICLE 13. The State Budget of the USSR shall include expenditures:

- a) on the national economy;
- b) on social and cultural measures and science;
- c) on national defence;
- d) on maintenance of bodies of state power and state administration, the courts and the procurator's offices;
- e) on forming state material and financial reserves;
- f) on other measures stipulated by USSR legislation.

ARTICLE 14. The State Budget of the USSR shall stipulate for reserve funds of the Council of Ministers of the USSR and the Councils of Ministers of the Union Republics for covering urgent expenses on the national economy, and social and cultural and other measures that could not be envisaged when endorsing the State Budget of the USSR and the state budgets of the Union Republics.

ARTICLE 15. The Council of Ministers of the USSR shall organise the drafting of the State Budget of the USSR.

For drawing up the draft State Budget of the USSR for the next fiscal year:

a) the Councils of Ministers of the Union Republics, on the basis of indicators included in the drafts of the State Plan for the Economic and Social Development of the USSR and the state plans for the economic and social development of the Union Republics for the year in question, shall draw up the drafts of the state budgets of the Union Republics and submit them to the USSR Ministry of Finance for consideration and inclusion in the draft of the State Budget of the USSR;

b) ministries, state committees and departments of the USSR, on the basis of assignments stipulated by the draft of the State Plan for the Economic and Social Development of the USSR shall draft financial plans and estimates and submit them to the USSR Ministry of Finance for drawing up the draft of the Union budget;

c) the All-Union Central Council of Trade Unions shall draw up a budget for state social insurance and submit it to the USSR Ministry of Finance for consideration and inclusion in the draft of the State Budget of the USSR;

d) the USSR Ministry of Finance shall review the drafts of:

— the state budgets of the Union Republics with the participation of their representatives;

— the state social insurance budget, with the participation of representatives of the All-Union Central Council of Trade Unions;

— financial plans and estimates of ministries, state committees and departments of the USSR, with the participation of their representatives.

After examining such drafts, the USSR Ministry of Finance shall:

- draw up the draft of the Union budget;
- on the basis of drafts for the Union budget, the state budgets of the Union Republics, and the state social insurance budget, draw up the State Budget of the USSR and submit it to the Council of Ministers of the USSR together with a report on the preliminary review of the drafts of the state budgets of the Union Republics and the draft of the state social insurance budget.

ARTICLE 16. The Council of Ministers of the USSR shall examine the draft State Budget of the USSR and submit to the Supreme Soviet of the USSR:

a) the State Budget of the USSR, showing the total revenues, revealing the basic sources of revenues and showing the total expenditures, making allocations on financing the national economy, social and cultural activities, national defence, maintenance of bodies of state power and state administration, the courts and the procurator's offices;

b) the union budget, showing the total revenues, revealing the basic sources of revenues and showing the total expenditures, distinguishing the basic types of spending and also distributing payments to the budget and allocations to respective ministries, state committees and departments of the USSR;

c) the state budgets of the Union Republics and the budget of state social insurance included in the State Budget of the USSR;

d) proposals on deductions to be made from USSR state taxes and revenues for subsequent allocations to the state budgets of the Union Republics.

ARTICLE 17. The State Budget of the USSR, submitted by the Council of Ministers of the USSR to the Supreme Soviet of the USSR, shall first be examined in standing committees of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR.

ARTICLE 18. The standing committees of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR shall:

a) when examining the State Budget of the USSR, hear reports by USSR ministries, state committees and depart-

ments on their financial plans and estimates; reports by the Councils of Ministers of the Union Republics on revenues and expenditures of the state budgets of the Union Republics; the report of the All-Union Central Council of Trade Unions on the revenues and expenditures in the state social insurance budget; and also examine proposals submitted by USSR ministries, state committees and departments, the Councils of Ministers of the Union Republics, and All-Union Central Council of Trade Unions regarding changes in revenues and expenditures of the State Budget of the USSR;

b) draw up and submit to the Supreme Soviet of the USSR their conclusions on the State Budget of the USSR.

ARTICLE 19. The Supreme Soviet of the USSR shall review the State Budget of the USSR on the strength of the report of the Council of Ministers of the USSR, and conclusions and co-reports by standing committees of the Soviet of the Union and the Soviet of Nationalities, and shall also examine proposals submitted by deputies of the Supreme Soviet of the USSR during discussion of the State Budget of the USSR.

ARTICLE 20. The Supreme Soviet of the USSR shall endorse:

a) the State Budget of the USSR with total revenues, revealing the basic revenue sources, and with total expenditures, making allocations on:

- financing the national economy;
- social and cultural activities, including the state social insurance budget;
- national defence;
- maintenance of bodies of state power and state administration, the courts, and the procurator's offices;

b) the Union budget;

c) deductions from USSR state taxes and revenues to the state budgets of the Union Republics.

The state budgets of the Union Republics shall be established in the State Budget of the USSR with total revenues and total expenditures for each Union Republic.

ARTICLE 21. The Law on the State Budget of the USSR shall be published for general notice.

ARTICLE 22. The Council of Ministers of the USSR shall organise execution of the State Budget of the USSR through the Ministry of Finance of the USSR, ministries, state committees and departments of the USSR, and the Councils of Ministers of the Union Republics.

The Ministry of Finance of the USSR, ministries, state committees and departments of the USSR, and the Councils of Ministers of the Union Republics shall provide realisation of all revenues envisaged by the budget and economical spending of budgetary means strictly for prescribed purposes and to the extent of the fulfilment of production and financial plans.

Cash fulfilment of the State Budget of the USSR shall be executed by the State Bank of the USSR.

ARTICLE 23. The report on the execution of the State Budget of the USSR shall be drawn up by the Ministry of Finance of the USSR and submitted to the Council of Ministers of the USSR in accordance with the procedure and dates set by the Council of Ministers of the USSR.

The report on the execution of the state social insurance budget shall be drawn up by the All-Union Central Council of Trade Unions and shall be included by the USSR Ministry of Finance in its report on the execution of the State Budget of the USSR.

ARTICLE 24. The Council of Ministers of the USSR shall submit to the Supreme Soviet of the USSR a report on the execution of the State Budget of the USSR.

ARTICLE 25. The standing committees of the Soviet of the Union and the Soviet of Nationalities shall examine the report on the execution of the State Budget of the USSR, draw up conclusions on the report and submit them to the Supreme Soviet of the USSR.

ARTICLE 26. In accordance with the report by the Council of Ministers of the USSR and conclusions and co-reports by standing committees of the Soviet of the Union and the Soviet of Nationalities, the Supreme Soviet of the USSR shall examine and endorse the report on the execution of the State Budget of the USSR, including the reports on the exe-

cution of the Union budget, the state budgets of the Union Republics, and the state social insurance budget.

The resolution of the Supreme Soviet of the USSR on the report on execution of the State Budget of the USSR shall be published for general notice.

ARTICLE 26¹. Preliminary examination of the State Budget of the USSR and the report on the execution of the State Budget of the USSR submitted by the Council of Ministers of the USSR to the Supreme Soviet of the USSR, the drawing up and submission to the Supreme Soviet of the USSR of conclusions on the State Budget of the USSR and the report on the execution of the State Budget of the USSR shall be performed by standing committees of the Soviet of the Union and the Soviet of Nationalities according to the procedure stipulated by the present Law, the Standing Orders of the Supreme Soviet of the USSR and also by the Statute on the Standing committees of the Soviet of the Union and the Soviet of Nationalities of the Supreme Soviet of the USSR.

ARTICLE 27. Control over the execution of the State Budget of the USSR shall be exercised by the Ministry of Finance of the USSR in accordance with the procedure established by the Council of Ministers of the USSR.

Section III

The Union Budget

ARTICLE 28. The Union budget shall provide the necessary funds for financing measures of national importance in the sphere of economic and social development and in the country's defence.

Some part of these financial resources shall be redistributed, as designated by the Union budget, among the Union Republics with the view to the comprehensive development of their economies as an inalienable part of the USSR's integral economic complex, and in order to ensure the further growth of the material and cultural standards of the peoples of the Union Republics.

ARTICLE 29. The Union budget shall include the following revenues:

- a) turnover tax from enterprises and industrial organisations, with the exception of the portion transferred to the state budgets of the Union Republics;
- b) payments from profits of state enterprises and industrial organisations of Union subordination;
- c) income tax from cooperative and other social organisations, paid by their all-Union agencies and by enterprises and organisations subordinate thereto;
- d) income tax from the population, with the exception of the portion of such taxes transferred to the state budgets of the Union Republics;
- e) revenues from foreign trade;
- f) other revenues stipulated by USSR legislation.

ARTICLE 30. The Union budget shall include the following expenditures:

- a) on financing enterprises and economic organisations of Union subordination;
- b) on financing measures carried on by institutions and organisations of Union subordination on education, science, culture, health, physical culture, and payment of pensions and other social security measures;
- c) on forming state material and financial reserves;
- d) on national defence;
- e) on maintaining bodies of state power and state administration of the USSR, the Supreme Court of the USSR and Procurator's Office;
- f) on other measures financed from the Union budget in conformity with USSR legislation.

In accordance with Art. 14 of this Law, a reserve fund of the Council of Ministers of the USSR shall be formed within the Union budget.

ARTICLE 30¹. Additional funds that have entered the Union budget, and funds that have become available due to savings in the Union budget, may be used at the discretion of the Council of Ministers of the USSR.

ARTICLE 31. The Union budget shall be executed according to the list of revenues and expenditures drawn up by the Ministry of Finance of the USSR in conformity with the budget approved by the Supreme Soviet of the USSR.

Section IV

The State Budgets of the Union Republics

ARTICLE 32. The state budgets of the Union Republics shall provide necessary funds for the financing of the measures in the sphere of economic and social development carried out by bodies of state power and state administration of the Union Republics.

ARTICLE 33. The budgetary system of the Union Republics shall be determined by their national-state and administrative-territorial structure and established by the Supreme Soviets of the Union Republics in conformity with the present Law.

Each Union Republic possesses equal rights to draw up, examine, endorse and execute its state budget.

ARTICLE 34. In case of publication, after the endorsement of the State Budget of the USSR, of USSR legislative acts or decisions of the Council of Ministers of the USSR, in accordance with which the Union Republic state budgets' expenditures are increased or revenues decreased, these budgets, in the course of the execution of the State Budget of the USSR, shall be compensated with funds from the Union budget; in case the Union Republic state budget expenditures are reduced or revenues increased, the corresponding sums shall be transferred to the Union budget.

ARTICLE 35. The following revenues shall enter the state budgets of the Union Republics:

a) payments from profits of state enterprises and industrial organisations of republican and local subordination;

b) forestry revenue, income tax from collective farms, and income tax from cooperative and other social organisations paid by their republican and local bodies and by enterprises and organisations subordinate thereto;

c) agricultural tax;

d) fifty per cent of the income tax collected from the population;

e) fifty per cent of the revenues received from state internal lottery-loans;

- f) state duty, the tax from revenues received from showing films, and local taxes;
- g) other revenues established according to the procedure stipulated by USSR legislation.

ARTICLE 36. The following shall be transferred, in excess of revenues stipulated in Art. 35 of this Law, to the state budgets of the Union Republics:

- a) funds of state social insurance for payment of pensions;
- b) deductions from turnover tax and other all-Union state revenues in amounts stipulated in the State Budget of the USSR.

ARTICLE 37. The state budgets of the Union Republics shall include the following expenditures:

- a) on financing enterprises and economic organisations of republican and local subordination;
- b) on financing measures carried out by institutions and organisations of the Union Republics for the development of education, science, culture, health, and physical culture, and for payment of pensions, benefits to mothers of many children and single mothers, as well as on other measures concerning social security;
- c) on maintaining bodies of state power and state administration of the Union Republics, the courts of the Union Republics, and also notary offices;
- d) on other measures financed, in accordance with legislation of the USSR and the Union Republics, from the state budgets of the Union Republics.

In conformity with Art. 14 of this Law, reserve funds of the Councils of Ministers of the Union Republics shall be formed within the state budgets of these republics.

ARTICLE 38. Delimitation of revenues and expenditures of the state budgets of the Union Republics between the republican budgets of the Union Republics, the state budgets of the Autonomous Republics, and local budgets shall be determined by Union Republican legislation.

ARTICLE 39. The Supreme Soviets of the Union Republics, when endorsing the state budgets of these republics, may increase the total revenues and total expenditures established in conformity with Art. 20 of this Law for a given Uni-

on Republic in the State Budget of the USSR, without changing the amounts of assignments from all-Union state taxes and revenues stipulated in the State Budget of the USSR for the state budget of the Union Republic.

ARTICLE 40. The state budgets of the Union Republics, in excess of stipulated expenditures, shall include turnover cash, formed at the expense of funds remaining in the said budgets by the beginning of the fiscal year. The amount of turnover cash shall be determined when endorsing the state budgets of the Union Republics.

During the year, the turnover cash may be used to cover temporary absence of cash and shall be refunded in the same year to amounts established when the budget was endorsed.

ARTICLE 41. Additional revenues received by the Union Republics and excess revenues over expenditures that had formed by the end of each year as a result of greater than expected revenue or lower than expected expenditures, shall remain at the disposal of the Union Republics and shall be used at the discretion of the Council of Ministers of the Union and Autonomous Republics and of the executive committees of local Soviets of People's Deputies, according to the legislation of the USSR and the Union Republics, for financing the national economy, social and cultural measures, and other expenditures, including capital investments.

The procedure for spending the sums allocated for the state budgets of the Union Republics and not used for financing state capital investments shall be determined by the Council of Ministers of the USSR, with the exception of allocations not used for state capital investments for township and rural budgets that remain at the disposal of township and rural Soviets of People's Deputies.

ARTICLE 42. Repealed.*

ARTICLE 43. Reports on the execution of the state budgets of the Union Republics shall be endorsed by the Supreme Soviets of these republics.

* By Decree of the Presidium of the USSR Supreme Soviet, dated August 15, 1983.

ARTICLE 44. Control over the execution of the state budgets of the Union Republics shall be exercised as specified by the legislation of the USSR and the respective Union Republics.

ARTICLE 45. The Supreme Soviets of the Union Republics, in conformity with the present Law, shall determine the budgetary rights of the Autonomous Republics and local Soviets of People's Deputies.

ARTICLE 46. The Council of Ministers of the USSR shall establish the procedure for endorsement of Regulations for Compiling and Executing the State Budget of the USSR.

Adopted on October 30, 1959

Gazette of the USSR Supreme Soviet, No. 44, 1959, Item 221;
No. 27, 1969, Item 234;
No. 32, 1983, Item 493

**LAW OF THE USSR
ON WORK COLLECTIVES AND ON INCREASING
THEIR ROLE IN THE MANAGEMENT
OF ENTERPRISES, INSTITUTIONS,
AND ORGANISATIONS**

The work collective at every enterprise, institution and organisation is the main cell of socialist society and, under the USSR Constitution, exercises wide powers in the country's political, economic, and social life. The activities of the work collectives in the USSR are based on socialist ownership of the means of production and the planned development of the economy. In work collectives, joint labour is performed along the lines of comradesly cooperation and mutual assistance, with the unity of state, social, and personal interests being secured, and the principle of responsibility of each individual towards the collective and of the collective for each worker asserted. Work collectives are required to multiply the country's material and cultural wealth, to use available resources rationally, and to display tireless concern for the collective's members and for improving their working and living conditions and rest and leisure.

Under the conditions of mature socialism, the role of work collectives in production, social, and state life increases; opportunities for workers, collective farmers, and intellectuals to take active part in the management of enterprises, institutions, and organisations expand, and genuine socialist self-government which develops during the building of communism is implemented.

Conscientious discipline, a high degree of organisation in the activities of the work collectives, initiative, dynamism, mass-scale technical efforts by members of the collectives are the indispensable conditions for intensifying production, accelerating scientific and technical progress, in-

creasing the productivity of social labour, and for raising the Soviet people's wellbeing and the individual's all-round development.

The Communist Party and the Soviet state, in implementing the further development of socialist democracy, consistently apply Lenin's ideas that the working people must participate in management, that every worker must feel a master at his or her enterprise and a representative of the entire country. The further democratisation of management at enterprises, institutions, and organisations is inseparably connected with the increased activity of the social organisations functioning within work collectives. The working people's growing political consciousness, their higher cultural and professional standards, and the improvement of economic management create prerequisites for expanding the rights of work collectives and enhancing their responsibility towards society.

I. GENERAL PROVISIONS

ARTICLE 1. *Work Collectives at Enterprises, Institutions, and Organisations*

The work collective at an enterprise, institution, and organisation is the association of all workers engaged in joint work at a government or non-government enterprise, institution, organisation, collective farm, or other cooperative organisation.

Collectives in shops, departments, sections, teams, and other units function within the single work collective in accordance with the structure of the enterprise, institution, or organisation.

Led by the branches of the Communist Party of the Soviet Union, work collectives perform economic, social and political functions, aimed at the all-round strengthening and development of the social system in the USSR, the socialist way of life and promote the working people's active participation in production, public and state life, in the management of enterprises, institutions, and organisations.

Work collectives shall be obliged and duty-bound to perform highly productive work, to implement the Party's decisions, to undeviatingly observe Soviet laws and government decisions, to fulfil state plans and contractual obliga-

tions, to raise the efficiency and quality of work, to strengthen labour, production, and state discipline, to exercise unceasing concern for the development of the labour and sociopolitical activity of the collective's members, and to educate them in a spirit of the moral principles of builders of communism.

The Soviet state shall create the necessary conditions for work collectives to perform the tasks assigned to them and to exercise their powers.

ARTICLE 2. *Legislation on Work Collectives*

The legislation on work collectives includes this Law, which determines the basic rights and duties of work collectives, their powers in the management of enterprises, institutions, and organisations, and also of other legislative acts of the USSR and of those of the Union Republics published in accordance with the former on individual questions of the work collectives' activities.

Persons guilty of violating the legislation on work collectives shall bear responsibility according to the established procedure.

ARTICLE 3. *Work Collectives and Bodies of State Authority and Administration*

In accordance with the USSR Constitution and Soviet laws, the bodies of state authority and administration shall ensure, within the limits of their jurisdiction, state guidance over the work collectives' activities on the basis of democratic centralism.

Work collectives shall consider the questions of state, economic, and socio-cultural development which are submitted for discussion by the Soviets of People's Deputies and bodies accountable to them; shall submit for consideration by local Soviets of People's Deputies proposals for comprehensive economic and social development on their territory, and also for other matters within the terms of reference of the relevant local Soviets.

The bodies of state authority and administration, when making decisions that involve the activities of relevant enterprises, institutions and organisations, shall take into account the opinions and proposals of work collectives.

The Soviets of People's Deputies, their executive and administrative bodies, the ministries, state committees and

departments, and economic management bodies shall secure conditions for enterprises, institutions and organisations to carry out smooth and uninterrupted work and promote in every possible way the development of democratic principles in the activities of the work collectives.

The bodies of state authority and administration shall inform the work collectives about their own work, the adopted decisions and the course of their fulfilment.

ARTICLE 4. *The Principles of Work Collectives' Involvement in the Management of Enterprises, Institutions, and Organisations*

Work collectives shall be involved in the management of enterprises, institutions, and organisations on the basis of:
keeping the proper balance between the interests of the state, society, the collective, and the individual;
personal responsibility of the administration in conjunction with the working people's wide-scale participation in management;

the unity of the work collective's rights and duties;
the strict observance of labour, production, and state discipline, socialist legality, the protection of the rights and legitimate interests of each member of the collective;

the all-round development of the work collective members' labour and socio-political activity and creative initiative, their participation in exercising the powers of the work collective, and creating the conditions for the comprehensive development of the individual;

collective discussion and decision-making on matters pertaining to the functioning of enterprises, institutions, and organisations;

development of criticism and self-criticism, all-round assessment of the activities of officials and other members of the collective, increasing responsibility of the collective's members for the performance of the tasks facing them;

publicity, keeping the members of the collective systematically informed about the activities of the enterprises, institutions, and organisations, and taking public opinion into account.

ARTICLE 5. *The Basic Powers of Work Collectives in the Discussion of State and Social Affairs and Decision-Making on Them*

The work collectives, in accordance with the legislation of the USSR and Union Republics:

shall consider bills, decisions taken by local Soviets of People's Deputies pertaining to the interests of the work collective, and other matters of state and social life submitted for discussion, and make their proposals on them;

shall nominate candidates for the Soviets of People's Deputies, and members for election commissions;

shall hear reports by deputies to the Soviets of People's Deputies who were previously nominated by the work collective, and also reports of the executive committees of the local Soviets of People's Deputies, their sections and administrations;

shall nominate candidates for people's judges; elect people's assessors for district (city) people's courts and hear their reports;

shall raise the question of recalling deputies of the Soviets of People's Deputies and people's judges, and shall recall those people's assessors of district (city) people's courts who have not justified the confidence of their constituents;

shall elect standing production conferences, committees, groups and cells of people's control, comrades' courts and other bodies operating within work collectives, and hear their reports;

shall discuss other matters of state and public activity.

II. THE BASIC POWERS OF WORK COLLECTIVES IN THE MANAGEMENT OF ENTERPRISES, INSTITUTIONS, AND ORGANISATIONS

ARTICLE 6. *The Powers of Work Collectives in Planning Economic and Social Development*

Work collectives shall exercise the following powers:

take part in elaborating and discussing the drafts of long-term and current plans for economic and social development (working plans) of enterprises, institutions, and organisations. The drafts of the afore-mentioned plans shall be submitted for approval after they have been discussed by work collectives;

elaborate and adopt counter-plans,* which have taken

* A plan of measures for socio-economic development drawn up by the work collective of an enterprise or production association, which is approved by a higher body and which has higher indicators as compared with the state plan assignments.—*Ed.*

additional reserves and possibilities into account;
implement measures to fulfil plans and contractual obligations, strengthen and develop the cost-accounting system;
approve and implement measures on increasing labour productivity and production efficiency and improving the quality of work and output;

hear managements' report on the progress of the fulfilment of plans and contractual obligations, the reasons for changing plans, the results of economic activities, give relevant recommendations and, if necessary, bring them to the attention of higher bodies.

ARTICLE 7. The Powers of Work Collectives in Concluding Collective Agreements

Work collectives shall exercise the following powers:
take part in elaborating collective agreements, discuss them and make decisions on them, empowering the trade union committees of enterprises and organisations to sign these agreements;

implement measures to secure the fulfilment of collective agreements;

hear the reports of the management of enterprises and organisations and of trade union committees regarding the fulfilment of collective agreements; if necessary, raise questions on calling to account anyone who does not honour the obligations contained in collective agreements.

ARTICLE 8. The Powers of Work Collectives in the Protection of Socialist Property and Rational Use of Material Resources

Work collectives shall exercise the following powers:
implement measures to protect and multiply socialist property, to combat mismanagement and a thriftless approach to people's property and prevent any misappropriation of state and collective property;

submit proposals and implement measures aimed at the fuller tapping and use of internal reserves, at securing scientifically substantiated rates of expenditure of raw and other materials, energy and fuel, at their rational and economic utilisation, at eliminating the causes of losses and production spoilage, and at the effective use of equipment, machinery and other fixed assets;

implement measures on the rational use of land, mineral wealth, water, forests and other natural resources;

raise questions on calling to account, in keeping with the established procedure, workers guilty of violating the legislation on the protection of socialist property and rational use of material and financial resources, and of producing poor quality and substandard output.

ARTICLE 9. The Powers of Work Collectives in Securing Labour Discipline

Work collectives shall exercise the following powers:

approve internal regulations for the enterprise, institution, or organisation, submitted by the management and the trade union committee, and take measures to secure their observance;

discuss the state of labour discipline and implement measures to improve it;

apply measures of public encouragement for success in work, nominate workers for moral and material encouragement; voice their opinion of the candidates recommended for state decorations;

establish additional benefits and privileges, from the money allocated for this purpose, in accord with the existing procedure, for innovators and best workers and also persons who have worked conscientiously at the enterprise, institution, or organisation¹ over a long period;

cultivate an irreconcilable attitude towards violators of labour discipline, express strict comradesly exactingness to workers who do not fulfil their duties conscientiously, apply measures of public censure (comradely reproof, public reprimand) to members of the collective for violation of labour discipline; pass on materials regarding violators of labour discipline for consideration by comrades' courts;

raise questions, in keeping with legislation, on calling violators of labour discipline to account, including a temporary transfer to a lower-paid job and dismissal, on depriving such workers, either completely or partially, of bonuses, remuneration for the annual work results and for length of service, of additional vacation for uninterrupted length of service, on compensation for material damage inflicted upon an enterprise, institution, or organisation, on moving them down the housing list and on the application of other means of influence provided for by legislation.

The work collective shall have the rights to cancel the reprimand it had applied before the expiration of a year after its application, and also to solicit for the premature cancellation of a disciplinary reprimand or for halting the operation of other measures applied by the management for labour discipline violations, if the member of the collective has not committed any fresh violation of discipline and behaved as a conscientious worker.

ARTICLE 10. *The Powers of Work Collectives in Introducing Scientific and Technical Achievements and Developing Workers' Creative Initiative*

Work collectives shall exercise the following powers:

take measures to accelerate scientific and technological progress, to widely introduce the achievements in science and new technology, advanced production processes, and scientific labour and management organisation into production and other spheres of activity;

promote mass-scale technical endeavour, invention and innovation and help protect the rights of production innovators; support scientific and technico-scientific societies and the organisations of inventors and innovators;

apply measures for moral incentives and make proposals encouraging workers who are actively developing and introducing new technology and production processes and spreading advanced experience;

hear the management's reports on the implementation of measures for introducing scientific and technical achievements, encouraging creative initiative, invention and innovation and put forward relevant recommendations.

ARTICLE 11. *The Powers of Work Collectives in the Field of Organisation, Rate Setting, and Remuneration of Labour*

Work collectives shall exercise the following powers:

propose and implement measures on the introduction of progressive forms of labour organisation which enhance productivity, promote the fulfilment of assigned plans with a smaller number of personnel and the better use of work time;

take part in deciding matters relating to the use, in accord with the established procedure, of savings in the wages bill obtained in the collective from the reduction of

the number of personnel in order to stimulate workers who perform a greater amount of work as compared with the operating rates (assignments);

take part in the elaboration of proposals aimed at expanding the application of technically substantiated rates of manpower expenditure and creating conditions for their fulfilment;

submit proposals for improving labour remuneration, ensuring that each worker's wages correspond to his or her personal work contribution and for increasing the wages' dependence on the end results of the work done by the collective;

discuss and approve proposals for improving the payment of bonuses to workers and giving them other payments and benefits from the material incentives fund;

exercise control over the application of the operating quotas of labour and the conditions for its remuneration;

consider proposals submitted by Komsomol organisations for setting up Komsomol and youth collectives and make recommendations to them.

ARTICLE 12. The Powers of Work Collectives in Developing the Labour Activity of Workers and in Organising Socialist Emulation

Work collectives shall exercise the following powers:

increase the labour activity of members of the collectives, promote socialist emulation, and the movement for a communist attitude to work in every way possible;

approve the terms of socialist emulation at enterprises, institutions and organisations and determine measures for the moral and material encouragement of winners;

adopt socialist obligations and implement measures for their fulfilment; secure publicity of socialist emulation and sum up its results and determine the winners;

take part in the elaboration and implementation of measures to distribute and introduce advanced experience;

conclude agreements on socialist emulation and creative cooperation with other work collectives;

hear information given by the management and the trade union committee regarding the implementation of organisational and technical measures which help fulfil socialist obligations, and issue relevant recommendations.

ARTICLE 13. *The Powers of Work Collectives in Training, in Improving Skills, and in Placement of Personnel*

Work collectives shall exercise the following powers:

take part in discussing and deciding matters of training, placement and rational use of personnel, securing the stability of the collectives, improving the structure of an enterprise, institution, or organisation; recommend a rise in category (rank) or promotion for diligent members of the collective;

consider matters of the improvement of skills of personnel, training in new trades, development of tutorship, and the work carried out by schools to study advanced methods of work;

take part, through social organisations and in keeping with the USSR legislation, in deciding matters relating to the appointment of executive workers at enterprises, institutions, and organisations; the appointment of these workers to and relieving them from their posts shall be done in consideration of the opinion of the work collective;

consider, with the participation of the relevant Komsomol organisation, matters of young workers' education, their professional training, making sure that they stay with the collective; submit relevant proposals and help improve labour education and the vocational guidance of school-children in the schools under their patronage;

approve candidates from among the best workers to be sent to study at higher and specialised secondary schools, with scholarships being granted to them by their enterprises and organisations.

ARTICLE 14. *The Powers of Work Collectives in Distributing and Using Economic Incentives Funds*

Work collectives shall exercise the following powers:

take part in deciding matters relating to the use of monies from the material incentives fund, the fund for social and cultural purposes and housing construction, and the fund for the development of production; discuss and approve estimates for spending these funds and control their fulfilment. Monies from the material incentives fund, the fund for social and cultural purposes and housing construction, which are formed at enterprises and organisations, cannot be withdrawn without the consent of the work collective;

take part in deciding matters of rendering, in keeping

with the established procedure, material aid to workers for cooperative and individual house building, as well as improving housing conditions; or setting up house appliances, at the expense of monies from the material incentives fund, the fund for social and cultural purposes and housing construction and other funds (monies) intended for the afore-mentioned purposes; approve the candidates from among the workers to whom such material aid may be given.

ARTICLE 15. *The Powers of Work Collectives in Improving Working Conditions and Labour Protection*

Work collectives shall exercise the following powers:

discuss and approve comprehensive plans for improving working conditions, labour protection, sanitary and health-building measures, and exercise control over the fulfilment of these plans;

submit proposals for technical re-equipment, mechanisation and automation, improvement of the organisation of production and increase in overall standards, and for the reduction of manual, unskilled and arduous physical labour, and take an active part in their implementation;

elaborate and implement measures to improve the conditions at work and home for working women and to strengthen mother and child care;

control use of funds intended for labour protection and make sure that all workers observe the rules and instructions on labour protection at enterprises, institutions, and organisations;

discuss matters pertaining to the use of social insurance funds and submit relevant proposals;

submit proposals and take part in the implementation of measures to improve environmental control;

submit questions of calling to account persons guilty of violating labour protection rules and environmental control legislation.

ARTICLE 16. *The Powers of Work Collectives in Improving Workers' Social, Cultural, Housing and Living Conditions*

Work collectives shall exercise the following powers:

consider and approve plans for social and cultural measures and housing construction and hear reports on their fulfilment;

take part in deciding matters relating to registering people

who need improved housing conditions and make relevant recommendations; secure control and publicity in distribution of housing;

adopt decisions on the construction of housing, pre-school child-care institutions and other projects for cultural and daily consumer purposes using monies from the fund for social and cultural purposes and housing construction, the consumer goods fund, and other funds of enterprises, institutions, and organisations which are intended for these purposes. The accommodation in the houses built using the aforementioned monies may not be transferred to other organisations or used for any other purposes without the consent of the work collective;

submit proposals for setting up house-building cooperatives;

discuss the state of the communal, daily consumer and medical services, trade, public catering and the work of public transport, and submit relevant proposals;

implement public control over the work carried out by enterprises and organisations of the services industry and by medical establishments;

take part in deciding matters of the organisation and operation of the subsidiary farms of enterprises and organisations, the development of collective gardening and individual household plots;

take part in deciding matters of the organisation of rest and leisure for members of the collective and their families and the development of physical culture and sport;

discuss the state of sport and mass defence promotion work, the activities of health-building, child-care, and cultural-educational institutions which accommodate members of the collective and their families, and submit relevant proposals;

display concern for veterans of the Great Patriotic War and pensioners who used to be members of work collectives, help them to take an active part in social labour and in educating young people on the revolutionary, militant, and labour traditions of Soviet people.

ARTICLE 17. *The Powers of Work Collectives in Organising Work on Communist Education*

Work collectives shall exercise the following powers:
implement measures for comprehensive ideological-polit-

ical, labour, moral, legal and economic education of members of the collective, securing a healthy moral and psychological climate in the collective, fostering a sense of pride in workers for belonging to their collective, and for the introduction and development of Soviet traditions and rites;

take part in the political-educational and cultural-educational work among the population, in creating conditions that would help strengthen the family and improve the upbringing of children, and consolidate norms of communist morality in people's life;

approve plans for cultural and educational measures;

adopt measures for educating members of the collective in a spirit of Soviet patriotism, socialist internationalism, friendship and fraternity among nations, observance of the laws and compliance with socialist community rules, in a spirit of thrifty use of the people's wealth, and an irreconcilable attitude towards drunkards, hooligans, money grubbers, and other antipodes of communist morality;

take part in the work for averting breaches of law and implement measures for re-educating persons who have committed breaches of law.

ARTICLE 18. *The Basic Powers of the Production Team Collective*

The powers of the production team collective—the primary cell of the work collective of an enterprise or organisation—shall be determined, in conformity with this Law, by the statutes on teams, which shall be approved according to the order established by the USSR Council of Ministers.

The production team collective shall:

take part, either directly or through the council of a team, in deciding matters of staffing the team, planning and organising its work, labour remuneration and incentives, improvement of skills of the workers, educating team members, and calling violators of discipline to account;

give consent to management for the appointment of their team leader, have the right to demand from management that the person be relieved of the duties of their team leader if that person has not justified the collective's confidence;

elect its voluntarily functioning organ—Council of the Team.

III. EXERCISE OF THE POWERS OF WORK COLLECTIVES IN THE MANAGEMENT OF ENTERPRISES, INSTITUTIONS, AND ORGANISATIONS

ARTICLE 19. *The Forms of Exercising the Powers of Work Collectives in the Management of Enterprises, Institutions, and Organisations*

The powers of work collectives shall be directly exercised by the general meetings (conferences) of work collectives of enterprises, institutions, and organisations.

During the period in-between meetings the powers of work collectives shall be exercised:

jointly by the management and elected bodies of the Party, trade union and Komsomol organisations;

by trade union and other social organisations which operate in work collectives, in keeping with their rules and Soviet laws;

by the management of enterprises, institutions, and organisations in accord with its powers, or on instructions of work collectives.

The management and the trade union committee regularly inform members of the work collective about their activities regarding the exercise of the powers of the work collective in the period between general meetings.

ARTICLE 20. *General Meetings (Conferences) of Work Collectives*

General meetings (conferences) of work collectives of enterprises, institutions, and organisations shall discuss the more important matters of the activities of work collectives. Meetings (conferences) of work collectives of enterprises, institutions, and organisations may also be held in individual shops, departments, sections, teams, and other units.

Conferences of work collectives shall be held at enterprises, institutions, and organisations where it is difficult to hold such meetings because of the existence of many shifts, or because of territorial disunity of shops, departments, sections and other structural units. Delegates to the conference shall be elected according to the norms and procedure determined by the work collective.

Matters to be discussed by the meetings (conferences) of work collectives shall be submitted on the initiative of the Party, trade union, and other social organisations, the

management, the organs of people's control, standing production conferences, and individual members of the collectives, and also on joint initiatives of the management and social organisations. Meetings (conferences) of work collectives shall be convened jointly by the trade union committees and the management of enterprises, institutions, and organisations.

Meetings (conferences) of work collectives of enterprises, institutions, and organisations shall be held as often as necessary but not less than twice a year.

The meeting shall be considered valid if more than half the overall number of collective members take part and a conference—if not less than two-thirds of the delegates are present.

ARTICLE 21. *Decisions of General Meetings (Conferences) of Work Collectives*

Decisions of the general meeting (conference) of a work collective shall be taken by a show of hands and by the majority vote of the collective members attending the meeting (conference). Where a meeting of the work collective is held in an individual shop or other unit of an enterprise, institution, or organisation, the decision shall be regarded as made if the majority of the members of the work collective present at the meeting voted in favour of it. The decisions shall be made known to all members of the collective.

The decisions made at the meeting (conference) of a work collective in keeping with its powers and current legislation shall be obligatory for the members of the collective and the management of an enterprise, institution, or organisation.

Control over the fulfilment of decisions taken at the meeting (conference) of a work collective shall be carried on by the trade union committee, as well as the management of an enterprise, institution, or organisation in keeping with its powers or on the instructions of the meeting (conference), who inform the work collective on the course of the fulfilment of the decisions.

Proposals and recommendations of work collectives shall be subject to consideration within a period of one month by the management, trade union and other social organisations, and if need be also by relevant state and social bodies. The management and the afore-mentioned organisa-

tions and bodies inform the work collective about the results of the consideration of the proposals and recommendations.

IV. THE OPERATION OF THIS LAW AND THE SPECIFICS OF ITS APPLICATION

ARTICLE 22. *The Operation of This Law*

This Law shall be extended to the work collectives of all enterprises, institutions, and organisations and also the collectives in their shops, departments, and other units within the limits of their competence.

This Law shall be applied in work collectives of collective farms and other cooperative and social organisations, with account taken of the relevant rules and statutes which regulate their activities.

ARTICLE 23. *Specifics of Application of This Law*

The specifics of the application of the provisions of this Law in individual sectors of the economy and individual spheres of state and public activity shall be established, with account taken by their specific conditions, by legislative acts of the USSR, and by decisions of the USSR Council of Ministers and the All-Union Central Council of Trade Unions.

Adopted on June 17, 1983

Gazette of the USSR Supreme Soviet, No. 25, 1983, Item 382

STATUTE
ON THE RIGHTS OF THE ENTERPRISE, INSTITUTION
OR ORGANISATION TRADE UNION COMMITTEE

1. The enterprise, institution, or organisation trade union committee elected on the basis of the charter of the respective trade union shall represent the interests of the workers and office employees of a given enterprise, institution or organisation in the sphere of production, labour, everyday life, and culture, and shall enjoy the rights of the juridical person.

2. The enterprise, institution, or organisation trade union committee shall facilitate the participation of workers and office employees in management of enterprises, institutions, and organisations through general meetings (conferences) of the work collective, production meetings¹ and other social bodies functioning within work collectives.

The management of enterprises, institutions, and organisations shall create conditions ensuring the participation of workers and office employees in management of enterprises, institutions, and organisations. Officials of enterprises, institutions and organisations shall examine within a set time limit the critical remarks and proposals made by workers and office employees and report to the latter about the measures taken.

3. The enterprise or organisation trade union committee shall take part in working out draft production plans, plans for introducing new technology and for capital construction projects of the respective enterprise or organisation; draft plans for building and repairing dwelling houses and cultural and welfare facilities; and also plans for the collective's social development.

4. The enterprise or organisation trade union committee shall conclude on behalf of the work collective a collec-

tive agreement with the management of the respective enterprise or organisation, exercise systematic control over timely fulfilment of measures envisaged by the collective agreement, and together with the respective management organise the fulfilment of obligations under the collective agreement.

5. The management of the enterprise or organisation shall distribute the fund for material incentives and the fund for social and cultural measures and housing construction, and also endorse the expenditure estimates for these funds, jointly with the enterprise or organisation trade union committee after these have been discussed and endorsed by the work collectives.

Redistribution within prescribed limits of sums between the fund for material incentives and the fund for social and cultural measures and housing construction shall be conducted by management in agreement with the respective enterprise or organisation trade union committee.

The amounts of bonuses and other kinds of stimulatory payments, material aid, and remuneration for the annual results of the work of the enterprise or organisation from the fund for material incentives shall be determined by the management of the said enterprise or organisation jointly with the enterprise or organisation trade union committee.

The enterprise or organisation trade union committee, together with the respective management, shall endorse the estimate for utilising the fund of the enterprise designed for improving the workers' cultural-and-welfare conditions and for improving production, and also for granting individual bonuses and rendering aid. The said estimate shall be endorsed following its discussion and endorsement by the work collectives.

6. The itemised lists for building facilities at the expense of the enterprise or organisation fund and the consumer goods fund, and also itemised lists for work designed to provide labour protection, safety techniques and industrial sanitation, shall be endorsed by the director of the enterprise or manager of the organisation by agreement with the enterprise or organisation trade union committee.

7. The enterprise, institution or organisation trade union committee shall have the right to hear reports by managers of the respective enterprise, institution or organisation

concerning the fulfilment of production plans and obligations under the collective agreement, and measures for organising and improving the working conditions of workers and office employees and their welfare and cultural servicing, and to demand that the shortcomings revealed be eliminated.

The enterprise, institution or organisation trade union committee, in case of need, shall pose before corresponding organisations the question of dismissing or punishing leading officials who fail to fulfil their obligations under the collective agreement, display bureaucratism and red-tape, and violate labour legislation.

Appointment of employees to leading economic posts at enterprises, institutions and organisations shall be made by the respective management with consideration for the opinion of the respective enterprise, institution or organisation trade union committee.

8. The enterprise, institution and organisation trade union committee shall guide production conferences, conduct general meetings, and exercise systematic control over the fulfilment of their resolutions and suggestions made by workers and office employees;

jointly with the enterprise or organisation management regularly convene production-and-technical and economic conferences and meetings of front-rank workers to discuss matters of technological progress and economic development of the enterprise and to work out measures for eliminating shortcomings in the activity of the enterprise or organisation, specific shops and departments, and other constituent sections.

The enterprise, institution or organisation trade union committee shall, jointly with the respective management, organise socialist emulation and the movement for a communist attitude towards work: sum up the results of and determine the winners in the said emulation; award challenge Red Banners and certificates of honour to collectives of front-rank shops, departments, teams and other constituent sections of the enterprise or organisation, decide on matters of awarding certificates of honour and bonuses, and also of putting up on the Board of Honour and inscribing in the Book of Honour the names of front-rank workers; and widely popularise the results of socialist emulation and disseminate foremost experience.

The manager of the enterprise or organisation shall spend all socialist emulation bonus funds by agreement with the enterprise or organisation trade union committee.

9. The enterprise or organisation trade union committee shall do its best to promote the development of inventions and innovations and shall exercise control over timely introduction of accepted inventions and efficiency proposals. Jointly with the enterprise or organisation management, the above-said trade union committee shall examine workers' and office employees' complaints against rejection of their efficiency proposals, and also complaints on matters involving the charges on, and payment dates of, remuneration for accepted efficiency proposals and inventions.

10. The enterprise, institution or organisation trade union committee shall submit to higher economic and administrative bodies suggestions for improving the activity of the respective enterprise, institution, or organisation, and also concerning working conditions, material and welfare services, and cultural services for working people. The above-said bodies shall consider these suggestions and report on the consideration results to the respective enterprise, institution or organisation trade union committee.

11. The internal labour regulation at enterprises, institutions or organisations shall be endorsed by the work collectives following its submission by the administration and trade union committee, and be based on standard regulations.

12. By agreement with the enterprise or organisation trade union committee, the respective management, within the limits of the rights accorded to that enterprise or organisation, shall:

(a) establish piece-payment and day-payment systems;
(b) determine the lists of occupations for which piece-worker basic rates and monthly salaries shall be applied instead of basic rates of time-workers despite the fact that they fall under the time-work system;

(c) determine the lists of occupations and jobs to be paid on basic rates established for workers occupied in hot and hard jobs, jobs with harmful working conditions, and jobs with particularly difficult and unhealthy working conditions in conformity with existing standard lists of these occupations and jobs for different industrial sectors;

(d) establish types of work, give workers wage categories

in accordance with existing skill grading handbooks, and grade workers of new occupations with respect to characteristics of similar jobs contained in handbooks, informing the appropriate higher body;

(e) endorse regulations for awarding bonuses to workers and office employees of enterprises and organisations, and for payment of remuneration for the results of annual work from the fund formed at the expense of the profit made by the enterprise or organisation;

(f) decide matters involving the assignment of industrial shops, sectors, departments, farms, and other internal links of the enterprise or organisation to a corresponding group for paying the work of executives, engineers and technicians, and office employees, and also for transferring them from one group to another in connection with changed scope of production in conformity with duly endorsed indices;

(g) introduce and reconsider work quotas (time norms), servicing norms, and standard number of workers and office employees;

(h) endorse in cases provided for by current legislation reduced work quotas for young workers who go to work in a given enterprise or organisation after graduating from general education schools, vocational educational establishments and courses, and also for those who have received training directly in industrial enterprises;

(i) where expedient, workers shall be permitted to combine occupations, and also receive additional pay for combining occupations in conformity with current legislation.

13. The trade union committees of enterprises, institutions or organisations shall exercise control over observance by the management of those enterprises, institutions or organisations of labour legislation, rules and norms on safety techniques and industrial sanitation, and correct application of established wage ratings and levying of taxes from the wages of workers and office employees.

New and reconstructed industrial facilities shall not be put into operation without permission of agencies exercising state sanitation and technical inspection; nor shall they be put into operation without the permission of trade union technical inspections and the trade union committees of enterprises, institutions or organisations that are to put the given facilities into operation.

14. By agreement with the trade union committee of the enterprise, institution, or organisation, the management, within the limits of the rights accorded thereto, shall:

(a) establish, on the basis of sectoral standards, lists of jobs and occupations that give workers and office employees the right to free overalls, specialised footwear, and other means of individual protection, special washing soap in accord with established norms, and in specified cases—detergents and neutralisation agents;

(b) determine in accordance with medical indications a list of jobs and occupations which afford the right to receive milk and other equivalent food products;

(c) determine a list of jobs whose working conditions do not permit intervals for rest and meals, and also the manner and place of taking meals;

(d) allow for the introduction of cumulative accounting of the working time of workers and office employees at continuously operating enterprises, institutions and organisations, and also at specific production units, shops, sections, departments, and in certain types of jobs, where working conditions do not allow to observe the daily or weekly duration of working time established for a given category of workers and office employees so that the duration of the working time during the given period does not exceed the set number of working hours;

(e) establish the sequence of granting leaves;

(f) endorse shift time-tables in case of a five-day working week;

(g) establish for employees with a non-standardised working day the duration of their additional leave in conformity with labour legislation and the list of posts of employees with non-standardised working day as endorsed by a given ministry (in relation to employees of enterprises, institutions and organisations operating under republican ministries, agencies and local bodies—by the Council of Ministers of a Union Republic) by agreement with an appropriate trade union body;

(h) hire teenagers of age 15 or 16;

(i) permit to hold two or more jobs in cases stipulated by legislation.

15. Where labour protection regulations contain no requirements, the observance of which is necessary to ensure safe labour conditions, the management of the en-

terprise, institution or organisation, by agreement with the enterprise, institution or organisation trade union committee shall take measures providing for safe labour conditions.

16. Labour protection instructions that establish rules for work and behaviour in production premises and construction sites shall be devised and approved by the management of the enterprise, institution or organisation jointly with the enterprise, institution or organisation trade union committee.

17. Overtime work and assignment of individual workers and office employees to jobs during days off in exceptional cases stipulated by current legislation may be given out only with the permission of the enterprise, institution or organisation trade union committee.

18. Workers and office employees may not be dismissed from a given enterprise, institution or organisation on management's initiative without preliminary consent of the enterprise, institution or organisation trade union committee, with the exception of cases stipulated by USSR legislation.

19. The enterprise, institution or organisation trade union committee shall examine labour disputes in accordance with applications filed by workers and office employees, when the conflicting parties have reached no agreement in a labour dispute commission, and in accordance with complaints filed by workers and office employees against decisions of this commission. The said trade union committee shall have the right to leave the commission decision in force, or to repeal it and pass its own resolution on the substance of the dispute.

The enterprise, institution or organisation trade union committee, on its own initiative or on the protest by the procurator, shall repeal a commission decision that contradicts current legislation and passes its own resolution on the substance of the dispute.

20. The enterprise, institution or organisation trade union committee shall examine complaints against management decisions on compensation by the enterprise, institution, or organisation of damage inflicted to workers and office employees through mutilation or some other injury to health in connection with work.

21. The enterprise, institution or organisation trade

union committee shall effect the state social insurance of workers and office employees of the enterprise, institution or organisation, grant social insurance benefits, provide workers and office employees with accommodation in sanatoria and spas, holiday homes, and tourist health-building institutions, and provide them with dietary food; they shall also send working people's children to Young Pioneer camps, and check the organisation of medical service for workers and office employees and their family members.

By agreement with the enterprise trade union committee, the management shall provide workers and office employees with accommodation in holiday homes, sanatoria, boarding-houses, and tourist bases, and with itineraries to be paid at the expense of the fund for social and cultural measures and housing construction.

The enterprise, institution or organisation trade union committee shall, together with management, prepare the documents needed for granting pensions to workers and office employees and their family members, and shall submit those documents for subsequent granting of pensions; they shall also decide on matters of employment of disabled persons, and take part through their representatives in the appointment of pensions for workers and office employees by social security bodies.

The enterprise, institution, or organisation trade union committee shall see to timely payment by the enterprise, institution or organisation of social insurance premiums, and shall, in case of need, by established procedure unquestionably recover from the said enterprise, institution or organisation the insurance premiums due.

In case when the enterprise, institution or organisation trade union committee has established that a worker's or office employee's injury or occupational disease had resulted from violation by management of labour protection or safety technique regulations, the said trade union committee shall pass a resolution binding management of the enterprise, institution or organisation to compensate the budget of state social insurance for the payment of benefits for temporary disablement resulting from the given injury or disease.

22. The enterprise, institution or organisation trade union committee shall check the fulfilment of plans of housing and cultural-and-welfare construction, and watch the exploi-

tation of housing and enterprises catering to municipal services. A trade union committee representative shall take part as a member of a commission responsible for quality control of dwelling houses intended for workers and office employees of the given enterprise, institution or organisation, and also buildings and structures erected for catering to their cultural and welfare needs.

23. Residential quarters in houses belonging to state bodies not controlled by Soviets shall be provided by joint decision of management and the enterprise, institution or organisation trade union committee, subsequently endorsed by the executive committee of the district, city, ward, township or rural Soviet of People's Deputies. In cases where residential floor space is built at the expense of the fund for social and cultural measures and housing construction, the fund for consumer goods, and other funds of the enterprise in question that, in accordance with legislation, may be allocated to housing construction, and also in other cases provided for by the USSR Council of Ministers, residential quarters in such houses shall be provided by joint decision of the management and the respective trade union committee, the said decision on the occupation of these quarters by persons to be subsequently reported to the executive committee of the appropriate Soviet of People's Deputies.

Residential quarters in houses belonging to cooperative and other social organisations shall be provided by joint decision of the body of the respective organisation and its trade union committee, the said decision on the occupation of these quarters by persons to be subsequently reported to the executive committee of the district, city, ward, township or rural Soviet of People's Deputies.

24. The enterprise, institution or organisation trade union committee shall jointly with the enterprise, institution or organisation management take measures for observing the privileges and benefits introduced by legislation for women, their health protection, and improvement of their working and living conditions.

25. The enterprise, institution or organisation trade union committee and the enterprise, institution or organisation management shall examine matters concerned with the granting of bonuses to young workers and office employees, distributing housing and hostel accommodation among them, teenagers' labour protection, dismissal of young

people, and use of funds for developing cultural work and sporting activities with participation of a Komsomol committee representative from the given enterprise, institution or organisation.

26. The management shall use for the construction of pre-school institutions part of the funds allocated to the enterprise in a centralised manner for housing construction by joint decision with the appropriate trade union committee.

27. The enterprise, institution or organisation trade union committee shall exercise social control over the work of enterprises engaged in state and cooperative trade and public catering that cater to the workers and office employees of the said enterprise, institution or organisation. Additional prices for noon meals and foodstuffs, as well as the working hours of canteens, snack bars, shops and stalls located on the territory of the given enterprise, institution or organisation shall be established with the participation of the enterprise, institution or organisation trade union committee.

28. The enterprise, institution or organisation shall provide their trade union committee with free premises with all required equipment, heating, lighting, janitorial and protection services, for conducting business by the committee itself and for conducting meetings of workers and office employees. The respective management shall provide the enterprise, institution or organisation trade union committee with free means of transportation and communication.

Buildings, premises, structures, gardens and parks intended for conducting cultural and educational, health-building, and sporting activities among workers and office employees of a given enterprise, institution or organisation and their family members, and also Young Pioneer camps, shall be on the account of that enterprise, institution or organisation, and shall be given over for free use by the enterprise, institution or organisation trade union committee. Buildings, premises, and structures intended for the above-said purposes and rented by the enterprise, institution or organisation shall also be given over for free use by the appropriate trade union committee.

Maintenance, repair, heating, lighting, cleaning, and protection, and also the equipment of the buildings, premises and structures indicated in the present Article, and

those of Young Pioneer camps, shall be at the expense of the appropriate enterprise, institution or organisation.

The list of equipment and stock procured for the premises granted by enterprises, institutions or organisations to their respective trade union committees, and also for conducting cultural and educational work, health-building, and sporting activities among workers and office employees and their family members, and equipment and stock acquired for Young Pioneer camps, shall be determined by the manager of the enterprise, institution or organisation jointly with the appropriate trade union committee within the limits of the funds envisaged therefore by an appropriate estimate.

The enterprise and organisation shall hand over free of charge, from balance sheet to balance sheet, to the appropriate trade union committee and other social organisations the cultural and sporting stock acquired at the expense of the enterprise fund, the consumer goods' fund, the fund for social and cultural measures and housing construction, and of socialist emulation bonuses.

The enterprise, institution or organisation trade union committee shall provide for correct use of the buildings, premises, structures, gardens, parks, as well as Young Pioneer camps placed at their disposal; shall establish appropriate order therein; and shall organise among workers and office employees and their family members cultural and educational, health-building, physical educational and sporting activities.

29. Workers and office employees released from their duties at enterprises, institutions or organisations, once they are elected to a given enterprise, institution or organisation trade union committee shall, following the expiration of their term of office, be provided with their former jobs (posts), and in the absence of some other equivalent job (post) at the same or, with consent of the employee, other enterprise, institution or organisation.

30. Workers and office employees elected to the respective enterprise, institution or organisation trade union committee, but not released from their main duty in production, may not be transferred to some other job or be subjected to disciplinary penalties without previous consent of the appropriate enterprise, institution or organisation trade union committee, and chairmen of the said commit-

tees and trade union organisers—without previous consent of a higher trade union body.

Chairmen and members of the enterprise, institution or organisation trade union committees not released from their duties in production may be dismissed on the initiative of the respective management, provided the general dismissal procedure is observed only by consent of a higher trade union body. Trade union organisers may be dismissed on the initiative of the respective management only by consent of a higher trade union body.

31. The present Statute shall cover shop trade union committees of enterprises and trade union organisers within the bounds of their competence.

The enterprise, institution or organisation trade union committee which enjoys the rights of a district trade union committee may transfer to shop trade union committees certain rights relating to the jurisdiction of the enterprise, institution or organisation trade union committee.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on
September 27, 1971

*Gazette of the Supreme Soviet
of the USSR*, No. 39, 1971,
Item 382; No. 46, 1979,
Item 767; No. 19, 1982,
Item 318; No. 5, 1983, Item 74;
No. 13, 1984, Item 188

STATUTE ON PROCEDURE FOR EXAMINING LABOUR DISPUTES

I. GENERAL PROVISIONS

1. The following bodies shall be authorised to examine and resolve labour disputes:

(a) labour dispute commissions organised at enterprises, institutions, and organisations;

(b) trade union committees of enterprises, institutions, and organisations;

(c) district (town) people's courts.

Corresponding higher bodies shall examine and resolve labour disputes involving certain categories of employees (Point 41 of this Statute).

The enterprise, institution, and organisation trade union committee, which is granted the rights of the district trade union committee, may transfer to shop trade union committees the right to examine and resolve labour disputes in accordance with the procedure established by this Statute.

2. The Fundamentals of Labour Legislation of the USSR and the Union Republics, this Statute, and the Code of Labour Laws of the appropriate Union Republic, shall determine the procedure for examining and resolving labour disputes by labour dispute commissions, by trade union committees of enterprises, institutions, and organisations (shop trade union committees) and by corresponding higher bodies. The procedure for examining and resolving labour disputes at district (town) people's courts shall be determined also by the Civil Procedure Code of the appropriate Union Republic.

II. ORGANISING COMMISSIONS FOR LABOUR DISPUTES

3. Commissions for labour disputes at enterprises, institutions, and organisations shall be formed from an equal number of permanent representatives of the trade union committees of enterprises, institutions, and organisations (shop trade union committees) and the enterprise, institution, and organisation (shop) managements. The number of representatives from each side shall be established by agreement between the two sides at the said enterprises, institutions, and organisations. An equal number of representatives of both parties shall take part in the commission meeting.

Trade union representatives shall be selected for the commission by resolution of the enterprise, institution, and organisation (shop) trade union committee from among the trade union committee members, and representatives of the management by order of the head of the enterprise, institution, and organisation (shop).

The chairman of the enterprise, institution, and organisation (shop) trade union committee may be selected to be the trade union representative in the commission, and the head of the enterprise, institution, and organisation may be selected to be the management representative in the commission.

4. Labour dispute commissions may be formed in shops and other structural units at enterprises, institutions and organisations where the respective trade union committees are granted the rights of district trade union committees. They shall be set up by decisions of the respective trade union committee and the respective management to function with the same authority as all-factory commissions.

5. Trade union and management representatives shall be selected to serve in the labour dispute commission for the term of office of the enterprise, institution, and organisation trade union committee (shop trade union committee).

6. At enterprises, institutions, and organisations where there are no trade union committees, labour dispute commissions shall be formed to comprise the trade union organiser and the enterprise, institution, and organisation manager.

7. The trade union (shop) committee representative and the management representative shall alternately perform the

duties of chairman and secretary at each session of the labour dispute commission. At the same meeting in no case shall the chairman and secretary be representatives of one side.

At each commission meeting, the sides involved shall appoint the chairman and secretary of the next meeting, and the two appointees shall be responsible for preparing and convening the next meeting.

8. Support services for labour disputes commissions (e.g. clerical work, storage of files, preparation and issue of extracts from minutes of meetings, etc.) shall be the responsibility of the appropriate enterprises, institutions, and organisations. The appropriate management shall issue its order to appoint an enterprise, institution, and organisation employee entrusted with such work for the commission.

III. THE JURISDICTION OF LABOUR DISPUTE COMMISSIONS

9. Labour disputes arising at enterprises, institutions, and organisations between industrial workers and office employees, on the one hand, and management, on the other, shall be brought first to the attention of labour dispute commissions, with the exception of disputes to be examined directly by district (town) people's courts (Points 37 and 38) and respective higher bodies (Point 41), and disputes on other matters indicated in Point 11 of this Statute.

10. Labour dispute commissions shall examine and resolve disputes concerning:

(a) application of established output quotas, piece-work rates and working conditions that ensure fulfilment of output quotas;

(b) transfer to other jobs and wages to be paid after the said transfer;

(c) suspension of labour contracts not at management's initiative (with the exception of cases for which USSR legislation has established a different procedure for examining and resolving labour disputes);

(d) payment for labour in case of non-fulfilment of output quotas, standing idle or spoilage;

(e) payment for overtime- and night-shift work, compensation for work in days off and holidays;

(f) payment for work involving different skills, for simultaneous operation of several machines, for combining professions (specialities), and for deputising;

(g) payment of compensation for business trips, transfers, employment or assignment to work in other localities;

(h) payment of service benefits;

(i) payment of wages to employees for enforced idleness (with the exception of cases when that matter is to be resolved in disputes concerning reinstatement in former jobs);

(j) repayment of sums deducted from wages in compensation for damage inflicted to an enterprise, institution, and organisation;

(k) the worker's right to receive a bonus and the specific amount of that bonus as stipulated by the existing wage system;

(l) granting of annual leave of statutory duration, payment for leave and remuneration for unused leave at dismissal;

(m) remuneration for seniority;

(n) disciplinary penalties;

(o) distribution and use of overalls, special footwear, and other means of individual protection; distribution of milk or other nutritious food products and occupational diseases preventive foods.

Labour dispute commissions shall also examine other labour disputes connected with application of labour legislation, and collective and labour contracts, regulations, statutes and instructions, with the exception of disputes concerning matters listed in Point 11 of this Statute.

11. Labour dispute commissions may not examine disputes concerning:

(a) establishment of output quotas (time norms), service quotas (standard numbers of workers assigned to a given task), salaries and pay rates, and changes in staffs;

(b) calculation, granting and payment of state social insurance benefits and pensions, and calculation of seniority for granting allowances and pensions;

(c) calculation of seniority for granting privileges and benefits when existing legislation has established another procedure for examining these disputes (calculation of seniority for granting remuneration for seniority; estimation of wage rates, salaries, etc.);

(d) reinstatement in former jobs of industrial workers and office employees discharged at the initiative of the management of the enterprise, institution, and organisation;

(e) provision and distribution of housing and satisfaction of the everyday needs of employees.

Labour dispute commissions may not examine labour disputes on other matters either, if, in accordance with existing legislation, another procedure has been established for their consideration.

Shop commissions shall not examine labour disputes on matters of transfer to jobs outside the given shop. Such disputes shall be considered by the all-factory commission.

IV. PROCEDURE FOR LABOUR DISPUTE COMMISSIONS

12. Labour disputes shall be examined by the labour dispute commission if the employee cannot settle disagreements directly with the management of his or her enterprise, institution, and organisation (shop).

The trade union committee of each enterprise, institution, and organisation (shop trade union committee), and when such is unavailable, the trade union organiser, shall accept or reject applications for arbitration.

13. Industrial, office and professional workers may apply to the labour dispute commission at any time without being subject to a period of limitation.

14. Labour dispute commissions shall examine labour disputes within five days from the day applications are submitted.

15. Labour dispute commission meetings shall be conducted during non-working hours.

At enterprises, institutions, and organisations with labour shifts, commission meetings shall be timed so that those concerned and all witnesses can attend such meetings during their non-working hours.

16. Each dispute shall be examined by the labour dispute commission in the presence of the worker who has submitted the relevant application. Examination of disputes without such worker shall be permitted only at written request of the worker in question.

In the event the worker concerned fails to appear at the commission's meeting, examination of his application shall

be postponed to the next meeting. In case he or she fails to appear again without good reason, the commission may resolve to remove his or her application from further examination; however, this shall not deprive the worker concerned of the right to resubmit an application.

17. The labour dispute commission shall have the right to summon witnesses to its meetings, entrust individuals to conduct technical and bookkeeping audits, and demand that the management of the enterprise, institution, and organisation (shop) submit appropriate documents and financial records.

18. At the opening of a labour dispute commission meeting, the worker concerned shall have the right to challenge any commission member. In this case, examination of the dispute shall be postponed to another time fixed by the commission.

The question of satisfying the challenge shall be decided by the following persons or bodies:

(a) if a management representative is challenged, by the head of the enterprise, institution, and organisation (shop) concerned;

(b) if a trade union representative is challenged, by the enterprise, institution, and organisation (shop) trade union committee.

19. Decisions of labour dispute commissions shall be made by agreement between representatives of the enterprise, institution, and organisation (shop) trade union committee and representatives of the enterprise, institution, and organisation (shop) management; they shall be binding and shall need no endorsement from any other person or organisation.

The commission's decisions shall be well grounded and based on existing legislation, collective agreements and labour contracts, rules, regulations, and instructions.

The commission's decisions on money claims shall indicate the exact amount due to the worker.

20. At every meeting of the labour dispute commission minutes shall be taken in accordance with established form (Addendum 2 to this Statute). The minutes shall be signed at the meeting by the chairman and secretary. If no agreement has been reached, the minutes of the commission's meeting shall state the proposals of both sides and note that no agreement was reached.

Copies of the minutes of the commission's meeting shall be submitted within three days to the enterprise, institution, and organisation (shop) trade union committee and the enterprise, institution, and organisation (shop) management. Relevant extracts from the minutes of the commission's meeting shall be submitted or mailed to the worker concerned within the same period of time. The minutes shall be posted for general notice of the workers and other employees.

21. If no agreement is reached between trade union (shop trade union) representatives and management representatives in the labour dispute commission, within ten days of receiving relevant extracts from the commission's minutes the worker concerned shall have the right to apply in writing for the dispute to be resolved by the enterprise, institution, and organisation (shop) trade union committee.

The commission decision may be appealed against by the employee concerned, within the same period, with the enterprise, institution, and organisation (shop) trade union committee.

A worker's delay of the established ten-day limit shall not be a valid ground for the refusal to accept another application. Having recognised the reasons for the delay of the time limit as valid, the enterprise, institution, and organisation (shop) trade union committee shall restore the time limit and examine the dispute on its merits at its meeting.

22. If no agreement is reached by the sides in the labour dispute commission consisting of the trade union organiser and the enterprise, institution, and organisation manager, or if the worker disagrees with the decision made by that commission, within ten days of his receipt of the relevant extracts from the commission meeting minutes the worker may apply to a district (town) people's court for the labour dispute to be resolved.

V. EXAMINATION OF LABOUR DISPUTES BY TRADE UNION COMMITTEES OF ENTERPRISES, INSTITUTIONS, AND ORGANISATIONS

23. Trade union committees of enterprises, institutions, and organisations (shop trade union committees) shall examine labour disputes:

(a) according to applications of workers and other employees, when no agreement can be reached in the labour dispute commission;

(b) on complaints lodged by workers and other employees against decisions made by the labour dispute commission.

24. At enterprises, institutions and organisations where trade union committees have been granted the rights enjoyed by the district trade union committee, trade union committees (shop committees) shall adhere to the following procedure in examining disputes in which no agreement had been reached in the labour dispute commission or disputes on complaints by workers and other employees against decisions by the said commission:

(a) disputes examined in the shop commission (Point 4 of this Statute) shall be resolved by the shop trade union committee (Point 1 of this Statute);

(b) disputes examined in the all-factory commission of an enterprise, institution, and organisation shall be resolved by the presidium of the enterprise, institution, and organisation trade union committee.

25. In examining a labour dispute, on which no agreement has been reached in the labour dispute commission, the enterprise, institution, and organisation trade union committee (shop trade union committee) shall pass a resolution on the merits of the dispute.

When examining a complaint against the commission's decision, the enterprise, institution, and organisation (shop) trade union committee may leave the commission's decision in force or make it null and void and pass a resolution on the merits of the dispute.

The enterprise, institution, and organisation (shop) trade union committee, either at their own initiative or in accordance with the procurator's protest, shall make the commission's decision null and void when it contradicts existing legislation and shall pass a resolution on the merits of the dispute.

26. The enterprise, institution, and organisation (shop) trade union committee shall examine applications and complaints about labour disputes within seven days of the receipt of such applications and complaints.

27. Applications and complaints about labour disputes shall be examined by the enterprise, institution, and organisation (shop) trade union committee in the presence of

the worker concerned. Examination of labour disputes without such worker shall be permitted only when he submits a written request to that effect.

In case the worker concerned fails to appear at the meeting of the enterprise, institution, and organisation (shop) trade union committee, examination of his or her application or complaint shall be postponed till the next meeting of the trade union committee (shop trade union committee). If the said worker fails to appear at the meeting a second time for no good reason, the trade union committee (shop trade union committee) may pass a resolution to remove the said application or complaint from further examination; however, this shall not deprive the worker concerned of the right to resubmit an application or reodge a complaint.

In passing a resolution on the merits of a labour dispute, the trade union committee of the enterprise, institution, and organisation (shop trade union committee) shall hear the application of the worker concerned, and relevant proposals by the management of the said enterprise, institution, and organisation (shop).

28. The resolutions on labour disputes passed by enterprise, institution, and organisation (shop) trade union committees shall be well grounded and based on existing legislation, collective agreements and labour contracts, rules, regulation, and instructions. The resolutions passed by trade union committees on labour disputes involving remuneration shall indicate the exact amount of money due to the worker concerned.

29. Resolutions passed by the enterprise, institution, and organisation (shop) trade union committee on labour disputes shall be submitted within three days to the enterprise, institution, and organisation (shop) management and to the worker concerned.

30. If the worker disagrees with the labour dispute resolution passed by the enterprise, institution, and organisation (shop) trade union committee within ten days of the receipt of the said (shop) trade union committee's resolution, he may apply for the labour dispute to be examined by the district (town) people's court.

31. The enterprise, institution, and organisation management may apply for a labour dispute to be resolved at a district (town) people's court within the period indicated

in Point 30 of this Statute, if the said management considers that the labour dispute resolution passed by the respective trade union committee contradicts existing legislation.

VI. PROCEDURE FOR ENFORCING DECISIONS OF LABOUR DISPUTE COMMISSIONS AND RESOLUTIONS OF TRADE UNION COMMITTEES OF ENTERPRISES, INSTITUTIONS, AND ORGANISATIONS

32. Decisions of labour dispute commissions and resolutions of enterprise, institution, and organisation (shop) trade union committees about labour disputes shall be enforced by the enterprise, institution, and organisation managements within ten days of the day the said decisions or resolutions are passed, if such decisions or resolutions do not indicate some other time limit for their execution.

33. In case the management of the enterprise, institution, and organisation fails to enforce a labour dispute commission resolution within the prescribed period of time, the enterprise, institution, and organisation (shop) trade union committee shall examine at its meeting a worker's application for a certificate that has the strength of a writ of execution (Addendum 3 to this Statute).

The certificate shall also be issued to a worker if the management of his enterprise, institution, and organisation fails to enforce within the prescribed time limit the labour dispute resolution passed by the enterprise, institution, and organisation (shop) trade union committee.

The enterprise, institution, and organisation (shop) trade union committee shall have the right to deny a worker's request for the certificate, if the labour dispute commission's decision contradicts existing legislation. In that case, the enterprise, institution, and organisation (shop) trade union committee shall declare the commission's decision null and void and pass a resolution on the merits of the dispute.

34. The higher trade union organisation shall have the power to issue a certificate for enforcing the decision of the labour dispute commission consisting of the trade union organiser and the manager of the enterprise, institution, and organisation.

35. The worker or office employee concerned may apply for the certificate (Points 33 and 34 of this Statute) within one month of the day of his receipt of the relevant extracts

from the minutes of the labour dispute commission meeting or the resolution of the enterprise, institution, and organisation (shop) trade union committee.

The said certificate may be issued on the expiration of the one-month term in the event the worker concerned has failed to comply with that term for good reason.

The certificate shall not be issued if the worker or the management of the enterprise, institution, and organisation applies within the prescribed term to a district (town) people's court with the request that it resolve the given labour dispute.

36. Based on the certificate issued by the enterprise, institution, and organisation (shop) trade union committee and submitted not later than within three months to a district (town) people's court, the bailiff shall enforce the decision of the labour dispute commission or the resolution of the enterprise, institution, and organisation (shop) trade union committee.

If the worker fails to comply with the prescribed three-month time limit for good reason, the trade union or shop trade union committee that issued the certificate may pass a resolution establishing a second three-month time limit.

VII. EXAMINATION OF LABOUR DISPUTES BY DISTRICT (TOWN) PEOPLE'S COURTS

37. District (town) people's courts shall examine labour disputes when applications are made by:

(a) workers and other employees disagreeing with a resolution of the enterprise, institution, and organisation (shop) trade union committee;

(b) the management of the enterprise, institution, and organisation, when it believes the resolution of the enterprise, institution, and organisation (shop) trade union committee is in violation of existing legislation;

(c) workers and other employees disagreeing with a decision of the labour dispute commission consisting of the trade union organiser and the manager of the enterprise, institution, and organisation, or when the sides concerned fail to reach agreement in that commission;

(d) the procurator when he deems a resolution passed by the enterprise, institution, and organisation (shop) trade

union committee or by the labour dispute commission consisting of the trade union organiser and the manager of the enterprise, institution, and organisation is in violation of existing legislation.

38. District (town) people's courts shall directly, without preliminary hearing by labour dispute commissions, and trade union committees of enterprises, institutions, and organisations (shop trade union committees), examine labour disputes when applications are made by:

(a) workers and other employees dismissed on the initiative of the management of the enterprise, institution, and organisation, who sue to be reinstated in their jobs or sue for changes to be made in the statement of the causes of their dismissal with the exception of disputes of workers who occupy posts indicated in List No. 1 in the Addendum 1 of this Statute and of workers who occupy posts indicated List No. 2 in the said Addendum, in the event they are dismissed due to the determination that the said worker is not appropriate for the position or due to failure to win election for a new term to an elected position;

(b) workers and other employees of enterprises, institutions, and organisations where there are no trade union committees or trade union organisers, and persons working under labour agreements on collective farms and in inter-collective farm organisations;

(c) management seeking compensation from workers and other employees for damage caused to their respective enterprise, institution and organisation.

District (town) people's courts shall examine labour disputes between workers and management regarding the application of labour legislation when such disputes have been, in accordance with existing legislation, preliminarily resolved by management in agreement with the enterprise, institution, and organisation trade union committee within the rights granted thereto.

39. Applications for labour disputes to be examined in district (town) people's courts shall be filed within time periods established by Art. 90 of the Fundamentals of Labour Legislation of the USSR and the Union Republics.

40. When workers and other employees apply to district (town) people's courts with claims arising from legal labour relationships the said workers and other employees shall be

released from payment of legal costs for the benefit of the state (the state duty and expenses involved in examining the case).

VIII. EXAMINATION OF LABOUR DISPUTES BY RESPECTIVE HIGHER BODIES

41. Respective higher bodies shall examine labour disputes when applications are made by:

(a) workers who occupy posts specified in List No. 1 in the Addendum 1 to this Statute, with regard to matters concerning their dismissal, amendment of the statement of the causes of their dismissal and transfer to other jobs, and imposition of disciplinary penalties;

(b) workers specified in List No. 2 in the Addendum 1 to this Statute regarding matters of dismissal or amendment of the statement of causes of dismissal, if dismissal is due to the determination that such worker is not appropriate for the position he holds or fails to win election for new term to an elected position;

(c) workers bearing disciplinary responsibility under discipline statutes and for the imposition thereon of disciplinary penalties;

(d) top officials of enterprises, institutions, and organisations on matters involving bonuses approved by managers of higher organisations for payment thereto in accordance with existing regulations.

42. The respective higher body shall examine the labour dispute within 10 days of the day of receipt of the application, and shall immediately inform the worker concerned of the results of the examination.

43. In the event the dismissal or transfer of a worker to another job is recognised unlawful, the respective higher body shall issue an order to reinstate that worker in his former job and to pay him his average wages for the period of enforced idleness or the difference in wages for the period during which he had performed lower-paid work (Point 45 of this Statute). In case a disciplinary penalty is determined to be unlawful, the respective higher body shall issue an order to cancel that penalty; the said order shall be sent instantly to the worker in question and to the management of his enterprise, institution, and organisation.

IX. PROCEDURE FOR PRONOUNCING AND ENFORCING DECISIONS ON DISPUTES CONCERNING DISMISSAL OR TRANSFER TO OTHER JOBS

44. In case a worker or other employee is dismissed without legal grounds therefor, or in violation of the established procedure of dismissal, or is unlawfully transferred to another job, he shall be restored to his former job by the body examining the labour dispute.

45. While enforcing the decision on restoring a worker to his former job, the body examining the labour dispute shall at the same time resolve on the payment to the worker of his average wages for the period of enforced idleness or the difference in wages for the period during which he had performed lower-paid work, but not for a period exceeding three months.

46. In case the statement of the cause of dismissal is determined to be incorrect or incompatible with existing legislation, the body examining the labour dispute shall amend that statement and indicate in its decision or resolution the cause of dismissal in exact correspondence with existing legislation and with reference to a corresponding article (point) of the law. If the incorrect statement of the cause of dismissal in the worker's labour book prevents him from getting a new job, the body examining the labour dispute shall simultaneously pass a decision or resolution on the payment to this worker of his average wages for the period of enforced idleness, but for not more than three months.

47. When the body concerned with labour disputes passes a decision or resolution on the workers' reinstatement in the former job such decisions or resolutions shall be immediately enforced.

48. In the event of delay by the management of the enterprise, institution, and organisation (shop) in executing the decision of the respective labour dispute commission or resolution of the respective enterprise, institution, and organisation (shop) trade union committee on the reinstating of an unlawfully transferred worker in his former job, the said trade union committee shall pass a resolution for the worker to be paid his average wages or the difference in wages for the entire period of delay from the day when the said decision or resolution was passed to the day of its execution.

The resolution of the enterprise, institution, and organisation (shop) trade union committee indicated in the pres-

ent point shall be executed by a bailiff on the basis of a corresponding certificate (Addendum 3 to this Statute) issued by the said trade union committee.

When management delays the execution of a court decision for restoring an unlawfully dismissed or transferred worker to his former job, the same court which decided to reinstate the said worker shall pass a rider on payment thereto of the average wages or the difference in wages during the delay.

49. In examining labour disputes on matters involving money claims, with the exception of claims for payment to a worker, of his average wages for the period of enforced idleness or the difference in wages for the period during which he had performed lower-paid work (Points 45 and 46 of this Statute), the body examining the dispute shall have the right to pass a decision on payment to the worker of the amount due to him for not more than one year, and, in case of dismissal, on payment of compensation for unused leave for not more than two working years (in areas of the Far North and in localities accorded the same status as areas of the Far North—not more than for three working years).

List No. 1

Categories of Workers Whose Labour Disputes on Matters of Dismissal, Amendment of the Statement of the Causes of Dismissal, Transfer to Other Jobs, and Imposition of Disciplinary Penalties Are to Be Resolved by Respective Higher Bodies

1. Managers of enterprises, institutions, and organisations, and their deputies and assistants; managers (directors) of shops, public catering establishments, enterprises performing household repairs and other services, and storehouses and their deputies (with the exception of managers or directors of shops, public catering establishments and enterprises performing household repairs and other services who have no subordinates).

2. Chief engineers, chief physicians, chief bookkeepers (senior bookkeepers, when there is no chief bookkeeper) and their deputies; chief designers, chief mechanics, chief power specialists, and other chief specialists of enterprises, institutions, and organisations; and legal advisers appointed by higher bodies.

3. Heads and deputy heads of industrial shops, managers of departments, services, sectors, production units, farms, and other enterprise structural unit heads who have subordinates, and heads of structural units at organisations granted the status of a socialist state production enterprise; directors of creative and production-cum-creative association at film studios and film directors; foremen; heads of construction sections and senior work superintendents of building organisations; warehouse managers who have subordinates; and foresters.

4. Managers and deputy managers of administrations, departments (departments in administrations), and other similar units in ministries, state committees, agencies, institutions and organisations of all-Union, republican, territory, regional, and city (in Moscow, Leningrad, and capitals of

the Union Republics) significance; and managers of departments in district and town Soviets of People's Deputies.

5. Chief editors and deputy chief editors; executive secretaries of editorial boards; managers of sections and departments, and chief artists of publishing houses; managers of sections, chief and responsible general editors, chief artists, and commentators of TASS chief sections, heads of departments, commentators of chief radio and television sections.

6. Procurators, deputy and assistant procurators, and investigators.

7. Elected workers who hold paid offices in organisations that have elected them.

8. Sectoral inspectors and inspecting engineers of agencies subordinate to the USSR State Committee for Mining and Engineering Survey; senior state fish protection inspectors for Autonomous Republics, territories, and regions, state fish protection inspectors for districts, and senior state inspectors for conventional fishery.

9. Chairmen of directorates, managers of divisions, managers of agencies, referents, inspectors, officers in charge of foreign correspondence, interpreter-guides, interpreters, managers of service bureaus, interpreters of service bureaus, and buyer-inspectors of enterprises and organisations belonging to the Central Administration for Foreign Tourism under the Council of Ministers of the USSR.

10. Diplomats, diplomatic couriers, and referents of the USSR Ministry of Foreign Affairs.

11. Employees of central, republican, territory, regional, municipal (in towns subordinate to regional or republican centres) social organisations endorsed in office by a collegial body.

12. Employees of the Central Customs Administration of the USSR Ministry of Foreign Trade and employees of other customs institutions of the USSR who have personal ranks stipulated by the Decree of the Presidium of the USSR Supreme Soviet dated July 19, 1972.

List No. 2

Categories of Employees Whose Labour Disputes on Matters on Dismissal, or Amendment of the Statement of the Causes of Dismissal Are to Be Resolved by Respective Higher Bodies if the Dismissal Is Due to the Determination that the Said Employee Is not Appropriate for the Position or if the Said Employee Fails to Win Re-election to a New Term of Office for an Elected Position

1. Employees of research, design, research and design, technological organisations, and research divisions of higher educational establishments dismissed from work in connection with the determination that such employees are not appropriate for the office they hold.

2. Professors and lecturers of higher educational establishments and employees of research institutions, who are appointed by contest; actors and other creative workers of theatres, ensembles, orchestras, choirs, philharmonic societies, other concert organisations, and TV and radio employees dismissed from work in connection with non-election for a new term of office or the determination according to established rules that they are not appropriate for the offices they hold, irrespective of whether or not they were hired through contests.

ADDENDUM 2

PROTOCOL No. _____
of the Sitting of the Labour Dispute Commission

(Name of enterprise, institution, and organisation,

and—for a shop labour dispute commission—also the name of shop)

Date

Commission members present at sitting:

- (a) trade union representatives:
- (b) management representatives:

Chairman _____

Secretary _____

Heard: Application of Comrade _____
(Brief content of application)

Application submitted _____ Applicant informed of
day of sitting _____

Attended by:

Applicant _____ Witnesses _____

Challenge stated (delete unnecessary item)
unstated

Challenge upheld (delete unnecessary item)
denied

Explanations of witnesses _____

Proposal of management representatives _____

Proposal of trade union representatives _____

Resolved: _____

(If no agreement is reached, make relevant note)

Chairman _____

(Signature)

Seal

Secretary _____

(Signature)

An extract from the present protocol of the commission sitting has been handed in to the employee concerned or forwarded to him by post (date shall be indicated).

ADDENDUM 3

Name of enterprise, institution, and
organisation (shop) trade union com-
mittee issuing the present certificate
and date of issue

CERTIFICATE No. _____

Based on the decision (resolution) passed by _____

(Name of body which has passed the decision on the given labour

dispute and date of decision or resolution)

Comrade _____
(Surname, first name and patronymic of employee concerned)

is entitled to _____
(sum of money to be received from a given enter-
prise, institution, and organisation, or a specific job in which the employee
shall be reinstated. etc.)

The present certificate has the force of a writ of execution
and shall be presented in court not later than within three
months in order to be executed forcibly.

Chairman of trade union committee (shop trade union
committee)

(Signature)

Seal

Note of bailiff on execution of decision passed by the la-
bour dispute commission or resolution of the enterprise,
institution, and organisation (shop) trade union committee.

Approved by Decree of the Pre-
sidium of the USSR Supreme
Soviet on May 20, 1974

*Gazette of the USSR Supreme
Soviet*, No. 22, 1974, Item 325;
No. 5, 1983, Item 74

LAW OF THE USSR ON THE STATE NOTARY OFFICE

Section I

General Provisions

ARTICLE 1. *Tasks of the State Notary Office*

The tasks of the State Notary Office shall be to protect socialist property and the rights and lawful interests of citizens, state institutions, enterprises and organisations, collective farms, and other cooperative and other social organisations; to consolidate socialist legality and law and order; to prevent breaches of the law by correct and timely attestation of contracts and other deals, and by formalising rights of inheritance; and to perform endorsement of execution and other notarial acts.*

ARTICLE 2. *The Legislation of the USSR and the Union Republics on the State Notary Office*

The legislation of the USSR and the Union Republics concerning the State Notary Office consists of the present Law and other USSR legislative acts and laws concerning the State Notary Office, and other acts of Union Republics legislation promulgated in conformity therewith.

ARTICLE 3. *Agencies and Officials Eligible to Execute Notarial Deeds*

State notary offices shall be organised to execute notarial deeds in the USSR.

* A document in which a notary public confirms in an indisputable manner certain rights of a person. The endorsement of execution is effected in cases expressly provided for by the law: where back rents, overdue loans taken from mutual aid funds, and late payments for goods bought by instalments are recovered. The document is forwarded to a bailiff who enforces payment.—*Ed.*

In capitals of Union and Autonomous Republics, in territory and regional centres, one of the state notary offices shall be established as the first state notary office to execute the most complex notarial deeds and other functions in conformity with the legislation of the USSR and Union Republics.

In capitals of Union and Autonomous Republics, and in territory and regional centres where a single State notary office is established, the said office shall be the first state notary office.

Notarial deeds in state notary offices shall be executed by notaries public (senior notaries public, deputy senior notaries public, notaries public).

In populated areas where there are no state notary offices, notarial deeds stipulated by the present Law and by the legislation of the Union Republics shall be executed by executive committees of town, township, and rural Soviets of People's Deputies. In consideration of local conditions, Union Republic legislation may entrust execution of notarial deeds also to executive committees of district Soviets of People's Deputies.

The list of officials of executive committees of town, township, and rural Soviets of People's Deputies executing notarial deeds shall be established by the legislation of the Union Republics.

Execution of notarial deeds abroad shall be entrusted to USSR consular institutions. The list of consular officials executing notarial deeds shall be established by the Consular Statute of the USSR.

Testaments and powers of attorney valid as notarially certified documents may also be attested by officials indicated in Art. 13 of the present Law.

ARTICLE 4. *Guidance of the State Notary Office*

The State Notary Office shall be directed by the Council of Ministers of the USSR, the Councils of Ministers of the Union and Autonomous Republics, the executive committees of territory and regional Soviets of People's Deputies, Soviets of People's Deputies of autonomous regions and autonomous areas, district, town, and ward Soviets of People's Deputies, the Ministry of Justice of the USSR, the Ministries of Justice of the Union and Autonomous Republics, and by other state agencies in conformity with the legislation of the USSR, and the Union and Autonomous Republics.

ARTICLE 5. *Appointment to and Relief from the Post of Notary Public*

USSR citizens with a higher juridical education shall be appointed to posts of notaries public. In certain cases envisaged by the legislation of the Union Republics, persons without a higher juridical education may be appointed to posts of notaries public.

The procedure for appointing to and relieving from the post of notary public shall be established by the legislation of the USSR and the Union Republics.

Notaries public shall not serve in other institutions, organisations and enterprises. Exceptions may be made for notaries public engaged in teaching or scientific research.

ARTICLE 6. *Execution of Notarial Deeds on the Basis of Current Legislation*

Notaries public and other officials executing notarial deeds shall in their activities be guided by the laws of the USSR, the Union and Autonomous Republics, Decrees of the USSR Supreme Soviet Presidium, the Presidiums of the Supreme Soviets of the Union and Autonomous Republics, decisions and orders of the Council of Ministers of the USSR, the Councils of Ministers of the Union and Autonomous Republics, orders and instructions of the Ministry of Justice of the USSR, the Ministries of Justice of the Union and Autonomous Republics, and also by acts promulgated by other bodies of state authority and state administration within the limits of their competence.

ARTICLE 7. *Observance of Secrecy of Notarial Deeds Executed*

Notaries public and other officials executing notarial deeds shall observe the secrecy of the notarial deeds executed.

Certificates of executed notarial deeds and documents shall be granted only to citizens, state institutions, enterprises and organisations, collective farms, and other cooperative and social organisations on behalf of whom or in relation to whom notarial deeds have been executed.

Upon demand from the court, procurator's office or the bodies of investigation and inquest, certificates of executed notarial deeds and documents shall be granted in connection with criminal and civil cases disposed by the aforesaid agencies.

Certificates concerning testaments shall be granted only after the testator's death.

Rules for the observance of secrecy of notarial deeds shall also apply to persons learning about the notarial deeds executed in connection with the discharge of their official duties.

Persons indicated in the first and fifth parts of the present Article guilty of violating the secrecy of the notarial deeds executed, shall bear responsibility in the manner established by the legislation of the USSR and the Union Republics.

ARTICLE 8. Assistance to Individual Citizens, Institutions, Enterprises and Organisations in Exercising Their Rights and Defending Their Lawful Interests

Notaries public and other officials executing notarial deeds shall render individual citizens, state institutions, enterprises and organisations, collective farms, and other cooperative and social organisations assistance in exercising their rights and defending their lawful interests, shall explain their rights and duties, and warn about the consequences of the notarial deeds executed so that legal ignorance and other similar circumstances could not be used to prejudice them.

In case of need, notaries public and other officials executing notarial deeds shall, on request of individual citizens, state institutions, enterprises and organisations, collective farms, and other cooperative and social organisations applying for execution of notarial deeds, make out draft deals and applications, copies of documents and excerpts therefrom, and also give explanations on questions involving the execution of notarial deeds.

ARTICLE 9. The Language in Which Notarial Clerical Work Shall Be Conducted

Notarial clerical work in state notary offices and executive committees of town, township and rural Soviets of People's Deputies shall be conducted in the language, in which legal proceedings are conducted in conformity with existing legislation in a given Union or Autonomous Republic, autonomous region and autonomous area.

In consular institutions of the USSR, notarial clerical

work shall be conducted in the same language, in which the clerical work of consular institutions of the USSR is conducted.

If the person who has applied for execution of a notarial deed does not know the language in which the clerical work is conducted, the texts of the documents to be processed shall be translated for him by the notary public, or by some other official executing a given notarial deed, or by a translator known to the notary public or to the official executing the notarial deed.

Section II

Notarial Deeds Executed by State Notary Offices and Other Agencies

ARTICLE 10. Notarial Deeds Executed by State Notary Offices

State notary offices shall execute the following notarial deeds:

- 1) certify transactions (contracts, testaments, powers of attorney, etc.);
- 2) take measures for protecting inherited property;
- 3) issue certificates of the right of inheritance;
- 4) issue certificates of the right of ownership of a share in the common property of spouses;
- 5) impose bans on the assignment of dwellings;
- 6) certify the authenticity of copies of documents and excerpts therefrom;
- 7) certify the authenticity of signatures in documents;
- 8) certify correctness of translation of documents from one language into another;
- 9) certify the fact that a citizen is alive;
- 10) certify the fact of a citizen's whereabouts;
- 11) certify a citizen's identity with the person depicted on a photographic picture;
- 12) certify the time documents were shown;
- 13) transfer applications by individual citizens, state institutions, enterprises and organisations, collective farms and other cooperative and social organisations to other citizens, state institutions, enterprises and organisations, collective farms and other cooperative and social organisations;
- 14) accept for deposit money and securities;

- 15) perform endorsements of execution;
- 16) protest bills;
- 17) produce cheques for payment and certify non-payment of cheques;
- 18) accept documents for deposit;
- 19) enter ships' protests.

The legislation of the USSR and the Union Republics may entrust the execution of other notarial deeds to state notary offices.

ARTICLE 11. *Notarial Deeds Executed by Executive Committees of Soviets of People's Deputies*

In populated areas where there are no state notary offices, the executive committees of town, township or rural Soviets of People's Deputies shall execute the following notarial deeds:

- 1) certify testaments;
- 2) certify other transactions (contracts, powers of attorney, etc.), with the exception of contracts on perpetual use of land plots for building individual dwellings and deals involving property abroad, or rights to be executed abroad;
- 3) take measures for protecting inherited property;
- 4) certify the authenticity of copies of documents and excerpts therefrom;
- 5) certify the authenticity of signatures in documents;
- 6) transfer applications by citizens, state institutions, enterprises and organisations, collective farms, and other cooperative and social organisations to other citizens, state institutions, enterprises and organisations, collective farms and other cooperative and social organisations.

Under the legislation of the Union Republics the executive committees of town, township and rural Soviets of People's Deputies may be entrusted with execution of notarial deeds stipulated by points 5, 9, 10, 12, 15, 18 and 19 of Art. 10 of the present Law. In case of need, the legislation of the Union Republics may also entrust the executive committees of town, township and rural Soviets of People's Deputies with execution of other notarial deeds not stipulated by Art. 10 of the present Law.

ARTICLE 12. *Notarial Deeds to be Executed by Consular Institutions of the USSR*

Consular institutions of the USSR shall execute the following notarial deeds:

- 1) certify transactions (contracts, testaments, powers of attorney, etc.), with the exception of contracts for the assignment and mortgage of dwellings in the USSR;
- 2) take measures for protecting inherited property;
- 3) issue certificates of the right of inheritance;
- 4) issue certificates of the right of ownership of a share in the common property of spouses;
- 5) certify the authenticity of copies of documents and excerpts therefrom;
- 6) certify the authenticity of signatures in documents;
- 7) certify correctness of translation of documents from one language into another;
- 8) certify the fact that a citizen is alive;
- 9) certify the fact of a citizen's whereabouts;
- 10) certify a citizen's identity with the person depicted on a photographic picture;
- 11) certify the time documents were shown;
- 12) accept money and securities for deposit;
- 13) perform endorsements of execution;
- 14) accept documents for deposit;
- 15) provide evidence;
- 16) enter ships' protests.

The legislation of the USSR may also stipulate for other notarial deeds to be executed by consular institutions of the USSR.

ARTICLE 13. Certifying by Officials of Testaments and Powers of Attorney Equated with Notarially Certified Ones

The following shall be equated to notarially certified documents:

—testaments of citizens undergoing treatment in hospitals, other in-patient treatment-and-disease-prevention institutions, sanatoria, or of those residing in the homes for the aged and invalids, the said testaments being certified by head physicians, their deputies for medical treatment, or by on-duty physicians of these hospitals, sanitary institutions, and sanatoria, and also by directors and head physicians of the aforesaid homes for the aged and invalids;

—testaments of citizens sailing on vessels flying the flag of the USSR at sea or on inland waterways, the said testaments being certified by the captains of those vessels;

—testaments of citizens engaged in prospecting parties,

arctic and other similar expeditions, the said testaments being certified by the heads of those expeditions;

—testaments and powers of attorney of servicemen and other persons undergoing treatment in hospitals, sanatoria and other military medical institutions, the said testaments and powers of attorney being certified by their heads or medical deputies, or by senior and on-duty physicians of these hospitals, sanatoria, and other military medical institutions;

—testaments and powers of attorney of servicemen, and in places where military units, formations, institutions and military educational establishments are stationed, where there are no state notary offices and other agencies executing notarial deeds, and also testaments and powers of attorney of workers and office employees and members of their families, and of family members of servicemen, the said testaments and powers of attorney being certified by the commanders (heads) of these units, formations, institutions, and establishments;

—testaments and powers of attorney by persons in places of confinement, the said testaments and powers of attorney being certified by the heads of these places.

The officials listed in the present article shall without delay hand over for deposit to a state notary office located at the permanent place of residence of the testator one copy of each testament certified by the aforesaid officials.

Captains of sea vessels shall hand over one copy of the testaments certified thereby to a USSR harbour-master or to a USSR consul in a foreign port for subsequent forwarding to a state notary office located at the testator's permanent place of residence.

If the testator has no permanent place of residence in the USSR, or if the testator's place of residence is unknown, the testament shall be forwarded to a state notary office specified by the USSR Ministry of Justice.

The notary public shall check the legitimacy of the testament to be deposited, and in case of its non-conformity with the law, shall inform the testator and the official who had certified the testament accordingly.

Testaments and powers of attorney shall be certified by officials indicated in the present article in accordance with the requirements of Arts. 6-8, 16 and 20 of the present Law, and in the manner determined by the Council of Ministers of the USSR.

Section III

Basic Rules for Executing Notarial Deeds

ARTICLE 14. Place of Execution of Notarial Deeds

Notarial deeds may be executed in any state notarial office or executive committee of a town, township, or rural Soviet of People's Deputies over the entire territory of the USSR, with the exception of cases where, in accord with the legislation of the USSR or a Union Republic, a given notarial deed is to be executed in a specified state notary office or the executive committee of the corresponding Soviet of People's Deputies.

Notarial deeds shall be executed in the premises of a state notary office or the executive committee of a town, township or rural Soviet of People's Deputies. In some cases stipulated by the legislation of the Union Republics, notarial deeds may be executed outside the aforesaid premises.

The place for executing notarial deeds by consular institutions of the USSR shall be determined by the Consular Statute of the USSR.

ARTICLE 15. Dates for Executing Notarial Deeds

Notarial deeds shall be executed on the day of submission of all the documents necessary therefore and after payment of state duties.

Execution of notarial deeds may be postponed in case it is necessary to obtain additional information or documents from officials or state institutions, enterprises and organisations, or from collective farms and other cooperative and social organisations, or when there is a need to send the documents for examination.

In case information is received from a court that an interested party has submitted a statement contesting a right or a fact which some other interested party has requested to be certified, the execution of a notarial deed shall be suspended till the aforesaid court has adjudicated the case.

The legislation of the Union Republics may also establish other grounds for postponing and suspending execution of notarial deeds.

ARTICLE 16. Identification and Checking the Active Capacity and the Authenticity of Signatures of Persons Who Had Applied for Execution of Notarial Deeds

In executing notarial deeds, notaries public and other officials executing notarial deeds shall identify citizens applying for execution of notarial deeds, and also their representatives or representatives of state institutions, enterprises and organisations, and of collective farms and other cooperative and social organisations.

In certifying deals and in executing certain other notarial deeds in cases stipulated by the legislation of the USSR and the Union Republics, the authenticity of the signatures of participants in the deals, and that of other persons who had applied for execution of notarial deeds, shall be verified.

In certifying deals, notary public shall clarify the active capacity of the citizens involved and check the passive capacity of the juridical persons taking part in the deals. In case these deals are executed by a representative, his or her powers shall also be checked.

Notarially certified deals, and also applications and other documents shall be signed in the presence of a notary public or other official executing the notarial deed. If the deal, application or some other document is signed in the presence of the aforesaid officials, the signatory shall personally confirm that the document has been signed by him.

ARTICLE 17. *Obtaining Information and Documents Needed for Executing Notarial Deeds*

Notaries public and other officials executing notarial deeds have the right to obtain from state institutions, enterprises and organisations, and also from collective farms and from other social organisations information and documents needed to execute notarial deeds. The respective information and documents shall be submitted within the period indicated by a notary public or some other official executing the notarial deed. This date shall not exceed one month.

ARTICLE 18. *Limitations in the Right of Execution of Notarial Deeds*

Notaries public and officials of executive committees of town, township or rural Soviets of People's Deputies who execute notarial deeds have no right to execute the aforesaid in their own name or on their behalf; nor do they have

the right to do so in the name or on behalf of their spouses, relatives and employees of the given state notary office or the given executive committee of the Soviet of People's Deputies. Officials of executive committees of town, township, or rural Soviets of People's Deputies have no right to execute notarial deeds also in the name or on behalf of the given executive committee of the Soviet of People's Deputies.

In the aforesaid cases, notarial deeds shall be executed by another state notary office or executive committee of another town, township, or rural Soviet of People's Deputies under procedure specified by the legislation of the Union Republics.

Consular officials shall not execute notarial deeds in their own name or on their behalf, in the name or on behalf of their spouses, or their direct relatives.

Officials listed in Art. 13 of the present Law shall have no right to certify testaments and powers of attorney in their own name or on their behalf, nor in the name or on behalf of their spouses and their relatives.

Notarial deeds and deeds equated thereto, when executed in violation of the regulations established by the present article, shall be null and void.

ARTICLE 19. Measures to Be Taken by Notaries Public and Other Officials Executing Notarial Deeds When Breach of Law Is Revealed

Notaries public and other officials executing notarial deeds, having revealed, in executing notarial deeds, violation of legality by individual citizens or officials, shall report this for necessary measures to be taken by appropriate institutions, enterprises and organisations, or to the procurator.

If the authenticity of the submitted document evokes doubt, notaries public and other officials executing notarial deeds shall have the right to suspend the document in question and send it for examination.

ARTICLE 20. Refusal to Execute Notarial Deeds

Notaries public and other officials executing notarial deeds shall:

- refuse to execute a notarial deed, if execution of such a deed contradicts the law;
- not accept for the execution of notarial deeds documents

that do not match the requirements of legislation, or contain information defaming the honour and dignity of citizens.

Notaries public and other officials executing notarial deeds shall, on request of any one who has been refused execution of notarial deeds, explain to him the reasons of the said refusal in written form and the proceedings for appealing against it.

The Consular Statute of the USSR may also establish other grounds for refusing to execute notarial deeds by consular institutions of the USSR, and also determine the procedure for such refusal.

ARTICLE 21. Appeal Against Notarial Deeds or Refusal to Execute Such

A person concerned, who considers incorrect an executed notarial deed or refusal to execute such, shall have the right to make a complaint to the district (town) people's court located in the same area as the state notary office or the executive committee of the town, township or rural Soviet of People's Deputies.

Complaints concerning incorrectly executed notarial deeds or concerning refusal to execute such by a consular official shall be examined in accordance with the procedure established by the Consular Statute of the USSR.

Complaints about incorrectly certified testaments and powers of attorney, or about refusals to certify such by officials listed in Art. 13 of the present Law, shall be lodged with a court located in the same place as the respective hospital or other in-patient treatment and disease-prevention institution, sanatorium, home for the aged and invalids, expedition, military hospital or medical institution, military unit, military formation, military institution, military educational establishment, or place of confinement.

Complaints about incorrectly certified testaments, or about refusals by captains of sea vessels or inland-navigation ships sailing under the USSR flag to certify such, shall be lodged with the court located in the port of registration of the aforesaid vessels or ships.

ARTICLE 22. Resolving Legal Disputes Caused by Executed Notarial Deeds

A legal dispute between interested parties caused by an executed notarial deed shall be examined by a court of law

or by an arbitration tribunal in conformity with the legislation of the USSR and the Union Republics.

ARTICLE 23. Complaints Against Notaries Public Unrelated to Execution of Notarial Deeds

Complaints against public notary actions unrelated to the substance of the notarial deeds executed thereby (violation of dates for execution of notarial deeds, non-observance of established reception hours, etc.) shall be examined by the justice departments of the executive committees of territory, regional, and town Soviets of People's Deputies, or by the ministries of justice of the Autonomous and Union Republics, or by the Ministry of Justice of the USSR.

ARTICLE 24. Procedure for Executing Notarial Deeds. Forms of Notary Registers, Certificates, and Certifying Inscriptions

The procedure for executing notarial deeds by state notary offices and the executive committees of town, township, and rural Soviets of People's Deputies shall be established by the present Law and other legislative acts of the USSR and the Union Republics.

The procedure for executing notarial deeds by consular institutions of the USSR shall be established by the present Law, the Consular Statute of the USSR, and other legislative acts of the USSR.

The forms of notary registers for recording notarial deeds, notarial certificates, inscriptions certifying deals, and certified documents shall be established under a procedure determined by the Council of Ministers of the USSR.

ARTICLE 25. State Duty

A state duty shall be collected from the persons concerned in accordance with current legislation for execution of notarial deeds by state notary offices and the executive committees of town, township, and rural Soviets of People's Deputies, and also for drafting deals, applications, copies of documents, excerpts therefrom, and for issuing duplicates of documents.

In case of departure by a notary public or official of the executive committee of a town, township and rural Soviet of People's Deputies to execute notarial deeds, the persons concerned shall compensate them for the actual traveling expenses.

A consulage shall be collected from the persons concerned for execution of notarial deeds by consular institutions of the USSR; the same persons shall compensate the actual expenses involved in execution of notarial deeds.

Section IV

Application of Legislation on the State Notary Office to Foreign Nationals and Stateless Persons. Application of Legislation of Foreign States. International Treaties

ARTICLE 26. *Notarial Deeds for Foreign Nationals and Stateless Persons, and Foreign Enterprises and Organisations*

Foreign nationals and stateless persons shall have the right as Soviet citizens to apply to USSR state notary offices and other organisations executing notarial deeds.

Foreign enterprises and organisations shall have the right to apply to state notary offices and consular institutions of the USSR.

The Council of Ministers of the USSR may establish retaliatory restrictions against individual citizens, enterprises and organisations of those states which impose special limitations on the rights of Soviet citizens, institutions, enterprises and organisations to apply to notary offices.

ARTICLE 27. *Application of Foreign Law*

Notaries public, in accordance with the legislation of the USSR and the Union Republics, and in accordance with the international treaties of the USSR or the Union Republics, shall apply the norms of foreign law.

Notaries public shall accept documents compiled in accordance with the requirements of foreign law, and shall also execute certifying inscriptions in the form stipulated for by foreign legislation, unless this contradicts the foundations of the Soviet system.

ARTICLE 28. *Application of Soviet Law in Protecting Inherited Property and in Issuing Certificates on the Right of Inheritance. Powers of Attorney Intended for Execution of Deeds Abroad*

Deeds connected with protection of property which has

remained in the USSR after the death of a foreign national, or of property due to a foreign national after the death of a Soviet citizen, and also those connected with issue of certificates on the right to inherit such property, shall be executed in accordance with the legislation of the USSR and the Union Republics.

A power of attorney certified by a notary public and intended for execution of deeds abroad shall be valid, provided it does not indicate the period of validity, until it has been cancelled by its issuer.

ARTICLE 29. Acceptance by State Notary Offices of the USSR of Documents Drawn Up Abroad

Documents either drawn up abroad with participation of foreign authorities or issued thereby shall be accepted by state notary offices of the USSR, provided they are legalised by appropriate agencies of the USSR Ministry of Foreign Affairs.

Without legalisation, the aforesaid documents shall be accepted by state notary offices of the USSR in cases where this is stipulated for by the legislation of the USSR and the Union Republics, or by international treaties of the USSR or the Union Republics.

ARTICLE 30. Performance of Commissions of Foreign Agencies of Justice, and Application by State Notary Offices of the USSR with Commissions to Foreign Agencies of Justice

State notary offices of the USSR shall perform commissions transferred thereto in established order by foreign agencies of justice for execution of specific notarial deeds, with the exception of cases where:

- (1) execution of a given commission either contradicts the USSR sovereignty or endanger the USSR security;
- (2) execution of a given commission is outside the competence of state notary offices of the USSR.

Commissions by foreign agencies of justice for execution of specific notarial deeds shall be performed on the basis of Soviet legislation.

State notary offices of the USSR may apply to foreign agencies of justice with commissions to execute specific notarial deeds.

The procedure for contacting of state notary offices of the USSR with foreign agencies of justice shall be determined

by the legislation of the USSR and the Union Republics, and by international treaties of the USSR or the Union Republics.

ARTICLE 31. Provision of Evidence Required for Conducting Proceedings in Agencies of Foreign States

The state notary offices of the USSR shall provide evidence required for conducting proceedings in agencies of foreign states.

ARTICLE 32. International Treaties

If an international treaty of the USSR or the respective Union Republic has established rules on notarial deeds different from those contained in the legislation of the USSR or the respective Union Republic, the rules of that international treaty shall be applied in executing notarial deeds.

If an international treaty of the USSR or the respective Union Republic refers to the competence of state notary offices of the USSR the execution of a notarial deed not stipulated by the legislation of the USSR and the Union Republics, the state notary offices of the USSR shall execute that notarial deed in accord with the procedure established by the USSR Ministry of Justice.

If an international treaty of the USSR or the respective Union Republic stipulates a notarial deed which, in conformity with the legislation of Union Republics, may be executed by state notary offices of several Union Republics, or if the legislation of the Union Republics does not specify the competent state notary office, the USSR Ministry of Justice shall establish what state notary offices in which Union Republic shall execute the aforesaid notarial deed.

Adopted on July 19, 1973

Gazette of the USSR Supreme Soviet, No. 30, 1973, Item 393;
No. 8, 1979, Item 121

DE C R E E
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR ON THE BASIC RIGHTS AND DUTIES
OF DISTRICT SOVIETS OF PEOPLE'S DEPUTIES

With a view to further enhancing the role of district Soviets of People's Deputies in fulfilling the tasks of state, economic, social and cultural construction, and to further strengthen their initiative in and responsibility for resolving planning, financial and land management issues, developing agriculture and local industry and construction, improving social and cultural, and everyday and other services for the population, and strengthening socialist legality, and also with a view to further developing democratic principles in the activity of the aforesaid Soviets, the Presidium of the Supreme Soviet of the USSR *decrees*:

ARTICLE 1. In accordance with the Constitution of the USSR, the district Soviet of People's Deputies, as a body of state authority in its respective district, shall resolve all matters of district significance, proceeding from national interests and the interests of citizens residing in the area under its jurisdiction, implement decisions of higher state bodies, guide the work of lower Soviets of People's Deputies, take part in the discussion of matters of area, regional, territory, republican and all-Union significance, and submit its proposals concerning them.

ARTICLE 2. The district Soviet of People's Deputies shall direct state, economic, social and cultural development within its territory; endorse plans for economic and social development and the district budget; exercise general guidance over state bodies, enterprises, institutions, and orga-

nisations subordinate to it; ensure observance of laws, protection of state and public order, and safeguarding of citizens' rights; and help strengthen the country's defence capability.

Subordinate to the district Soviet shall be enterprises, institutions, and organisations which serve primarily the district population. The procedure for transferring the said enterprises, institutions, and organisations into district subordination shall be established by the legislation of the USSR and the appropriate Union Republic.

General guidance over enterprises, institutions, and organisations subordinate to the district Soviet of People's Deputies shall be exercised by the executive committee of that Soviet, either through its departments and boards, or directly. The departments and boards of the executive committee of the district Soviet, and also the enterprises, institutions, and organisations over which the said executive committee exercises direct general guidance, shall be subordinate in their activity to the said district Soviet, its executive committee, and the corresponding higher body of state administration.

ARTICLE 3. Within its powers, the district Soviet of People's Deputies shall ensure comprehensive economic and social development of its area; exercise control over the work of collective farms and other cooperative associations located on its territory and over the observance of legislation by enterprises, institutions, and organisations subordinate to higher authorities and located in its area; and coordinate and supervise their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social and cultural, communal and other services and amenities for the public.

With regard to matters indicated in the present Article, the district Soviet of People's Deputies shall hear reports by chairmen of collective farms, managers of state farms, enterprises, institutions, and other organisations, take decisions thereon, and, when need be, submit its own proposals to corresponding higher bodies.

ARTICLE 4. To provide for more active participation by agricultural and industrial enterprises and other organisations in the development of the district economy, and to enhance the interest of district Soviets of People's Deputies

in the results of the work of enterprises and organisations, a certain percentage of the profits of enterprises and economic organisations subordinate to republican, territory, and regional bodies and located in the area of the respective districts shall be transferred to the budgets of those districts (with the exception of deductions from profits of enterprises and organisations located in cities situated on the territory of the said districts).

The types and amounts of the deductions indicated in the present Article, and the procedure for their receipt by the district budgets shall be established by the legislation of the USSR and the appropriate Union Republic.

ARTICLE 5. Within the powers granted thereto by the legislation of the USSR and of the appropriate Union or Autonomous Republic, the district Soviet of People's Deputies shall take decisions, ensure their implementation, and exercise due control therefor. Its decisions shall be binding on all enterprises, institutions, and organisations located in their area, and on officials and individual citizens.

In case of non-fulfilment by managers of enterprises, institutions, and organisations subordinate to higher bodies of the decisions of the district Soviet and its executive committee, the latter shall apply to corresponding higher bodies with representations for those managers to be subjected to disciplinary penalties, including release from their official posts. The district Soviet or its executive committee shall be informed of the results of the examination of the said representations not later than within one month.

ARTICLE 6. The activity of the district Soviet of People's Deputies shall be based on collective, free, and business-like discussion and solution of matters, on publicity, on regular accountability of its executive committee and other Soviet-created bodies before the Soviet and the population, and on broad involvement of citizens in their activities.

The district Soviet shall work in close contact with district bodies of social organisations.

ARTICLE 7. In exercising control over the activity of urban (towns subordinate to districts), township and rural Soviets of People's Deputies, the district Soviet of People's

Deputies shall have the right to repeal the acts of the said Soviets in cases where they run counter to existing legislation.

ARTICLE 8. The district Soviet of People's Deputies shall:

(1) endorse current and perspective plans for economic and social development of its area and organise and control their implementation; endorse reports on fulfilment of current and perspective plans for economic and social development in its area; in elaborating current and perspective plans for economic and social development of its area, take into consideration the mandates of its electorate; examine production and financial plans of collective farms, state farms, and other agricultural enterprises; and endorse current and perspective planned assignments for enterprises, institutions, and organisations subordinate to them, and also plans for locating, developing and specialising the said enterprises, institutions and organisations;

(2) examine plans for locating, developing, and specialising enterprises connected with local industry, everyday services, trade and public catering, and organisations and institutions of culture, education and health subordinate to higher bodies, and, in case of need, submit its own proposals to corresponding higher bodies;

(3) examine draft plans of enterprises, institutions, and organisations subordinate to higher bodies and located on the territory of the district as regards land use, nature conservation, construction, development of housing and the communal economy, employment of manpower, production of consumer goods and local building materials, and social and cultural, communal and other services and amenities for the public, and, in case of need, submit its proposals to corresponding higher bodies, and endorse summary plan indicators, including them in the plan for the economic and social development of the district;

(4) provide for the compilation of balance-sheets on the employment of manpower, local building materials and fuel, land balance-sheet, public revenue and expenditure balance-sheet, and other balance-sheets essential for planning comprehensive economic and social development in its area; and exercise control over rational utilisation of mineral, timber, water, and energy resources;

(5) endorse the district budget and organise its execution; in drawing up the district budget, take account of mandates of the electorate; in case of need, in the course of executing the budget, redistribute from item to item the district budget funds, and also redistribute allocations on wages within the limits of the approved wage bill; and endorse reports on execution of the district budget;

(6) direct revenues additionally received in executing the district budget, and also excess amounts of revenues over expenditures accumulating at the end of the year from over-fulfilment of revenues or from economy in expenditures, for financing the district economy and for social and cultural measures, including investment in construction of administrative buildings and acquisition of transportation means for the executive committees of the district, urban (towns subordinate to districts), township and rural Soviets, and for major repairs of buildings of the executive committees, their departments and boards, and courts, and for acquisition therefor of stock and equipment, repairing means of transportation (withdrawal from the district budget of the said means, with the exception of allocations not spent in connection with non-fulfilment of the plan for centralised capital investments and the plan for the development of the network of social and cultural institutions shall not be permissible);

(7) direct work involving calculation and levying of state and local taxes and dues; in conformity with existing legislation, establish for individual payers additional rebates on the state duty and income tax; release in a statutory manner the households of citizens who move from hamlets and sparsely populated areas to large settlements from paying the agricultural tax;

(8) in conformity with existing legislation on the income tax to be collected from collective farms, grant collective farms that had suffered from natural calamities deferments from paying the income tax within the current year, and also solicit before appropriate higher bodies for granting such collective farms longer deferment or complete or partial release from payment of the tax at the expense of the appropriate budget;

(9) grant individual citizens, in conformity with existing legislation, privileges for state compulsory insurance;

(10) examine quarterly cash plans of the USSR State Bank

branches and take measures for their execution; consider orders placed by collective farms and endorse plans for granting long-term credits to the latter for capital construction, acquisition of equipment, and other measures for developing agricultural production, and exercise control over proper use of credits;

(11) direct agriculture and other sectors of the agro-industrial complex, and take measures for consolidating its material and technical base; form the council of the agro-industrial association and change its composition; endorse planned assignments for state purchases from collective farms, state farms, and other agricultural enterprises; examine annual reports by collective farms; ensure timely fulfilment by collective farms, state farms, and other agricultural enterprises of plans and commitments before the state, and implementation of measures for protection of crops and plantations, increase in harvests of agricultural crops and in productivity of cattle breeding, reduction of the prime cost of products, and for effective use of material, labour, and financial resources; take measures for perfecting economic work on collective and state farms, and in other agricultural enterprises, for raising labour productivity and introducing cost-accounting, and for observing the principles of material incentive for collective farmers and state-farm workers; exercise control over the proper use and storage of agricultural equipment, motor transport, mineral fertilisers and pesticides; and direct all veterinary inspection in the district;

(12) register collective-farm Rules, and also amendments and additions thereto; exercise control over observance of collective-farm Rules, democratic principles of collective-farm management, and proper combination of personal and social interests of collective farmers; and examine and resolve complaints by collective farmers concerning their expulsion from collective-farm membership;

(13) register the Statutes of agriculture inter-farm enterprises (organisations) located in its area, and also amendments in and additions to those Statutes; exercise guidance over subordinate inter-farm enterprises (organisations) and control, within the rights, granted thereto, over the activities of inter-farm enterprises (organisations) subordinate to higher bodies;

(13¹) take measures for increasing agricultural output in subsidiary farms of enterprises, institutions and organisa-

tions, and also in personal subsidiary holdings of collective farmers, workers, office employees, and other citizens, and for further increasing collective orchard- and vegetable-growing;

(14) exercise state control over the use of lands on its territory; grant or withdraw land plots and resolve land disputes in cases and in the order stipulated by the legislation of the USSR and the appropriate Union Republic; grant collective farms, state farms, and other land users state deeds entitling them to land use; exercise control over fulfilment by land users of measures for increasing soil fertility, combatting soil erosion, recultivating deteriorated soils, irrigating and drying soils, and creating field-protection forest plantations; and organise land-management work;

(15) within the limits and in the order established by legislation, exercise state administration and control over use and protection of water, forest and mineral resources on the territory of the district; grant bodies of water either fully or partially for exclusive use and resolve disputes concerning water use; exercise control over observance by all enterprises, institutions, organisations and individual citizens of the established order of utilising forests, regulations for forest management and reproduction, and also other regulations and norms stipulated by forest legislation; provide branches for mining mineral deposits and resolve disputes over the utilisation of mineral resources; in the area of the respective district, provide for measures aimed at nature conservation, and adequate utilisation, preservation, and restoration of natural resources and the animal world;

(16) direct industrial enterprises subordinate to the respective district; endorse the results of their financial and economic activities and proper distribution of the profits obtained; distribute the products manufactured by industrial enterprises subordinate to the district bodies from local raw materials, waste and self-procured materials;

(17) take measures for developing production of consumer goods and local building materials on the basis of local raw materials, utilising waste products of enterprises located on the district territory that are not subject to distribution in a centralised manner, and also for processing farming products; decide matters of utilising additionally revealed resources of local raw materials, fuel and industrial and farming waste;

(18) render assistance to industrial enterprises located on the territory of the district and subordinate to higher agencies in raising production efficiency and quality; utilising material, manpower and financial resources; raising labour productivity; and improving social and cultural and everyday services for workers and office employees; provide conclusions on matters connected with expansion of existing and construction of new industrial enterprises, buildings and structures, these conclusions being subject to compulsory examination; and, in case of need, introduce proposals on organising, reorganising or liquidating industrial enterprises subordinate to higher agencies and located on the territory of the district;

(19) examine the scheme of the district layout and submit it for approval to appropriate higher bodies of state administration; in due order, endorse or coordinate draft layouts and building plans for populated areas; exercise control over construction on the territory of the district; prohibit or halt construction of housing and civic facilities, when such construction violates legislative requirements;

(20) direct organisations concerned with construction and repair and which are subordinate to the district; organise housing, communal, road, and cultural and welfare construction, and construction of educational, health, trade, public catering and other facilities from funds allocated to local Soviets; with the consent of collective farms, state farms, enterprises, institutions, and other organisations located on the territory of the district, decide on matters of joint use of their funds allocated on housing, communal, road, and cultural and welfare construction, and on construction of educational, health, trade and public catering facilities, and also, in case of need, on pooling funds, acting as or determining the client for these kinds of construction;

(21) in established order, appoint state reception commissions; examine and approve deeds of acceptance of completed housing and civic facilities for use; and take part in acceptance of other completed facilities located on the territory of the district;

(22) direct construction and repairs of local highways on the territory of the district; help build and properly use national, republican, and regional highways; in a statutory manner enlist the participation of collective farms, state farms, industrial, transport, construction and other enter-

prises and economic organisations in the building and repair of local highways; direct transport enterprises and organisations subordinate to the district bodies; exercise control over the activities of transportation enterprises and organisations subordinate to higher agencies, and enterprises and organisations providing communication services for the population of the district; and control work aimed at ensuring safety of traffic and pedestrians;

(23) direct the housing and communal economy, and also improvements in populated areas; exercise control over the condition and proper use of housing facilities, and communal enterprises and buildings belonging to enterprises, institutions and organisations; in due order, enlist the participation of enterprises, institutions and organisations subordinate to higher agencies in providing public services and amenities in populated areas; and exercise control over work for putting in good order the territories of all the enterprises and organisations located in the district area;

(24) distribute the housing belonging to the Soviet; exercise control over proper distribution of living quarters in houses of state, cooperative, and other social organisations; make decisions on organising housing cooperatives and exercise control over their activities; in cases established therefor, issue citizens standard accommodation assignment documents entitling them to move into the quarters allotted them; enlist, if they so agree, enterprises and organisations located on the district territory for participation in implementing measures for providing fuel and other kinds of communal services to institutions connected with education, culture, health and social security, and for conducting repairs of their premises and creating proper living conditions for the employees of these institutions;

(25) direct state and cooperative trade and public catering on the district territory, and enterprises and organisations connected with trade and public catering and subordinate to the district bodies; exercise control over the work of enterprises and organisations connected with trade and public catering and subordinate to higher agencies; endorse planned assignments for commodity turnover by enterprises and organisations connected with trade and public catering and subordinate to the district bodies; control the observance of the Statutes of consumer societies, and of democratic principles in administering the affairs of consumer coope-

rative societies; take measures for developing collective-farm trade; and establish in the order and within the bounds stipulated by law the amount of one-time dues and payment rates for services rendered at collective-farm markets;

(26) supervise communal services, and enterprises and organisations of everyday services subordinate to the district bodies; endorse the results of their financial and economic activities, and distribution in due order of the profits received; and exercise control over the work of enterprises and organisations of everyday repairs and other services subordinate to higher bodies;

(27) supervise education, and pre-school and out-of-school upbringing of children; ensure universal compulsory secondary education of young people; take measures for consolidating school ties with production, and for improving labour training and vocational orientation, and for providing free textbooks for students of schools providing general education; exercise control over the work of orphanages and children's pre-school and out-of-school institutions that are not on the district budget; in cases and in the order established by legislation, decide matters concerning the granting to citizens of privileges for keeping children in boarding-schools and school boarding-houses, and also for paying for children's meals at schools (groups) with prolonged school day; distribute in due order the compulsory education fund; decide on matters of child adoption; and supervise matters of guardianship and trusteeship over minors;

(28) supervise cultural and educational work, cultural and educational organisations and institutions subordinate to the district bodies, and control the activities of other cultural organisations and institutions, irrespective of their subordination; exercise control over the use of the cultural funds of collective farms, state farms, enterprises, institutions, and other organisations and, when need be, take by agreement therewith measures for centralised use of the said funds; supervise cinema entertainment for the public; and, in accordance with existing legislation, exercise state administration of and state control over the protection and utilisation of historical and cultural monuments;

(29) supervise health protection in the district, and health institutions subordinate to the district bodies; exercise control over the work of health institutions subordinate to higher agencies; organise protection of maternity and child-

hood; conduct measures for ensuring the observance of sanitation rules for maintaining dwelling houses and public buildings and appropriate sanitary condition of populated areas; and ensure the implementation of measures for preventing the spread of and eliminating infectious diseases;

(30) exercise state control over the observance of regulations for improving the environment, and for ensuring sanitary protection of bodies of water, the soil, and the air;

(31) supervise matters of physical culture and sports; endorse plans for placing sports buildings and facilities within the district, irrespective of subordination; take measures for developing, equipping, and improving mass recreation zones, and exercise control over their use;

(32) take stock of and regulate the distribution of manpower resources throughout the district, and take measures for their adequate utilisation; endorse plans for providing jobs for young people graduating from general education schools, and ensure their implementation by all enterprises, institutions, and organisations; exercise control over the observance of existing legislation on labour, and regulations for labour protection and safety techniques at enterprises, institutions, and organisations; and establish working days and hours for enterprises and organisations connected with providing services for the district population;

(33) supervise matters of social security; provide for timely and proper granting and payment of pensions and allowances as established by the law; exercise control over timely deposit by collective farms of their deductions to the centralised all-Union fund for providing social security for collective farmers and to the centralised all-Union fund for social insurance of collective farmers, and form and control the district council for social security of collective farmers; supervise matters of guardianship and trusteeship over minors whose state of health does not permit them to execute their rights and duties independently; and exercise control over the work of medical labour examination bodies;

(34) form a district people's control committee and supervise its activities;

(35) ensure the observance of the laws of the USSR and of the appropriate Union or Autonomous Republic, and of other acts of higher bodies of state authority and administration, protection of state and public order, socialist property, and

the rights and law-protected interests of citizens, state institutions, enterprises, and cooperative and other social organisations; and provide explanation of existing legislation to the public;

(36) in case of need, cancel orders and directions issued by the senior officials of administrative bodies subordinate to the Soviet, and also by senior officials of enterprises, institutions, and organisations subordinate to the district bodies; repeal decisions of general meetings of members of collective farms (meetings of representatives), general meetings of consumer society members (meetings of representatives), meetings of representatives of inter-farm enterprises (organisations) located within the district, boards of collective farms, district consumer cooperative and other cooperative organisations, and councils of inter-farm enterprises (organisations), when those decisions contradict existing legislation; suspend the execution of orders and directions issued by senior officials of enterprises, institutions and organisations subordinate to higher bodies on matters of land use, nature conservation, construction, the housing and communal economy, utilisation of manpower resources, production of consumer goods and local building materials, protection and utilisation of historical and cultural monuments, and social, cultural, and everyday and other services, and inform appropriate higher bodies thereof if those orders and directions contradict existing legislation;

(37) provide timely and proper examination and resolution of citizens' proposals, petitions and complaints; check the state of affairs in the examination of citizens' proposals, petitions and complaints at collective farms, state farms, enterprises, institutions and other organisations located within the district, and hear reports of their senior officials on those matters;

(38) in cases and in the order specified by legislation, make decisions stipulating for administrative responsibility within established bounds for violations thereof;

(39) ensure observance of passport regulations;

(40) enlist, in cases of need, the services of collective farms, state farms, enterprises, institutions, and other organisations, and also of the population for combatting natural calamities and eliminating their aftermaths;

(41) ensure the execution of the USSR Law on Universal Military Service by all officials and individual citizens, and

also by enterprises, institutions, and organisations; and supervise civil defence within the district;

(42) examine and submit applications for awarding orders and medals of the USSR, conferring honorary titles of the USSR, and awarding state decorations of the appropriate Union or Autonomous Republic.

ARTICLE 9. The district Soviet of People's Deputies shall be legally qualified to consider and decide at its sessions upon any matters assigned to its competence by the legislation of the USSR and of the appropriate Union or Autonomous Republic. The following matters shall be resolved exclusively at sessions:

—recognition of the powers of deputies; suspension of deputies' powers short of the term in cases stipulated by legislation; election of the executive committee and standing committees of the district Soviet and changes in their membership; and reports on the work of the said executive committee and standing committees;

—hearing of communications by deputies on fulfilment of their deputies' duties, and also decisions and commissions of the Soviet and its bodies;

—forming of departments and boards of the executive committee and endorsement and release from office of their heads; forming of the district people's control committee, endorsement of its composition, and appointment to and release from office of the chairman of the people's control committee; forming under the executive committee of commissions stipulated by legislation; and endorsement of the chairman of the district people's court;

—forming of the council of the district agro-industrial association and changing its composition;

—endorsement of current and perspective plans for economic and social development of the district and of reports on fulfilment of those plans; endorsement of planned assignments for state purchases from collective farms, state farms, and other agricultural enterprises;

—examination and endorsement of the plan of measures to be implemented to fulfil the electorate's mandates;

—examination of deputies' inquiries and adoption of decisions thereon;

—endorsement of the district budget and the report on its fulfilment; endorsement of the executive committee's

resolutions on assigning revenues additionally received in fulfilling the district budget, and also surplus amounts of revenues over expenditures accumulating by the end of the year due to overfulfilment of revenues or savings on expenditures;

—examination of the district layout scheme and its submission for endorsement to appropriate higher bodies of state administration.

The legislation of the respective Union or Autonomous Republic may also stipulate for other matters to be resolved exclusively at sessions of district Soviets of People's Deputies.

ARTICLE 10. The executive committee elected from among the deputies of the district Soviet shall be the executive and administrative body of this Soviet.

The executive committee shall, at least once a year, report back to the district Soviet, and also at meetings of work collectives and of citizens at their place of residence.

The executive committee shall be directly accountable both to the district Soviet of People's Deputies and to the appropriate higher executive and administrative body.

The executive committee of the district Soviet shall have the right to decide on all matters assigned to the competence of the Soviet, with the exception of those that must be resolved only at sessions of the said Soviet.

The executive committee of the district Soviet shall:

—convene the Soviet's sessions and ensure their preparation; and coordinate the work of the Soviet's standing committees;

—render assistance to deputies in fulfilment of their powers;

—develop and submit to the district Soviet current and perspective plans for economic and social development in the area, and the district budget; take measures for fulfilment of the said plans and the budget; and submit to the district Soviet reports on fulfilment and execution of the said plans and the budget;

—submit for examination by the Soviet the plan of measures for fulfilling the electorate's mandates, and organise their execution, and inform the deputies and the population about the fulfilment of the said mandates;

—direct the executive committee departments and boards,

and enterprises, institutions, and organisations subordinate to the district bodies;

—in-between sessions of the Soviet, and with subsequent submission for endorsement thereby at its next session, appoint and release acting heads of the executive committee departments and boards;

—appoint to and release from office other top officials of the executive committee departments and boards, and managers of enterprises, institutions, and organisations subordinate to the district bodies (as per list of posts endorsed by the district Soviet executive committee by agreement with an appropriate higher body of state administration).

The district Soviet executive committee may accept for examination matters assigned to the competence of its departments and boards.

ARTICLE 11. Managers of enterprises and organisations connected with trade, public catering, and everyday repairs and services, and of organisations and institutions in charge of health protection, social security and culture, which are located within the district and have important significance for servicing its population, but are at the same time subordinate to higher bodies, shall be appointed to and released from their posts only by agreement with the appropriate executive committee of the district Soviet of People's Deputies.

ARTICLE 12. The departments and boards of the executive committee of the district Soviet of People's Deputies shall be formed by the appropriate district Soviet of People's Deputies.

The list of departments and boards of the district Soviet executive committee and the procedure of their formation shall be established by the legislation of the USSR, the Union or Autonomous Republic.

The departments and boards of the district Soviet executive committee shall either be maintained by the budget or function on the basis of cost-accounting.

The competence of the departments and boards of the district Soviet executive committee shall be determined by Statutes endorsed by the Council of Ministers of the appropriate Union or Autonomous Republic.

ARTICLE 13. The district Soviet of People's Deputies shall elect from among its deputies standing committees for prior examination and preparation of questions relating to the competence of the district Soviet, and also to help implement the Soviet's decisions and exercise control over the activity of state bodies, enterprises, institutions, and organisations.

All recommendations of the standing committees of the district Soviet shall without fail be examined by appropriate government or non-government bodies, enterprises, institutions, and organisations. The results of such examination or of the measures taken shall be reported to the said committees within the prescribed time-limit.

ARTICLE 14. During sessions of the Soviet or sittings of its executive committee and standing committees, deputies of the district Soviet of People's Deputies elected to those bodies shall be released from their regular employment or duties, with retention of their average earnings at their permanent place of work.

Deputies of the district Soviet shall have the right to free travel within their district by motor and water transport subordinate to the appropriate Union or Autonomous Republic, and by all types of urban passenger transport (with the exception of taxi cabs), and also by railway transport.

Deputies of district Soviet may not, on the initiative of the management, be dismissed from work at enterprises, institutions, or organisations, or be expelled from collective farms or be transferred by way of disciplinary punishment to lower-paid work, without prior consent by the appropriate Soviet, and in-between sessions without prior consent by its executive committee.

On the territory of their Soviet, deputies of the district Soviet may not be subjected to criminal proceedings, arrested, or subjected to administrative punishment, when such measures are imposed through court proceedings, without the consent of the appropriate district Soviet, and in-between sessions without the consent of its executive committee.

Decisions adopted by the district Soviet or its executive committee on matters indicated in the fourth part of the present Article may be cancelled by a higher Soviet or its executive committee, respectively, the matter being revert-

ed for re-examination by the appropriate district Soviet. If the said Soviet confirms its initial decision, the matter may be decided in substance by the appropriate territory or regional Soviet of People's Deputies or by the Presidium of the Supreme Soviet of the appropriate Autonomous or Union Republic on the representation by the territory, regional or republican procurator, respectively.

Deputies of the district Soviet shall also be ensured other guarantees for their activities as established by the legislation of the USSR and of the appropriate Union or Autonomous Republic.

ARTICLE 15. The district Soviet of People's Deputies shall exercise its functions in close connection with social organisations and work collectives, organise broad participation of citizens in deciding matters of local and national significance, promote public activity, supervise volunteer public order squads, comrades' courts, and other local community bodies; submit the most important questions for discussion by citizens; draw citizens into the work of standing committees, the executive committee, and other bodies accountable to the district Soviet; and assist the work of local voluntary societies.

The district Soviet shall systematically inform the population of their activities, and of the work of their standing committees, the executive committee, and the departments and boards by way of regular statements by their deputies, and by officials of the executive committee and its departments and boards in work collectives and at places of citizens' residence, and also through the press, radio, and television.

ARTICLE 16. The district Soviet of People's Deputies, apart from the rights and duties stipulated therefor by the present Decree, shall also exercise other rights and duties in accordance with the legislation of the USSR and of the appropriate Union or Autonomous Republic.

Approved on March 19, 1971;
revised on November 28, 1978
and May 31, 1982

Gazette of the USSR Supreme Soviet, No. 12, 1971, Item 132;
No. 49, 1978, Item 795;
No. 23, 1982, Item 407

DE C R E E
OF THE PRESIDUM OF THE SUPREME SOVIET
OF THE USSR ON THE BASIC RIGHTS AND DUTIES
OF CITY AND WARD SOVIETS
OF PEOPLE'S DEPUTIES

With a view to further enhancing the role of city and ward Soviets of People's Deputies in carrying out the tasks of state, economic, social, and cultural construction; strengthening their initiative and responsibility for solving planning and financial questions and for developing local industry, construction, housing and the municipal economy; improving social, cultural, and everyday and other services for the population; and strengthening socialist legality, and also with the purpose of further developing of democratic principles in the activity of the said Soviets, the Presidium of the USSR Supreme Soviet *decrees*:

ARTICLE 1. In conformity with the Constitution of the USSR, the city or ward Soviet of People's Deputies as a body of state authority in the city or ward shall resolve all questions of local significance proceeding from general state interests and the interests of citizens residing in the area of the given Soviet; put into effect resolutions of higher state bodies; exercise supervision over the activity of lower Soviets of People's Deputies; take part in discussion of questions of district, area, regional, territory, republican, and all-Union significance; and submit their proposals.

ARTICLE 2. The city Soviet of People's Deputies shall exercise supervision in its area over state, economic, social, and cultural development; endorse plans for economic and social development and the city budget; exercise supervision over subordinate state bodies, enterprises, institutions and

organisations; secure observance of laws, protection of state and public order, and citizens' rights; and help strengthen the country's defence capability.

Subordinate to the city Soviet shall be enterprises, institutions and organisations which primarily serve the city population. The procedure of placing the said enterprises, institutions and organisations under city authority shall be established by USSR and Union Republican legislation.

Guidance of enterprises, institutions and organisations subordinate to the city shall be executed by the executive committee of the city Soviet of People's Deputies either through its departments and boards, or directly. The respective departments and boards of the executive committee of the city Soviet, and also enterprises, institutions and organisations supervised directly by the said executive committee, shall be subordinate in their activity both to the city Soviet and its executive committee and to a corresponding higher body of state administration.

ARTICLE 3. Within its powers, the city Soviet of People's Deputies shall ensure the comprehensive economic and social development of its area; exercise control over the observance of legislation by enterprises, institutions and organisations subordinate to higher authorities and located in its area; and coordinate and control their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social, cultural, communal and other services and amenities for the public.

With reference to the questions indicated in the present Article, the city Soviet shall hear reports by managers of enterprises, institutions and organisations, take relevant decisions, and, in case of need, make its own proposals to corresponding higher bodies.

ARTICLE 4. With the view to more active participation of enterprises and organisations in the development of the city economy, and to increase the concern of the city Soviet of People's Deputies in the results of the work of enterprises and organisations, part of the profits of enterprises and economic organisations subordinate to republican, territory and regional authorities and located in the respective city area, shall be contributed to the city budget.

The forms and amounts of the above-said deductions indi-

cated in the present Article, as well as the procedure whereby they are to be revenued by the city budget shall be established by USSR and Union Republican legislation.

ARTICLE 5. The city Soviet of People's Deputies shall administer the state housing and communal facilities serving the city population; at the same time, the material foundation and repair-and-building facilities of the executive committee of the city Soviet shall be further reinforced.

The terms and periods for transferring to the city Soviet the housing belonging to urban enterprises, institutions and organisations, and also communal facilities catering to the city public, shall be established by the USSR Council of Ministers and the respective Union Republican Council of Ministers.

ARTICLE 6. The rights and duties of the city Soviet of People's Deputies shall be determined by USSR, Union and Autonomous Republican legislation depending on whether a given city is assigned to the category of cities subordinate to a republic (Union or Autonomous), or to a territory, region, or district. A city shall be placed in a category of subordination in accordance with the procedure established by appropriate Union Republican legislation, taking into account the city's population and its political, economic and cultural significance.

ARTICLE 7. The city Soviet of People's Deputies in a city of republican, territory or regional subordination shall:

(1) endorse current and perspective plans of the city's economic and social development and organise and control their implementation; endorse reports on fulfilment of current and perspective plans for the city's economic and social development; take account of the electorate's mandates in elaborating current and perspective plans of the city's economic and social development; endorse current and perspective planned assignments for enterprises, institutions and organisations subordinate to the city Soviet, and also plans for locating, developing and specialising the said enterprises, institutions, and organisations;

(2) examine plans for locating, developing and specialising enterprises of local industry, everyday repairs and other

services, establishments serving trade, public catering cultural, educational, and health organisations and institutions subordinate to higher authorities and, in case of need, submit its proposals to corresponding higher bodies;

(3) examine draft plans of enterprises, institutions and organisations subordinate to higher authorities and located in the area of the city regarding land use, nature conservation, building, development of the housing and communal economy, employment of manpower, production of consumer goods and local building materials; social, cultural, communal and other services and amenities for the public; and in case of need, submit its proposals to corresponding higher bodies, and endorse relevant summary planned indices to include them in the plan for the city's economic and social development;

(4) ensure drawing up of balance-sheets for employment of manpower and utilisation of local building materials and fuel; public income and spending balance-sheets; and other balance-sheets essential for planning comprehensive economic and social development in the area of the city; exercise control over adequate utilisation of mineral, forest, water, and energy resources;

(5) endorse the city budget and organise its execution; take into account, when compiling the city budget, the electorate's mandates; when need be, in the course of executing the budget, redistribute the means of the city budget from section to section, and also redistribute allocations on wages within the limits of the endorsed wages bill; and endorse the report on execution of the city budget;

(6) allocate revenues additionally received in executing the city budget, and also excess amount resulting from higher revenues over expenditures that had formed at the end of the year owing to overfulfilment of revenue items or savings for spending items, on financing the city economy and social and cultural measures, including investments, on putting up administrative buildings and procuring means of transport for executive committees of the city, ward, township and rural Soviets, on carrying the major repairs of the buildings of the executive committees, their departments and boards, and courts, and on procuring equipment and repairing means of transport (with the exception of allocations not used because of non-fulfilment of the plan for centralised investments and that of the plan for developing the network of

social and cultural institutions, the said funds shall not be withdrawn from the city budget);

(7) guide the work for calculating and levying state and local taxes and dues; and in conformity with legislation, establish for individual payers additional benefits for state duties and income tax;

(8) examine quarterly cash plans of the branches of the State Bank of the USSR and take measures for their execution; take decisions on providing loans by institutions of the State Bank of the USSR and the Construction Bank of the USSR of advance-money for individual housing construction and repairs of houses belonging to citizens as personal property, within the allocated limits; and, in conformity with legislation, provide individual citizens with privileges for state compulsory insurance;

(9) guide industrial enterprises subordinate to the city Soviet; endorse the results of their financial and economic activity, and distribute in accordance with the established procedure the profits received; and distribute the products of industrial enterprises subordinate to the city Soviet, products manufactured from local raw materials, waste products, raw materials stored up by the enterprises themselves;

(10) take measures to develop production of consumer goods and local building materials from local raw materials, utilising centrally undistributed waste products of enterprises located in the city area, and also to process agricultural products; and decide questions regarding the use of additionally discovered resources of local raw materials, fuel and waste of industrial and agricultural production;

(11) render assistance to industrial enterprises subordinate to higher bodies and located in the city area in enhancing production efficiency and quality of products, in utilising material, manpower and financial resources, in raising labour productivity, and improving social, cultural, and everyday services for workers and office employees; make conclusions, subject to mandatory review, on questions connected with expanding the existing and building new industrial enterprises, buildings and other structures; and, in case of need, submit proposals on the organisation, reorganisation, or liquidation of industrial enterprises subordinate to higher authorities and located in the city area;

(12) organise elaboration of draft master plans of the city and the suburban zone; examine these drafts, and in

accordance with the established procedure submit them for endorsement to corresponding higher bodies of state administration; endorse draft projects for detailed layout and construction in the wards, estates, and other city designing and building complexes, and projects of engineering structures and for organisation of city public services and amenities; exercises control over construction in the city area; and prohibit or stop the building of civilian housing facilities conducted in violation of legislative requirements;

(13) guide building organisations subordinate to the city Soviet; organise housing, communal, road, cultural and welfare construction, and construction of educational, health, trade, public catering and other facilities at the expense of means allocated to local Soviets; decide, with consent of enterprises, institutions and organisations located in the city area, matters of joint utilisation of funds allocated for housing, communal, road, cultural and welfare construction, construction of educational, health, trade, and public catering and other facilities, and also, in case of need, on the pooling of funds; act as contractor or appoint a contractor for these projects; in conformity with established procedure, appoint state reception commissions; examine and approve of acts for accepting for service housing and civic facilities, and also take part in accepting for service other completed facilities located in the city area;

(14) exercise state control over the use of all land in the city area; provide and withdraw land plots and resolve land disputes in cases and in the order established by USSR and Union Republican legislation; and exercise control over measures by land users for land protection in the city area;

(15) within the limits and order established by legislation, exercise state administration and state control over use and protection of bodies of water, forests and mineral resources in the city area: provide fully or partially for selective use of water facilities; resolve disputes over water use; exercise control over observation by all enterprises, institutions, organisations and individual citizens of the established order in utilising forests, and regulations for forestry management; provide mining branches for excavating deposits of minerals; resolve disputes over utilisation of mineral wealth; and provide for nature conservation measures in the city area;

(16) direct the housing and communal economy, and also

organisation of municipal public services and amenities; exercise control over the condition and correct maintenance of housing and communal enterprises and facilities belonging to enterprises, institutions, and organisations; draw in, in accordance with established procedure, enterprises, institutions and organisations subordinate to higher authorities for participation in work for organising municipal public services and amenities and building roads; and exercise control over orderly maintenance of the grounds of all enterprises and organisations located in the city area;

(17) distribute housing belonging to the Soviet; exercise control over correct distribution of floor space, and also endorse joint decisions by the management of factories and offices and their trade union committees on providing floor space in houses belonging to state, cooperative and other social organisations, with the exception of cases stipulated by legislation; take decisions on organising house-building and other cooperatives and exercise control over their activity; and issue citizens uniform warrants for occupying living quarters;

(18) direct municipal transport and exercise control over the activities of transport enterprises and organisations subordinate to higher authorities, over communication enterprises and organisations servicing the city population; and control work for securing the safety of transport traffic and pedestrians;

(19) direct state and cooperative trade, and also public food service within city limits, trade and public catering enterprises which are subordinate to the city authorities; exercise control over the work of enterprises and organisations catering to trade and public food service which are subordinate to higher authorities; endorse planned assignments for commodity turnover by enterprises and organisations subordinate to city authorities and catering to trade and public food service; direct collective-farm markets in the city area; and, within the order and limits determined by legislation, establish the amount dues and payment rates for services rendered on collective-farm markets;

(20) direct everyday repairs and other services to the population, and also enterprises and organisations catering to everyday repairs and other services and subordinate to the city authorities; endorse the results of their financial and economic activity and distribution in accord with established order of

the profits received; and exercise control over the work of enterprises and organisations catering to everyday repairs and other services and subordinate to higher authorities;

(21) direct public education, pre-school and out-school upbringing of children; provide for universal compulsory secondary education of young people; take measures for strengthening ties between schools and production enterprises, for improving labour training, upbringing and vocational orientation, and for providing free textbooks to pupils of general education schools; exercise control over the work of children's homes and children's pre-school and out-school establishments not included in the city budget; in cases and in the order established by legislation decide on providing citizens with privileges for supporting children at boarding schools and school boarding houses, and also on payment for feeding children in extended-day schools (groups); distribute in established order the compulsory education fund; and decide questions of child adoption, and also of guardianship and trusteeship over minors;

(22) direct cultural and educational work and guide cultural and educational organisations and institutions subordinate to the city Soviet, and control the activity of other cultural organisations and institutions, irrespective of who they are subordinate to; exercise control over the use of cultural funds of enterprises, institutions and organisations and, in case of need, take by agreement therewith measures for centralised use of the said funds; direct the showing of films for the public; and in conformity with legislation, exercise state administration and state control over the protection and use of historical and cultural monuments;

(23) direct matters of public health in the city, and health institutions subordinate to the city Soviet; exercise control over the work of health institutions subordinate to higher authorities; organise protection of maternity and childhood; carry on measures for providing the observance of sanitary regulations for maintaining residential and public buildings and due sanitary state of the city; and ensure the implementation of measures for preventing spread of infectious diseases, and also for their diminution;

(24) exercise state control over observance of regulations for improving the environment, and for providing sanitary protection of bodies of water, soil, and air;

(25) direct matters of physical culture and sport; endorse

plans for locating in the city area sports buildings and structures, irrespective of whom they are subordinate to; take measures for developing suburban mass recreation zones, and their equipment and good order; and exercise control over use of these zones;

(26) take stock and regulate distribution of manpower resources in the city area, and take measures for their adequate utilisation; endorse plans for employment of young people who graduate general education schools, and ensure their implementation by all enterprises, institutions, and organisations; exercise control over observance of legislation on labour, labour protection and safety techniques at enterprises, institutions and organisations located in the city area; determine the time when the latter begin their work; and establish specific days and hours for enterprises and organisations servicing the population;

(27) direct matters of social security; provide timely and correct appointment and payment of pensions and benefits established by legislation; decide questions of guardianship and trusteeship over adults who for reasons of health cannot themselves exercise their rights and perform their duties; and exercise control over the work of medical labour examination bodies;

(28) form the city committee of people's control and direct its activities;

(29) ensure observance of USSR, Union and Autonomous Republican laws and other acts of higher bodies of state authority and administration, protection of state and public order, socialist property, the rights and law-protected interests of citizens, and state institutions, enterprises, and co-operative and other social organisations; and organise interpretation of existing legislation to the population;

(30) in case of need, cancel orders and directions of heads of administrative bodies subordinate to the Soviet, and also those of heads of enterprises, institutions and organisations subordinate to the city Soviet; suspend execution of orders and directions issued by the management of enterprises, institutions and organisations subordinate to higher authorities when those orders and directions contradict existing legislation, specifically with regard to land use, nature conservation, building, management of the housing and communal economy, employment of manpower, production of consumer goods and local building materials, protection and

use of historical and cultural monuments, and social, cultural, communal and other services and amenities for the public, and report thereon to corresponding higher bodies;

(31) ensure timely and correct examination and resolution of proposals, applications, and complaints by citizens; check the state of things in regard to examination of citizens' proposals, applications and complaints at enterprises, institutions, and organisations located in the city area; and hear relevant reports by their managers;

(32) in cases and in the order determined by legislation, take decisions stipulating administrative responsibility within established limits for violating the latter;

(33) provide for observance of passport regulations;

(34) in case of need, enlist the cooperation of enterprises, institutions and organisations, and also of the population, for combatting natural calamities and eliminating their consequences;

(35) ensure execution of the USSR Law on Universal Military Service by all officials and individual citizens, and also by enterprises, institutions and organisations; and direct civil defence in the city area;

(36) examine and submit solicitations for awarding USSR orders and medals, conferring USSR honorary titles, and also for decorating with Union and Autonomous republican state awards.

ARTICLE 8. The city Soviet of People's Deputies in a city subordinate to a district shall endorse current and perspective plans for economic and social development of the city; organise and control their execution; endorse reports on fulfilment of current and perspective plans for economic and social development of the city; endorse the city budget and the report on its execution, and may also exercise other rights and duties stipulated by Art. 7 of the present Decree within limits established by the legislation of the USSR and of the appropriate Union or Autonomous Republic. The district Soviet of People's Deputies shall direct the activities of city Soviets of People's Deputies in cities subordinate to district authority.

ARTICLE 9. The ward Soviet of People's Deputies shall direct state, economic, social, and cultural construction in

the area of the ward, and the activity of bodies of administration subordinate to the said Soviet.

The ward Soviet shall endorse current and perspective plans for economic and social development in the ward, and organise and control their execution; endorse reports on fulfilment of current and perspective plans for economic and social development in the ward; endorse the ward budget and the report on its execution; direct the activities of enterprises and organisations providing everyday services and repairs, also trade and public food services which are subordinate to ward authorities; direct the housing and communal economy and the organisation of public services and amenities in the ward; and guide cultural and educational work, and matters of public education, health, social security, and maintenance of state and public order.

The ward Soviet of People's Deputies shall provide, within its powers, for comprehensive economic and social development in the ward area; exercise control over observance of legislation by enterprises, institutions and organisations subordinate to higher authorities and located in the given area; and coordinate and control their activities as regards land use, nature conservation, building, employment of manpower, production of commodity goods, and social, cultural, communal and other services and amenities for the public.

The ward Soviet of People's Deputies, as regards matters indicated in the third part of the present Article, shall hear reports by managers of enterprises, institutions and organisations, take due decisions, and in case of need submit its own proposals to corresponding higher bodies.

The ward Soviet of People's Deputies may exercise other rights and duties envisaged by Art. 7 of the present Decree, with the exception of rights and duties which, in conformity with legislation, shall be exercised by the city Soviet of People's Deputies with regard to deciding matters of general municipal significance and for ensuring unity in the development of the urban economy.

ARTICLE 10. In directing the activities of ward Soviets of People's Deputies, the city Soviet shall have the right to cancel the acts of the said Soviets in case those acts do not conform to legislation.

Guidance of enterprises, institutions and organisations

subordinate to the ward Soviet shall be executed by the executive committee of the ward Soviet of People's Deputies through its departments and boards, or directly. The respective departments and boards of the executive committee of the ward Soviet, and also enterprises, institutions and organisations supervised directly by the said executive committee, shall be subordinate in their activity both to the ward Soviet and its executive committee and to a corresponding higher body of state administration.

ARTICLE 11. The city and ward Soviets shall be competent to examine and decide at sessions all matters within the powers accorded them by the legislation of the USSR and of the appropriate Union Republic and Autonomous Republic. The following matters shall be decided exclusively at sessions:

- recognise deputies' plenary powers; decide on terminating deputies' plenary powers before their term has expired when this is stipulated by law; elect the executive committee and standing committees of the Soviet, and change their membership; and hear and endorse reports on the work of the executive committee and standing committees;

- hear communications of deputies on fulfilment of their duties, and of resolutions of and commissions from the Soviet and its agencies;

- form departments and boards of the executive committee; endorse and relieve from their posts the heads of these bodies; form the city, ward people's control committees, endorse their membership, and appoint or dismiss the chairman of the people's control committee; form under the executive committee commissions stipulated by legislation; elect the city court and alter its membership; and endorse the chairman of the district (city) people's court;

- endorse current and perspective plans for economic and social development of the city or ward, and the reports on fulfilment of those plans;

- examine and endorse planned measures for fulfilling the constituents' mandates;

- examine inquiries by deputies and make decisions on those inquiries;

- endorse the city or ward budget and report on its execution; endorse decisions by the executive committee on appropriating incomes additionally received in fulfilling the city

or ward budget, as well as income received in excess of expenditures, the said income resulting at the end of the fiscal year from overfulfilment of incomes or from saved expenditures;

—examine the city's draft master plan and draft layout of the suburban area and present them for approval to appropriate higher bodies of state administration.

The legislation of a Union or Autonomous Republic may also stipulate for other questions to be decided exclusively at sessions of city or ward Soviets of People's Deputies.

ARTICLE 12. The executive committee elected from among the deputies shall be the executive and administrative body of the city or ward Soviet of People's Deputies.

The executive committee shall at least once a year report to the city or ward Soviet, and also to meetings of citizens at their places of work or residence.

The executive committee is directly accountable both to the city or ward Soviet and to the higher executive and administrative body.

The executive committee of the city or ward Soviet of People's Deputies shall have the right to decide all matters assigned to the competence of the Soviet, with the exception of those that shall be decided exclusively at sessions of the Soviet.

The executive committee of the city or ward Soviet shall:

—convene sessions of the Soviet and prepare them; coordinate the work of its standing committees; and render assistance to deputies in exercising their plenary powers;

—work out and submit to the Soviet current and prospective plans for economic and social development of the city or ward, and the city or ward budgets; take measures for executing the said plans and budgets; and submit to the Soviet reports on fulfilment of plans and execution of the budget;

—submit for examination to the Soviet a plan of measures to execute the constituents' mandates and organise their execution, and inform the deputies and the population on the implementation of those mandates;

—guide the executive committee's departments and boards, and enterprises, institutions and organisations subordinate to the city or ward Soviet;

—in-between sessions of the Soviet, with subsequent submission for endorsement at its next session, appoint to

and relieve of their duties acting heads of the executive committee' departments and boards;

—appoint to and relieve of their posts other top officials of the executive committee's departments and boards, and managers of enterprises, institutions, and organisations subordinate to the city or ward Soviet (in accordance with a list of posts endorsed by the executive committee of the Soviet by agreement with a higher body of state administration).

The executive committee of a city or ward Soviet may examine matters assigned to the competence of its departments and boards.

ARTICLE 13. Given that enterprises and organisations involved in trade, public food service, everyday repairs and other services, housing, the communal economy, health protection and social security and culture are located on the territory of the city or ward and are important for servicing the population of the said city or ward, their managers shall be appointed and dismissed only by agreement with the executive committee of the given city or ward Soviet of People's Deputies.

ARTICLE 14. The departments and boards of the executive committee of the city or ward Soviet of People's Deputies shall be formed by the city or ward Soviet of People's Deputies.

The list of departments and boards of the executive committee of the city or ward Soviet and the manner of forming them shall be established by USSR, Union and Autonomous Republican legislation.

The departments and boards of the executive committee of the city or ward Soviet shall function either on a budgetary or self-supporting basis.

The competence of the departments and boards of the executive committee of the city or ward Soviet of People's Deputies shall be determined by Regulations endorsed by the Council of Ministers of the appropriate Union or Autonomous Republic.

ARTICLE 15. The city or ward Soviet of People's Deputies shall take decisions within the powers accorded by the legislation of the USSR and of the appropriate Union Republic.

lic or Autonomous Republic, secure their implementation and exercise control over their translation into practice. Their decisions shall be binding on all enterprises, institutions, and organisations located in their area and on officials and individual citizens.

The city or ward Soviet and its executive committee, provided that their decisions were not fulfilled by managers of enterprises, institutions and organisations subordinate to higher authorities, shall make representations to appropriate higher bodies for the latter to impose disciplinary penalties on the said managers, including dismissal from their posts. The results of examination of the said representations shall be communicated to the city or ward Soviet or its executive committee within a month.

ARTICLE 16. The city or ward Soviet of People's Deputies shall elect from among its deputies standing committees for preliminary examination and preparations of matters relating to the competence of the said city or ward Soviet, and also to help implement the Soviet's decisions and to exercise control over the activities of state bodies, enterprises, institutions and organisations.

Recommendations of the standing committees of the city or ward Soviet shall be subject to examination by appropriate state and social bodies, and by appropriate enterprises, institutions and organisations. The said standing committees shall be informed within prescribed time limits of the results of that examination or of the measures taken.

ARTICLE 17. During sessions of the city or ward Soviet and of the executive committee to which he has been elected, the deputy shall be released from his regular employment or duties, with retention of his average earnings at his permanent place of work.

Within city limits, deputies of the city or ward Soviet shall enjoy the right of travel in bus and water transport of republican subordination free of charge and in all types of municipal passenger transport (with the exception of taxi cabs).

Deputies of the city or ward Soviet shall not be dismissed from work at enterprises, institutions or organisations on the initiative of their management; nor shall they be discharged from collective farms or transferred by way of disciplin-

ary penalty to less-paid jobs without prior consent of the Soviet, and in-between sessions, without prior consent of the Soviet's executive committee.

The deputy of the city or ward Soviet shall not be subjected to criminal proceedings in the area of his Soviet, or be arrested or subjected to administrative penalties imposed in judicial proceedings, without the consent of the city or ward Soviet, and in-between sessions without the consent of its executive committee.

The decision of the city or ward Soviet, or of its executive committee on the matter indicated in the fourth part of the present Article may be cancelled by the respective higher Soviet or its executive committee, referring the matter once again for re-examination by the afore-said city or ward Soviet. If that Soviet confirms the initial decision, the substance of the matter may be resolved by the territory or regional Soviet of People's Deputies, or by the Presidium of the Supreme Soviet of the appropriate Autonomous or Union Republic on representation by the territory, regional or republican procurator, respectively.

The deputy of the city or ward Soviet shall also be provided with other guarantees of his activity as established by the legislation of the USSR and appropriate Union or Autonomous Republic.

ARTICLE 18. The activity of the city or ward Soviet of People's Deputies shall be based on collective, free and business-like discussion and decision-making, and also on publicity and regular accountability of the executive committee and other bodies set up by the Soviet before the Soviet and the constituency, and on broad-scale involvement of citizens in the work of the said Soviet.⁷

The city or ward Soviet shall work in close contact with the city or ward social organisation bodies.

ARTICLE 19. The city or ward Soviet of People's Deputies shall exercise its activity in close contact with social organisations and work collectives; organise broad-scale involvement of citizens in deciding matters of local and national significance; develop public activity; exercise control over volunteer public order squads, people's courts, and other local community bodies; submit most important matters for discussion by citizens, and draw them into the work

of the standing committees, the executive committee, and other bodies accountable to the Soviet; and assist local voluntary societies in their work.

The city or ward Soviet shall systematically inform the population of its activity, and on the work of the standing committees, the executive committee, and its departments and boards through regular statements by deputies of the Soviet and by officials from its executive committee and its departments and boards in places where citizens work and reside, and also through the press, radio, and television.

ARTICLE 20. The city or ward Soviet of People's Deputies, in addition to the rights and duties stipulated by the present Decree, shall also perform other rights and duties in conformity with the legislation of the USSR and of the appropriate Union or Autonomous Republic.

ARTICLE 21. The city or ward Soviet of People's Deputies, in exercising guidance over the activity of township or rural Soviets of People's Deputies, whose territories are part of the area under the city or ward Soviet of People's Deputies, shall have the right to repeal acts of the afore-mentioned Soviets when those acts contradict the law.

Approved on March 19, 1974;
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No. 49, 1978, Item 796

DECREE
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR ON THE BASIC RIGHTS AND DUTIES
OF TOWNSHIP AND RURAL SOVIETS
OF PEOPLE'S DEPUTIES

With a view to further enhancing the role of township and rural Soviets of People's Deputies in solving tasks of state, economic and socio-cultural development and perfecting the democratic principles of their activity, the Presidium of the Supreme Soviet of the USSR *decrees*:

ARTICLE 1. In conformity with the Constitution of the USSR, the township or rural Soviet of People's Deputies, as a body of state power, shall decide all questions of local significance, in accordance with the interests of the whole state and of the citizens residing in the area under its jurisdiction, implement decisions of higher bodies of state authority, take part in discussion of matters of district, area, regional, territory, republican and all-Union significance, and submit its proposals concerning them.

ARTICLE 2. The township or rural Soviet of People's Deputies shall direct state, economic, social and cultural development within its territory; endorse plans for economic and social development of the township and those of the rural Soviet, and its budget.

The township or rural Soviet shall exercise general guidance over state bodies, enterprises, institutions and organisations subordinate to it; ensure observance of the laws, maintenance of state and public order, and protection of citizens' rights; and help strengthen the country's defence capability.

Within its powers, the township or rural Soviet shall ensure the comprehensive economic and social development of

its area; exercise control over the work of collective farms and other cooperative organisations located in that area and over the observance of legislation by enterprises, institutions and organisations subordinate to higher authorities; and coordinate and supervise their activity as regards land use, nature conservation, building, employment of manpower, production of consumer goods, and social, cultural, communal and other services and amenities for the public. The township or rural Soviet shall hear reports on the said questions by chairmen of collective farms, managers of state farms, enterprises, institutions and other organisations, adopt resolutions thereon, and, in case of need, make its own proposals to corresponding higher authorities.

The township or rural Soviet shall decide matters within the powers accorded it by the legislation of the USSR and of the appropriate Union or Autonomous Republic. It shall ensure their execution and exercise control over implementation of those decisions.

The decisions of the township or rural Soviet shall be binding on all collective and state farms, enterprises, institutions, and other organisations located in its area and on officials and individual citizens.

The township or rural Soviet and its executive committee, in case of non-observance of its decisions by the management of enterprises, institutions, and organisations subordinate to higher authorities, shall make representations before corresponding higher authorities that disciplinary measures be taken against the said management, dismissal of responsible officials inclusive. The results of such representations shall be communicated to the township or rural Soviet or its executive committee not later than within one month.

ARTICLE 3. The activity of the township or rural Soviet of People's Deputies shall be based on collective, free, and business-like discussion and decision of questions, as well as on publicity; regular accountability of the executive committee and other Soviet-created bodies to the Soviet and the public; and broad enlistment of citizens for participation in their work.

The township or rural Soviet and the bodies created by it shall systematically report to the electorate on their work and decisions taken.

The township or rural Soviet shall work in close contact

with work collectives and voluntary organisations of collective farms, state farms, enterprises, institutions and other organisations located in its area; shall assist in the work of local voluntary societies; and shall exercise guidance over volunteer public order squads, and over comrades' courts, and other local community bodies.

ARTICLE 4. The township or rural Soviet of People's Deputies shall:

(1) endorse current and perspective plans for economic and social development of the township or those of the rural Soviet, and organise and control their execution; endorse reports on fulfilment of current and perspective plans for economic and social development of a given township or rural Soviet; in drawing up current and perspective plans for economic and social development of the township or rural Soviet, take account of the mandates of the electors; endorse current and perspective production and financial plans of enterprises, institutions, and organisations subordinate to it; take part in discussing draft plans of collective farms, state farms, enterprises, institutions, and other organisations subordinate to higher authorities as regards land use, nature conservation, building, development of housing and communal economy, employment of manpower, production of consumer goods and local building materials, and social, cultural, communal and other services for the public; and introduces its own proposals on these questions;

(2) endorse the township or rural budget and organise its execution; in compiling the township or rural budget, take into account the mandates of the electors; endorse the turnover till money in the budget and the quarterly distribution of revenues and expenditures; distribute budgetary means for the debit items; in case of need, switch budgetary means from section to section, and from item to item (except allocations on wages); endorse the report on execution of the township or rural budget; assign funds additionally received in executing the township or rural budget, and also sums obtained from revenues exceeding expenditures by the end of the year as a result of overfulfilment of revenues or lesser spending, for financing the economy subordinate to it and social and cultural activities, including capital investments, for the construction and maintenance of buildings belonging to the executive committee, for procuring stock, equipment

and transport therefore, and also for repairing that transport (withdrawal of the said means from the township or rural Soviet shall be impermissible);

(3) provide supply of taxes, insurance and other payments from the public, and receive these payments in its area; exercise control over timely payment by collective farms, state farms, enterprises and organisations located in its area to the township or rural budget, and also deductions from collective farms to the centralised Union fund for social security of collective farmers, and to the centralised Union fund of social insurance of collective farmers; and organise self-taxation by the rural population;

(4) afford rebates on local taxes and dues in conformity with legislation on local taxation and dues, and also in conformity with prior conclusions of district and urban financial bodies on agricultural tax in conformity with legislation on agricultural taxation; and takes decisions on granting loans by institutions of the State Bank of the USSR in a statutory manner for individual housing construction within the limits allocated to the township or rural Soviet;

(5) submit to the executive committee of a higher Soviet remarks and proposals on the Rules of collective farms, the Rules of intersectoral enterprises (organisations) in agriculture located in the area of the Soviet; exercise control over observance of the Rules of collective farms, and the Rules of intersectoral enterprises (organisations) in agriculture; provide assistance to collective farms, state farms, amalgamations and other agricultural enterprises and organisations in development of agricultural production, in fulfilment of production plans and obligations before the state, in effective use of land, material, manpower and financial resources, in organisation and development of subsidiary enterprises, enhancement of labour productivity and consolidation of labour discipline, improvement of the material and cultural levels of collective farmers, state farm workers and employees; render assistance to citizens in management of their subsidiary farming; and exercise control over safe and proper storage and utilisation of automobile transport and farming equipment and buildings, and also mineral fertilisers, pesticides, and combustibles and lubricants, and also over implementation of measures for protection of crops and plantations;

(6) take decisions on allotting land plots from the lands of the township or rural populated area within the limits and procedures established by legislation; exercises state control over use of all lands in the area of the Soviet; exercise control over correct management of personal small holdings of collective and state farms and observance of norms for personal small holdings; resolve land disputes between citizens; within the limits and procedures established by legislation, exercise state administration and state control of the use and protection of bodies of water, forests and mineral resources; and provide assistance in implementing environmental control measures;

(7) direct the work of subordinate local industry enterprises and ensure their fulfilment of production and financial plans; provide assistance to industrial enterprises located in the area of the Soviet in raising production efficiency and quality of products, in utilisation of material, manpower, and financial resources, and in raising labour productivity, and material and cultural living standards of workers and office employees; and take measures for developing production of consumer goods;

(8) discuss and submit to the executive committee of a higher Soviet layout and building drafts for populated areas; exercise control over observance of building plans; suspend construction, if it is conducted with violation of building plans for populated areas; exercise control over the course and quality of construction of dwelling houses, social and cultural institutions and communal enterprises in the area of the Soviet; decide by agreement with collective farms, state farms, enterprises, and other organisations located in the area of the Soviet questions on joint utilisation of funds allocated for building and maintenance of housing, road and communal facilities, and also, if need be, on centralising these funds; and takes measures for developing production of local building materials;

(9) exercise control over fulfilment by collective farms, state farms, enterprises, and other organisations of plans for building and maintaining highways; exercise control over the work of transport organisations catering to the population; issue directives to collective farms, state farms, enterprises, institutions, and other organisations that the latter provide transportation for combatting natural calamities and fires, for patients to be brought for medical treat-

ment and for medical personnel delivered to seriously ill people, and in other exceptional cases; exercise control over the work of communication branches and agencies catering to the population; and provide assistance in implementing measures to secure safe road traffic;

(10) exercise guidance over the subordinate housing and communal economy and over the organisation of public welfare amenities in populated areas; exercise control over the activities of enterprises, institutions and organisations subordinate to higher authorities in the field of the housing and communal economy; distribute housing facilities under the authority of the Soviet; endorse joint decisions of management and factory and office trade union committees on granting living space in houses belonging to state, cooperative and social organisations, with the exception of cases stipulated by legislation; take measures to provide fuel, lighting, and equipment for public education, cultural and health institutions financed by the township or rural budget, to repair their premises and create essential housing and domestic conditions for the workers of these institutions; and enlist the cooperation of collective farms, state farms, enterprises and other organisations, regardless of their departmental subordination, and with their content, for participation in implementing the said measures, and also for taking part in the organisation of public services and amenities; and, with consent from collective farms, state farms, enterprises and other organisations, pool the funds they allocate on organisation of public services and amenities;

(11) exercise control over state, cooperative, and collective-farm trade and communal services; endorse plans for locating and specialising enterprises engaged in trade, public catering, and everyday repairs and services; and exercise control over observance of the Consumer Society Regulations;

(12) provide universal compulsory secondary education of youth; exercise control over the activities of schools, boarding schools, children's pre-school and out-school institutions located in the area of the Soviet; take measures for consolidating school links with production, improving labour education and vocational orientation, and for providing textbooks free of charge for pupils of general education schools; and decide in conformity with current legislation questions regarding exemption from payment for feeding children at extended-day schools (groups) financed by the

township or rural budget, and questions of distributing the universal education fund among schools;

(13) exercise guidance over the work of subordinate cultural institutions; exercise control over and coordinate the activity of other cultural institutions located in the area of the Soviet, no matter to whom those institutions are subordinate; exercise control over correct allocation and spending of the cultural funds of collective farms, state farms, consumer societies and, by agreement with them, in case of need, take measures for centralised utilisation of the said allocations; and, in accordance with current legislation, exercise state administration and state control over protection and use of monuments of history and culture;

(14) exercise guidance over the organisation of work at health institutions financed by the township or rural budget; and exercise control over organisation of work at health institutions subordinate to higher authorities and located in the area of the Soviet;

(15) take part together with trade union organisations in exercising control over observance of legislation on labour, labour protection and safety regulations at collective farms, state farms, and enterprises located in the area of the Soviet; exercise control over observance of pension legislation, and over the work of collective-farm councils for social security of collective farmers; within allocated limits stipulated in the township or rural budget, grant benefits to persons ineligible to state pensions; and introduce proposals to the executive committee of a higher Soviet on granting benefits to mothers with many children and to single mothers, and on granting extraordinary allowances to citizens who suffered from natural calamities;

(16) ensure observance of USSR, Union and Autonomous Republican laws and other acts passed by higher bodies of state authority and administration; protection of state and public order, socialist property, and rights and law-protected interests of citizens, state institutions, enterprises, cooperative and other social organisations; assist in the interpretation of legislation to the public; given that the following contradict current legislation, suspend execution of decisions of general meetings of members of collective farms or of their representatives, and of general meetings of members of the consumer society (or meetings of its representatives) or of sectoral meetings of shareholders,

boards of collective farms and farmers' cooperative societies, suspend orders and directives of managers of enterprises, institutions and organisations subordinate to higher authorities on questions of land use, nature conservation, construction, the housing and communal economy, use of manpower resources, production of consumer goods and local building materials, protection and utilisation of monuments of history and culture, and social-cultural, everyday and other services to the public, and report on all that to corresponding higher bodies; and exercise control over observance of the established procedure for discussion of proposals, applications and complaints of citizens in collective farms, state farms, enterprises, institutions and other organisations located in the area of the Soviet, and hear relevant reports by their managers;

(17) submit petitions to the executive committee of a higher Soviet for due presentation for awarding the honorary title of Mother-Heroine and conferring the order of Mother's Glory and the medals Maternity Medal, For Courage During Fire and For Saving Drowning People, and also for conferring Union and Autonomous Republican state awards;

(18) exercise control over observance of passport system regulations and, in line with established procedure, execute registration of citizens and removal of them from the register; in conformity with Union Republican legislation, execute registration of registry acts; appoint guardians and trustees; register division of property assigned to collective-farm (peasant) households; and, in conformity with USSR and Union Republican legislation, execute notarial deeds;

(19) ensure strict execution by all citizens of the USSR Law on Universal Military Service; in accord with established procedure, conduct local registration of reservists and draftees; and take measures for organising civil defence.

ARTICLE 5. The township or rural Soviet of People's Deputies shall endorse and remove from office directors of schools, children's pre-school and out-of-school institutions; health and cultural institutions; enterprises for communal and everyday services subordinate to the Soviet by agreement with corresponding higher bodies of state administration.

ARTICLE 6. The townships or rural Soviet of People's Deputies and its executive committee may impose administra-

tive penalties on officials and citizens for violating public order and sanitary regulations in populated areas and rules for the protection of nature, historical and cultural monuments, rules for organising public services and amenities, building in populated areas, and selling alcoholic beverages, and also for damaging crops in collective and state farms, and for other violations in cases and in the order established by Union Republican legislation.

To examine cases of infringement of the law entailing administrative penalties, the township or rural Soviet, in case of need and with permission of the executive committee of a higher Soviet, shall form an administrative commission under its executive committee.

ARTICLE 7. The township or rural Soviet of People's Deputies, in addition to the rights and duties stipulated by Arts. 4, 5 and 6 of the present Decree, may also execute other rights and duties in conformity with USSR, Union and Autonomous Republican legislation.

ARTICLE 8. The township or rural Soviet of People's Deputies shall be empowered to discuss and decide at its sessions any questions assigned to its jurisdiction by USSR, Union and Autonomous Republican legislation. The following questions shall be decided exclusively at sessions:

—recognition of deputies' powers; decision of questions on the termination of deputies' powers short of the term in cases stipulated by legislation; discussion of deputies' inquiries and taking decisions on them; and hearing of reports by deputies on fulfilment of their duties, and decisions and assignments of the Soviet and its bodies;

—election of the executive committee and standing committees of the Soviet, and changes to be made in their membership; accounts on the work of the executive committee and standing committees; and forming under the executive committee of the Soviet of administrative and other committees stipulated by legislation;

—endorsement of current and perspective plans for economic and social development of the township or rural Soviet, and accounts on fulfilment of plans; discussion and endorsement of the plan of measures for fulfilling the electorate's mandates; endorsement of the township or rural budget and account on its fulfilment; allocation of funds additionally

received from overfulfilment of the credit items and from economy of the debit items of the township or rural budget; pooling and allocation of funds assigned by collective and state farms, enterprises and other organisations on housing, road, communal, cultural and welfare construction, and other improvements;

—discussion of criticisms and proposals on collective-farm Rules and Rules of intersectorial enterprises (organisations) in agriculture;

—endorsement and dismissal from office of directors of schools, children's pre-school and out-of-school institutions, health and cultural institutions, and enterprises dealing with the organisation of public services and amenities;

—endorsement of suggestions presented to the executive committee of a higher Soviet on forming, amalgamating, abolishing or renaming the township or rural Soviet, and on establishing and changing the borders of its territory.

The Union and Autonomous Republican legislation may also envisage other questions to be decided exclusively at sessions of the township or rural Soviet of People's Deputies.

ARTICLE 9. The executive and administrative body of the township or rural Soviet of People's Deputies shall be the executive committee elected from among its deputies.

The executive committee, not less than once a year, shall render account of its activity to the township or rural Soviet, and also at meetings of work collectives and citizens' place of residence.

The executive committee shall be directly accountable both to the township or rural Soviet and the higher executive and administrative body.

The executive committee of the township or rural Soviet shall have the right to decide all questions referred to the jurisdiction of the Soviet, except for those that shall be decided solely at sessions of the Soviet.

The executive committee of the township or rural Soviet shall:

—convene sessions of the Soviet and ensure their preparation;

—coordinate the work of the Soviet standing committees;

—render assistance to the deputies in exercising their powers;

—elaborate and present to the township or rural Soviet

current and perspective plans for economic and social development of the township or rural Soviet and the township or rural budget; and take measures for implementation of the said plans and budget;

—present to the township or rural Soviet accounts on execution of the said plans and budget;

—present for discussion by the Soviet the plan of measures for fulfilling the electorate's mandates and organise their execution; and inform the deputies and the public about the implementation of deputies' mandates.

ARTICLE 10. The township or rural Soviet of People's Deputies shall elect from among its deputies standing committees for preliminary discussion and preparation of questions relating to the competence of the township or rural Soviet, and also to help implement the Soviet's decisions and control the activity of state bodies, enterprises, institutions, and organisations.

The recommendations of the standing committees of the township or rural Soviet shall be obligatory for discussion by corresponding government and non-government bodies, enterprises, institutions, and organisations. The results of such discussion or the measures taken shall be reported to the committees within a fixed period of time.

ARTICLE 11. The deputy of the township or rural Soviet of People's Deputies, during the session or meeting of the executive committee to which he is elected, shall be freed from his on-job or official duties, retaining his average earnings at his permanent job.

The deputy of the township or rural Soviet shall enjoy, within the territory of the township or the rural locality, the right of free travel by bus or water transport of republican importance, and by all kinds of urban passenger transport (with the exception of taxi cabs).

The deputy of the township or rural Soviet shall not, on the initiative of the management, be discharged from work in any enterprise, institution, or organisation; nor shall he or she be expelled from a collective farm or transferred, in terms of a disciplinary penalty, to a lower-paid job without prior consent of the Soviet, and in the period between sessions without prior consent of the executive committee of the Soviet.

On the territory of the Soviet, the deputy of the township or rural Soviet may not be subjected to criminal proceedings, arrested, or subjected to administrative penalties imposed by court, without the consent of the township or rural Soviet and, in-between sessions, without the consent of its executive committee.

Any decision by the township or rural Soviet, or by its executive committee, concerning the question indicated in the fourth part of the present Article may be cancelled by a corresponding higher Soviet or its executive committee, the case being brought before the township or rural Soviet for re-examination. If the Soviet confirms the initial decision, the case may be decided in substance by the territory or regional Soviet of People's Deputies, or by the Presidium of the Supreme Soviet of the Autonomous or Union Republic on representation by the procurator of the territory, region, or republic, respectively.

The deputy of the township or rural Soviet shall also be ensured other guarantees for his or her deputy activities as established by USSR, Union and Autonomous Republican legislation.

ARTICLE 12. For discussing the most important questions concerning the life of citizens, and explanation to the people of the legislation and major decisions of the Soviet and higher state bodies, the executive committee of the township or rural Soviet shall convene general meetings and gatherings of all the citizens residing on the territory of the given township or rural Soviet or in individual populated areas, streets and blocks, and also meetings of representatives of residents of the given township or village.

At general meetings and gatherings of citizens of the populated area, voluntary rural committees may be elected, accountable in their activity to the meeting that elected them, to the citizens' gathering, the township or rural Soviet and its executive committee. In conformity with the Union and Autonomous Republican legislation, the voluntary village committees may be assigned the execution of specific tasks by the executive committee of the rural Soviet in a given population centre.

Approved on April 8, 1968;
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No. 49, 1978, Item 797*

CONSULAR STATUTE OF THE USSR

Section I

Tasks and Organisation of Consular Institutions of the Union of Soviet Socialist Republics

Chapter I

General Provisions

ARTICLE 1. Consular institutions of the Union of Soviet Socialist Republics shall defend abroad the rights and interests of the USSR, and of juridical persons and citizens of the USSR.

Consular institutions shall assist in developing friendly relations between the USSR and other states, and in expanding economic, trade, scientific and technical, and cultural ties, and tourism.

ARTICLE 2. Consular institutions shall be: consular divisions of USSR diplomatic representations, consulates-general, consulates, vice-consulates, and consular agencies.

ARTICLE 3. In their activities, consular institutions shall be guided by the present Statute; by the legislation of the USSR and the Union Republics; by international treaties, to which the USSR or a Union Republic and the host state are parties; and by international customs.

ARTICLE 4. Consular institutions shall be subordinate to the Ministry of Foreign Affairs of the USSR and shall operate under the general political guidance of the head of the diplomatic representation of the USSR in the host country.

ARTICLE 5. Consular divisions of the USSR diplomatic representations shall be headed by consular division heads

called consuls-general or consuls. Consulates-general, consulates, vice-consulates, and consular agencies shall be headed by consuls-general, consuls, vice-consuls, and consular agents, respectively.

ARTICLE 6. Consuls shall fulfil functions stipulated by the present Statute.

Consuls may perform other functions not stipulated by the Consular Statute, unless those functions contradict USSR legislation and the legislation of the host state.

ARTICLE 7. In states where there are no diplomatic representations of the USSR, the Consul, with the consent of the host state, may also be entrusted with diplomatic functions.

ARTICLE 8. The whereabouts and class of a consular institution and consular district shall be determined by agreement with the state where that institution is stationed.

ARTICLE 9. A consular institution shall have a seal depicting the National Emblem of the USSR and the name of the consular institution inscribed in Russian.

ARTICLE 10. A consular institution shall have the right to secure on the building it occupies a shield with the National Emblem of the USSR and the name of the consular institution in Russian and in the language of the state where the aforesaid consular institution is stationed.

ARTICLE 11. A consular institution shall have the right to fly the State Flag of the USSR over its building.

The consul shall have the right to fly the State Flag of the USSR over his residence, and also on his means of transportation.

ARTICLE 12. In the present Consular Statute, the terms cited have the following connotations:

"Consul" means consul-general, consul, vice-consul, or consular agent, who is head of a consular institution;

"Consular official" means any person, including the head of a consular institution, who is entrusted with the execution

of consular functions (consul-general, consul, vice-consul, consular agent, and secretary of a consular institution), and also a person assigned to a consular institution to be trained for service in consular institutions (a trainee):

“Employee of a consular institution” signifies any person employed in a consular institution in the execution of administrative or technical duties, or duties of servicing the aforesaid consular institution.

Chapter II

Personnel of Consular Institutions and Procedure for Appointing a Consul

ARTICLE 13. Consular officials and employees of consular institutions shall be state civil servants at the USSR Ministry of Foreign Affairs.

ARTICLE 14. Only USSR citizens may be consular officials.

ARTICLE 15. On being appointed to his post, a consul shall receive from the USSR Ministry of Foreign Affairs a written proxy in the form of a consular patent.

ARTICLE 16. The Consul shall start executing his duties after having received the consent (exequature) of the host state.

ARTICLE 17. If for any reason a Consul cannot execute his functions or his post is temporarily vacant, either another consular official of the given or other consular institution of the USSR or a member of the diplomatic personnel of the diplomatic representation of the USSR in the given state, shall be acting consul.

Chapter III

The Execution of Consular Functions

ARTICLE 18. The Consul shall execute the functions entrusted to him either personally, or entrust their execution to another consular official.

ARTICLE 19. The Consul may execute the consular functions of another state only on special directions from the USSR Ministry of Foreign Affairs and with consent of the host country.

ARTICLE 20. The Consul may apply to the authorities of the host country, within the bounds of his consular district, on all matters concerning the activities of the consular institution.

ARTICLE 21. The Consul shall tour his consular district at least once a year.

ARTICLE 22. Complaints about actions of consular officials and employees of consular institutions shall be examined by their direct superiors.

Section II

The Consul's Functions in Respect to Juridical Persons and Citizens of the Union of Soviet Socialist Republics

Chapter IV

General Provisions

ARTICLE 23. The Consul shall take measures so that juridical persons and citizens of the USSR fully enjoy all the rights granted them by the legislation of the host country and by international treaties to which the USSR or one of its Union Republics and the host state are parties, and also all the rights granted them by international customs.

The Consul shall accept both written and oral applications.

ARTICLE 24. The Consul shall take measures to restore infringed rights of juridical persons and individual citizens of the USSR.

ARTICLE 25. The Consul shall register USSR citizens who reside both permanently and temporarily in his consular district.

ARTICLE 26. The Consul shall render assistance in executing their official duties to representatives of USSR ministries, state committees, government agencies and organisations, and also to other USSR citizens sent on business trips abroad, who stay within his consular district.

ARTICLE 27. The Consul shall inform USSR citizens staying temporarily in his consular district about the laws and decrees of the host state and also about local customs.

The Consul's directions concerning their stay abroad are binding on USSR citizens.

ARTICLE 28. The Consul shall assist in making cultural and educational arrangements for USSR citizens staying in his consular district.

ARTICLE 29. The Consul shall have the right, without a special power of attorney, to represent USSR citizens in institutions of the state they are located in, if those citizens are absent and have not entrusted anyone with conducting their business, or are unable to defend their interests for other reasons. This representation shall continue until the citizens represented appoint their own representatives, or take over their own defence of their rights and interests.

Chapter V

The Consul's Functions Regarding the Military Registration of USSR Citizens

ARTICLE 30. In accordance with USSR legislation, the Consul shall register USSR citizens who are members of the military reserve, and secure the arrival of the USSR citizens (males) who have attained the age of 18 to military commissariats located in their places of permanent residence in the USSR to be called to active military service.

Chapter VI

The Consul's Functions With Regard to Fulfilling Commissions on Behalf of Soviet Investigatory Bodies or Courts

ARTICLE 31. The Consul shall fulfil commissions on behalf of Soviet investigatory bodies or courts with regard to USSR citizens, if this practice is not banned by the laws

of the lost state. The aforesaid commissions shall be executed with the observation of the procedural legislation of the USSR and the Union Republics.

Chapter VII

The Consul's Functions With Regard to Adoption of Children, Guardianship and Trusteeship

ARTICLE 32. The Consul shall have the right to grant the adoption of children who have Soviet citizenship and reside outside the USSR.

If the adopter is not a USSR citizen, to adopt the child he shall obtain special permission of a Union Republican body authorised therefor.

ARTICLE 33. The Consul shall take measures to establish guardianship and trusteeship over USSR citizens under age staying in his consular district and left without parental trusteeship.

The Consul shall take measures to establish guardianship and trusteeship also over adult USSR citizens who, owing to their state of health, cannot independently exercise their rights and discharge their duties.

Chapter VIII

The Consul's Functions in Relation to Property of USSR Citizens

ARTICLE 34. The Consul shall take measures to protect property left after the death of a USSR citizen.

If that property consists either fully or partially of items subject to damage, or which may be too expensive to store, the Consul has the right to sell that property and send the money obtained for it to those entitled to it.

ARTICLE 35. The Consul shall have the right to accept inherited property for transfer to its heirs staying in the USSR.

ARTICLE 36. The Consul may accept for deposit money, valuables, securities, and documents belonging to USSR citizens.

In case the person to whom the property belongs dies, the provisions of Art. 34 of the present Statute shall be applied to that property.

Chapter IX

The Consul's Functions in Relation to USSR Citizens Who Have Been Arrested, Detained, or Otherwise Deprived of Freedom, or Who Are Serving Sentence

ARTICLE 37. The Consul shall make sure that the laws of the state of their residence and the treaties concluded by the USSR with that state, are observed in relation to USSR citizens taken into custody (arrested) or detained on suspicion of committing a crime, or those subjected to other measures restricting their freedom, or those serving sentences in the form of deprivation of liberty, and those subjected to other measures of judicial or administrative action.

The Consul shall, on request of interested persons and on his own initiative, visit USSR citizens staying in places of confinement and ascertain the conditions in which they are kept. The Consul shall make sure that such citizens are kept in conditions that meet the requirements of hygiene and sanitation and are not subjected to cruel or humiliating treatment.

Chapter X

The Consul's Functions on Matters of Passports and Visas

ARTICLE 38. The Consul shall have the right to issue and extend USSR citizens' passports, and to make changes therein.

ARTICLE 39. The Consul shall have the right to grant, extend, and cancel visas for entry into the USSR, exit from the USSR, and transit via USSR territory, and also to make changes in granted visas.

Chapter XI

The Consul's Functions on Matters of Citizenship

ARTICLE 40. The Consul shall have the right to accept applications on matters of USSR citizenship from persons residing in his consular district.

ARTICLE 41. The Consul with consent of the head of the USSR diplomatic representation in the host state may submit petitions for depriving of USSR citizenship persons who have perpetrated actions defaming the high title of citizen of the USSR and damaging the prestige or state security of the USSR.

Chapter XII

The Consul's Functions on Registry Records

ARTICLE 42. In conformity with the legislation of the USSR and the Union Republics, the Consul shall act as registrar of USSR citizens.

The Consul shall accept petitions from Soviet citizens permanently residing abroad for changes, amendments and additions to be made in a given registry record, for lost entries to be restored, and also on changing his or her surname, or name and patronymic, and shall send the aforesaid petitions for examination by competent authorities.

ARTICLE 43. Upon receipt of information regarding the birth or death of someone on board a sea vessel or aircraft of the USSR, the Consul, in accordance with current USSR legislation, shall register the respective birth or death.

ARTICLE 44. Instructions on the procedure involving registration by the Consul of registry records shall be endorsed by the USSR Ministry of Justice and the USSR Ministry of Foreign Affairs.

Section III

Notarial Deeds, Consular Legalisation, and Consulage

Chapter XIII

Notarial Deeds

ARTICLE 45. The Consul shall execute the following notarial deeds:

(1) certify deals (contracts, wills, powers of attorney, etc.), with the exception of contracts on assignment and mortgage of dwelling houses located in the USSR;

- (2) take measures for protecting inherited property;
- (3) issue certificates on the right of inheritance;
- (4) issue certificates on the right of ownership of shares in common property of spouses;
- (5) certify copies of documents and excerpts therefrom;
- (6) certify the authenticity of signatures in documents;
- (7) certify the authenticity of translations of documents from one language into another;
- (8) certify the fact that a citizen is alive;
- (9) certify a citizen's whereabouts;
- (10) certify that a given citizen is identical with the person depicted in a photograph;
- (11) certify the time when documents were submitted;
- (12) accept for deposit money and securities;
- (13) perform endorsements of execution;*
- (14) accept documents as depository;
- (15) secure evidence;
- (16) file ship's protests.

Other notarial deeds to be executed by the Consul may also be stipulated by USSR legislation.

The procedure for executing notarial deeds by the Consul shall be determined by the Law on State Notary Office, by the present Statute and by other legislative acts of the USSR. Instructions on the procedure for executing notarial deeds by the Consul shall be endorsed by the USSR Ministry of Justice and the USSR Ministry of Foreign Affairs.

ARTICLE 46. Notarial deeds shall be executed in a consular institution of the USSR. In some cases, notarial deeds may be executed outside the aforesaid institution.

ARTICLE 47. The Consul who executes notarial deeds shall keep the aforesaid in secrecy.

References on executed notarial deeds and documents shall be issued in conformity with USSR legislation on the State Notary Office.

ARTICLE 48. Notarial deeds shall be executed on the day of presentation of all documents essential therefore, and after a consulage has been paid and actual expenditure remunerated.

* See p. 88 of the present collection.— *Ed.*

Execution of notarial deeds may be postponed when there is need to obtain additional information or documents, or to send documents for examination, and also on other grounds stipulated by the legislation of the USSR and the Union Republics.

ARTICLE 49. Deals to be notarially certified, and also applications and other documents, shall be signed in the presence of the Consul who executes notarial deeds. If the deal, application, or some other document was signed in the Consul's absence, the signatory shall personally confirm that the document was signed by him (her).

The Consul who executes notarial deeds shall explain to USSR citizens their rights and duties, and forewarn them of the consequences of the notarial deeds executed by him, so that legal ignorance or other similar circumstances could not be used to their detriment.

ARTICLE 50. The Consul may not execute notarial deeds in his own name and on his own behalf; nor shall he (she) do that in the name or on behalf of his (her) spouse, or her (his) direct relatives.

ARTICLE 51. Notarial clerical work in a consular institution shall be conducted in the same language as the one used for clerical work by the aforesaid consular institution.

If the person who had applied for a notarial deed to be executed does not know the language in which clerical work is normally done, the texts of the executed documents shall be translated for him by the Consul executing the given notarial deed, or by a translator known to the Consul.

ARTICLE 52. If the Consul comes to know of an inheritance open in favour of Soviet citizens residing in the USSR, he shall report to the USSR Ministry of Foreign Affairs without delay all the information known to him on that inheritance and on possible heirs.

ARTICLE 53. If execution of a notarial deed contradicts the legislation of the USSR and the Union Republics, the Consul shall refuse to execute the said deed.

The Consul shall not accept documents for executing notarial deeds, if those documents do not meet the require-

ments of the legislation of the USSR and the Union Republics, or may, in regard to their contents, inflict harm on the interests of the Soviet state, or contain information that defames the honour and dignity of citizens.

At the request of the person he should be notified of the reasons for the Consul's refusal to execute a given notarial deed and explained the procedure for appealing against it.

ARTICLE 54. Norms of foreign law shall be applied when executing notarial deeds in accordance with the legislation of the USSR and the Union Republics, and in conformity with international treaties, to which the USSR or a given Union Republic, and also the state where the consular institution is stationed, are parties.

The Consul accepts documents drawn up in conformity with the requirements of foreign law, and execute certified inscriptions in the form stipulated by foreign legislation, unless this contradicts the principles of the Soviet system.

Chapter XIV

Consular Legalisation

ARTICLE 55. The Consul shall legalise documents and acts executed with participation of the authorities of the respective consular district, or issued by those authorities.

Agencies of the USSR and the Union Republics shall accept such documents and acts for examination only when they have been legalised by the Consul in question, if otherwise it is not stipulated by USSR legislation or by an international treaty, to which the USSR or a Union Republic and the state of residence are parties.

Consular legalisation shall consist in establishing and certifying the authenticity of the signatures in these documents and acts, and their conformity with the laws of the state of residence.

The procedure for consular legalisation shall be established by the USSR Ministry of Foreign Affairs.

ARTICLE 56. Documents and acts that contradict the legislation of the USSR and Union Republics, or may with regard to their content inflict harm on the interests of the Soviet state, or those that contain information defaming the honour and dignity of citizens, shall not be legalised.

Chapter XV

Consular Fees

ARTICLE 57. Consular fees shall be charged for consular deeds executed abroad and on USSR territory.

Actual expenses involved in executing the aforesaid deeds shall also be compensated.

ARTICLE 58. Consular fees shall be charged in accordance with the USSR Rate of Consular Fees: abroad, in the currency of the host country, and in the USSR, in roubles.

ARTICLE 59. The rate of consular fees shall be established by the USSR Ministry of Foreign Affairs by agreement with the USSR Ministry of Finance.

The Consul shall be granted the right to lower the rate of consular fees, or not to collect it from certain persons at their request, if they have valid reasons for doing so.

ARTICLE 60. Consular fees shall be the revenue of the USSR budget.

ARTICLE 61. Consular fees shall not be collected in the following instances:

(a) in case of an international treaty which provides for non-collection of consular fees and to which the USSR and the host state are parties;

(b) in cases related to the repatriation of Soviet citizens;

(c) for issuing visas against foreign diplomatic passports on a mutual basis;

(d) when obtaining and legalising documents on work seniority, social security, alimony, and when otherwise envisaged by USSR legislation.

Section IV

The Consul's Functions in Relation to Soviet Warships and Auxiliary Naval Vessels

ARTICLE 62. The Consul shall in every possible way help Soviet warships and auxiliary naval vessels (further called ships) located within his consular district in port and territorial and inland waters of the host state in matter

of liaison, relations with local authorities, supplying of materials and equipment, and in other matters.

In the absence of a naval (military) attaché, the Consul shall take part in resolving all questions connected with calls by ships.

ARTICLE 63. On receiving information about the scheduled arrival of ships at a port located within the consular district, and if a pilot is needed for the ship to enter port, the Consul shall take measures for the pilot's timely arrival on board ship.

ARTICLE 64. On the ship's arrival, the Consul shall immediately give its commander any information needed for dealing with local authorities, specifically on the sanitary state of the locality, port regulations, and local laws and customs, which shall either be observed, or to which the ship's commander and crew shall adhere.

ARTICLE 65. The Consul must personally visit the ship or a naval unit that has arrived at his first opportunity.

In case of need, the Consul shall accompany the commander of the ship (a naval unit) when calling on officials of the state of posting.

ARTICLE 66. In case a seriously ill crew member is to be left for medical treatment in the host state, the Consul shall watch the course of treatment and secure his return to the USSR.

Should a crew member die, the Consul shall take measures for his burial with due honours or for returning the body of the deceased to the USSR. Documents and personal belongings of the deceased shall be forwarded to the USSR.

ARTICLE 67. In case of shipwrecks, collisions, or other accidents at sea, the Consul shall take all possible measures to render the necessary aid to ships, and to provide for adequate legal formalisation of the accident that had taken place.

ARTICLE 68. The Consul shall help the commander of the ship (a naval unit) in establishing contact with his superior command, and shall also render him assistance in forwarding the ship's official mail.

ARTICLE 69. The Consul shall recommend firms and provide the commander of the ship (a naval unit) with information that may help him swiftly replenish the ship's stores with a quality goods, and shall also visa all the accounts and documents presented to him by the ship's commander.

ARTICLE 70. The provisions of Section IV of the present Statute shall accordingly apply also to aircraft (helicopters) of the USSR Armed Forces.

Section V

The Consul's Functions in Relation to Merchant Vessels of the Union of Soviet Socialist Republics

Chapter XVI

The Consul's Functions on Arrival and During Moorage of Vessels

ARTICLE 71. The Consul shall make sure that in ports and territorial and inland waters in the host state, and within the bounds of his consular district, merchant ships are granted in full scope the rights and immunities in accordance with the legislation of that state and any international treaties to which the USSR and that state are parties.

ARTICLE 72. The Consul shall render assistance and necessary aid to ships' masters in ports and territorial and inland waters of the Consul's host state.

ARTICLE 73. The Consul shall make sure that the ship's master inform him of the vessel's arrival in a port of the host state and of details of the voyage.

The Consul shall have the right to demand that the master appear at the respective consular institution to report on the circumstances of the voyage.

ARTICLE 74. The Consul shall have the right to visit the vessel at any time.

ARTICLE 75. The Consul shall mark in the crew list all changes made in crew personnel during the voyage and while in port.

ARTICLE 76. The Consul shall have the right:

(a) to help the vessel enter port, leave port, and stay in port;

(b) to clarify the circumstances of accidents on board, and to question the captain and crew;

(c) to help resolve labour disputes that may arise between the captain and crew.

ARTICLE 77. The Consul shall render all possible assistance in conducting cultural and educational work among the crew, and also in strengthening their labour discipline.

ARTICLE 78. In case a merchant vessel is purchased abroad, the Consul shall grant a temporary certificate permitting it to sail under the State Flag of the USSR.

The Consul shall have the right to receive, draw up, or certify any declaration or any other document relating to USSR vessels, and stipulated by USSR legislation or by international treaties of the USSR.

ARTICLE 79. The Consul shall have the right to send USSR citizens, mail, and cargo on board Soviet vessels bound for USSR ports.

Chapter XVII

The Consul's Functions When Vessels Leave Port

ARTICLE 80. The Consul, if need be, shall grant the ship's master a certificate indicating the ship's time of arrival and departure, the date when the master has appeared at the consular institution, the port of destination, the number of passengers aboard, and the amount, type, and destination of the cargo aboard.

ARTICLE 81. If the Consul has information that it would be unsafe, undesirable or impossible for a vessel to call at a given port, he shall forewarn the master of the departing vessel accordingly.

ARTICLE 82. In case of extreme necessity, the Consul shall have the right to detain a ship ready for departure to sea, or to demand that it sail earlier than planned by the master, even prior to completion of loading and unloading operations. In this case, an appropriate note is made in the ship's log, indicating the reasons of delay or the reasons for demanding the vessel's immediate departure.

Chapter XVIII

The Consul's Functions in Case of Shipwreck or Accident

ARTICLE 83. In case of shipwreck or accident, the Consul shall take all possible measures for saving the passengers, crew, vessel, and cargo.

ARTICLE 84. The Consul shall accept the master's statement on the loss or damage of the vessel or cargo, or on the supposed damage of the vessel or cargo, and also make out, at the master's request, the ship's protest.

The ship's protest shall be based on the master's statement and records in the ship's log, and also on interviewing the master himself and, if possible, at least two witnesses from among the officers and two from among the crew. The Consul shall certify the ship's protest with his signature and seal bearing a coat of arms.

At the master's request, he shall be issued a certificate of his protest and the ship's protest itself.

ARTICLE 85. The Consul shall render assistance to the passengers and crew of the shipwrecked or otherwise damaged vessel, including, when need be, assistance in returning them to the USSR.

Chapter XIX

The Consul's Functions in Case of Illness or Death of Crew Members

ARTICLE 86. In case of illness of any of the crew member during the vessel's voyage or stay in a foreign port, the Consul shall render assistance in placing the sick crew member in a hospital of that state.

ARTICLE 87. In case a seriously ill crew member is left for treatment in the Consul's host state, the Consul shall follow the course of treatment and secure his return to the USSR.

Should a crew member die, the Consul shall take measures for his burial with due honours, or for returning the body of the deceased to the USSR. Documents and personal belongings of the deceased shall be forwarded to the USSR.

Section VI

The Consul's Functions With Regard to Civil Aircraft of the Union of Soviet Socialist Republics

ARTICLE 88. The Consul shall render assistance to the commander, crew and passengers of a civil aircraft of the USSR (henceforth termed as aircraft) in public relations with the authorities of the host state, and also take all possible measures for returning, in case of need, the aircraft and its crew and passengers to the USSR, or for continuing the flight.

ARTICLE 89. The Consul shall have the right:

(a) to help the aircraft land at or take off from an airport, or to stay there;

(b) to clarify the circumstances of incidents occurring on board the aircraft, and to question the commander and crew members;

(c) in case of need, to take measures for providing treatment of the aircraft crew and passengers and for their returning to the USSR;

(d) to obtain, compile, or certify any declaration or other document in relation to the aircraft as stipulated by USSR legislation or international treaties of the USSR.

ARTICLE 90. In case of a crash, forced landing, or other accident involving an aircraft within the consular district, the Consul shall render necessary assistance to the crew and passengers.

The Consul shall also take all possible measures for protecting the aircraft that had either crashed or made a forced landing, and the cargo and exhibits testifying to the nature of the accident and help USSR specialists to investigate it.

ARTICLE 91. In case of crimes on board an aircraft, the Consul shall render assistance to its commander in fulfilling duties that follow from the legislation of the USSR and international treaties of the USSR.

ARTICLE 92. The Consul shall have the right to send USSR citizens, mail, and cargo aboard Soviet aircraft flying to USSR airports.

Section VII

The Consul's Functions in Relation to Motor Vehicles, Railway Rolling Stock and River Vessels

ARTICLE 93. In executing his consular functions in relation to motor vehicles, railway rolling stock and river vessels, the Consul shall be guided by provisions of Sections V and VI of the present Statute.

Section VIII

The Consul's Functions in the Sphere of Sanitation, Phytosanitation and Veterinary Protection

Chapter XX

The Consul's Functions in Protection Sanitation

ARTICLE 94. Should diseases requiring quarantine appear in areas previously free of such diseases, the Consul shall immediately report this fact to the USSR Ministry of Health, indicating the name of the affected region, the number of cases, and measures taken by local authorities to counter the epidemic.

The Consul shall also inform representatives of other interested agencies of the USSR.

The Consul shall inform citizens who had obtained permission to enter the USSR that they must produce international inoculation certificates when entering the USSR.

Chapter XXI

The Consul's Functions in Phytosanitation and Veterinary Protection

ARTICLE 95. Should dangerous diseases or agricultural plant pests appear within the bounds of his consular district, and also in cases of mass diseases of cattle and poultry, or of danger that diseases common to both humans and animals might spread, the Consul shall immediately report to the USSR Ministry of Agriculture and the USSR Ministry of Health.

ARTICLE 96. The Consul shall inform citizens who had obtained permission to enter the USSR that, entering the USSR, they must produce veterinary certificates on animals, raw materials, and products of animal origin, and shall inform them of the regulations on importing seeds, live plants, planting material, and fresh fruit and vegetables into the USSR.

Section IX

Supernumerary Consuls

ARTICLE 97. The USSR Ministry of Foreign Affairs, by agreement with the state where the Consul stays, may entrust supernumerary consuls with execution of specific consular functions.

Both USSR citizens and foreigners may be supernumerary consuls of the USSR.

ARTICLE 98. The functions of supernumerary consuls shall be determined by the USSR Ministry of Foreign Affairs.

ARTICLE 99. Supernumerary consuls shall not be civil servants of the USSR.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on June 25,
1976

*Gazette of the USSR Supreme
Soviet*, No. 27, 1976, Item 404;
No. 7, 1981, Item 156

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STATUTE
OF DIPLOMATIC AND CONSULAR
REPRESENTATIONS OF FOREIGN STATES
ON THE TERRITORY OF THE USSR

GENERAL PROVISIONS

ARTICLE 1. As agencies of foreign states, diplomatic representations (embassies or missions), and also consular representations (consulates-general, consulates, vice-consulates, or consular agencies) on the territory of the USSR shall be granted for fulfillment of their functions the privileges and immunities indicated in the present Statute and specified in accordance with the rules of international law.

Privileges and immunities shall also be granted to the personnel of these representations in a scope determined by the articles that follow herein.

ARTICLE 2. All persons who enjoy the privileges and immunities indicated in the present Statute shall respect the laws, decisions and regulations effective in the USSR and its Union Republics.

ARTICLE 3. In cases where an international treaty signed by the USSR has established other rules than those contained in the present Statute, the rules of the international treaty shall be valid.

ARTICLE 4. The present Statute (accordingly) covers diplomatic and consular representations of foreign states that may be opened on the territory of Union Republics by agreement between the respective republic and a foreign state.

DIPLOMATIC REPRESENTATIONS

ARTICLE 5. Heads of diplomatic representations in the capacity of ambassadors or ministers shall be accredited with the Presidium of the USSR Supreme Soviet, and in the capacity of *chargés d'affaires* with the Minister of Foreign Affairs of the USSR.

The accrediting state shall receive the consent (*agrément*) for the appointment of a given person as head of the diplomatic representation.

ARTICLE 6. Counsellors, trade delegates, military, naval and air attachés, first, second and third secretaries, attachés, and secretaries-archivists are members of the diplomatic personnel of a given representation. The diplomatic personnel of a representation also includes deputy trade delegates and assistant military, naval and air attachés.

Consent through diplomatic channels shall be obtained for appointment of a given person in the capacity of military, naval or air attaché.

ARTICLE 7. Premises occupied by the diplomatic representation shall be inviolable. Access thereto shall be possible only with the consent of the head of the diplomatic representation or the person replacing him.

These premises, the property therein, and means of conveyance belonging to the representation, shall enjoy immunity from all measures of compulsion, including search, seizure, and arrest.

The residence of the head of the diplomatic representation and the living quarters of members of the diplomatic personnel of the representation shall enjoy the same inviolability and protection as the premises of the representation.

However, the inviolability of the said premises and means of conveyance shall not give the right to use them for purposes incompatible with the functions of the diplomatic representation.

ARTICLE 8. The premises of the diplomatic representation and the residence of the head of the diplomatic representation may fly the flag and secure the emblem of the accrediting state.

The flag of the accrediting state may also be flown on the means of conveyance of the head of the diplomatic representation.

ARTICLE 9. The diplomatic representation may communicate unhindered with its government, with its country's consular representations on the territory of the USSR, and with its diplomatic and consular representations in third states, using conventional means of communication, coded telegrams, and diplomatic mail. The representation may install radio transmitters and use them only with permission of competent USSR authorities.

The archives, documents, and official correspondence of the diplomatic representation shall be inviolable.

Diplomatic mail shall be neither opened, nor detained. All packages constituting diplomatic mail shall bear visible external signs indicating their character and may contain only diplomatic documents and items designed for official use.

The order of admission of diplomatic mail across the state border of the USSR shall be determined by regulations issued by the USSR Ministry of Foreign Trade in agreement with the USSR Ministry of Foreign Affairs and the USSR Ministry of Finance.

While executing his duties, the diplomatic courier shall enjoy personal immunity; he may not be subjected either to arrest or detainment.

The appropriate agencies of the USSR and the Union Republics shall render diplomatic couriers all possible assistance to ensure their unhindered passage to their destination and the safety of the diplomatic mail they are transporting.

The provisions of the present article shall also apply to provisional diplomatic couriers appointed solely to transport specific diplomatic mail (ad hoc diplomatic couriers). Immunities provided for provisional diplomatic couriers shall be void as soon as they have delivered the given diplomatic mail to its destination.

Based on a special agreement with a foreign state, diplomatic mail may be sent through usual communication channels without a courier or be entrusted to a civil aircraft commander, who is not to be regarded as a diplomatic courier. The representation may send its employee to accept diplomatic mail directly from the aircraft commander.

ARTICLE 10. The diplomatic representation shall be released, on the basis of reciprocity, from paying all national and local taxes and duties.

This release shall not cover payments for specific services.

ARTICLE 11. The diplomatic representation, in conformity with the USSR legislation and regulations valid in the USSR, may take into the USSR items designed for official use; the head of the diplomatic representation and members of diplomatic personnel may also take into the USSR items designed for their personal use.

Items designed for official use by the representation shall not be subject to customs duties. Items designed for personal use by the head of the diplomatic representation and members of diplomatic personnel, including items acquired for initial household purposes shall not be subject to customs duties either.

The personal luggage of the head of the diplomatic representation and members of diplomatic personnel assigned to the representation shall be exempt from inspection, unless there are serious grounds to assume that such luggage contains items the import or export of which is prohibited or subject to special regulation.

The order of admission of the aforesaid items across the state border of the USSR and their exemption from customs duties and customs inspection shall be determined by regulations published by the USSR Ministry of Foreign Trade in agreement with the USSR Ministry of Foreign Affairs and the USSR Ministry of Finance.

ARTICLE 12. The head of the diplomatic representation and members of diplomatic personnel assigned to the representation shall enjoy personal immunity. They may not be detained or arrested.

ARTICLE 13. The head of the diplomatic representation and members of diplomatic personnel shall enjoy immunity from criminal, civil and administrative jurisdiction of the USSR and the Union Republics. However, the above mentioned individuals may be subject to the jurisdiction of the USSR and the Union Republics in case of explicit consent thereto by the accrediting state.

Immunity from civil jurisdiction shall not apply to cases when the head of the diplomatic representation and diplomatic personnel of the representation enter into legal relations as private persons in connection with civil actions on structures belonging to them in the USSR, inheritance, or activities exercised by them outside their official functions.

The head of the diplomatic representation and diplomatic personnel assigned to the representation shall not be obliged to testify as witnesses, and if they agree to do so shall not necessarily appear in courts or investigatory agencies.

ARTICLE 14. The head of the diplomatic representation and diplomatic personnel of the representation shall be exempt, on the basis of reciprocity, from all national and local taxes and duties, and from any personal conscription.

Exemption from taxes and duties shall not cover payments for specific services.

ARTICLE 15. The privileges and immunities envisaged in Arts. 11-14 of the present Statute shall apply to family members of the head of diplomatic representation, as well as to family members of diplomatic personnel of the representation, if the said family members reside together with the afore-mentioned individuals and are not Soviet citizens.

ARTICLE 16. The administrative and technical personnel of the diplomatic representation and members of their families residing with them shall, if this personnel and their family members are not Soviet citizens and do not reside in the USSR permanently, shall enjoy, on the basis of reciprocity the privileges and immunities envisaged in Art. 7 (in respect to inhabitable premises they occupy) and in Arts. 12-14 of the present Statute, with the exception that immunity from civil and administrative jurisdiction of the USSR and the Union Republics shall apply solely to acts committed by the administrative and technical personnel during execution of their official duties.

The persons described above shall also enjoy customs privileges for items acquired for initial household purposes.

On the basis of special agreements with foreign states, other privileges and immunities granted by the present Statute to diplomatic personnel may also be applied to the

afore-mentioned administrative and technical personnel, proceeding from the principle of reciprocity with regard to each respective state.

ARTICLE 17. The servicing personnel of the diplomatic representation who are neither Soviet citizens, nor permanent residents of the USSR, shall enjoy, on the basis of reciprocity, the immunity envisaged in Art. 13 of the present Statute in respect to actions committed thereby when executing their official duties; they shall also be exempt from taxes and duties on wages they receive in their official capacity, and from all personal conscription. Members of their families who reside together with them unless they are Soviet citizens or do not reside in the USSR permanently shall be exempt from all personal conscription on the basis of reciprocity.

On the basis of special agreements with foreign states, other privileges and immunities granted by the present Statute to diplomatic personnel may also be applied to the afore-mentioned servicing personnel, proceeding from the principle of reciprocity with regard to each respective state.

Domestic servants of the representation officials, if the former are neither Soviet citizens, nor permanent residents of the USSR, shall be exempt, on the basis of reciprocity, from taxes and duties on wages they receive as domestic servants.

ARTICLE 18. When they cross USSR territory as transit passengers, the head of the diplomatic representation and diplomatic personnel of the representation of a foreign state in third country, shall enjoy personal immunity and other immunities essential to ensure their transit. This also concerns their family members, who enjoy privileges and immunities and are either accompanying the afore-mentioned persons or travelling independently to join them or to return to their country.

Diplomatic couriers travelling as transit passengers across USSR territory shall enjoy the same immunity and protection as those afforded to diplomatic couriers making for the USSR.

CONSULAR REPRESENTATIONS

ARTICLE 19. The consular representation shall exercise its functions within a consular district. The location of a given consular representation and the boundaries of its consular district shall be determined by agreement between the USSR and a given foreign state.

The consul-general, consul, vice-consul and consular agent appointed by a foreign state and accepted in those capacities by the USSR Government as represented by the USSR Foreign Ministry shall be recognised as head of the consular representation.

ARTICLE 20. The appointment of a given person as head of the consular representation shall be certified by a consular patent. The head of the consular representation may start executing his duties after the USSR Ministry of Foreign Affairs has granted him a consular exequature.

ARTICLE 21. Premises occupied by the consular representation, as well as the residence of the head of the consular representation, shall enjoy inviolability on the basis of reciprocity. Access to those premises, or any coercive actions therein, may take place only on request or consent of the head of the consular representation or the head of the diplomatic representation of a given foreign state.

However, the inviolability of these premises shall not give the right to use them for purposes incompatible with the functions of the consular representation.

ARTICLE 22. The consular representation fly the flag and bear the emblem of the state it represents.

The flag of the represented state may also be hoisted over the residence of the head of the consular representation and, when this is connected with execution of official duties, be flown on his means of conveyance.

ARTICLE 23. The archives, documents, and official correspondence of the consular representation shall be inviolable.

ARTICLE 24. The consular representation may communicate unhindered with its government, with diplomatic

and consular representations of its country stationed in the USSR, and with diplomatic and consular representations of its country in third states via usual means of communication, coded telegrams, and diplomatic mail. The consular representation may install radio transmitters and use them only with the permission of competent USSR agencies.

ARTICLE 25. The consular officials, including the head of the consular representation, shall enjoy personal immunity and may not be subject to detention or arrest, except in cases when they are prosecuted for committing a severe crime, or when a court sentence that has come into legal force is being executed.

They shall enjoy immunity from criminal, civil and administrative jurisdiction of the USSR and the Union Republics vis-à-vis their official activities. However, this shall not apply to suits for compensation for damage inflicted by road accidents.

The consular officials, including the head of the consular representation, and also administrative, technical, and servicing personnel of the consular representation may not refuse to testify as witnesses, except in cases when the evidence to be given relates to their execution of their official duties. In case the consular officials, including the head of the consular representation, refuse to testify as witnesses, they may not be subjected to measures of compulsion.

ARTICLE 26. The consular representation shall be freed, on the basis of reciprocity, from all national and local taxes and duties.

The consular officials, including the head of the consular representation, and their family members residing with them who are not Soviet citizens, shall be exempt, on the basis of reciprocity, from all national and local taxes and duties, and from any personal conscription.

This privilege shall also be enjoyed by administrative and technical personnel of the consular representation and their family members who reside together with them, unless these officials and their family members are Soviet citizens or permanent residents of the USSR.

Exemption from taxes and duties shall not cover payments for specific services.

The servicing personnel of the consular representation

who are neither Soviet citizens, nor permanent residents of the USSR shall, on the basis of reciprocity, be exempt from paying taxes and duties on wages they receive at the consular representation, and from any personal conscription. Members of their families who reside together with them shall enjoy, on the basis of reciprocity, exemption from any personal conscription, unless they are Soviet citizens or permanent residents of the USSR.

ARTICLE 27. The consular representation, the consular officials, including the head of the consular representation, and administrative and technical personnel of the consular representation, and also members of their families shall, on the basis of reciprocity, be granted the same privileges in respect to customs duties as diplomatic representations or corresponding personnel of the diplomatic representation.

ARTICLE 28. On the basis of special agreements with foreign states, other privileges and immunities granted by the present Statute to diplomatic personnel, in addition to Arts. 25-27, may also be applied to consular officials, including the head of the consular representation, based on the principle of reciprocity in respect to each individual state.

FINAL PROVISIONS

ARTICLE 29. The privileges and immunities envisaged in the present Statute for diplomatic personnel of the representation shall apply to representatives of foreign states, to members of parliamentary and governmental delegations, and, on the basis of reciprocity, to officials of foreign delegations who come to the USSR to participate in inter-state talks, international conferences and meetings, or with other official assignments.

The afore-mentioned persons, who travel with the same purposes as transit passengers via the USSR, shall enjoy personal immunity and other immunities essential to ensure their passage.

This also shall apply to accompanying family members of the persons indicated in the present article, unless those family members are Soviet citizens.

ARTICLE 30. The privileges and immunities granted to international inter-governmental organisations on the territory of the USSR, to the representations of foreign states assigned to these organisations, and to their officials shall be determined by corresponding international treaties of the USSR.

ARTICLE 31. The USSR Ministry of Foreign Affairs shall issue documents certifying the applicability of this Statute to individuals, with the exception of persons mentioned in Arts. 9, 18 and 29, who may then enjoy the privileges and immunities listed herein.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on May 23,
1966

*Gazette of the USSR Supreme
Soviet*, No. 22, 1966, Item 387;
No. 7, 1981, Item 156

S T A T U T E

OF THE USSR TRADE REPRESENTATIONS ABROAD

ARTICLE 1. The USSR trade representations in foreign states shall be the agencies of the Union of Soviet Socialist Republics exercising abroad the rights of the USSR in the sphere of foreign trade and other types of external economic activity, including trade and economic and industrial co-operation, on the basis of state monopoly.

The USSR rights in the sphere of economic cooperation with and technical assistance to countries where there are counsellors for economic affairs at USSR embassies, shall be exercised by these counsellors.

The USSR trade representations shall be guided in their activities by the Constitution of the USSR, other legislation of the USSR, the present Statute, and also by international treaties to which the USSR and the state of posting are parties.

ARTICLE 2. The USSR trade representations shall execute the following principal tasks:

(a) represent USSR interests in the countries to which they have been assigned for all questions concerned with foreign trade and other types of external economic activity;

(b) promote foreign trade and other types of external economic activity between the USSR and the countries of posting;

(c) render assistance to Soviet foreign trade and other economic organisations that have in due order received the right to operate on foreign markets for concluding trade transactions with organisations and firms in the countries of posting;

(d) supervise the implementation of foreign trade treaties concluded between the USSR and the states of posting, supervise trade, economic, and industrial cooperation, and participate in working out proposals and in talks on concluding such international treaties.

ARTICLE 3. The USSR trade representations, on behalf of the USSR Council of Ministers, may also execute the tasks listed in Article 2 outside the countries of posting.

In countries where there are no USSR trade representations, trade relations shall be under the jurisdiction of trade counsellors of USSR embassies.

ARTICLE 4. In accordance with the tasks entrusted to them, the USSR trade representations shall:

(a) carry out work for implementing USSR foreign trade policy aimed at developing foreign trade and other types of external economic activity and creating the most favourable conditions thereto in the countries to which they have been assigned;

(b) ensure protection of USSR trade-political and economic interests in the countries to which they have been assigned;

(c) study the general economic conditions and trade situation in the countries to which they have been assigned and give corresponding information to the USSR Ministry of Foreign Trade and other USSR state agencies; inform institutions and organisations in the countries to which they have been assigned on economic and commercial conditions in the USSR;

(d) take part in the work of developing socialist economic integration of member-countries of the Council for Mutual Economic Assistance and for coordinating USSR state plans with those of the countries to which they have been assigned; promote the fulfillment of long-term special-purpose programmes of cooperation, bilateral long-term programmes of specialisation and cooperation of production, and international treaties concluded in order to realise those programmes;

(e) work towards improving the structure of foreign trade, enhancing its efficiency, and developing new forms of foreign trade and other types of the USSR's external eco-

conomic activity in the countries to which they have been assigned;

(f) in the countries to which they have been assigned, exercise control over observance by Soviet foreign trade and other economic organisations, which have in due order received the right to operate in foreign markets, of USSR legislation of foreign trade and other types of external economic activity, and also control over the activities of these organisations;

(g) assist Soviet foreign trade and other economic organisations in conducting talks and concluding and fulfilling foreign trade transactions with organisations and firms in the countries to which they have been assigned;

(h) issue permits for import of commodities to the USSR, for transit of goods via USSR territory and for reexport of Soviet goods, and also certificates on the origin of goods, and other documents required for conducting foreign trade and other types of external economic activity of the USSR with the countries to which they have been assigned;

(i) participate in inter-governmental commissions and committees for trade and economic and industrial cooperation, and in international economic organisations and their working bodies as regards foreign trade;

(j) assist in arranging for national trade and industry exhibitions of the USSR and for the participation of Soviet foreign trade and other economic organisations in international exhibitions and fairs in the countries to which they have been assigned;

(k) execute other functions in accordance with USSR legislation and international treaties to which the USSR and the countries to which they have been assigned are parties.

ARTICLE 5. USSR trade representations may, in their own name and on behalf of the USSR, execute transactions and other legal acts essential for implementing the tasks with which they are entrusted, and speak in court as plaintiffs or as plaintiff's representatives. As respondents, the USSR trade representations may speak in courts only with regard to disputes over transactions and other legal acts executed by USSR trade representations in the countries to which they have been assigned, and only in countries in relation to which the USSR, in international treaties or by

way of a unilateral statement, brought to the notice of competent agencies in the countries of their posting, had expressed consent for a given USSR trade representation to be under the jurisdiction of the court of the given country with regard to the afore-mentioned disputes.

ARTICLE 6. The Soviet state, with due regard to Article 5 of the present Statute, shall bear liability for the obligations of USSR trade representations.

The USSR trade representations shall not be liable for the obligations of Soviet foreign trade and other economic organisations, and Soviet foreign trade and other economic organisations shall not be liable for the obligations of the USSR trade representations.

ARTICLE 7. The USSR trade representations shall be established on the basis of international treaties concluded between the USSR and the countries to which they are assigned.

ARTICLE 8. The USSR trade representations, being component units of USSR embassies in the countries of their stay, and enjoying the privileges and immunities of the latter, at the same time shall be subordinate to the USSR Ministry of Foreign Trade.

ARTICLE 9. The USSR trade representations shall be led by trade delegates appointed to and relieved from that post by the USSR Council of Ministers according to representations of the USSR Ministry of Foreign Trade by agreement with the USSR Ministry of Foreign Affairs. Deputy trade delegates of the USSR trade representations and trade counsellors of the USSR embassies shall be appointed to and relieved of their posts in the same manner.

When necessary, the USSR Council of Ministers shall empower the USSR trade delegates to be accredited to the competent agencies of the countries to which they have been assigned.

ARTICLE 10. The USSR Ministry of Foreign Trade shall determine the structure and staff of the USSR trade representations.

ARTICLE 11. The USSR trade representations may have branches in the countries to which they have been assigned. These branches shall be established on the basis of international treaties concluded between the USSR and the countries to which they have been assigned.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on September 29,
1982

*Gazette of the USSR Supreme
Soviet, No. 40, 1982, Item 769*

D E C R E E
OF THE PRESIDIUM OF THE USSR SUPREME SOVIET
ON THE FUNCTIONING OF THE JOINT ECONOMIC
ORGANISATIONS OF THE USSR AND OTHER CMEA
MEMBER-COUNTRIES ON SOVIET TERRITORY

The Presidium of the Supreme Soviet of the USSR *decrees:*

1. To stipulate that joint economic organisations of the USSR and other CMEA member-countries shall be set up on Soviet territory in accordance with agreements to be reached between the USSR Government and the Governments of the CMEA member-countries concerned for the purpose of carrying on production, scientific-production or other economic activities in order to meet the requirements in certain industrial goods, raw materials and foodstuffs, and shall function on the basis of the legislation of the USSR and the Union Republics with exceptions made by inter-state or inter-governmental treaties of the USSR on setting up the afore-mentioned organisations.

2. The property of joint economic organisations provided for by this Decree is the common socialist property of the USSR and the respective CMEA member-countries and shall be managed operatively by the joint organisations, which, under the legislation of the USSR and the Union Republics, shall possess, use, and dispose of this property in conformity with the aims of the activities of the joint organisations, with planned assignments, and with designation of the property.

To stipulate that the land, its mineral wealth, waters, and forests may be granted to joint economic organisations for both commercial and free use.

3. The procedure for setting up joint economic organisations of the USSR and other CMEA member-countries and

the specific features of their functioning on Soviet territory shall be established by the Council of Ministers of the USSR.

Adopted on May 26, 1983

Gazette of the USSR
Supreme Soviet, No. 22,
1983, Item 330

S T A T U T E
OF THE FOREIGN TRADE ARBITRATION
COMMISSION OF THE USSR CHAMBER
OF COMMERCE AND INDUSTRY

1. The Foreign Trade Arbitration Commission of the USSR Chamber of Commerce and Industry, being a permanent court of arbitration, shall resolve disputes that ensue from contractual and other civil legal relations arising between juridical subjects of different countries in execution of foreign trade and other international economic, scientific and technological ties.

2. The Foreign Trade Arbitration Commission shall accept for consideration disputes in the presence of a written agreement between the conflicting parties concerning reference thereto for resolution of already existing or possible disputes. The agreement on referring the dispute for resolution by the Commission may also be expressed by the plaintiff by filing a lawsuit, and on the part of the respondent by executing actions that testify to this voluntary subordination to the Commission's jurisdiction, specifically by informing the Commission in reply to its inquiry of his consent to be subject to their jurisdiction.

The Commission shall also accept for consideration disputes which the conflicting parties shall refer to it for resolution in virtue of international agreements.

3. Disputes referred to the Foreign Trade Arbitration Commission shall be resolved by arbitrators who are endorsed by Presidium of the USSR Chamber of Commerce and Industry for a term of four years from among persons knowledgeable in those fields in which the Commission considers and resolves disputes.

The Commission's arbitrators shall elect from among themselves the Commission's Chairman and his deputies.

4. The arbitrators of the Foreign Trade Arbitration Commission shall be independent and impartial in executing their duties.

5. In the Foreign Trade Arbitration Commission, every case shall be examined by arbitration consisting of three arbitrators or by a single arbitrator. The selection of an arbitration panel and the election or appointment by the conflicting parties of a single arbitrator shall take place according to the Procedure Rules of the Foreign Trade Arbitration Commission.

6. The conflicting parties may press their lawsuits in the Foreign Trade Arbitration Commission either directly or through duly commissioned representatives appointed by the conflicting parties at their discretion, foreign nationals and organisations inclusive.

7. When cases are considered in the Foreign Trade Arbitration Commission, the latter may establish the amount and form of security for the lawsuit.

8. Procedure Rules in the Foreign Trade Arbitration Commission shall be endorsed by the Presidium of the USSR Chamber of Commerce and Industry.

9. Awards by the Foreign Trade Arbitration Commission shall be final and conclusive. They shall be executed by the conflicting parties voluntarily within a period of time established by the Commission. The Commission's awards not executed within that period of time shall be executed in accordance with the law and international agreements.

10. Calculation and distribution of arbitration dues and compensation of expenses borne by the Foreign Trade Arbitration Commission shall conform with the Statute on Arbitration Dues and Expenses and on the Costs of the Conflicting Parties as endorsed by the Presidium of the USSR Chamber of Commerce and Industry.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on April 16,
1975

*Gazette of the USSR Supreme
Soviet, No. 17, 1975, Item 269*

STATUTE
OF THE MARITIME ARBITRATION COMMISSION
OF THE USSR CHAMBER OF COMMERCE
AND INDUSTRY

1. The Maritime Arbitration Commission of the USSR Chamber of Commerce and Industry, being a permanent court of arbitration, shall resolve disputes involving contractual and other civil legal relations pertaining to merchant shipping. Specifically, the Maritime Arbitration Commission shall resolve disputes involving:

(a) chartering ships, transportation of freight by sea, and also transportation of freight in mixed (river-sea) navigation;

(b) tugging ships and other floating objects by sea;

(c) marine insurance and reinsurance;

(d) piloting ships through free and ice-bound waters, services by ship agents and ship chandlers to sea vessels and inland-water ships, when such operations are connected with navigation of those ships along sea routes;

(e) the use of vessels for carrying out scientific research, extracting minerals, and hydrotechnical and other work;

(f) salvaging sea vessels or inland-water vessels by sea vessels, and salvaging in sea waters of inland-water vessels by other inland-water vessels;

(g) salvaging vessels and other property sunk at sea;

(h) collisions of sea vessels, sea vessels and inland-water vessels, inland-water vessels in sea waters, and damage inflicted by vessels to port installations, navigation-orienting equipment and other objects;

(i) damage to fishnets and other fishery tools, and also other damage inflicted during fishing operations at sea.

The Maritime Arbitration Commission shall also resolve disputes arising in connection with navigation of sea vessels and internal-water vessels along international rivers in cases indicated in the present Article.

2. The Maritime Arbitration Commission shall accept for consideration disputes indicated in Art. 1 of the present Statute, provided the conflicting parties have a written agreement for transfer to the said Commission an already existing or possible dispute. The agreement for transferring the dispute for resolution by the Commission may also be expressed on the part of the plaintiff by filing a suit, and on the part of the respondent by execution of actions testifying to his voluntary subordination to the Commission's jurisdiction, specifically by stating, in response to the Commission's inquiry, his consent to submit to its jurisdiction.

The Commission shall also accept for consideration disputes which the conflicting parties shall be obliged to refer to its resolution in virtue of international agreements.

3. The Maritime Arbitration Commission shall consist of 25 members endorsed by the Presidium of the USSR Chamber of Commerce and Industry for a term of four years; these members must be qualified in the fields of specialisation pertinent to the Commission's work in resolving disputes.

The Commission's Chairman and his two deputies shall be elected from and by the Commission's membership for the duration of the Commission's mandate.

4. When a dispute is referred for resolution to the Maritime Arbitration Commission, each of the conflicting parties shall elect an arbitrator from among the Commission members.

5. In case the two arbitrators do not come to a consensus regarding how the dispute should be resolved, they shall elect a third arbitrator from among the members of the Maritime Arbitration Commission.

6. By agreement between the conflicting parties, resolution of the dispute may be entrusted to a single arbitrator elected jointly by the conflicting parties from among the members of the Maritime Arbitration Commission.

7. In case one of the conflicting parties does not elect an arbitrator, and also when no agreement is reached between arbitrators on the election of a third arbitrator, or between the conflicting parties on electing a single arbitrator, the Chairman of the Maritime Arbitration Commission shall

appoint the arbitrator, the third arbitrator or single arbitrator from among the Commission members.

8. Arbitrators of the Maritime Arbitration Commission shall be independent and impartial in executing their duties.

9. In cases subject to consideration by the Maritime Arbitration Commission, the Commission Chairman may, on request by one of the conflicting parties, establish the amount and form of the claim's security, specifically by taking a ruling on attachment the other conflicting party's vessel or cargo lying in a Soviet port.

10. When cases are considered by the Maritime Arbitration Commission, the Commission shall levy duties for covering expenses for the disposal of those cases, including remuneration to arbitrators, maintaining the Commission, summoning witnesses, experts and so on, in the amount of up to 2 per cent of the sum in dispute.

11. The conflicting parties may press their lawsuits in the Maritime Arbitration Commission either directly or through duly commissioned representatives, appointed by the conflicting parties at their discretion, including from among foreign nationals and organisations.

12. The procedure for considering disputes at the Maritime Arbitration Commission shall be determined by Procedure Rules of the Commission endorsed by the Presidium of the USSR Chamber of Commerce and Industry.

13. Within a month from the day the Maritime Arbitration Commission has taken an award, either conflicting party shall have the right to appeal against that award with the USSR Supreme Court, and the Procurator General of the USSR or his deputies have the right to submit a protest (forwarding a copy of the appeal or protest to the Commission).

In case the award of the Maritime Arbitration Commission has essentially violated or incorrectly applied existing laws, the Judicial Collegium for Civil Cases of the USSR Supreme Court shall invalidate that award on protest by the Chairman of the USSR Supreme Court or the Procurator-General of the USSR and their deputies, and remit the case to the Maritime Arbitration Commission for reconsideration by other arbitrators.

In this case, the Chairman of the Maritime Arbitration Commission shall determine the time within which new arbitrators shall be elected by the conflicting parties from

among the Commission members. If, however, the conflicting parties fail to elect new arbitrators within the prescribed period, they shall be appointed by the Chairman of the Commission.

14. If within a month no appeal or protest as indicated in the first part of Art. 13 of the present Statute is filed, the award of the Maritime Arbitration Commission shall take legal effect.

In case an appeal or protest is filed the award shall come into legal force from the day the appeal was declined, or from the day when the Judicial Collegium for Civil Cases of the USSR Supreme Court has decided to reject the protest.

15. The conflicting parties shall voluntarily comply with awards of the Maritime Arbitration Commission. A Commission award with which one of the conflicting parties has not voluntarily complied shall be executed in accordance with the law and international agreements when it comes into force.

16. The procedure for realising the security granted on the basis of Art. 9 of the present Statute shall be established by the Chairman of the Maritime Arbitration Commission when its award comes into legal force.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on October 9, 1980

*Gazette of the USSR Supreme
Soviet, No. 42, 1980, Item 868*

THE AIR CODE OF THE USSR

Chapter I

General Provisions

ARTICLE 1. *Sovereignty over the Air Space of the USSR*

The USSR shall exercise its full and exclusive sovereignty over the air space of the USSR, which is part of the territory of the USSR.

The air space of the USSR means air space over its land and waters, including the territorial waters (territorial sea) of the USSR.

ARTICLE 2. *Legislation to Regulate the Use of the Air Space of the USSR*

The use of the air space of the USSR for flight shall be regulated by this Code, other acts of USSR legislation and also by the Statute on the Use of the Air Space of the USSR, the Basic Rules for Flights in the Air Space of the USSR and other normative enactments approved in the manner determined by the Council of Ministers of the USSR.

ARTICLE 3. *The Sphere of Operation of the Air Code of the USSR*

The Air Code of the USSR shall regulate aviation for purposes of protecting the interests of the state, safeguarding the security of aircraft flights and meeting the needs of the economy of the USSR and individual citizens.

The operation of the Air Code of the USSR shall extend:

- 1) to all civil aviation within the borders of the USSR;
- 2) to all the civil aircraft of the USSR during their flights beyond the borders of the USSR unless stated otherwise by the laws of the country in which the aircraft is located.

The operation of Arts. 11, 19, 25-29, 33-37, 39-65, 71 and 143 of this Code shall cover all the aviation of the USSR.

ARTICLE 4. *The Use of Civil Aviation in the USSR*

In the USSR, civil aviation shall be used for the following purposes:

- 1) carrying passengers, luggage, cargo and mail;
- 2) performing tasks with aircraft in particular sectors of the national economy (using aircraft in agriculture, construction, forest protection, expedition supplying, etc.);
- 3) rendering medical aid to the population and implementing sanitary measures;
- 4) carrying experiments and scientific research;
- 5) participating in educational, cultural, and sporting activities;
- 6) carrying on search and rescue or emergency operations and rendering aid in case of natural disasters.

ARTICLE 5. *Civil Aviation Facilities in the USSR*

The USSR Ministry of Civil Aviation shall be the main body in charge of civil aircraft as well as airports, civil airfields and ground control equipment belonging to the Soviet state.

Other ministries, state committees and departments may be in charge, while cooperative and other non-government organisations may be in possession, of the civil aircraft and ground control equipment which are necessary to meet their needs, and manage civil airfields only with the authorisation of the USSR Council of Ministers.

ARTICLE 6. *Normative Acts of the USSR Ministry of Civil Aviation*

In accordance with this Code and other acts of USSR legislation, the USSR Ministry of Civil Aviation shall issue, within its jurisdiction, rules, regulations, instructions and other normative acts which are binding on ministries, state committees, departments, enterprises, institutions, organisations and individual citizens and which regulate the use of civil aircraft, the building and operation of airports and civil airfields, the flights of civil aircraft, the carriage of passengers, luggage, cargo and mail (including international flights), and the use of aviation in particular sectors of the national economy.

ARTICLE 7. *Aviation Personnel*

Soviet civil aviation workers whose activities are directly designed to achieve the aims listed in Art. 4 of this Code shall constitute aviation personnel and shall, in conformity with the posts held, undergo special training, know the Air Code of the USSR and also rules, guides, instructions and other acts regulating their work.

Depending on their profession, level of training and experience the flight staff and other aviation personnel shall be conferred a corresponding class and certified according to the list approved in the prescribed manner.

The air personnel and also the servicing personnel on board the aircraft, the personnel responsible for air traffic control, and the engineers and technicians who operate aircraft shall meet the established requirements for physical fitness.

ARTICLE 8. *Standards of Worthiness for Aircraft, Airfields and Their Equipment*

Civil aircraft, civil airfields and their equipment shall meet state requirements for flight safety provided for by the standards of air worthiness and fitness of airfields and their equipment.

The aforesaid standards shall be binding on all ministries, state committees, departments, enterprises, institutions and organisations which take part in the building, testing, mass production, commissioning, operation and repair of civil aircraft, airfields and their equipment. The procedure for elaborating and approving such standards shall be determined by the Council of Ministers of the USSR.

ARTICLE 9. *State Supervision of Air Safety*

State supervision of the safe use of civil aircraft by the appropriate ministries, state committees, departments, enterprises, institutions and organisations shall be carried out by the State Commission for Safe Flights of USSR Civil Aircraft (Gosavianadzor).

State supervision of the compliance of civil aircraft, civil airfields and their equipment with the standards of fitness for operation in the USSR shall be performed by the State Register of USSR Civil Aviation (Gosaviaregistr).

The Statute of the State Commission for Safe Flights of USSR Civil Aircraft and the Statute on the State Register

of USSR Civil Aviation shall be approved by the Council of Ministers of the USSR.

ARTICLE 10. *Aeroflot*

Civil aviation in charge of the USSR Ministry of Civil Aviation—Aeroflot—has a single flag and emblem according to a discription affixed thereto.

In international air communication Aeroflot shall act as an integral and independent aviation company that enjoys the rights of a juridical person.

ARTICLE 11. *Aircraft*

For purposes of this Code, the aircraft is a flying vehicle suspended in the atmosphere due to its interaction with the air which differs from the interaction with the air reflected from the earth surface.

The aircraft shall belong to the state in which it is registered.

Chapter II

Civil Aircraft

ARTICLE 12. *Civil Aircraft of the USSR*

For purposes of this Code, civil aircraft of the USSR shall be aircraft used for the aims listed in Art. 4 of this Code and entered in the State Register of USSR Civil Aircraft.

Civil aircraft shall not include aircraft belonging to the USSR Ministry of Defence, the USSR Ministry of the Interior, the USSR Committee of State Security, the Voluntary Society for Assisting the Army, Air Force and Navy, and also aircraft belonging to other ministries, state committees and departments intended for test-designing, experimentation and research in aviation and related technology.

ARTICLE 13. *Registration of Civil Aircraft*

The civil aircraft of the USSR shall be registered in the State Register of USSR Civil Aircraft.

A certificate of registration shall be issued upon entering an aircraft in the afore-mentioned Register.

The State Register of USSR Civil Aircraft shall be maintained and certificates of aircraft registration shall be issued by the USSR Ministry of Civil Aviation.

ARTICLE 14. *Recognition of Aircraft Registration*

From the moment an aircraft is entered in the State Register of USSR Civil Aircraft, all previous registrations in the aircraft registers of foreign states shall be null and void.

Equally, the USSR shall not recognise the entering of a USSR aircraft in the aircraft register of a foreign state unless this aircraft is excluded in the prescribed manner from the State Register of USSR Civil Aircraft.

ARTICLE 15. *Exclusion of a Civil Aircraft from the Register*

A civil aircraft of the USSR shall be excluded from the State Register of USSR Civil Aircraft in the following cases:

- 1) deregistration or removing an aircraft from service;
- 2) sale or transfer of an aircraft to a foreign state, foreign juridical or natural person in the prescribed manner.

ARTICLE 16. *Identification Marks of a Civil Aircraft*

When an aircraft is entered in the State Register of USSR Civil Aircraft it shall be given a state registration identification mark to be attached thereto. Identification marks of civil aircraft and the rules governing their attachment shall be established by the USSR Ministry of Civil Aviation.

Aircraft used in medical or sanitary service shall also carry a red cross or red crescent.

ARTICLE 17. *Putting a Civil Aircraft in Service*

A civil aircraft of the USSR may be put in service only after it is established that it meets the standards of air worthiness.

In accordance with this practice:

- 1) aircraft of a new type shall pass the manufacturer's, state and operation tests and receive an air worthiness certificate from the State Register of USSR Civil Aviation, provided that the results of the aforementioned tests determine that it corresponds to the air worthiness standards;
- 2) every aircraft of an accepted design shall pass, in the prescribed manner, the necessary tests and checks that serve as a basis for the issuance of its air worthiness certificate. Unless this certificate is granted, an aircraft may not be put into operation.
- 3) in the event the design of the aircraft is changed with-

out attendant requirement of a new air worthiness certificate and also after corresponding repairs or upon the expiration of the period of mass production or operation, the aircraft shall be subject to a new test in the prescribed manner.

The operation of every aircraft in a condition that meets the air worthiness standards shall be entrusted to the ministries, state committees, departments, enterprises, institutions and organisations that service the aircraft.

ARTICLE 18. *Aircraft documents*

The civil aircraft shall carry the following documents:

- 1) an aircraft registration certificate;
- 2) an air worthiness certificate;
- 3) flight logs;
- 4) a licence for airborne radios;
- 5) an air operation guide;
- 6) other documents provided for by the USSR Ministry of Civil Aviation.

The licence for airborne radios may be drawn up in the aircraft registration certificate.

ARTICLE 19. *Radio Call Sign*

Every aircraft of the USSR that has radio communication facilities shall be given a radio call sign in the prescribed manner.

ARTICLE 20. *Restrictions on the Rights of Using Civil Aircraft*

Restrictions on the right of using civil aircraft of the USSR (imposition of certain obligations, temporary or permanent withdrawal or other restrictions caused by special circumstances) may be made only with the authorisation of the Council of Ministers of the USSR.

ARTICLE 21. *Recognition of the Civil Aircraft Worthiness Certificate*

The civil aircraft worthiness certificate issued and enforced by a foreign state where a given aircraft was registered shall be recognised by the USSR provided the requirements of its issuance or enforcement meet those established in the USSR.

Chapter III

Civil Aircraft Crew

ARTICLE 22. *The Crew*

The crew of a civil aircraft of the USSR consists of a captain, other crew members and servicing personnel.

The crew's composition shall be determined by the USSR Ministry of Civil Aviation depending on the type, class or designation of the aircraft and also the purposes and terms of its operation.

No aircraft shall be allowed to fly with an incomplete crew.

ARTICLE 23. *Citizenship of Crew Members*

Only USSR citizens may be crew members of Soviet civil aircraft.

Exceptions to this rule may be instituted in a manner determined by the Council of Ministers of the USSR.

ARTICLE 24. *Captain of a Civil Aircraft*

The captain of a Soviet civil aircraft may be a person who is a pilot and has undergone training and accumulated experience necessary for independent control of the aircraft of a given type.

The captain shall direct the activities of his crew, keep strict discipline and order in the plane, ensure the observance of flight rules and aircraft operation and also adopt the necessary measures to safeguard the safety of people on board the plane, the aircraft itself and property therein.

ARTICLE 25. *The Captain's Rights*

The captain of the Soviet aircraft has the following rights:

- 1) to make a final decision on the aircraft's take-off, flight and landing and also on the flight's interruption and return to the point of departure or on a forced landing. In the event of a direct threat to flight safety and also for the purpose of saving the lives of people on board the plane this kind of decision may be made to depart from the flight plan, the instructions of air traffic control and the flight assignment, but as far as it is possible in accordance with the established flight rules. The captain shall immediately inform the ap-

propriate air traffic control body about the measures he has taken;

2) within the bounds of his competence to issue orders to any person on board the plane. These orders shall be fulfilled unconditionally;

3) to take all the necessary measures, including the use of weapons against persons who have created a direct threat to flight safety and do not obey his orders. Upon the arrival of the aircraft at the nearest airfield the captain may remove such persons from the plane and in the event an action is committed that contains the indices of a crime transfer them to the appropriate authorities;

4) defuel during a flight, drop luggage, cargo and mail if this is necessary to secure the safety of a flight and landing of the aircraft.

In the event of a forced landing the captain shall direct the actions of all persons on board the plane before he turns over his duties to competent authorities.

ARTICLE 26. *Procedures in the Event of Distress*

If the aircraft in flight is placed in danger, or if it is or has been in distress (Art. 59 of this Code), the captain shall take all measures to preserve the lives and health of the passengers and crew as well as the airplane and property therein.

All the crew members and, if need be, passengers shall be obliged to take part in rescuing people and the aircraft.

In the event of distress no crew member may leave the airplane without the captain's authorisation. The captain shall be the last to leave the aircraft.

To secure the safety of the aircraft in distress and its property, the captain shall have the right to conclude, on behalf of the organisation that exercises the operative control of the aircraft or owns it, contracts on the transportation of the airplane, cargo, mail and to take other measures dictated by the circumstances.

ARTICLE 27. *Rendering Assistance to Aircraft and Persons in Danger*

The captain who has received a distress signal from another aircraft or a sea vessel or a river or lake boat, or has discovered a ship that is or has been in distress, or people in danger, shall be obliged to render assistance, to the extent he may

do so, without endangering the aircraft entrusted to him, the passengers and the crew, to note the location of the disaster and inform the respective air traffic control body about this disaster.

ARTICLE 28. Relations of the Soviet Captain with Consuls of the USSR

The relations of the Soviet captain and other crew members with consuls of the USSR abroad shall be regulated by the Consular Statute of the USSR.

ARTICLE 29. Redressing the Harm Inflicted on Members of the Flight Crew

In the event a member of the flight crew of a Soviet aircraft is mutilated or otherwise injured when performing his duties during take-off, flight or landing, the organisation, which owns the aircraft or exercises operative control over it, shall be obliged to redress the injury in an amount exceeding the sum of the benefit he received or a pension granted to him after damage was caused to his health, unless it is proven that the damage was willfully inflicted by the victim.

In case of the loss of life by a Soviet aircraft crew member while performing his duties during take-off, flight or landing, the damage shall be redressed under the same rules and shall be awarded to those disabled persons who were supported by the deceased or had at the time of his death the right to maintenance from him, as well as to the child of the deceased, born after his death.

Chapter IV

Airfields. Airports

ARTICLE 30. Building Airfields and Airports

Airfields and airports shall be built for servicing aircraft that carry passengers, luggage, cargo and mail as well as for other purposes.

A strip of land or water specially equipped for the take-off, landing, taxiing, parking or servicing of an aircraft shall be called an airfield.

A complex of structures designed for the arrival or departure of aircraft and the servicing of air-freight lifts and

encompassing for these purposes an airfield, airline terminal and other ground structures and necessary equipment shall be called an airport.

ARTICLE 31. *Registration of Civil Airfields*

Civil airfields which are under the authority of the USSR Ministry of Civil Aviation, cooperative and other non-government organisations, save temporary airfields, airfields for aviation work and provision of aircraft landing areas, shall be subject to registration in the State Register of Civil Airfields of the USSR kept by the USSR Ministry of Civil Aviation.

A certificate of state registration and the fitness of an airfield for service shall be issued upon its inclusion in the afore-mentioned Register.

The procedure for state registration of airfields and the issuance of state registration certificates, and also the procedure for taking inventory of temporary airfields, airfields for the aviation work and provision of aircraft landing areas shall be established by the USSR Ministry of Civil Aviation.

The registration of joint base airfields shall be conducted in a manner prescribed by the Council of Ministers of the USSR.

ARTICLE-32. *Putting Civil Airfields into Service*

Every civil airfield may be put into service only after it has been established that it corresponds to the standards of serviceability.

Accordingly:

1) every newly built airfield shall be accepted by a special commission appointed in the manner prescribed by the Council of Ministers of the USSR;

2) in the event of a reconstruction of the airfield or its re-equipment, or after the expiration of a specified period of its service the airfield shall be inspected and accepted by a commission appointed in the manner prescribed by the ministry, state committee, department or organisation which is in charge of the airfield.

Civil airfields shall be put into service in the manner prescribed by the ministry, state committee, department or the organisation which is in charge of the airfields by agreement with the State Register of USSR Civil Aviation,

ARTICLE 33. *Building and Reconstruction of Airfields*

The building and reconstruction of airfields shall be agreed upon in the prescribed manner with the ministries, state committees and departments concerned.

ARTICLE 34. *Building within the Bounds of the Airfield's Adjacent Territory*

The planning, building and development of towns and other populated areas and also the building and the reconstruction of industrial, agricultural and other projects within the bounds of the airfield's adjacent territory shall be carried out in accordance with the aircraft flights' safety requirements, with due consideration for the potential consequences detrimental to the health of the population and the functioning of enterprises, institutions and organisations and by agreement with the ministries, state committees, departments and organisations which are in charge of the airfields.

ARTICLE 35. *Positioning of Various Units in the Airfield Area*

Buildings, structures, communication and high-voltage power transmission lines, radio engineering and other installations which may threaten the safety of aircraft flights or create disturbances in the normal functioning of the airfield radio engineering facilities shall be positioned in the airfield area by agreement with the ministries, state committees, departments and organisations which are in charge of airfields.

The list of these objects designated for geographical distribution shall be agreed upon and approved in the manner to be defined by the Statute on the Use of the Air Space of the USSR.

ARTICLE 36. *Marking of Airfields*

Airfields and runways shall be marked in accordance with the established rules for the purpose of identification from the air and orienting crews for the take-off and landing of aircraft.

It shall be forbidden to place in the airfield area any air markers and devices similar to air markers and devices used for identifying airfields.

ARTICLE 37. *Marking of Buildings and Structures*

To secure the safety of aircraft flights, the owners of buildings and structures shall be obliged to place on these buildings and structures day and night air markers and devices in accordance with the established rules at their own expense.

ARTICLE 38. *Links of Airfields with Populated Localities*

The airfields shall have a regular communication with the nearest towns and other populated areas.

The executive committees of local Soviets of People's Deputies shall provide for the building, reconstruction, improvement and the use of access roads to airfields, for regular traffic of passenger transportation along these roads, and also for telephone communication between the airfields and towns and other populated areas.

ARTICLE 39. *Control over the Observance of Requirements for Building in the Airfield Area*

The Councils of Ministers of the Union and Autonomous Republics, the executive committees of local Soviets of People's Deputies shall exercise control over the observance of the rules provided for by Arts. 34 and 35 of this Code when allotting in the prescribed manner plots of land for construction, for developing towns and other populated areas and also for the building and reconstruction of units listed in the above-mentioned articles.

Those enterprises, institutions and organisations as well as individual citizens who violate the rules provided for by Arts. 34 and 35 of this Code shall be obliged to tear down, transfer or modify the above-mentioned units at their own expense at the request of the ministries, state committees, departments and organisations which are in charge of airfields.

Chapter V

Aircraft Flights

ARTICLE 40. *The Preparation of an Aircraft for Flight*

The flight of an aircraft shall be preceded by the special preparation of the aircraft and its crew, by the verification of the readiness for a flight of the airfield's ground control for

the take-off and landing, by the study of meteorological and other conditions throughout the flight.

The rules for preparing flights and the designation of those persons responsible for such preparations shall be determined by the ministries, state committees, departments and organisations which possess aircraft.

ARTICLE 41. Acceptance of an Aircraft for Flight

Only aircraft carrying state registration identification marks shall be allowed to make flights in the air space of the USSR.

An aircraft shall be allowed to make flights only in the presence on board of:

- 1) a crew trained and permitted to fly that particular type of aircraft in appropriate flight conditions;
- 2) the necessary quantity of fuel;
- 3) a flight assignment, aircraft and other documents issued by ministries, state committees, departments and organisations which possess aircraft.

In accordance with test flight rules, departures from the requirements provided by this Article may be instituted for aircraft making test flights.

ARTICLE 42. Air Traffic Control Clearance and Aircraft Flight Plan

An aircraft flight shall be made only once clearance has been given in the prescribed manner.

Each flight shall be made in accordance with its plan approved in the prescribed manner. Departures from the flight plan shall be allowed only by authorisation of an air traffic control body with the exception of cases provided for by Point 1 of Art. 25 of this Code.

ARTICLE 43. Safe Altitudes and Flight Intervals

Aircraft flights shall be made at safe altitudes and at distances that preclude the collision of aircraft.

ARTICLE 44. Meteorological Conditions for Aircraft Flights

Aircraft flights shall be made only under appropriate meteorological conditions.

Every aircraft shall be supplied with data on weather conditions throughout its flight.

ARTICLE 45. *Organisation of Air Traffic*

Aircraft flights shall be made in the air space of the USSR along the air routes of the USSR, local air routes and established flight paths.

The direction and width of the air routes of the USSR, local air routes and flight paths and also flight altitudes shall be fixed in accordance with the flight safety requirements and with due consideration for the interests of the corresponding ministries, state committees, departments and organisations in the manner determined by the Statute on the Use of the Air Space of the USSR.

ARTICLE 46. *Equipment of USSR Air Routes and Local Air Routes*

USSR air routes and local air routes shall be equipped with radio navigation and other means of assuring aircraft flight safety.

ARTICLE 47. *Putting USSR Air Routes and Local Air Routes into Service*

The USSR air routes and the local air routes may be put into service only after it is established that they meet the requirements of aircraft flight safety.

USSR air routes and local air routes are put into service in the manner determined by the Council of Ministers of the USSR.

ARTICLE 48. *Measures Taken in Case of the Aircraft's Deviation from a USSR Air Route, Local or Other Air Route*

If during its flight the aircraft deviates from a USSR air route, local air route or fixed flight path the captain and air traffic control shall be obliged to take at once all possible measures for the aircraft's return to the USSR air route, local or other air route.

ARTICLE 49. *Interdiction on or Limitation of Flights*

Aircraft flights in the air space of the USSR or designated areas thereof may be fully interdicted or limited in regards to altitudes, time and direction in the manner prescribed by the Statute on the Use of the Air Space of the USSR.

ARTICLE 50. *Flights over Populated Areas*

Aircraft flights over populated areas may be made only at

an altitude that makes it possible to land beyond these areas or at the nearest airfield in the event of the aircraft's malfunction.

Aircraft demonstration flights over populated areas shall be banned.

Departures from the rules of this Article shall be allowed in the manner prescribed by the Council of Ministers of the USSR.

ARTICLE 51. *Aerial Photography, Filming and Use of Radio Communication Facilities*

Aerial photography, filming and use of radio communication facilities shall be allowed in the manner defined by special rules.

ARTICLE 52. *Actions Threatening Flight Safety*

Any action connected with the use of the air space of the USSR which may threaten the safety of flights, including all types of air gunnery, missile launching, explosions, the launching of pilotless aircraft shall be allowed with the observance of necessary precautions only upon special authorisation received in the manner prescribed by the Council of Ministers of the USSR.

ARTICLE 53. *Invading Aircraft*

An aircraft that has crossed the border of the USSR without requisite authorisation of competent Soviet authorities, or has breached the rules of transit flights across the border of the USSR and the procedure of using the air space of the USSR, shall be recognised as an invader and shall be forced to land unless it complies with the requirements of the flight controller.

The invading aircraft which has received landing authorisation shall land in the area prescribed.

After ascertaining the reasons for the invasion the aircraft may be given a further flight clearance in the prescribed manner by the air traffic controller.

ARTICLE 54. *Air Traffic Control*

Air traffic shall be controlled by the bodies of the USSR unified system of air traffic control and by the departmental bodies of air traffic control within the boundaries of particular areas and zones.

A statute on the USSR unified system of air traffic control shall be approved by the Council of Ministers of the USSR.

Constant radio communication shall be maintained between the aircraft in flight and the air traffic controller.

In the event radio communication is interrupted, the captain and air traffic controller shall be obliged to take emergency measures to restore it. Where it is impossible to restore radio communication the captain and the air traffic controller shall act according to the established rules.

ARTICLE 55. *The Meteorological and Radio Electro-Technical Support of Flights*

The meteorological and radio electro-technical support of flights shall be performed as prescribed by the Council of Ministers of the USSR.

ARTICLE 56. *Removal of Radio Interference in the Work of Radio Engineering Facilities*

Radio frequencies, protected from the sources of radio interference, shall be released in the prescribed manner in order to provide radio-technical support for flights and radio communication.

Enterprises, institutions, organisations and individual citizens who possess devices and apparatuses that cause noise which interferes with radio communication facilities and the radio-technical support of flights shall be obliged, at the request of the corresponding bodies of the USSR Ministry of Communication, to remove radio interference at their own expense and stop the work of these devices or apparatuses pending their removal.

ARTICLE 57. *Renting Communication Channels*

To provide flight safety, control of air traffic and other types of aviaional activity, the USSR Ministry of Communication shall rent the necessary communication channels to the ministries, state committees, departments and organisations concerned at their request.

When communication channels released for flight safety and the control of air traffic are damaged, they shall be replaced by other communication channels in the prescribed manner.

ARTICLE 58. *Use of Public Communication Facilities*

Public communication facilities may be used in the absence of rented communication channels for flight safety and the control of air traffic.

When assisting an aircraft which is or has been in distress, its crew and passengers, telephone conversations may be granted and telegrams may be transmitted on a priority basis but with payment according to customary rates.

In connection with emergency measures taken to provide flight safety and control of aircraft performing especially important flights telephone conversations shall be granted and telegrams transmitted on a priority basis but with payment according to customary rates.

The procedure for using public communication facilities for flight safety and the control of air traffic shall be determined by the USSR Ministry of Communication in agreement with the ministries, state committees, departments and organisations concerned.

ARTICLE 59. *Aircraft Which Is or Has Been in Distress*

The aircraft or the people on board it, placed in direct danger such that cannot be prevented by the actions of its crew, shall be recognised as being in distress.

The aircraft in distress shall give distress signals in the prescribed manner.

The aircraft which has been seriously damaged or fully destroyed during a take-off, flight, landing or descent and also the aircraft which has made a forced landing outside an airfield shall be recognised as having been in distress.

ARTICLE 60. *Rendering Assistance to Aircraft*

When an aircraft in flight is endangered or when it is or has been in distress, the air traffic controllers shall be obliged to take all possible measures to help this aircraft.

The search and rescue of aircraft which is or has been in distress, of their passengers and the crew members shall be organised and carried out by the USSR search and rescue service, which operates under special regulations.

The emergency rescue operations on the airfields' territory shall be conducted by the ministries, state committees, departments and organisations which are in charge of the airfields at their own expense.

Radio-technical and other facilities of enterprises, institutions and organisations in whose area the aircraft is or has been in distress may be used to conduct the search and rescue or emergency rescue operations.

Foreign aircraft which is or has been in distress shall be given assistance on the same basis as USSR aircraft.

ARTICLE 61. *Search for Aircraft*

The aircraft which is or has been in distress, or the aircraft with which communication has been lost, if its whereabouts are unknown, shall be the subject of an immediate search.

The executive committees of local Soviets of People's Deputies, as well as enterprises, institutions and organisations are required to inform at once the USSR air search and rescue service, the nearest civil aviation establishment or the nearest airfield about all cases of aircraft in distress and also render the necessary assistance in the search for aircraft. Individual citizens shall be obliged to report all cases of distress known to them to the executive committees of local Soviets of People's Deputies or to the nearest enterprises, institutions or organisations.

The executive committees of local Soviets of People's Deputies and also the enterprises, institutions and organisations in whose area an aircraft has been in distress shall be obliged, before the arrival of search and rescue groups, to take emergency measures to rescue people, to render them medical and other necessary assistance, and also to protect the aircraft and the documents, equipment and property therein.

ARTICLE 62. *Ceased Search for an Aircraft*

In cases where measures for the search of an aircraft have produced no results, the decision to cease the search shall be made by the head of the ministry, state committee or department which is in charge of the aircraft and, should an aircraft belong to a cooperative or other non-government organisation, the decision shall be made by its manager.

The decision to cease the search for a foreign aircraft within the boundaries of the USSR shall be made by the USSR Minister of Civil Aviation.

The aircraft, the search for which has officially ceased unless the whereabouts of the aircraft or its wreckage are established, shall be regarded as missing.

ARTICLE 63. *Aircraft Accident Investigation*

All aircraft accidents shall be subject to investigation in the prescribed manner.

The executive committees of local Soviets of People's Deputies as well as enterprises, institutions, organisations and individual citizens shall be obliged to render the necessary assistance in the investigation of aircraft accidents.

ARTICLE 64. Liability for Damage Caused to Third Persons by an Aircraft in Flight

The owner of an aircraft is liable for damage arising from the death or injury to the health of third persons and for damage caused to their property on Soviet territory by an aircraft in flight or an object which falls from it unless he proves that damage was caused by the victim's *dolus*, since a different provision is not stipulated by any international treaty to which the USSR and a foreign state concerned are parties.

For purposes of this Article, the aircraft shall be deemed to be in flight from the moment the take-off run is initiated to the completion of the landing run.

ARTICLE 65. Liability for Damage Caused During the Collision of Aircraft

In the event two or more aircraft collide, and also when one aircraft inflicts damage on another in near-collision the pecuniary liability of the aircraft owners *vis-à-vis* one another shall be determined by the following provisions:

1) the damage caused through the fault of one party shall be fully compensated by that party;

2) if the damage was caused through the fault of both (or several) parties, the liability of each shall be determined in proportion to the degree of fault; where it is impossible to establish the degree of fault of each party the liability shall be distributed between them in equal parts.

In the absence of fault on the part of either party in the infliction of damage no one of them shall have the right to claim damages from the other party.

No party whose aircraft was involved in a collision shall be supposed guilty unless otherwise proven.

Under the rules of this Code, the carrier shall be materially liable for the damage caused due to the loss of life or injury to the health of the aircraft passengers and also for the damage caused to the property of third persons on board the aircraft or assigned to the air line. Moreover, in accordance

with Points 1 and 2 in the first part of this Article, it shall have the right of recourse against the other party (parties) who contributed to the damage.

Chapter VI

International Flights

ARTICLE 66. *International Flight Rules*

For purposes of the present Code, every flight during which the aircraft crosses the state borders of the USSR or any other nation shall be recognised as an international flight.

The international flights of Soviet civil and foreign aircraft in the air space of the USSR shall be governed by the general rules regulating the flights and the operation of aircraft in the USSR with amendments and additions indicated in this Chapter and in the rules of flights of foreign aircraft in the air space of the USSR, which are issued by competent Soviet authorities and published in the Digest of Air Navigational Information.

ARTICLE 67. *International Flights of Soviet Civil Aircraft*

Soviet civil aircraft shall make international flights with the authorisation issued by the USSR Ministry of Civil Aviation in the prescribed manner.

Soviet civil aircraft on international flights shall display the National Flag of the Union of Soviet Socialist Republics.

ARTICLE 68. *International Flights of Foreign Aircraft*

Foreign aircraft shall make flights in the air space of the USSR on the basis and in conformity with the terms of:

- 1) international treaties of the USSR;
- 2) special authorisations for charter flights issued in the prescribed manner.

The identification marks of foreign aircraft shall be communicated by their owners to the USSR Ministry of Civil Aviation pending the initiation of regular international flights or charter flights.

Flights by foreign aircraft in the air space of the USSR may be subject to compulsory insurance or any other security of the aircraft owners' liability for damage to third persons, which is stipulated by Art. 64 of this Code. The

terms of this security shall be determined by the USSR Ministry of Civil Aviation.

ARTICLE 69. Air Routes and Airfields for International Flights

Foreign aircraft shall make their flights in the air space of the USSR only along fixed international air routes unless competent Soviet authorities establish a different procedure.

Lists of international air routes and airports (airfields) open to international flights shall be endorsed by the Council of Ministers of the USSR.

Lists of such routes and airports (airfields) and also all information which is necessary for their use in flights shall be published in the Digest of Air Navigational Information.

ARTICLE 70. Application of Passport, Customs and Other Regulations

Passport, customs, currency, sanitation, quarantine and other regulations governing entrance or departure and also governing the import and export of equipment and governing transit across Soviet territory shall apply to the aircraft, their crews and passengers who enter the USSR or leave it and also to airborne equipment which is imported to the USSR or exported from it.

ARTICLE 71. Aircraft Departure and Arrival

Soviet and foreign aircraft shall depart from and arrive in the USSR at airports (airfields) open to international flights where there are check-points of border troops and customs institutions. A different procedure for aircraft departure and arrival shall be permitted only with the authorisation of competent Soviet bodies.

ARTICLE 72. Acknowledgement of Flight Documents of Foreign Civil Aircraft

Flight documents on board foreign civil aircraft shall be acknowledged as effective on Soviet territory if they conform to the legislation of the state where the aircraft is registered.

Upon landing on Soviet territory foreign civil aircraft and flight documents for international flights may be subject to inspection.

In the absence of international flight documentation on

board the foreign civil aircraft or in the event there are grounds to believe that the aircraft is malfunctioning, that is, unsafe for flight, the USSR Ministry of Civil Aviation may forbid the departure of this aircraft.

ARTICLE 73. Measures to Prevent Acts of Unlawful Interference in Civil Aviation

Airlines whose aircraft perform international flights from, to or in transit through Soviet territory shall adopt all necessary measures to prevent or cut short acts of unlawful interference in civil aviation during these flights. These measures shall be applied according to corresponding laws and rules in force on Soviet territory.

Chapter VII

Passenger, Freight, Luggage and Mail Transportation

ARTICLE 74. Organisations Operating Air Services

Passenger, freight, luggage and mail transportation shall be performed for fixed payment by the aviation establishments of the USSR Ministry of Civil Aviation.

Other ministries, state committees, departments, and organisations possessing aircraft may carry passengers, freight, luggage and mail in order to meet their needs with the exception of cases provided for by USSR legislation.

Foreign civil aircraft may also carry Soviet passengers, freight, luggage and mail internationally.

ARTICLE 75. Air Routes and Aircraft Flight Schedule

Airlines regularly carrying passengers, freight, luggage and mail shall do so along air routes determined by the USSR Ministry of Civil Aviation.

The USSR Ministry of Civil Aviation shall secure the civil aircraft traffic according to schedule.

ARTICLE 76. Air Transportation Contract

Under the air passenger transportation contract the airline, (carrier) shall carry the passenger and his luggage to the point of destination by providing him a seat on board the aircraft that performs the flight indicated in his ticket, and, should the passenger book his luggage, the carrier shall de-

liver this luggage to the point of destination and hand it over to a person authorised to receive it. The passenger shall pay for transportation according to established rates and, in case of registration of luggage over and above the fixed standards, to pay for the carriage of that luggage.

Under the air freight and mail transportation contract the carrier shall be obliged to deliver freight entrusted to him by the consignor or mail to a point of destination and hand them over to the person (consignee) authorised to receive the freight or mail, while the consignor shall be obliged to pay for the carriage of freight or mail according to standard rates.

ARTICLE 77. Transportation in Direct Mixed Traffic with Air Transport Participation

Transportation by carriers of different types under one document (in direct mixed traffic) with air transport participation shall be regulated by this Code, USSR special legislation on such carriage, and by the rules approved by the USSR Ministry of Civil Aviation together with the appropriate transport ministries and departments.

ARTICLE 78. Carriage Documents

The air passenger transportation contract and its terms shall be certified by the ticket and, if luggage is transported, by the luggage receipt.

The air freight transportation contract, its terms and the receipt of freight for carriage shall be certified by the freight waybill.

The air mail transportation contract, its terms and the receipt of mail for carriage shall be certified by the mail waybill.

The procedure for drawing up a waybill and for using the technical means of formalising the freight or mail transportation contracts shall be determined by carriage regulations.

ARTICLE 79. Carriage Rates

The air passenger, freight, luggage and mail carriage rates and service dues shall be approved in the order prescribed by the Council of Ministers of the USSR. The rules of applying the afore-mentioned rates and collecting dues shall be introduced by the USSR Ministry of Civil Aviation.

ARTICLE 80. *Carriage Payment*

Payment for the air passenger, freight and luggage carriage shall be collected upon the issue of a carriage document unless otherwise is provided by carriage regulations.

ARTICLE 81. *Services and Privileges for the Passenger*

The carrier shall be obliged to organise services for passengers, to take care of them, and to provide exact and timely information about aircraft traffic.

The passenger shall have the right:

- 1) to carry luggage and personal luggage within set limits free of charge;
- 2) to take children with him free of charge or on easy terms (depending on their age);
- 3) to make use of certain services free of charge (including rest rooms, rooms for mother and child, and hotel accommodations when a flight is interrupted through the carrier's fault or when the aircraft is detained).

The procedure for rendering services and granting privileges shall be established by carriage regulations.

ARTICLE 82. *Termination of the Air Transportation Contract at the Passenger's Request*

The passenger shall have the right to waive the flight and receive back the sum of money he paid for carriage in the following cases:

- 1) when the passenger or a member of his family travelling with him on board the same plane falls ill;
- 2) when the aircraft's take-off is detained in a point of departure or when the carrier is replaced by an aircraft of another type;
- 3) when the aircraft fails to perform its flight and returns to its point of departure;
- 4) when the carrier is informed about the passenger's refusal to fly not later than the period prescribed by carriage regulations. Should the passenger refuse to fly at a time later than the one prescribed by the rules, the passenger shall have the right to receive back the sum of money he paid, with a penalty subtracted from this sum. The amount of the penalty shall not exceed 25 per cent of the payment for carriage in one direction.

The passenger shall have the right to refuse to fly and receive back the corresponding part of the sum of money

he paid when the flight is interrupted due to a forced landing or for any other reason, or when the passenger is not allowed enough time to make a transfer at a transit stop and in the event of illness of the passenger or a member of his family travelling with him on board the plane.

ARTICLE 83. *Booking Tickets for the Aircraft*

Enterprises, institutions and organisations, and individual citizens may book line tickets in advance. When there are free seats in planes the carrier shall accept the order and indicate the period of operation of reserved tickets. At the request of enterprises, institutions, organisations or individual citizens the carrier shall be obliged to take measures to reserve seats for a transfer flight or any other flight, including return trip.

The procedure for reserving seats and the consequences of being denied reserved seats shall be established by carriage regulations.

ARTICLE 84. *Planning Freight and Mail Carriage*

Freight and mail shall be carried by air transport according to plans approved in the prescribed manner.

Freight and mail not accounted for in the plans or brought in over and above the plan shall be carried according to preliminary requests of consignors met by the carrier without prejudicing the planned freight and mail carriage.

Freight and mail in small lots and household items shall be received for carriage at the consignor's request.

ARTICLE 85. *Freight and Mail Systematic Carriage Contract*

In the event of systematic air carriage of freight or mail belonging to one consignor over a definite period the carrier and the consignor may conclude a special contract defining terms according to the specific features of this carriage.

ARTICLE 86. *Liability for Non-Fulfilment of Carriage Plan*

For purposes of carriage plan fulfilment, the carrier shall be obliged to provide means of conveyance indicated in the plan, while the consignor shall be obliged to declare the cargo for carriage as envisaged by the plan.

For failure to provide conveyance indicated in the plan

and for the non-declaration of cargo envisaged by the plan and intended for carriage the carrier and the consignor shall be mutually liable by paying a fine amounting to 25 per cent of carriage payment for the cargo that was not declared or delivered but prepared for loading.

The carrier and the consignor shall bear the same liability for non-fulfilment of obligations involved in the extraordinary or above-plan carriage of cargo ordered by consignors and accepted by the carrier.

In the event of non-provision of conveyance necessary for the fulfilment of a monthly carriage plan, the carrier shall be obliged, at the request of the consignor, to provide conveyance to make up the difference during the next month of a given quarter. The conveyance which was not provided in the last month of the given quarter shall be provided in the first month of the next quarter.

The procedure for providing conveyance to make up for underloading shall be established by agreement between the carrier and the consignor. When the agreed procedure is violated, the carrier, for the non-provision of conveyance, and the consignor, for not presenting cargo for carriage, shall bear liability established for the non-fulfilment of the carriage plan.

For non-fulfilment of the mail carriage plan the carrier and the consignor shall be liable in the manner and in the amount provided for by mail carriage regulations.

ARTICLE 87. *Exoneration from Liability for Non-Fulfilment of the Carriage Plan*

The consignor shall be exonerated from liability for the non-declaration for carriage of freight or mail if this occurs due to a natural calamity or an accident at the consignor's enterprises which causes a production stoppage for not less than 3 days. The mail carriage regulations may provide additional grounds for exonerating the consignors from liability for not presenting mail for carriage.

The carrier shall be exonerated from liability for not providing conveyance if this occurs due to a natural calamity or unfavourable meteorological conditions when it is impossible to put the aircraft in flight.

ARTICLE 88. *Air Bill of Lading and Documents Attached Thereto*

With the delivery of cargo for carriage the consignor shall indicate in the air bill of lading the exact name of the cargo, its weight (mass), the number of pieces of cargo, its size, volume, the type of packing and its special properties.

The carrier shall have the right to check the accuracy of these data.

The weight (mass) of freight shall be determined by both sides upon receipt of cargo for carriage unless carriage regulations provide otherwise.

The consignor shall be obliged to hand over to the carrier together with the bill of lading all the documents which are required under sanitary, quarantine and other regulations.

The carrier shall have the right to check that these documents are accurate and adequate.

The consignor shall be responsible for the correctness of cargo information which he indicates in the bill of lading. The consignor shall be liable for the damage caused to the carrier or other person before whom the carrier is responsible due to the incorrect, inexact or incomplete nature of this information.

ARTICLE 89. *Cargo Tare, Packing and Marking*

Cargo in need of tare or packing for safe keeping shall be declared for carriage in good standard tare or packing, while cargo in non-standard tare and packing—in good tare that keeps freight safe during carriage or transfer of shipment.

Foodstuffs from collective farms may also be received for carriage in non-standard tare that keeps freight safe during carriage.

Cargo shall be marked in accordance with carriage regulations.

When cargo tare or packing is defective or when cargo is packed in tare and packing which do not correspond to the type and properties of cargo or to the terms of air carriage, the carrier shall be obliged to refuse to receive this cargo for carriage.

ARTICLE 90. *Special Terms of Air Carriage*

The terms of air carriage of explosives, arms, ammunition, poison gases, inflammable, radioactive and other hazardous

substances and objects, cine and photo cameras, radio equipment and binoculars shall be determined by special regulations.

ARTICLE 91. *Inspection of Passengers, Checked Luggage and Carry-on Luggage*

For purposes of flight safety, protection of the lives and health of passengers and crew members of civil aircraft, the civil aviation agencies, militia, customs institutions and border troops shall have the right to inspect checked luggage and carry-on luggage and the passengers of civil aircraft flying domestic and international routes. Inspection shall be held in the airport (in the airline's terminal) or on board the plane. If necessary, inspection may be held in the aircraft during flight without the passenger's consent. For purposes of the present Article, the aircraft shall be deemed in flight at any time from the moment all the outward doors are closed after loading until any of these doors are opened for unloading. The rules for inspection and the list of persons authorised to perform inspection shall be issued by the Council of Ministers of the USSR.

Should a passenger refuse to undergo inspection in the airport (in the airline's terminal), the carrier shall have the right to cancel the air carriage contract and return the payment for carriage in accordance with Point 4 of the first part of Art. 82 of this Code.

ARTICLE 92. *The Terms of Cargo Delivery*

The carrier shall be obliged to deliver the cargo received for carriage to the point of destination in the stipulated period of time.

The terms of cargo delivery and the procedure for calculating the cargo delivery terms shall be established by carriage regulations.

ARTICLE 93. *Change of the Freight Carriage Contract*

The consignor shall have the right to demand the return of cargo delivered for carriage before it is flown out as provided for by carriage regulations, to change the consignee indicated in the bill of lading before the cargo is transferred to the addressee, to dispose of the cargo in the event the consignee has refused to receive it or the cargo may not be transferred to the consignee.

In the event of the interruption or cessation of aircraft traffic the carrier shall be obliged to inform the consignor and the consignee about this and receive instructions from them.

ARTICLE 94. *Receipt of Cargo in the Point of Destination*

The carrier shall be obliged to notify the consignee about the arrival of the cargo intended for him.

The consignee shall be obliged to accept the cargo delivered to his address and to take responsibility for such cargo. The consignee shall have the right to refuse to accept damaged or spoiled goods in the event that the quality of goods changed so much that it has become impossible to use them fully or partially as originally designated.

ARTICLE 95. *Non-Receipt or Untimely Receipt of Cargo by the Consignee*

If the consignee has failed to claim the cargo that arrived in a stipulated time or has refused to receive it, the carrier shall have the right to leave it for his safe keeping at the consignor's own risk and expense, while informing the consignor of this.

In the event of cargo accumulation in airports due to the untimely removal of cargo by the consignees through their fault the payment for keeping the cargo in the airport may be increased three-fold.

The terms and procedure of cargo storage, the manner of raising the payment for storage shall be determined by carriage regulations.

Cargo still unclaimed after 30 days since the day of notification of the consignee shall be deemed unclaimed and disposed of accordingly as stipulated by the Council of Ministers of the USSR.

ARTICLE 96. *The Carrier's Liability for the Passenger's Loss of Life or Personal Injury*

The carrier shall bear material liability, stipulated by the legislation of the USSR and the Union Republics, for the damage caused by the passenger's loss of life or personal injury during air carriage unless he proves that the damage was caused due to the victim's *dolus*.

In the event that the passenger's death or injury to his health were caused as a result of *force majeure*, the carrier

shall be liable unless he proves that the victim's gross negligence has contributed to injury or aggravated injury. In other cases where the carrier proves that the victim's gross negligence contributed to injury or aggravated injury, the amount of compensation shall be reduced or the compensation shall be rejected in accordance with the general standards of civil legislation.

The air carriage of the passenger shall mean the period from his entrance to the airport's gate at his departure point to board the plane until his leaving the gate at his destination point under the surveillance of the carrier's authorised personnel.

ARTICLE 97. *The Carrier's Liability for Luggage Safety*

The carrier shall be liable for the partial or total loss of or damage to luggage from the time it was accepted for carriage and up to its issue to the consignee or its transfer to another organisation according to set rules, unless the carrier proves that he has taken all necessary measures to prevent the damage or that it was impossible to take such measures. In particular, the carrier is exonerated from liability, provided that the partial or total loss of or damage to luggage occurred due to the following:

- 1) natural properties of articles carried over;
- 2) outward packing deficiencies which could not be observed during the checking of luggage;
- 3) special properties of luggage requiring special conditions or precautions during its carriage or storage.

The carrier shall be liable for the safe keeping of personal effects of the passenger only if it is proven that the partial or total loss of or damage to such were caused through the carrier's negligence.

ARTICLE 98. *The Carrier's Liability for the Safety of Cargo*

The carrier shall be liable for the partial or total loss of and damage to cargo from the moment it is checked to be carried and until it is given to the consignee or transferred to another organisation according to the set rules, unless the carrier proves that he has taken all necessary measures to prevent the damage or that it was impossible to take such measures. In particular, the carrier is exonerated from liability, provided the partial or total loss of or damage to cargo occurred due to the following:

- 1) any act or omission by the consignor or consignee;
- 2) outward deficiencies in the tare or packing which could not be observed during the receipt of cargo;
- 3) delivery of cargo for carriage without indicating in the bill of lading its special properties requiring special conditions or precautions during its carriage or storage;
- 4) circumstances connected with the loading or unloading by the means of the consignor or consignee;
- 5) negligence on the part of persons authorised by the consignor or consignee in preserving cargo while accompanying it;
- 6) natural diminution of cargo within established limits during its carriage.

Until the carrier proves otherwise it is to be assumed that cargo was lost, in part or totally, or damaged during carriage.

ARTICLE 99. Exoneration of the Carrier from Liability If Tare and Seals Are in Good Condition

The carrier shall be exonerated from liability for the partial loss of cargo the tare, packing or container of which are in good condition and the consignor's seals of which are unbroken, unless the claimant or the person who brings suit proves that the partial loss of cargo occurred through the carrier's negligence.

ARTICLE 100 The Scope of the Carrier's Liability for the Partial or Total Loss of Cargo, Checked and Carry-on Luggage and Passenger's Personal Effects and the Damage Thereto

The carrier shall be liable for the partial or total loss of cargo, checked and carry-on luggage and passenger's personal effects or damage thereto in the following amounts:

- 1) for the partial or total loss of cargo or luggage accepted for carriage with appraised value in the amount of declared value, but if the carrier proves that declared value exceeds intrinsic value—in the amount of intrinsic value;
- 2) for the partial or total loss of cargo accepted for carriage without declared value—in the amount of intrinsic value;
- 3) for the partial or total loss of luggage accepted for carriage without declared value and passengers' personal effects—in the amount of intrinsic value, not exceeding the limit established by the Council of Ministers of the USSR;
- 4) for damage to cargo, luggage or passengers' personal

effects—in the amount by which their value was reduced by such damage.

In case of the partial or total loss of cargo the carrier, in addition to the compensation for intrinsic value or declared value of cargo, shall return payment for carriage recovered for the lost cargo unless it is part of the price of this cargo.

In case of the partial or total loss of luggage, the carriage of which has been paid, the carrier, in addition to the payment of compensation, shall return payment for carriage recovered for such lost luggage.

The limits of liability established in Point 3 of the first part of the present Article shall not apply if it should be proven that damage was caused due to the dolus or gross negligence of the carrier.

ARTICLE 101. The Carrier's Liability for Late Delivery of Cargo or Luggage

For late delivery of cargo the carrier shall pay the consignee a fine amounting to 5 per cent of carriage payment for every day of delay but not more than 50 per cent of carriage payment. For late delivery of luggage the carrier shall pay the consignee a fine amounting to 10 roubles for every day of delay but not more than 30 roubles.

The carrier shall be liable for late delivery of cargo or luggage unless he proves that he has taken all necessary measures to prevent delay or that it was impossible to take such measures. In particular, the carrier is exonerated from liability if the delay has occurred due to unfavourable meteorological conditions.

The consignor and the consignee shall have the right to consider cargo lost and to demand the appropriate compensation if this cargo is not transferred to the consignee within ten days of the designated term of delivery. If, however, cargo arrives upon the expiration of this term, the consignee shall accept it and return the sum of money paid by the carrier for its loss.

ARTICLE 102. The Carrier's Liability for the Loss of, Damage to, and Late Delivery of Mail

The carrier is materially liable to communications system for the loss of, damage to and late delivery of mail through the negligence of the carrier in terms of liability of the communications system to the consignors or addressees.

ARTICLE 103. *Liability of Passengers, Consignors and Consignees*

Passengers, consignors and consignees shall be liable to compensate the damage caused by their negligence to the property of the carrier and other persons, for which the carrier is liable, in accordance with the general standards of civil legislation.

ARTICLE 104. *Invalidity of Contracts Reducing the Carrier's Liability*

Any contracts concluded by the carrier with passengers, consignors or consignees reducing the carrier's liability as provided for by this Code, shall be null and void.

ARTICLE 105. *Drawing Up Commercial Acts*

Circumstances that may serve as grounds for the material liability of the carrier, passengers, consignors and consignees shall be certified by a commercial act. The procedure for drawing up a commercial act and certifying the circumstances that do not require the drawing up of a commercial act shall be established by carriage regulations.

The commercial act shall be drawn up during the claiming of cargo or luggage to certify the following circumstances:

- 1) non-correspondence of the name, weight (mass) or the number of pieces of cargo to the information given in a carriage document;
- 2) damage to cargo;
- 3) partial loss of or damage to luggage;
- 4) discovery of cargo or luggage without documents and discovery of documents without cargo or luggage.

ARTICLE 106. *Making Claims for the Redressing of Harm in the Case of the Passenger's Personal Injury or Loss of Life*

Should the passenger's health be injured, the right to claim damages from the carrier shall be exercised by the victim, and in the event of his loss of life by the persons who have the right to claim damages under the general rules of civil legislation.

ARTICLE 107. *Claims Procedure*

Before a suit arising from the carriage of the passenger, luggage cargo or mail is brought against the carrier, claims

shall be made against him, with the exception of demands that arise from the passenger's loss of life or injury to his health.

Claims shall be made against the airline located in the place of departure or destination of the passenger, cargo, luggage or mail at the claimant's discretion.

Claims that follow from carriage in direct mixed traffic shall be made against:

- 1) the airline if the airport is a terminal;
- 2) the corresponding transport organisation if the railway or road station, wharf or port is a terminal.

ARTICLE 108. *Persons Entitled to Press Claims and Suits*

The right to press bring a claim or a suit shall belong to the following persons:

1) in case of the loss or late delivery of luggage—to the bearer of a luggage ticket and in case of partial loss of or damage to luggage—to the bearer of a commercial act;

2) in case of the total loss of cargo—to the consignee, should he present a bill of lading issued by the carrier to the consignor and marked by the airport of destination that the cargo has not arrived and, if it is impossible to declare such a bill of lading, a document testifying to the payment of the cost of the cargo and a reference given by the airline that the cargo was forwarded with the airport of destination's attestation that the cargo has not arrived;

to the consignor, should he present a bill of lading he was issued;

3) in case of the partial loss of or damage to cargo—to the consignee, should he declare a bill of lading that accompanied the cargo and a commercial act;

4) in case of late delivery of cargo—to the consignee, should he present a bill of lading that accompanied the cargo.

The absence of a commercial act shall not deprive a person of the right to press a claim or suit if it is proven that the airline's workers have refused to draw up a commercial act and that the consignor or the consignee has appealed against such.

ARTICLE 109. *Transfer of the Right to Press Claims or Suits*

The transfer of the right to press claims or suits to other organisations or persons shall not be allowed, with the exception of cases of the transfer of this right by the consignor

to the consignee or by the consignee to the consignor, and also by the consignee or the consignor to a superior or inferior organisation.

ARTICLE 110. *Terms of Pressing Claims*

Claims against the carrier may be made within six months, and claims for the payment of a fine within 45 days.

The afore-mentioned terms shall be calculated:

1) in case of claims to compensate for the partial loss of or damage to luggage, cargo or mail and the late delivery of luggage, cargo or mail—from the day they are presented to the consignee;

2) in case of claims to compensate for the loss of cargo—on the eleventh day after the termination of the term of delivery;

3) in case of claims to compensate for the loss of luggage or mail—as of the expiration of the term of delivery;

4) in all other cases—as of an event providing grounds for pressing a claim.

The carrier shall have the right to examine the claim upon the expiration of the term of the claim, provided he recognises there is good cause for missing the term of the claim.

ARTICLE 111. *Terms of Examination of Claims and Limitation of Actions*

The carrier shall be obliged to examine the claim and notify the claimant whether it will be satisfied or disallowed within three months; with respect to a carriage claim in direct mixed traffic — within six months, and with respect to a claim for the payment of a fine — within 45 days.

If the carrier decides against satisfying the claim or the claimant does not receive a reply within the set time period, the claimant shall have the right to bring in an action against the carrier in a court of law or arbitration court within two months from the day the reply has been received or from the day of the expiration] of the term fixed for a reply to the claim.

ARTICLE 112. *Limitation of Actions at the Carrier's Request*

Actions against passengers, consignors or consignees in relation to air carriage shall be brought in by the carrier within six months of the event serving as grounds for instituting the action.

ARTICLE 113. *Compulsory Insurance of Passengers*

Airplane passengers shall be subject to compulsory national insurance, as stipulated by USSR legislation.

ARTICLE 114. *Carriage Regulations*

Regulations of the air carriage of passengers, luggage and cargo by the aviation establishments of the USSR Ministry of Civil Aviation shall be established by the USSR Ministry of Civil Aviation.

Regulations of the air carriage of mail shall be established by the USSR Ministry of Civil Aviation by agreement with the USSR Ministry of Communication.

Chapter VIII

**International Air Transportation of Passengers,
Luggage, Cargo and Mail**

ARTICLE 115. *International Air Transportation*

International air transportation shall be considered to be any air carriage in which the place of departure and the place of destination are situated regardless of transfer of shipment or an interruption in carriage:

- 1) on the territory of two states;
- 2) on the territory of one and the same state, if a stop is provided for on the territory of another state.

ARTICLE 116. *Regulation of International Air Transportation*

The international air transportation of passengers, luggage and cargo by Soviet civil aircraft shall be governed by general rules for the air carriage of passengers, luggage and cargo with amendments and additions indicated in the present Chapter, unless otherwise indicated in international treaties signed by the USSR.

International air mail transportation shall be effected with the observance of the rules of international mail agreements concluded by the USSR.

ARTICLE 117. *Carriage Documents*

The passenger's ticket shall certify the contract of international air transportation and its terms for the passengers and the luggage receipt shall certify registration of luggage.

A bill of lading shall certify the contract of international air transportation of cargo, its terms and the acceptance by the carrier of cargo.

The absence or loss of a ticket, luggage receipt or bill of lading or their irregular nature affect neither the existence nor validity of the contract of transportation.

ARTICLE 118. *Reliability of Information in the Bill of Lading*

The information in the bill of lading about the weight (mass), size, packing of cargo, and the number of pieces of cargo shall be deemed reliable unless the carrier proves otherwise. The information about the quantity, volume and condition of cargo shall be deemed reliable only if the carrier has checked them as prescribed in the presence of the consignor and indicated this in the bill of lading or if this information concerns the outward appearance of cargo.

ARTICLE 119. *Documents Attached to the Bill of Lading*

The consignor shall be liable to provide information and attach to the bill of lading all documents needed to carry out customs or other formalities before the consignee claims his cargo. The consignor shall be liable to the carrier for all the damage which may be caused due to the absence, inadequacy or inaccuracy of this information and documents with the exception of those cases when the carrier is at fault.

ARTICLE 120. *Changes in the Contract of International Air Transportation of Cargo*

Should the consignor fulfill all the obligations stipulated in the contract of international air transportation and present a bill of lading to the carrier, the consignor shall have the right to demand the return of his cargo in the point of departure or destination, to detain it in intermediate points enroute, to change the consignee indicated in the bill, to demand the cargo be returned to the point of departure. The exercise of this right by the consignor shall not prejudice either the carrier or other consignors. The consignor shall be obliged to compensate expenses involved in this exercise. If it is impossible to execute the consignor's orders, the carrier shall be obliged forthwith to inform him about this.

From the moment cargo arrives at the point of destination the consignee shall have the right to demand that the carrier

deliver him the cargo and a bill of lading unless the consignor issues a different order.

The consignor's right shall cease the moment the consignee receives the right to demand that cargo and a relevant bill of lading be forwarded to him. If, however, the consignee refuses to accept cargo or the latter cannot be handed over to him, the consignor shall once again receive the right of disposing of cargo.

Every reservation that changes the terms indicated in this Article shall be entered in the bill of lading.

The rules of the present Article affect neither the mutual relations between the consignor and the consignee nor the relations of third persons granted rights by the consignor or the consignee.

ARTICLE 121. *The Carrier's Liability to the Passenger*

The carrier shall be liable for damage caused due to the passenger's loss of life or personal injury to him during air carriage and for special damages inflicted due to late air delivery unless he proves he has adopted all necessary precautions to prevent harm and losses or that such precautions could not be taken.

ARTICLE 122. *The Carrier's Liability for Luggage and Cargo*

The carrier shall be liable for the partial or total loss of and damage to luggage or cargo, if the accident causing such damage occurred at a time when the luggage or cargo was under the carrier's protection, regardless of the fact whether it took place on the ground or on board the aircraft. The carrier shall also be liable for damage caused due to late delivery during the carriage of luggage or cargo, unless he proves that he took all necessary precautions to prevent the harm and losses or that such precautions could not be taken.

ARTICLE 123. *Due Regard for the Victim's Negligence*

The court may exonerate the carrier from liability provided for by Arts. 121 and 122 of this Code, or limit this liability, if the carrier proves that the victim's negligence caused or contributed to damage.

ARTICLE 124. *Limits on the Carrier's Liability with Respect to Passengers*

During transportation the carrier's liability for damage with respect to every passenger shall be limited by international treaties signed by the USSR on air carriage liability.

Compensation may be made by payment in installments, but the total sum of these payments may not exceed the said limit.

ARTICLE 125. *Limits on the Carrier's Liability for Luggage and Cargo*

During carriage of luggage or cargo the carrier's liability for every kilogram of luggage or cargo shall be limited by international treaties signed by the USSR on air carriage liability, except when the consignor books luggage or cargo with announced value. In this case the liability shall be equal to the amount of announced value, unless the carrier proves that this exceeds the real value of damage.

In case of the partial or total loss of, damage to or late delivery of part of the luggage or cargo or of any object contained in them, only the general weight (mass) of cargo shall be taken into account when the amount of recovery is determined.

However, when the partial or total loss of, damage to or late delivery of part of the luggage or cargo, or any object contained in them affects the value of other cargo included in the same luggage receipt or bill of lading, the general weight (mass) of all this cargo shall be taken into account in the determination of the amount of recovery.

ARTICLE 126. *The Carrier's Liability for the Partial or Total Loss of and Damage to Passengers' Personal Effects*

The carrier's liability for the partial or total loss of or damage to passengers' personal effects shall be limited by international treaties signed by the USSR on air carriage liability.

ARTICLE 127. *Non-Applicability of the Limits of the Carrier's Liability*

The limits of liability indicated in Arts. 124-126 of this Code shall not apply if it is proven that damage was caused due to the carrier's dolus or gross negligence.

ARTICLE 128. *Contracts Raising Limits on Liability*

The carrier shall have the right to conclude with the passenger, consignor or consignee a contract raising the carrier's limits on liability as compared with limits established by international treaties signed by the USSR.

ARTICLE 129. *The Procedure and Terms of Making Claims*

In the event luggage or cargo is checked without objections it shall be assumed, unless proven otherwise, that it has been delivered undamaged and in conformity with a bill of lading.

Should luggage or cargo be damaged, the person entitled to receive the said luggage or cargo shall be obliged to make to the carrier a claim in writing immediately upon the discovery of damage, but not later than 7 days from the day of receiving luggage, and 14 days from the day of receiving cargo. In case of late delivery the claim shall be made not later than on the 21st day of the day luggage or cargo is received by the consignee.

In case luggage or cargo has been lost, claims to the carrier shall be made within two years from the day of the aircraft's arrival in the point of destination or from the day the aircraft was due to arrive, or from the day carriage has been terminated.

In the absence of a written claim made within the aforementioned terms a suit may not be pressed against the carrier.

ARTICLE 130. *Limitation of Actions and Jurisdiction*

Actions against the carrier arising from international air transportation shall be brought before the court in the place of the carrier's administration not later than two years from the day of the aircraft's arrival in the point of destination, or from the day when the aircraft should have arrived, or from the day the carriage was terminated.

ARTICLE 131. *International Air Transportation Regulations*

The USSR Ministry of Civil Aviation shall establish regulations of international air transportation of passengers, luggage or cargo.

ARTICLE 132. *Activity of Foreign Airlines on Soviet Territory*

Foreign airlines shall carry on their work on Soviet territory in accordance with the legislation of the USSR and the Union Republics, international treaties to which the USSR and the respective foreign states are parties and also with special licences issued for chartered flights.

Foreign airlines may open their representations on Soviet territory in accordance with USSR legislation.

Foreign aircraft shall not have the right:

1) to take aboard passengers, luggage, cargo or mail on Soviet territory for carriage to a foreign state or deliver them to Soviet territory from the territory of a foreign state in cases when this is not provided for by international treaties on air transportation to which the USSR and the respective foreign states are parties, or by special licences for chartered flights;

2) to take aboard passengers, luggage, cargo or mail on Soviet territory for carriage to another point on Soviet territory without special authorisation of the USSR Ministry of Civil Aviation.

ARTICLE 133. *Observance of Rates and Rules*

Airlines engaged in international air transportation shall observe the statutory rates for international air carriage of passengers, luggage and cargo and the rules for their application, and the rules regulating the sale of tickets, the issuing of bills of lading and other carriage documents which are effective in the USSR.

Chapter IX

The Charter

ARTICLE 134. *The Charter*

As per the charter (chartering aircraft) one party (freighter) shall be obliged to grant for payment to the other party (charterer) all the freightage or part of the freightage of one or several aircraft for one or several trips to carry passengers, luggage, cargo and mail or for other purposes.

The charter shall provide for the names of the parties, the type of aircraft, the purpose of the charter, the maximum number of passengers carried, luggage, cargo and mail,

the amount of payment for the charter, the point and time of departure, the point of the aircraft's destination. The charter may also include other terms.

ARTICLE 135. *The Freighter's Rights and Duties*

The freighter shall be obliged to grant the aircraft freightage in time and keep the aircraft throughout the period of the charter's operation in a condition airworthy for the charter's purposes.

For reasons of flight safety the freighter shall have the right to delay or cancel flights, to make intermediate stops, maintain repairs, change flight paths or end flights, and reduce the number of passengers, the amount of luggage, cargo or mail taken aboard in conformity with the charter's terms.

ARTICLE 136. *The Charterer's Rights and Duties*

The charterer shall be obliged to make payments in time provided for by the charter and to deliver in time passengers, luggage, cargo and mail to the point of departure.

The charterer may, with the freighter's consent, place the chartered aircraft under sub-charter.

The charterer may renounce the charter by paying a penalty in the amount provided for by the charter.

ARTICLE 137. *Liability under the Charter*

The party to the charter shall be released from liability for the non-execution or improper execution of the contract if he proves that he was not at fault for the non-execution or improper execution of the contract.

The freighter shall not be liable to the charterer if the aircraft is not fit for flight and the freighter is not at fault for the aircraft's condition.

ARTICLE 138. *The Freighter's Liability to Passengers, Consignors and Consignees*

During carriage by the chartered aircraft the freighter shall be liable to passengers, consignors and consignees under the provisions of the carrier's liability provided for by Chapters VII and VIII of this Code.

Chapter X

Use of Soviet Civil Aviation in Individual Sectors of the National Economy

ARTICLE 139. *Aviation Jobs*

Aviation establishments of the USSR Ministry of Civil Aviation, under contracts concluded with concerned organisations, shall be responsible for aviation jobs in individual sectors of the national economy (use of aviation in agriculture, construction, forest protection, research expedition supplying, etc.) and the use of aircraft for medical service of the population, in the implementation of sanitary measures and in research.

Other enterprises, institutions and organisations which possess aircraft may perform flights for the afore-mentioned purposes to meet their needs with the exception of cases provided for by USSR legislation.

ARTICLE 140. *Planning Aviation Jobs*

Aviation jobs shall be performed in accordance with plans approved as stipulated by law.

Aviation jobs not included in the plan may be performed on the basis of individual requests of the enterprises, institutions and organisations concerned, unless this affects the execution of planned aviation jobs.

ARTICLE 141. *The Procedure for the Execution of Aviation Jobs*

The USSR Ministry of Civil Aviation, by agreement with ministries, state committees and departments, shall establish the procedure for the execution of aviation jobs.

Aviation jobs shall be executed at rates approved in the order prescribed by the Council of Ministers of the USSR.

The USSR Ministry of Civil Aviation, by agreement with the ministries, state committees and departments, shall approve the main conditions and standard contracts for aviation jobs (in particular sectors of the national economy) which provide, among other things, that the building of airfields, landing grounds and their operative maintenance, the building of premises for the storage of materials and special aircraft equipment and their protection, and that the housing, welfare and cultural conditions for crew mem-

bers and their medical and other services shall be provided for by the client.

The client shall use the aircraft according to the contract and the main terms of the performance of such jobs.

ARTICLE 142. Liability for Damage Caused During the Performance of Aviation Jobs

The airline shall be liable for damage caused to people and property during the performance of jobs listed in this Chapter in the manner and on the conditions stipulated by Arts. 64, 96-98 of this Code.

Chapter XI

Administrative Responsibility for Breaking Air Flight Safety. Regulations and Rules for Using Air Transport and for Safeguarding Cargo

ARTICLE 143. Violation of Air Flight Safety Regulations

The siting in the airfield area of any signs or devices similar to air markers and devices used for identification of airfields, the burning of pyrotechnical charges without the airport or airfield administration's authorisation, or the setting up of objects which attract birds hazardous to aircraft in flight shall be punishable by fines on citizens of up to 30 roubles and on officials from 10 to 50 roubles.

The violation of rules for locating night or day air markers or devices on buildings and other structures shall be punishable by fines on individual citizens up to 30 roubles and on officials from 10 to 50 roubles.

The damage to airfield facilities, airfield signs, aircraft and their equipment shall be punishable by fines of up to 50 roubles.

Persons trespassing on the territory of airports (except in air terminals), airfields, on the ground of flight radio and light services shall be punishable by fines up to 30 roubles.

ARTICLE 144. Violation of the Rules for Carriage of Dangerous Substances and Objects

The violation of the rules for carriage of dangerous substances or objects shall be punishable by fines on individual citizens from 10 to 50 roubles and the compensatory impounding or confiscation of the said substances or objects,

or without such impounding or confiscation, by fines on officials from 20 to 50 roubles.

ARTICLE 145. *Violation of Rules for Safeguarding Cargo*

Damage to seals and container locking devices, broken seals, wreckage of particular cargo and their packing, damage to the package itself or to the warehouse security system used to perform operations connected with cargo carriage shall be punishable by fines up to 30 roubles.

Wreckage of containers and vehicles intended for cargo carriage shall be punishable by fines up to 50 roubles.

ARTICLE 146. *Violation of Aircraft Behaviour Rules*

Failure to execute the captain's orders by persons aboard the plane shall be punishable by a warning or by a fine up to 50 roubles.

Violation of the rules of aerial photography, motion-picture photography and radio communication on board the aircraft shall be punishable by a warning or by a fine up to 30 roubles, and the confiscation of film.

ARTICLE 147. *Violation of Fire Safety, Sanitary-Hygienic and Sanitary-Antiepidemic Regulations*

Violation of air transport fire safety, sanitary-hygienic and sanitary-antiepidemic regulations shall be punishable by fines on individual citizens up to 30 roubles and on officials from 10 to 50 roubles.

ARTICLE 148. *Stowaways*

Stowaways shall be fined up to 20 roubles.

Payment of the fine does not exonerate the stowaway from paying the flight fare.

ARTICLE 149. *Violation of International Flight Regulations*

Violation of international flight regulations shall be punishable by a fine from 100 to 200 roubles.

ARTICLE 150. *Criminal Responsibility for Breaches of the Law in Air Transport*

For breaches of the law under Arts. 143-149 of the present Code guilty persons shall bear administrative responsibility unless these breaches entail criminal responsibility under current legislation.

ARTICLE 151. *Responsibility of Soviet Civil Aviation Workers for Administrative Violations of the Law*

In cases, directly provided for by the Disciplinary Rules for Civil Aviation Workers, Soviet civil aviation employees who are subject to the operation of these Rules shall bear disciplinary responsibility for administrative violations committed by them during the performance of official duties.

ARTICLE 152. *Officials Examining Cases of Administrative Violations of the Law*

Cases of administrative violations of the law provided for by Arst. 143-149 of this Code shall be examined under current legislation by the officials of the air transport agencies, the militia, and state fire safety inspection and also the bodies and institutions responsible for state sanitary inspection.

The Council of Ministers of the USSR shall compile the list of officials authorised to examine cases of administrative violations of the law provided for by the present Code in the name of the bodies indicated in the first part of this Article.

ARTICLE 153. *Airline Violations of Carriage and Rate Regulations*

Airlines guilty of violating the regulations provided for by Arts. 132 and 133 of this Code shall be subject to a fine up to 10,000 roubles and in case of repeated violations of the said regulations, up to 50,000 roubles.

Cases of violations provided for by the first part of the present Article shall be heard by the district (town) people's court in the place where such violation was committed or in the place where a juridical person or its representation is stationed.

Judgement made by the district (town) people's court on the imposition of a fine may be appealed against in a higher court.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on May 11, 1983

*Gazette of the USSR Supreme
Soviet, No. 20, 1983, Item 303*

S T A T U T E ON THE NATIONAL EMBLEM OF THE USSR

1. The National Emblem of the Union of Soviet Socialist Republics is the symbol of USSR state sovereignty; of the inviolable alliance of workers, peasants and intellectuals; of the friendship and fraternity of the working people of all nations and nationalities of the country; and of the state unity of the Soviet people building a communist society.

2. The National Emblem of the Union of Soviet Socialist Republics is a hammer and sickle on a globe depicted in the rays of the sun and framed by ears of wheat, with the inscription "Workers of All Countries, Unite!" in the languages of the Union Republics. At the top of the Emblem is a five-pointed star.

The inscriptions on the National Emblem of the Union of Soviet Socialist Republics in the languages of the Union Republics are reproduced on a ribbon framing the ears of wheat in the following order: below, in the centre, in Russian; from bottom to top on the left side, in Ukrainian, Uzbek, Georgian, Lithuanian, Latvian, Tajik, and Turkmenian; and on the right side, in Byelorussian, Kazakh, Azerbaijanian, Moldavian, Kirghizian, Armenian, and Estonian.

When depicted in colours, the National Emblem of the Union of Soviet Socialist Republics has gold hammer and sickle, and gold sun and ears of wheat; blue water surface of the globe and light-brown continents; red ribbon; and red star framed with gold lining.

3. The depiction of the National Emblem of the Union of Soviet Socialist Republics shall be placed:

(a) on buildings of the USSR Supreme Soviet, Presidium of the USSR Supreme Soviet, USSR Council of Ministers,

ministries and state committees, and other agencies of the USSR Council of Ministers; on buildings of the USSR People's Control Committee, the USSR Supreme Court and military tribunals, the USSR Procurator's Office and other procurator's offices and also on buildings of USSR diplomatic representations, trade delegations and consular institutions;

(b) in halls for sessions of the USSR Supreme Soviet; for sittings of the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers; and in halls for court sessions of the USSR Supreme Court and military tribunals;

(c) on seals and stationery of the USSR Supreme Soviet, Presidium of the USSR Supreme Soviet, USSR Council of Ministers, USSR ministries and state committees, other bodies subordinate to the USSR Council of Ministers, the USSR People's Control Committee, the USSR Supreme Court and military tribunals, and the USSR Procurator's Office and other procurator's offices, and also on seals and stationery of enterprises, institutions and organisations of Union subordination;

(d) on banknotes of the USSR State Bank, on treasury banknotes and metal coins; and on bonds of USSR state loans;

(e) on official publications of the USSR Supreme Soviet, the Presidium of the USSR Supreme Soviet, and the USSR Council of Ministers;

(f) on USSR internal, diplomatic and other foreign-travel passports issued to USSR citizens; and

(g) on border posts placed along USSR state borders.

The legislation of the USSR may also stipulate for other cases when a depiction of the National Emblem of the Union of Soviet Socialist Republics shall be reproduced.

4. Irrespective of its dimensions, the reproduced depiction of the National Emblem of the Union of Soviet Socialist Republics shall always exactly correspond to the colour or black-and-white depiction accompanying the present Statute.*

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on March 31,
1980

*Gazette of the USSR Supreme
Soviet, No. 14, 1980, Item 262*

* Not appended here — *Ed.*

S T A T U T E ON THE NATIONAL FLAG OF THE USSR

1. The National Flag of the Union of Soviet Socialist Republics is the symbol of the Soviet state created by the Great October Socialist Revolution; of the state sovereignty of the USSR; of the inviolable alliance of workers, peasants and intellectuals; of the friendship and fraternity of the working people of all nations and nationalities of the country; and of the state unity of the Soviet people building a communist society.

2. The National Flag of the Union of Soviet Socialist Republics is a rectangle of red cloth with a hammer and sickle depicted in gold in the upper corner next to the staff and a five-pointed red star edged in gold above them. The ratio of the width of the Flag to its length is 1 : 2.

The hammer and sickle are inscribed in a square whose side is equal to one-fourth of the Flag's width. The sharp edge of the sickle is placed in the middle of the top side of the square, and the handles of the hammer and sickle rest against the bottom angles of the square. The length of the hammer with handle is three-fourths of the diagonal of the square.

The five-pointed star is inscribed in a circumference with diameter equal to one-eighth of the Flag's width and touching the top side of the square.

The distance of the vertical axes of the star, hammer and sickle from the staff is equal to one-third of the Flag width. The distance from the upper edge of the Flag to the centre of the star is one-eighth of the Flag width.

3. The National Flag of the USSR shall be flown:

(a) over buildings where the USSR Supreme Soviet sits in session, for the entire session period;

(b) over buildings of the Presidium of the USSR Supreme Soviet and the USSR Council of Ministers—permanently;

(c) over buildings of the Presidiums of the Supreme Soviets and Councils of Ministers of Union and Autonomous Republics, ministries, state committees and departments of the USSR, Union and Autonomous Republics, executive committees of local Soviets of People's Deputies, government and non-government bodies, enterprises, institutions and organisations, and also residential buildings on February 23, March 8, April 22, May 1 and 2, May 9, September 1, October 7, and November 7 and 8. The National Flag of the USSR may be hoisted on buildings listed in the present paragraph on other holidays and memorable days, as well;

(d) over buildings and transport vehicles of diplomatic representations, trade delegations, and consular institutions of the USSR in accordance with an instruction of the USSR Ministry of Foreign Affairs endorsed by the USSR Council of Ministers;

(e) on seaships, ships sailing in internal waters, and other vehicles, on board which the following persons are present in their official capacity: Chairman of the Presidium of the USSR Supreme Soviet, Chairman of the USSR Council of Ministers, or other individuals representing the USSR Supreme Soviet, the Presidium of the USSR Supreme Soviet, and the USSR Council of Ministers, and also diplomatic representatives and consuls of the USSR, provided all the aforesaid give their consent;

(f) on the stern of ships registered in the order established by the Merchant Marine Code of the USSR and the Regulations for Internal Water Transport of the USSR. A depiction of the USSR National Flag is placed on aircraft that perform international flights and are registered in the State Register of USSR Civil Aircraft;

(g) on naval vessels and ships in accordance with military Codes;

(h) on order of the USSR Council of Ministers.

The National Flag of the USSR may also be hoisted during ceremonies and other formal occasions marked by state and social bodies, and enterprises, institutions and organisations.

4. When the National Flag of a Union Republic is hoisted simultaneously with the National Flag of the USSR, the size of the National Flag of the USSR shall not be less than that of the National Flag of the Union Republic.

5. The National Flag of the USSR and its depiction, irrespective of size, shall always exactly correspond to the colour and schematic depictions accompanying the present Statute.*

6. Regulations for applying the present Statute shall be issued by the USSR Council of Ministers.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on August 15,
1980

*Gazette of the USSR Supreme
Soviet*, No. 34, 1980, Item 642;
No. 34, 1984, Item 584.

*Not appended here, — *Ed.*

**THE NATIONAL ANTHEM
OF THE UNION OF SOVIET SOCIALIST REPUBLICS ***

An unbreakable Union of freeborn Republics
Great Russia has welded forever to stand;
Created in struggle by will of the peoples,
United and mighty, our Soviet Land!

Hail to our Motherland, free from oppression,
Bulwark of peoples in brotherhood strong!
The Party of Lenin, strength of the nation,
Leads us to communism steadfastly on!

Through tempests the sun of our freedom blazed for us,
The greatness of Lenin shone bright in the lead:
The peoples he roused to a cause just and glorious,
Inspired us in work and in valorous deed!

Hail to our Motherland, free from oppression,
Bulwark of peoples in brotherhood strong!
The Party of Lenin, strength of the nation,
Leads us to communism steadfastly on!

The communist way shall prevail in our own land,
In its great triumph our future we see,
And to the Red Flag of our glorious homeland
Devoted and loyal we ever shall be!

Hail to our Motherland, free from oppression,
Bulwark of peoples in brotherhood strong!
The Party of Lenin, strength of the nation,
Leads us to communism steadfastly on!

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on May 27,
1977

*Gazette of the USSR Supreme
Soviet, No. 24, 1977, Item 352*

*Since the legislative acts included in this collection are given as of January 1, 1984, the Statute on the National Anthem of the USSR, adopted on April 3, 1984, is placed at the end of the book, on p. 341. — *Ed.*

GENERAL STATUTE ON ORDERS, MEDALS, AND HONORARY TITLES OF THE USSR

With the construction in the USSR of developed socialist society, increasingly favourable conditions are being created for the all-round development of the individual, for the use by man of his creative forces, abilities, talents, and initiative in work and socio-political activity.

In accordance with the Constitution of the USSR, socially beneficial work and its results determine the individual's position in Soviet society. The socialist state of the whole people, in combining material and moral incentives, encourages innovation and a creative attitude to work, helps transform work into a vital necessity for all Soviet people. The sacred duty of every USSR citizen is to defend the socialist Motherland, to strengthen the friendship among the nations and nationalities of the multinational Soviet state, and to care for the upbringing and education of the growing generation.

The selfless work and heroic exploits of Soviet people in defending their socialist Motherland and in fulfilling their international duty, as well as services rendered in the struggle for peace and friendship among peoples, dynamic socio-political activity, and care for upbringing and educating children and the youth, are highly valued and acknowledged by the Communist Party and the Soviet state. The very best of the best representatives of Soviet citizens are awarded the titles of Hero of the Soviet Union, Hero of Socialist Labour, decorated with orders and medals, and awarded honorary titles of the USSR.

Soviet awards instituted in the years of the Civil War, the first five-year plan periods of economic development,

during the Great Patriotic War, and during the post-war rehabilitation and development of the economy, symbolise the history of our great Motherland, and speak of the selfless heroism and good work of all generations of Soviet people in the name of the triumph of communism.

Decoration with USSR state awards is a major moral incentive for Soviet citizens to work and engage in socio-political activity, to carry on the struggle for building communism and to educate the working people in the spirit of constant readiness to defend the socialist Motherland.

Chapter I

Basic Provisions

ARTICLE 1. Orders, medals and honorary titles of the USSR are state awards for special services rendered in communist construction and defence of the socialist Motherland, and for other special services to the Soviet state and society.

ARTICLE 2. In accordance with the Constitution of the USSR, the Presidium of the USSR Supreme Soviet shall institute orders and medals of the USSR and establish honorary titles of the USSR.

ARTICLE 3. Orders, medals and honorary titles of the USSR shall be awarded to citizens of the USSR.

State decorations of the USSR shall also be awarded to enterprises, amalgamations, institutions, organisations, military units (formations, groups, and military educational establishments), Union and Autonomous Republics, territories, regions, autonomous regions, autonomous areas, districts, towns, and other populated areas.

USSR state decorations may also be awarded to persons who are not USSR citizens, and also to enterprises, institutions, organisations, and populated areas of foreign states.

ARTICLE 4. USSR orders and medals shall be awarded and USSR honorary titles conferred in accordance with the Constitution of the USSR by the Presidium of the USSR Supreme Soviet.

The Presidium of the USSR Supreme Soviet may authorise the Presidium of any given Union Republic Supreme Soviet, the Presidium of any given Autonomous Republic Supreme Soviet, and other state agencies to award citizens on its behalf.

ARTICLE 5. Appropriate statutes shall be adopted for each USSR order, medal, and honorary title. These statutes shall determine the services for which orders or medals shall be awarded and honorary titles conferred and establish the procedure for awarding and wearing decorations, and for conferring honorary titles, as well as establishing other pertinent regulations.

The statutes for and descriptions and samples of orders, medals and badges for honorary titles of the USSR shall be approved by the Presidium of the USSR Supreme Soviet.

ARTICLE 6. The type of USSR state awards a person receives shall depend on the nature and extent of the services rendered by this person.

Persons decorated with USSR orders or medals may again be decorated with the same or other orders or medals of the USSR for newly rendered services, unless other decoration is stipulated by the statutes on orders and medals.

ARTICLE 7. USSR state decorations may be awarded posthumously.

Chapter II

Highest Decorations

ARTICLE 8. The following highest decorations shall be instituted in the USSR:

- (a) Hero of the Soviet Union;
- (b) Hero of Socialist Labour;
- (c) Hero City; Hero Fortress;
- (d) Heroine Mother.

ARTICLE 9. The title of Hero of the Soviet Union shall be conferred for personal or collective services to the Soviet state and society involving the accomplishment of a heroic exploit.

A Hero of the Soviet Union shall receive the Order of Lenin, the highest USSR award, the Gold Star medal, a sign

of special distinction, and a diploma of the Presidium of the USSR Supreme Soviet.

For a new heroic exploit, a Hero of the Soviet Union may again be awarded the Order of Lenin and the Gold Star medal. At the same time, he shall also receive a diploma of the Presidium of the USSR Supreme Soviet.

ARTICLE 10. The title of Hero of Socialist Labour shall be conferred on persons who have displayed heroism in work, made a significant contribution by their outstanding and innovative activity making social production more efficient and helping develop the economy, science, culture, might and glory of the USSR.

A Hero of Socialist Labour shall receive the Order of Lenin, the highest USSR award, the gold medal Hammer and Sickle, a sign of special distinction, and a diploma of the Presidium of the USSR Supreme Soviet.

A Hero of Socialist Labour may again be awarded the Order of Lenin and the Hammer and Sickle gold medal for a new display of heroism in work. At the same time, he shall also receive a diploma of the Presidium of the USSR Supreme Soviet.

ARTICLE 11. A bronze hero's bust shall be erected either at the birthplace (or elsewhere by special decision of the Presidium of the USSR Supreme Soviet) in honour of Heroes of the Soviet Union or Heroes of Socialist Labour awarded the Order of Lenin and second Gold Star medal and Hammer and Sickle medal, and in honour of persons conferred both the title of Hero of the Soviet Union and the title of Hero of Socialist Labour.

ARTICLE 12. The title Hero City and Hero Fortress shall be conferred for mass heroism and valour of defenders shown in struggle for the freedom and independence of the socialist Motherland.

Cities conferred the title of Hero City and fortresses conferred the title of Hero Fortress shall receive: the Order of Lenin, the highest USSR award, the Gold Star medal, a sign of special distinction, and a diploma of the Presidium of the USSR Supreme Soviet.

An obelisk depicting the Order of Lenin, the Gold Star medal, and the appropriate text of the Decree of the Presid-

ium of the USSR Supreme Soviet conferring the title shall be installed in each city honoured as a Hero City or in each fortress honoured as a Hero Fortress.

ARTICLE 13. The title of Heroine Mother shall be conferred on mothers who have given birth and raised ten or more children.

Mothers conferred the title of Heroine Mother shall receive the Heroine Mother order and a diploma of the Presidium of the USSR Supreme Soviet.

Chapter III

Orders of the USSR

ARTICLE 14. The following orders of the USSR shall be instituted:

(a) to decorate people for services rendered in revolution and in work, for services in the defence of the socialist Motherland, in the development of friendship and cooperation among peoples, in the consolidation of peace, and for other services for the Soviet state and society:

Order of Lenin, the highest distinction of the USSR,
Order of the October Revolution,
Order of the Red Banner of Labour,
Order of the Friendship of Peoples,
Order of the Badge of Honour,
Order of Work Glory, First, Second and Third Class;

(b) to decorate people for services rendered in the defence of the socialist Motherland and for other military services:

Order of Victory, the highest military order,
Order of the Red Banner,
Order of Suvorov, First, Second and Third Class,
Order of Ushakov, First and Second Class,
Order of Kutuzov, First, Second and Third Class,
Order of Nakhimov, First and Second Class,
Order of Bogdan Khmel'nitsky, First, Second and Third Class,

Order of Alexander Nevsky,
Order of the Patriotic War, First and Second Class,
Order of the Red Star,
Order for Service for the Motherland in the Armed Forces of the USSR, First, Second and Third Class,

Order of Glory, First, Second and Third Class;
(c) to decorate mothers for bearing and raising many children:

Order of Heroine Mother,
Order of Maternal Glory, First, Second and Third Class.

Chapter IV

Medals of the USSR

ARTICLE 15. The following medals of the USSR shall be instituted:

(a) to decorate for special distinction:

Gold Star Medal

Hammer and Sickle Medal;

(b) to decorate for services in work:

Medal for Labour Valour,

Medal for Distinction in Labour,

Labour Veteran's Medal;

(c) to decorate for services in the defence of the socialist Motherland and for other military services:

Medal for Courage,

Ushakov Medal,

Medal for Services in Battle,

Nakhimov Medal,

Medal to Partisans of the Patriotic War, First and Second Class,

Medal for Distinction in Protecting the State Border of the USSR,

Medal for Distinction in Military Service, First and Second Class,

Medal of Veteran of the USSR Armed Forces,

Medal for Strengthening Combat Cooperation;

(d) to decorate people for services in accomplishing major economic tasks of the USSR:

Medal for the Rehabilitation of the Ferrous Metallurgy Enterprises in the South,

Medal for the Rehabilitation of the Coal Mines in Donbas,

Medal for the Development of the Virgin Lands,

Medal for the Construction of the Baikal-Amur Railway,

Medal for Remaking the Non-Black-Earth Part of the RSFSR,

Medal for Development of the Mineral Wealth and the Petroleum-and-Gas Complex of West Siberia;

(e) to decorate mothers for bearing and raising many children:

Maternity Medal, First and Second Class;

(f) to decorate people for services in executing civic and official duties:

Medal for Distinctive Services in Protecting Public Order,

Medal for Bravery During Fire,

Medal for Saving Drowning People.

ARTICLE 16. The following USSR medals shall be instituted to decorate people for services and distinctions rendered during the Great Patriotic War in the defence, capture and liberation of cities and territories:

Medal for the Defence of Leningrad,

Medal for the Defence of Moscow,

Medal for the Defence of Odessa,

Medal for the Defence of Sevastopol,

Medal for the Defence of Stalingrad,

Medal for the Defence of Kiev,

Medal for the Defence of the Caucasus,

Medal for the Defence of the Soviet Trans-Polar Region,

Medal for the Victory over Germany in the Great Patriotic War of 1941-1945,

Medal for the Victory over Japan,

Medal for Taking Budapest,

Medal for Taking Königsberg,

Medal for Taking Vienna,

Medal for Taking Berlin,

Medal for the Liberation of Belgrade,

Medal for the Liberation of Warsaw,

Medal for the Liberation of Prague,

Medal for Valorous Labour in the Great Patriotic War of 1941-1945.

ARTICLE 17. The following USSR medals shall be instituted to decorate people in connection with important jubilees in the history of the Soviet people:

Jubilee Medal for Valorous Labour (for Military Valour), in commemoration of Lenin's Centennial;

Jubilee Medal Commemorating Twenty Years of Victory in the Great Patriotic War of 1941-1945,

Jubilee Medal Commemorating Thirty Years of Victory in the Great Patriotic War of 1941-1945;

Jubilee Medal Commemorating Twenty Years of the Workers and Peasants' Red Army;

Jubilee Medal Commemorating Thirty Years of the Soviet Army and Navy;

Jubilee Medal Commemorating Forty Years of the USSR Armed Forces;

Jubilee Medal Commemorating Fifty Years of the USSR Armed Forces;

Jubilee Medal Commemorating Sixty Years of the USSR Armed Forces;

Jubilee Medal Commemorating Fifty Years of the Soviet Militia;

Medal in Commemoration of Moscow's Eight Hundredth Anniversary;

Medal in Commemoration of Leningrad's 250th Anniversary; and

Medal in Commemoration of Kiev's 1500th Anniversary.

Chapter V

Honorary Titles of the USSR

ARTICLE 18. Honorary titles of the USSR shall be instituted for special services in developing industry, science, public health, public education, culture and art and also in strengthening the country's defences; and for outstanding achievements and high skill in professional activity.

ARTICLE 19. The following honorary titles of the USSR shall be instituted:

People's Artist of the USSR,
People's Painter of the USSR,
People's Architect of the USSR,
People's Physician of the USSR,
People's Teacher of the USSR,
Cosmonaut Pilot of the USSR,
Merited Test Pilot of the USSR,

Merited Test Navigator of the USSR,
Merited Military Pilot of the USSR,
Merited Military Navigator of the USSR,
Merited Pilot of the USSR,
Merited Navigator of the USSR.

ARTICLE 20. Persons awarded honorary titles of the USSR shall receive diplomas of the Presidium of the USSR Supreme Soviet and badges.

Chapter VI

Recommendation Procedure for USSR State Awards

ARTICLE 21. USSR orders and medals shall be awarded and the highest degrees of distinction and USSR honorary titles conferred on the recommendation of the USSR Council of Ministers, USSR ministries, state committees, departments, and social organisations as represented by their all-Union bodies; republican, territory, and regional Party bodies; Presidiums of the Supreme Soviets and Councils of Ministers of the Union and Autonomous Republics, executive committees of territory or regional Soviets of People's Deputies; and Soviets of People's Deputies of autonomous regions.

Recommendations shall be made both on the initiative of the above-mentioned bodies and on the solicitation of lower bodies, enterprises, amalgamations, institutions, and organisations.

ARTICLE 22. Solicitations for awards shall, as a rule, be presented to higher bodies or organisations in the work collective where the candidate for the award is employed. The solicitation shall be submitted by the management together with the Party, trade union and Komsomol organisations of a given enterprise, amalgamation, institution or organisation.

Solicitations may also be made by district, town or area Party body, the executive committee of district, town or area Soviet of People's Deputies, and, when stipulated by legislation, by the executive committee of the township or rural Soviet of People's Deputies.

The procedure for presenting solicitations for decorating

servicemen, workers and other employees of the Soviet Army, Navy and troops, employees of agencies of the interior, the USSR Committee for State Security, and officers and men of agencies of the interior shall be determined by the USSR Ministry of Defence, the USSR Ministry of the Interior, and the USSR Committee for State Security, respectively.

ARTICLE 23. Recommendations for decorating foreign nationals and stateless persons permanently residing in the USSR shall be presented as described in Arts. 21 and 22 of the present General Statute.

Foreign nationals and stateless persons residing abroad, enterprises, institutions, organisations and populated areas of foreign states may be nominated for decorating by the USSR Ministry of Foreign Affairs or by other USSR ministries, state committees or departments, and by all-Union bodies of social organisations by agreement with the USSR Ministry of Foreign Affairs.

ARTICLE 24. Enterprises, amalgamations, institutions, and organisations may be nominated for USSR orders by higher agencies, and, with respect to military units, by the higher military command.

Autonomous Republics, territories, regions, autonomous regions and autonomous areas, districts, towns, and other populated areas may be nominated for USSR orders by respective Party and government bodies.

ARTICLE 25. Pursuant to the awarding of USSR state decorations, the Presidium of the USSR Supreme Soviet shall issue decrees to be published for general reference in the *Gazette of the USSR Supreme Soviet* and in other organs of the press.

Chapter VII

Procedure for Presenting USSR State Awards

ARTICLE 26. USSR state awards shall be presented in the name and on behalf of the Presidium of the USSR Supreme Soviet.

USSR state awards shall be presented in an atmosphere of solemnity and broad publicity.

ARTICLE 27. USSR state awards shall be invested by the Chairman of the Presidium of the USSR Supreme Soviet, the First Vice-Chairman and other Vice-Chairmen, by the Secretary of the Presidium of the USSR Supreme Soviet, by members of the Presidium of the USSR Supreme Soviet, and by other persons authorised by the Presidium of the USSR Supreme Soviet.

ARTICLE 28. USSR state awards shall be presented at the Presidium of the Supreme Soviet of the USSR, at the Presidiums of the Supreme Soviets of the Union and Autonomous Republics, at executive committees of local Soviets of People's Deputies, at work collectives where the decorated persons are employed, or at conferences or rallies of foremost workers and at other meetings.

As a rule, USSR state awards shall be presented to servicemen by their military command at the military units to which they are assigned.

ARTICLE 29. USSR state awards to enterprises, amalgamations, institutions, organisations, Union or Autonomous Republics, territories, regions, autonomous regions, autonomous areas, districts, towns, and other populated areas shall be presented at ceremonial meetings, at military units with troops drawn up in line, or at ceremonial meetings of representatives of military units.

ARTICLE 30. All award recipients shall be presented with corresponding documents simultaneously with USSR state awards.

Samples of award documents shall be approved by the Presidium of the USSR Supreme Soviet.

Chapter VIII

Rights and Duties of Those Rewarded

ARTICLE 31. USSR citizens awarded a USSR state decoration shall serve as a model at his/her workplace, in the execution of his/her military duty, and other duties imposed by the Constitution of the USSR and Soviet laws on USSR citizens.

ARTICLE 32. State agencies, social organisations, management of enterprises, amalgamations, institutions and organisations, work collectives, and military unit commands shall carry out measures to publicise the achievements and services of those rewarded, disseminate their experiences, and educate citizens and the younger generation on revolutionary, military and labour traditions in the spirit of respect for and acknowledgement of the services of persons decorated with USSR state awards.

State agencies, social organisations, and officials shall show special honour and respect for Heroes of the Soviet Union, Heroes of Socialist Labour, and persons decorated with orders and medals and those awarded honorary titles of the USSR.

ARTICLE 33. Persons awarded the USSR state decorations shall enjoy privileges in cases and in the order prescribed by legislation.

ARTICLE 34. Those rewarded shall, as a rule, wear orders, medals and badges of honorary titles of the USSR during sessions of Soviets of People's Deputies, congresses and conferences of social organisations, national holidays, and ceremonial meetings. In other cases, these rewarded may wear either USSR orders and medals or corresponding ribbons.

Regulations for wearing orders, medals, and order ribbons and medal ribbons on planks, and also for wearing badges to honorary titles of the USSR shall be determined by the Presidium of the USSR Supreme Soviet.

ARTICLE 35. Enterprises, amalgamations, institutions, organisations, and military units awarded with USSR orders shall have the right:

(a) to reproduce the image of the order on their official documents and stationery, and rewarded organs of the press to print the image of the order in their periodical publications;

(b) to place an enlarged model of the order on official buildings, in museums, in rooms of military and labour glory, in clubs, in palaces and houses of culture, and to use them as decor during demonstrations, rallies, ceremonial sessions, and other events.

Enlarged models of USSR orders awarded to Union or Autonomous Republics, territories, regions, autonomous regions, autonomous areas, districts, towns, or other populated areas, and texts of the Decrees of the Presidium of the USSR Supreme Soviet concerning the rewards, may be placed on the buildings of the Republican Supreme Soviet or the local Soviet of People's Deputies where their sessions are held, and also in other places at the discretion of the Presidium of the Supreme Soviet of a Union or Autonomous Republic and the executive committee of a local Soviet of People's Deputies.

The name of the rewarded enterprise, amalgamation, institution, organisation or military unit shall include the name of the order.

ARTICLE 36. The USSR order awarded to a given enterprise, amalgamation, institution, organisation, Union or Autonomous Republic, territory, region, autonomous region, autonomous area, district, town or other populated area, and the corresponding diploma of the Presidium of the USSR Supreme Soviet, shall, with observance of the required safety conditions, be placed on view in duly established display in the said enterprise, amalgamation, institution, organisation, Presidium of the Supreme Soviet of a Union or Autonomous Republic, and the executive committee of a given local Soviet of People's Deputies. On solemn occasions, the order shall be affixed to the banner. The ribbon to the order shall be affixed to the banner continuously.

The manner of wearing a Soviet order on the Battle Flag of a decorated military unit and the rule for storing orders and diplomas of the Presidium of the USSR Supreme Soviet shall be determined by the Regulations for Internal Service of the Armed Forces of the USSR.

ARTICLE 37. Orders and medals of the USSR, and badges to honorary titles of the USSR of deceased citizens and of those decorated posthumously, and corresponding documents, shall either be left for or transferred to their families as keepsakes.

With consent of the successors of the deceased or posthumously decorated persons, the latter's rewards and corresponding documents, by decision of the Presidium of the USSR

Supreme Soviet, Presidiums of the Supreme Soviets of the Union or Autonomous Republics, the executive committees of territory or regional Soviets of People's Deputies, may be transferred for exhibit and storage to museums, and by decision of military commands taken in accord with procedure determined by the USSR Ministry of Defence, to museums of history of troops of military districts, groups of forces, anti-aircraft defence districts, fleets, and Soviet Army and Navy museums.

If the deceased rewarded person has no successors, his or her awards and corresponding documents shall be returned to the Presidium of the USSR Supreme Soviet.

ARTICLE 38. In case of reorganisation of a rewarded enterprises, amalgamation, institution or organisation, the order may be reserved for its successor by decision of the Presidium of the USSR Supreme Soviet. The agency responsible for the reorganisation may recommend reserving the order for the successor.

In the event of the liquidation of a rewarded enterprise, amalgamation, institution or organisation, or in case of disbandment of a military unit, the order and corresponding documents shall be returned to the Presidium of the USSR Supreme Soviet or, with the latter's permission, may be handed over to a museum for storage and exhibition.

ARTICLE 39. Persons decorated with USSR state awards shall keep them with care. In case they lose a given order or medal, the rewarded persons shall retain their rights thereto.

Duplicates of orders and medals of the USSR instead of lost ones shall, as a rule, not be granted. Duplicates of orders and medals may be granted by the Presidium of the Supreme Soviet of the USSR only by way of exception, in case the order or medal is lost in combat, as a result of natural calamity, or under other circumstances when the loss could not be prevented. Duplicates of badges to honorary titles of the USSR may be granted on similar grounds.

Duplicates of documents certifying an award may be granted by the Presidium of the USSR Supreme Soviet or by the agency which invested the decoration on the former's behalf.

Chapter IX

Deprivation of USSR State Awards

ARTICLE 40. Deprivation of orders or medals of the USSR, and of titles of Hero of the Soviet Union, Hero of Socialist Labour, and Heroine Mother, and of honorary titles of the USSR, may be executed only by the Presidium of the Supreme Soviet of the USSR in cases:

(a) when the rewarded person has been convicted of a severe crime—by recommendation of the court, and on grounds of and in conformity with the order established by the law;

(b) when the rewarded person has committed a misdemeanour defaming himself as a recipient of an award—on recommendation of an agency that has the right to nominate award winners;

(c) when the rewarded person has been deprived of USSR citizenship.

ARTICLE 41. Orders, medals and badges to honorary titles of the USSR and corresponding documents thereto belonging to a person deprived of USSR state awards shall be returned to the Presidium of the USSR Supreme Soviet.

Chapter X

Responsibility for Illegal Acts in Relation to USSR State Awards

ARTICLE 42. Institution and manufacture of badges outwardly similar to orders and medals of the USSR and to badges to honorary titles of the USSR shall be prohibited.

ARTICLE 43. Wearing of USSR orders and medals, or of badges to honorary titles of the USSR, by persons having no right to do so, as well as appropriation of the aforementioned or commitment of other illegal acts in relation to USSR state awards shall be punishable as stipulated by law.

Approved by Decree of the Presidium of the USSR Supreme Soviet on July 3, 1979

Gazette of the USSR Supreme Soviet, No. 28, 1979, Item 479; No. 28, 1982, Item 537

STATUTE

ON TITLE OF HERO OF THE SOVIET UNION

1. The title of Hero of the Soviet Union is the highest degree of distinction and shall be conferred for personal or collective services to the Soviet state connected with performance of a heroic exploit.

2. The title of Hero of the Soviet Union shall be conferred by the Presidium of the USSR Supreme Soviet.

3. Heroes of the Soviet Union shall be presented with:
—the Order of Lenin, the highest award of the USSR;
—the Gold Star medal, a sign of special distinction; and
—a diploma of the Presidium of the USSR Supreme Soviet.

4. The Hero of the Soviet Union, who had for a second time performed a heroic exploit not less than that for which others, who had performed similar exploits are conferred the title of Hero of the Soviet Union, shall be awarded with the Order of Lenin and second Gold Star medal, and in commemoration of those exploits, a bronze Hero's bust shall be erected with a corresponding inscription at his or her birthplace, this being duly recorded in a Decree of the Presidium of the USSR Supreme Soviet on the respective decoration.

5. The Hero of the Soviet Union decorated with two Gold Star medals for new heroic exploits similar to those performed earlier may again be decorated with the Order of Lenin and the Gold Star medal.

6. When the Hero of the Soviet Union is awarded the Order of Lenin and the Gold Star medal, simultaneously with the order and medal he shall receive a diploma of the Presidium of the USSR Supreme Soviet.

7. In case a Hero of the Soviet Union is conferred the title of Hero of Socialist Labour, a bronze Hero's bust with a corresponding inscription shall be erected at his or her birthplace in commemoration of his heroic and labour exploits, this being duly recorded in a Decree of the Presidium of the USSR Supreme Soviet on conferment of the title of Hero of Socialist Labour.

8. Heroes of the Soviet Union shall enjoy the privileges established by law.

9. The Gold Star medal of Hero of the Soviet Union shall be worn on the left side of the chest above USSR orders and medals.

10. The title of Hero of the Soviet Union may be taken away only by the Presidium of the USSR Supreme Soviet.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on May 14,
1973

*Gazette of the USSR Supreme
Soviet*, No. 20, 1973, Item 268;
No. 30, 1980, Item 613

S T A T U T E

ON TITLE OF HERO OF SOCIALIST LABOUR

1. The title of Hero of Socialist Labour is the highest degree of distinction for services in the field of economic and socio-cultural construction.

2. The title of Hero of Socialist Labour shall be conferred on persons who have displayed labour heroism, and made considerable contribution by their especially outstanding innovative activities to raising the efficiency of social production, and helped advance the economy, science, culture, power and glory of the USSR.

3. The title of Hero of Socialist Labour shall be conferred by the Presidium of the USSR Supreme Soviet.

4. Heroes of Socialist Labour shall be presented with:
—the Order of Lenin, the highest award of the USSR;
—the Hammer and Sickle gold medal, a sign of special distinction; and

—a diploma of the Presidium of the USSR Supreme Soviet.

5. For new outstanding services in the field of economic and socio-cultural construction not less than those for which the title of Hero of Socialist Labour was conferred, he shall be awarded the Order of Lenin and a second Hammer and Sickle gold medal, and in commemoration of his labour exploits his bronze Hero's bust with a corresponding inscription shall be erected at his birthplace, this being duly recorded in a relevant Decree of the Presidium of the USSR Supreme Soviet.

6. For new outstanding services in the field of economic and socio-cultural construction no less significant than the preceding ones, a Hero of Socialist Labour decorated with

two Hammer and Sickle gold medals may again be decorated with the Order of Lenin and the Hammer and Sickle gold medal.

7. When decorated with the Order of Lenin and the Hammer and Sickle gold medal, a Hero of Socialist Labour shall simultaneously receive a diploma of the Presidium of the USSR Supreme Soviet.

8. In case a Hero of Socialist Labour is conferred the title of Hero of the Soviet Union, a bronze Hero's bust with a corresponding inscription shall be erected at his birthplace in commemoration of his labour and heroic exploits, this being duly recorded in a Decree of the Presidium of the USSR Supreme Soviet on conferment of the title of Hero of the Soviet Union.

9. Heroes of Socialist Labour shall enjoy the privileges established by law.

10. The Hammer and Sickle gold medal of Hero of Socialist Labour shall be worn on the left side of the chest above USSR orders and medals.

11. The title of Hero of Socialist Labour may be taken away only by the Presidium of the USSR Supreme Soviet.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on May 14,
1973

*Gazette of the USSR Supreme
Soviet, No. 20, 1973, Item 268*

DE C R E E
OF THE PRESIDIUUM OF THE USSR
SUPREME SOVIET
ON THE STATE DUTY

The Presidium of the Supreme Soviet of the USSR *decrees*:

ARTICLE 1. The state duty shall be imposed:

1) on statements of claim, applications (appeals) on matters of special proceedings filed in courts, and on cassation appeals against court judgments, and also for the issue of copies of documents granted by courts;

2) on statements of claim submitted to state arbitration bodies and appeals for review of judgments made by state arbitration bodies;

3) for the execution of notarial deeds by notary offices and executive committees of district, town, township and rural Soviets of People's Deputies, and for the issue of duplicates of documents certified by notaries; for the drawing up of agreements and statements by the said bodies; and for making copies of documents and extracts therefrom;

4) for the issue of registry records, and for granting citizens duplicates of registry records and certificates relating to changes, supplements, corrections, and the restoration of registry records;

5) for the granting of documents giving the right to leave the USSR and to invite persons from other countries to the USSR; for the amending of those documents; for the registration and extension of the registration of foreign passports or documents substituting for them; for the granting or extending of residence permits; for having visaed foreign passports or documents substituting for them entitling the bearer to leave or enter the USSR, and also on applications for and relinquishment of USSR citizenship;

6) for the registration of passports of USSR citizens;

7) for the issue of registration certificates permitting the bearer to engage in domestic trades and handicrafts and in individual work in make-and-mend services;

8) for the granting of hunting licenses;

9) for the payment to USSR citizens of money orders from abroad.

ARTICLE 2. The rates of the state duty shall be established by the Council of Ministers of the USSR.

ARTICLE 3. The following persons and bodies shall be exempt from payment of the state duty:

1) plaintiffs—workers and office employees—who sue for wages or make other claims ensuing from legal labour relationships; collective farmers who sue for payment for work and make other claims connected with work;

2) plaintiffs who file lawsuits arising from infringement of copyright or the right to discoveries, inventions, innovative proposals and industrial designs;

3) petitioners for alimony;

4) plaintiffs who sue for compensation for damage inflicted by mutilation or other injury to health, and by the loss of bread-winner;

5) social insurance and social security bodies which make recourse to recover benefits and pensions paid to victims from those guilty of inflicting harm and social security bodies which file lawsuits designed to recover erroneously paid benefits and pensions;

6) plaintiffs who sue for compensation of material damage inflicted by offence;

6¹) parties involved in disputes connected with compensation of damage inflicted by wrongful conviction, wrongful institution of criminal proceedings, wrongful remaining in custody as a measure of restraint, or wrongful imposition of administrative punishment in the form of arrest or corrective labour;

7) citizens filing cassation appeals on dissolution of marriage;

8) citizens, enterprises, institutions, and organisations—for documents given to them in connection with criminal and alimony cases;

9) citizens—for certified copies of documents needed to receive state benefits and pensions and also in cases of guardianship or adoption;

10) government and non-government bodies, enterprises, institutions, organisations or individual citizens who have invoked the court of law in defence of the rights and interests of other persons in cases stipulated by existing legislation;

11) citizens—for registration of births, deaths, adoption, and establishment of paternity; for certificates testifying to changes, supplements or amendments in birth registry records in the event of the establishment of paternity or adoption, and in connection with mistakes made when registry records were issued;

12) citizens inhabiting regions of the Far North and localities accorded the same status as these regions—for hunting licenses;

13) citizens—for certification of their testaments and settlements to secure property in favour of the state, and in favour of enterprises, institutions, and organisations;

14) financial bodies—for certificates entitling the state to inheritance and for filing applications in cases of special court proceedings;

15) enterprises, institutions, and organisations—for certificates entitling them to inherit property devised thereto;

16) citizens—for certificates for the right of inheritance of:

—property of individuals who have perished in defence of the USSR, in connection with fulfilment of other state or public duties or in connection with fulfilment of the duty of a Soviet citizen to save human life, protect socialist property and socialist law and order;

—dwelling house or share in a house building cooperative, if they have lived and continue to live in that house (co-operative apartment) after the testator's death;

—deposits in USSR state savings banks and other credit institutions; insurance amounts stipulated in contracts of life and property insurance; state bonds; wages; copyrights; author's emoluments and remuneration for discoveries, inventions, innovatory proposals, and industrial designs;

17) citizens who live on farmsteads subject to the agricultural tax, and those engaged in domestic trades and handicrafts and individual work in make-and-mend services within the district of their permanent place of residence—for registration certificates giving them the right to engage in these types of activity;

18) USSR citizens—for diplomatic and special passports, and seamen's passports, and USSR citizens going abroad on the instructions of social organisations or as tourists—for general civil passports valid for travel abroad;

19) USSR citizens—for documents to go abroad, if the trip is connected with the death of some close relative or with visiting the grave of a close relative, and for documents inviting to the USSR persons residing in socialist countries whose close relatives have either died or fallen seriously ill;

20) foreign nationals whom the USSR has granted asylum, persons accorded this status, their family members and their children—for documents to go abroad;

21) citizens of socialist countries coming to the USSR as temporary visitors—for residence permits and their extension, for registration or extended registration of foreign passports or documents that substitute for them, and for documents to invite to the USSR persons from socialist countries. On the basis of reciprocity, in requisite cases citizens (subjects) of all other countries shall also be exempt from payment of the state duty;

22) persons under sixteen years of age—for documents for travel abroad;

23) foreign tourists—for the registration of their foreign passports.

ARTICLE 4. The USSR Council of Ministers shall have the right to establish additional exemption or discounts on the state duty.

The Ministries of Finance of the Union and Autonomous Republics, territory, regional and district departments of finance, and also departments of finance in towns of republican (Union republican) subordination shall have the right to establish additional exemptions of discounts on the state duty for individual tax payers and groups of taxpayers; district and town departments of finance may do so for individual taxpayers.

Individual taxpayers and groups of taxpayers shall be exempt from paying the duty stipulated by point 9 of Art. 1 of this Decree by the USSR Ministry of Finance.

ARTICLE 5. The state duty shall be paid in ready money, duty stamps, and by means of transfer from the taxpayer's

bank account. The procedure for payment of the state duty shall be established by the USSR Ministry of Finance.

ARTICLE 6. The state duty, once paid, shall be refunded in part or in full when:

1) more duty has been paid than required under existing legislation;

2) an appeal has either been returned or refused acceptance, and in the case of refusal by a notary office or the executive committee of the district, town, township or rural Soviet of People's Deputies to execute a notarial deed;

3) proceedings have been terminated or a civil action has been left without consideration, unless the case is to be heard in court or in some state arbitration body, and when the plaintiff has failed to observe the procedure for preliminary resolution of disputes established for the given case, or when a suit has been made by a legally unfit person;

4) the duty has been paid for the registration of dissolution of marriage when both spouses who have no minors consent to divorce, provided divorce proceedings were not effected in connection with the spouses' conciliation or because of non-appearance of one of them in court;

5) the issue of a general civil passport for travel abroad has been refused;

6) or as may be determined in other instances by the USSR Ministry of Finance.

ARTICLE 7. The heads of institutions levying the state duty shall bear responsibility for collecting the duty correctly, and also for timely and complete transfer of collected money to the State Budget.

Control over actions by institutions that levy the duty shall be exercised by their higher bodies.

ARTICLE 8. The USSR Ministry of Finance, the Ministries of Finance of the Union and Autonomous Republics, and local financial bodies shall check the levying of the state duty and the timely and complete transfer of collected money to the State Budget.

ARTICLE 9. Instructions on enforcement of the present Decree shall be issued by the USSR Ministry of Finance,

ARTICLE 10. With the adoption of the present Decree, all prior legislative acts of the USSR on these matters listed in the supplement* hereto shall be considered null and void.

ARTICLE 11. The Presidium of the Supreme Soviets of the Union Republics shall be entrusted to make Union Republican legislation conform with the present Decree.

ARTICLE 12. The present Decree shall come into effect as of July 1, 1979.

Adopted on June 29, 1979

*Gazette of the USSR Supreme
Soviet*, No. 28, 1979, Item 477;
No. 21, 1981, Item 741

* Not appended here.—*Ed.*

STATUTE

ON LOCAL TAXES

I. GENERAL PROVISIONS

1. According to this statute the following local taxes shall be levied:

- (1) tax on buildings;
- (2) land tax;
- (3) motor vehicles tax.

The corresponding Soviets of People's Deputies shall calculate and levy local taxes in territories, regions, autonomous regions, autonomous areas, districts, towns, and wards.

2. The following organisations and individuals shall pay the tax on buildings:

- 1) cooperative enterprises, institutions and organisations for any kind of buildings they own, and for buildings given to them for use by government and non-government (except cooperative) enterprises, institutions, and organisations;
- 2) USSR citizens, foreign juridical and natural persons, and stateless persons, for buildings they own on the territory of the USSR.

3. The land tax shall be paid by cooperative enterprises, institutions, and organisations, and by USSR citizens, foreign juridical and natural persons and stateless persons, for plots of land allotted to them for use according to established procedure as well as for plots of land essential for the maintenance of buildings given to cooperative enterprises, institutions, and organisations by government and non-government (except cooperative) enterprises, institutions, and organisations.

4. The motor vehicles tax shall be paid by USSR citizens,

foreign juridical and natural persons and stateless persons for automobiles, motorcycles, motor sleighs and motorboats (launches and yachts) they own.

II. LOCAL TAX EXEMPTIONS AND REBATES

5. The following organisations and individuals shall be exempt from payment of the tax on buildings and the land tax:

- 1) collective farms;
- 2) USSR citizens, foreign natural persons and stateless persons, whose households are taxable by the agricultural tax as according to existing USSR legislation;
- 3) production associations and inter-farm enterprises (organisations), as well as inter-farm enterprises and organisations in which collective fisheries take part;
- 4) persons disabled in the Great Patriotic War, or other persons including servicemen who were disabled as a result of wounds, concussions or mutilations suffered in defence of the USSR or in executing other military duties, or as a result of sickness due to service at frontlines, and disabled persons including former partisans, and other disabled persons receiving pensions on the same level as the aforementioned categories of servicemen, or members of their families residing together with them;
- 5) soldiers, sailors, sergeants, sergeant-majors, warrant officers and mitchmen and members of their families;
- 6) retired people who own buildings or use plots of land;
- 7) family members of retired people who own buildings and use plots of land, if they live together with a retired person and their family lacks all other income except his pension, a scholarship, and the return from the personal subsidiary household, or from leasing buildings;
- 8) members of artels engaged in mining or processing gold, platinum, tin, and other rare metals, and their family members who reside together with them;
- 9) Heroes of the Soviet Union, Heroes of Socialist Labour, and persons decorated with all three classes of the Order of Glory and members of their families shall be required to pay only 50 per cent of the calculated tax.

6. The following bodies and persons shall also be exempt from paying the land tax:

1) cooperative enterprises, institutions, and organisations, and USSR citizens, foreign natural persons and stateless persons—for plots of land allotted thereto for agricultural use, including plots of land let for haymaking or pasture farming;

2) cooperative enterprises, institutions, and organisations—for the following land grants: undeveloped forest areas that form part of the state forest fund; for undeveloped areas containing mineral deposits which are let for mining building materials; areas allotted for mining peat; for undeveloped lands occupied by gardens, parks, children's playgrounds, stadiums, and other cultural, welfare and sporting facilities.

7. The following persons and organisations shall be exempt from the motor vehicles tax:

1) persons disabled during the Great Patriotic War or other persons including servicemen disabled due to wounds, concussions or mutilations suffered in defending the USSR, or in executing other military duties, or due to illness connected with service at frontlines, or disabled persons including former partisans, and other disabled persons receiving pensions on the same level as the afore-mentioned categories of servicemen;

2) members of artels engaged in mining and processing gold, platinum, tin, and other rare metals.

8. The Supreme Soviets of the Union and Autonomous Republics, the Councils of Ministers of the Union and Autonomous Republics, territory and regional Soviets of People's Deputies, Soviets of People's Deputies of autonomous regions and autonomous areas, and the district, town, and ward Soviets of People's Deputies and their executive committees shall have the right to reduce the rates and establish additional local tax rebates both for groups of taxpayers and for individual taxpayers.

Township and rural Soviets of People's Deputies and their executive committees may grant local tax rebates to individual taxpayers.

9. When taxes in foreign countries are levied at higher or lower rates than those established by the present Statute for similar categories of property belonging to USSR citizens and organisations, the said higher or lower rates may also be

applied on taxing citizens and organisations of the respective foreign state residing in the USSR. Instructions to this effect shall be given by the USSR Ministry of Finance by agreement with the USSR Ministry of Foreign Affairs.

10. The present Statute shall not affect the tax privileges introduced by USSR international treaties and USSR legislation and enjoyed by foreign diplomatic and consular representations and other institutions and organisations of foreign states and international organisations with the same status with regard to the tax privileges, by heads of diplomatic representations, members of the diplomatic personnel and staff of corresponding representations, institutions and organisations, and members of their families.

III. TAX ON BUILDINGS

11. The tax on buildings shall be levied in the following amounts:

1) for residential buildings belonging to cooperative enterprises, institutions, and organisations and foreign juridical persons—0.5 per cent of the value of the buildings;

2) for other buildings—one per cent of the value of the buildings.

12. The tax on buildings paid by cooperative enterprises, institutions, and organisations shall be calculated directly by these enterprises, institutions, and organisations.

The tax shall be calculated from the balance cost of the buildings not including depreciation as of January 1 of the current year.

For newly erected buildings, the tax shall be paid starting from the month in which those buildings were accepted in due order for maintenance.

13. Cooperative enterprises, institutions, and organisations shall annually, not later than February 1, submit to the finance departments of the executive committees of district, town and ward Soviets of People's Deputies an estimate of the amount of the tax on buildings they are to pay in the current year, indicating separately the amount of the tax for each building they own.

For newly erected buildings, the estimate shall be submitted within one month from the moment these buildings are accepted in due order for maintenance.

14. The finance departments of the executive committees of district, town and ward Soviets of People's Deputies shall check the estimates of the tax on buildings made by cooperative enterprises, institutions, and organisations, and shall have the right to demand that the latter submit documents proving the accuracy of the said estimates.

15. Cooperative enterprises, institutions, and organisations shall pay the tax on buildings in four equal installments on February 15, May 15, August 15, and November 15.

16. The tax on buildings belonging to USSR citizens, foreign juridical and natural persons and stateless persons shall be estimated by the finance departments of the executive committees of district, town, and ward Soviets of People's Deputies.

The tax shall be estimated on the basis of data provided by communal bodies for the inventory value of buildings as of January 1 of each year, and in the absence of that inventory value—for the value used to estimate the payments to be made for state compulsory insurance of those buildings.

17. For buildings newly erected by USSR citizens, foreign juridical and natural persons, and stateless persons, the tax shall be paid at the beginning of the year that follows the completion of construction.

18. The finance departments of the executive committees of district, town, and ward Soviets of People's Deputies shall submit annually, not later than March 1, notices for payment of the tax on buildings by USSR citizens, foreign juridical and natural persons, and stateless persons.

The above-said persons shall pay the tax in true equal installments, the first payable before June 15 and the second payable before August 15.

IV. LAND TAX

19. Land tax rates shall be established for one square metre of the plot of land per annum, depending on the class of the populated areas, in the following amounts: first class—1.8 kopecks, second class—1.5 kopecks, third class—1.2 kopecks, fourth class—0.9 kopecks, fifth class—0.6 kopecks, and sixth class—0.4 kopecks.

The Councils of Ministers of the Union Republics shall

classify populated areas according to the population of such areas and the development of industry, farming, trade and other socio-economic factors in the area.

20. The land tax to be levied from cooperative enterprises, institutions, and organisations shall be calculated as of the month following the month during which they were granted plots of land.

The land tax to be paid by USSR citizens, foreign juridical and natural persons, and stateless persons shall be calculated as of January 1 of the year that follows the year when they were granted plots of land.

21. The land tax shall be estimated and paid according to the same procedure and at the same time as the tax on buildings.

V. MOTOR VEHICLES TAX

22. The motor vehicles tax shall be levied annually in the following amounts (kopecks):

Name of taxable vehicle	Capital cities of Union and Autonomous Republics and territory (regional) centres as per list established by the Council of Ministers of the Union Republic	Other territory (regional) centres	Other towns, and country-house and resort settlements	Other populated areas
Cars, motor sleighs and motorboats (launches and yachts), depending on motor capacity:				
— for every horse power	25	20	15	10
— or for every kilowatt of capacity	34	27.2	20.4	13.6
Motorcycles, depending on motor capacity:				
— for every horse power	15	10	7	5
— or for every kilowatt of capacity	20.4	13.6	9.5	6.8

From motor vehicles indicated in the present Article and purchased during the second half of the year, the tax to be levied shall amount to half of the nominal sum.

23. The motor vehicles tax shall be paid prior to registration, re-registration or annual technical inspection of the said vehicles. Accordingly, the motor vehicle owners shall present tax payment receipts to the agencies authorised to register, re-register, or technically inspect motor vehicles.

24. The dates for payment of the motor vehicles tax shall be established by the executive committees of district, town, and ward Soviets of People's Deputies.

VI. LOCAL TAXPAYERS' RESPONSIBILITY AND PROCEDURE FOR EXAMINING COMPLAINTS

25. Should cooperative enterprises, institutions and organisations, and foreign juridical persons, fail to pay local taxes before the dates established by law, the said persons and organisations shall be subject to a fine of 0.1 per cent of the amount of arrears per diem of delay.

In case of non-payment of local taxes at statutory dates by USSR citizens, foreign natural persons and stateless persons, they shall be subject to a fine amounting to 0.2 per cent of the amount of arrears per diem of delay.

26. Those guilty of evasion of local taxes shall be subject to measures established for recovering outstanding taxes and non-tax payments.

27. Taxpayers not obligated to pay local taxes promptly shall pay these taxes for not more than two preceding years.

Refunds of overpayment of taxes shall also be made for not more than two years preceding the registration of a complaint of overpayment.

28. Complaints about official miscalculation and levying of local taxes may be submitted to the finance departments of the executive committees of district, town, and ward Soviets of People's Deputies.

Complaints filed by cooperative enterprises, institutions, and organisations, and also by foreign juridical persons, shall be examined and judged upon within five days from the day the complaint was lodged, while complaints filed by USSR citizens, foreign natural persons and stateless persons shall be examined within dates established by USSR legislation for examining citizens' complaints and applications.

Appeals against the decisions on such complaints may be

made within one month to the respective higher financial agency.

Lodging of complaints shall not justify non-payment of local taxes. However, the agency examining the complaint shall have the right to suspend disputed tax payments until the complaint has been resolved.

29. Instructions on the procedure for enforcing the present Statute shall be issued by the USSR Ministry of Finance.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on January 26,
1981

*Gazette of the USSR Supreme
Soviet, No. 5, 1981, Item 121*

DE C R E E
OF THE PRESIDIUM OF THE USSR SUPREME SOVIET
ON COMPULSORY NATIONAL INSURANCE
OF CITIZENS' PROPERTY

With reference to the publication of the Statute Book of Laws of the USSR and in order to further improve legislation on national insurance, the Presidium of the USSR Supreme Soviet *decrees*:

1. To establish that the following items of citizens' personal property shall be subject to compulsory national insurance:

buildings (dwelling houses, and garden cottages, and country houses, sheds);

domestic animals (cattle from six months old, and horses and camels from one year old).

Dilapidated buildings shall not be subject to compulsory national insurance if they are not used for some household purpose; nor shall buildings belonging to citizens whose whereabouts are unknown be subject to compulsory national insurance.

2. Buildings shall be covered by compulsory national insurance in case they are destroyed or damaged as a result of fire, explosion, lightning, flood, earthquake, storm, hurricane, tsunami, heavy shower, hail, landslide, avalanche, high water, mud stream, outcrop of ground waters, lengthy rainfall and abundant snowfall unusual for a given locality, the breakdown of the heating system and water supply and sewage networks, and against the eventuality that there should arise a need to dismantle buildings or remove them elsewhere in order to stop the spread of fire or in connection with a sudden danger of any of the natural hazards listed in the present Article.

3. Domestic animals shall be insured against death from disease, accidents or natural calamities, and in the event of forced slaughter, once they were involved in accidents and were threatened by inevitable death, or in the event of forced slaughter as directed by veterinary specialists in connection with measures for control of epizooty or in connection with some uncurable disease that excludes the possibility of using the animal anymore.

4. The amount of compulsory national insurance of buildings shall be established at 40 per cent of their cost.

The procedure for calculating the value of buildings for sequent compulsory national insurance shall be determined by the USSR Council of Ministers.

5. The amount of compulsory national insurance of domestic animals shall be established by the Council of Ministers of the appropriate Union Republic for Autonomous Republics, territories, regions, autonomous regions, autonomous areas, districts and towns for each species and age group of domestic animals to equal 40 per cent of their average cost for state purchase prices.

The Council of Ministers of the appropriate Union Republic may entrust the Councils of Ministers of Autonomous Republics and the executive committees of territory and regional Soviets of People's Deputies and Soviets of People's Deputies of autonomous regions and autonomous areas the establishment of insurance amounts for compulsory national insurance of domestic animals for districts and towns.

6. The annual rates of insurance for every 100 roubles of insured property shall be as follows:

(a) for the insurance of buildings:

In all Union Republics	Rural areas	Urban areas
	0.35	0.30

(b) for the insurance of domestic animals:

	cattle	horses and camels
RSFSR	2.90	5.00
Ukrainian SSR	2.00	7.00
Byelorussian SSR	2.80	7.00
Uzbek SSR	3.00	3.00
Kazakh SSR	4.00	3.00
Georgian SSR	6.00	8.00
Azerbaijan SSR	6.00	8.00

Lithuanian SSR	2.50	7.00
Moldavian SSR	3.50	6.00
Latvian SSR	2.50	5.00
Kirghiz SSR	3.00	4.00
Tajik SSR	3.00	3.00
Armenian SSR	4.50	8.00
Turkmen SSR	4.00	5.00
Estonian SSR	2.50	5.00

The insurants shall make annual insurance payments calculated on the basis of established rates to national insurance agencies.

7. The following rights shall be given to:

a) the Councils of Ministers of Union Republics divided into regions to establish for Autonomous Republics, territories, regions, autonomous regions and autonomous areas; and the Councils of Ministers of Union Republics not divided into regions, to establish for districts and towns, insurance rates no more than 30 per cent more or less than the rates indicated in Art. 6 of the present Decree, retaining on an average for a given Union Republic the amounts of insurance rates established therefor;

b) the Councils of Ministers of Autonomous Republics, and the executive committees of territory or regional Soviets of People's Deputies and Soviets of People's Deputies of autonomous regions or autonomous areas—to establish for districts and towns insurance rates no more than 30 per cent more or less than the rates established by the Council of Ministers of the Union Republics for Autonomous Republics, territories, regions, autonomous regions and autonomous areas, retaining on an average for the Autonomous Republic, territory, region, autonomous region or autonomous area the amounts of insurance rates established therefor;

c) the Council of Ministers of the RSFSR—to exempt insurants in regions of the Far North and in localities accorded the status of regions of the Far North from paying insurance either in part or in full.

8. State insurance inspections shall appraise property subject to compulsory national insurance and calculate insurance payments annually as of January 1. After insurance payment rates have been calculated, the insurants shall receive their insurance policies.

No recalculations of insurance payments shall be made in the event of changes during a given year in the composition and cost of property to be covered by compulsory national insurance.

Unpaid or overpaid insurance resulting from incorrect appraisal of property shall be duly claimed without the imposition of a fine or shall be returned for a period not exceeding two years, regardless of when the error is revealed.

9. The due dates for insurance payments shall be established by the Councils of Ministers of the Union Republics: one or two dates, the second being not later than October 1 of each year.

10. When the established dates for paying insurance expire, the unpaid amounts shall be regarded as arrears and shall be collected with a fine amounting to 0.1 per cent of the arrears of the per-diem delay.

11. The executive committees of district, town, ward, township, or rural Soviets of People's Deputies may exempt individual insurants from paying insurance, either fully or partially, in accordance with corresponding applications submitted by those insurants. The state insurance inspections shall present its written conclusion for every application.

12. The following deductions shall be made from insurance payments:

—for financing measures to prevent destruction or damage of buildings and other property belonging to citizens;

—for promoting public understanding of the significance of insurance and for encouraging persons to render voluntary assistance to insurance agencies.

The amounts to be deducted from insurance payments shall be established by the USSR Council of Ministers.

The list of measures for preventing the destruction or damage of buildings and other property belonging to individual citizens, financed by means deducted from insurance payments, and the procedure for spending these funds, shall be established by the Councils of Ministers of the Union Republics.

13. Payment of insurance indemnity shall be made by state insurance inspections.

Insurance indemnity shall be paid irrespective of whether insurance payments have been fully paid by the insurant by

the day when his buildings were destroyed or damaged, or his domestic animals died or were forcibly slaughtered or annihilated.

14. Insurance indemnity shall be paid in the following amounts:

—in the event of the complete destruction of buildings, the amount of insurance minus 40 per cent of the cost of the remainders of the buildings which could be used in construction, and in the event of damage to buildings, a part of the insurance, proportionate to the degree of damage. Insurance not exceeding the amount of compensation shall be increased by the amount spent on saving the buildings, and on restoring the said buildings or their remainders;

—in the event of the death or destruction of domestic animals, the amount of insurance, and in the event of forced slaughter, the amount of insurance minus 40 per cent of the cost of the edible meat.

The arrears for insurance payments, the fine and the installment for the current year shall be deducted from the amount of insurance indemnity.

15. In the event of the destruction of or damage to buildings, and in the event of the death, forced slaughter or annihilation of domestic animals as a result of events indicated in Arts. 2 and 3 of the present Decree, the insurant, and in his absence an adult member of his family (collective-farm household) shall state this within 24 hours: in urban localities, to the state insurance inspection; in rural localities, to the executive committee of the township or rural Soviet of People's Deputies. The executive committee of the township or rural Soviet shall be obliged, not later than the following day, to inform the local state insurance inspection about statements filed on the destruction of or damage to insured buildings.

16. State insurance agencies shall have the right to refuse compensation, if the insurant, and in his absence an adult member of his family (collective-farm household), despite available opportunities, did not make any statement about the destruction of or damage to buildings, or about the death, forced slaughter or annihilation of domestic animals, in accordance with the procedure and within the time period stipulated in Art. 15 of the present Decree.

17. Insurance indemnity shall not be paid to the insurant, if the destruction of or damage to buildings and death,

slaughter or annihilation of animals were the result of premeditated actions by the insurant or an adult member of his family (collective-farm household), and also if the insurant had purposely failed to fulfil appropriate instructions of veterinary specialists.

18. A statement on the destruction of or damage to buildings and death, forced slaughter or annihilation of animals shall be drawn up in accordance with the procedure established by the USSR Ministry of Finance.

Statements shall be written concerning:

—the destruction of or damage to buildings, by the state insurance inspection not later than three days after receipt of the insurant's statement;

—the death, forced slaughter or annihilation of animals in urban localities, by the state insurance inspection, and in rural localities—by the executive committee of the township or rural Soviet of People's Deputies within 24 hours after receiving the insurant's statement. The executive committee of the township or rural Soviet must immediately forward this statement to the appropriate state insurance inspection.

Such statements shall be written with the participation of the insurant or an adult member of his family (collective-farm household) and two witnesses; moreover, the statement on the destruction of or damage to buildings in rural localities shall be written with participation of a representative of the township or rural Soviet of People's Deputies.

The statement shall be appended with documents of competent agencies indicating the place, time and cause of the destruction of or damage to the given property, and other circumstances that may bear on the decision on compensation.

Specialists of the veterinary service shall provide conclusions on the causes of the disease and death, forced slaughter or annihilation of domestic animals.

The Council of Ministers of the RSFSR may prolong the time periods for drawing up statements on the death, forced slaughter or annihilation of domestic animals in regions of the Far North and localities granted the same status as regions of the Far North.

19. Instructions for enforcing the present Decree shall be issued by the USSR Ministry of Finance.

20. All legislative acts of the USSR listed in the Supplement* to the present Decree shall be regarded as invalid.

21. The present Decree shall come into effect as of January 1, 1983.

Adopted on October 2, 1981

*Gazette of the USSR Supreme
Soviet, No. 40, 1981, Item 1111*

* Not appended here.—*Ed.*

STATUTE
ON PROCEDURE FOR COMPENSATING DAMAGE
INFLECTED TO CITIZENS BY ILLEGAL ACTIONS
OF INQUIRY AND PRELIMINARY INVESTIGATION
BODIES, PROCURATOR'S OFFICES AND COURTS

1. In accordance with Art. 2 of the Decree of the Presidium of the USSR Supreme Soviet dated May 18, 1981 "On Compensating Damage Inflicted to Citizens by Illegal Actions of Government and Non-government Organisations and by Officials in Executing Their Official Duties", compensation shall be paid for damage to property, labour, pension, housing and other rights restored, and compensation made for other damage inflicted to citizens by illegal conviction, illegal institution of criminal proceedings, illegal confinement as a temporary constraint, and illegal administrative punishment in the form of arrest or corrective labour.

2. The following shall be compensated:

(1) earnings and other earned incomes that are the basic source of means of subsistence that a citizen was deprived of by illegal actions;

(2) pensions or allowances whose payment was stopped in connection with illegal deprivation of liberty;

(3) property (including money, savings and interest, state bonds, prizes, and other valuables) confiscated or debited to the account of the state by a court or impounded by inquiry or preliminary investigation bodies, and also attached property;

(4) fines collected in carrying out court sentences; costs of proceedings and other sums paid by citizens in connection with illegal actions;

(5) sums paid by citizens to legal consultation offices for rendering legal aid.

3. Compensation for damage stipulated by points 1, 4 and 5 of Art. 2 of the present Statute shall be rendered from

funds of the State Budget. The sums to be compensated as stipulated by point 1 of Art. 2 of the present Statute shall be established with account for the wages that the citizen would have earned after being suspended from work, or while serving his sentence or administrative punishment in the form of corrective labour.

Pensions or allowances shall be paid by social security bodies or other corresponding bodies located at the citizen's place of residence when the latter made a claim.

The property indicated in point 3 of Art. 2 of the present Statute shall be returned in kind, and when return in kind is impossible, its cost shall be compensated by finance departments of the executive committees of local Soviets of People's Deputies.

4. In case the citizen to be compensated dies, the right to compensation of damage stipulated by points 1, 3, 4 and 5 of Art. 2 of the present Statute shall in due order pass to his successors, and that stipulated by point 2 to those members of his family who belong to that group of persons to be granted pensions in case of loss of their bread-winner.

5. Citizens relieved from their work (post) in connection with being illegally convicted, or dismissed from office in connection with illegal institution of criminal proceedings against them, shall be granted their former work (post), and when this is impossible because the enterprise, institution or organisation where they had formerly worked has been disbanded; their former posts eliminated; and also because of the presence of other grounds stipulated by law and preventing citizens from being restored at their previous work (post)—some other equivalent work (post). The work (post) shall be granted to the citizen not later than within one month from the day of his application, if the latter was filed within 3 months from the moment his acquittal became legally effective, or from the moment the court took decision (rider) to dismiss the criminal case due to absence of a criminal event, absence of a *corpus delicti*, or due to failure to prove the citizen's involvement in a crime.

Entries made in work-record books shall, in cases indicated in the first part of the present Article, be deemed null and void. At a citizen's request, the management of an enterprise, institution or organisation shall issue him a duplicate of his work-record book without entering therein the record deemed invalid.

6. The time spent in custody, the time of serving sentence, and the time during which the citizen did not work because of suspension from his office shall be reckoned in his overall seniority and in the seniority of work in his speciality. This time shall also be included in his continuous seniority, if the interval between the day when his acquittal went into legal effect or the day when a decision (rider) was passed on dropping criminal proceedings because of absence of a criminal event, absence of a *corpus delicti* or failure to prove the citizen's involvement in a crime, and the day he went to work does not exceed three months.

The labour record or record of work on collective farms, as calculated with account for the periods indicated in the first part of the present Article, shall be reckoned in all cases where the worker, office employee or collective farmer are granted various privileges and preferences, including being granted pensions or benefits under state social insurance. For workers and office employees, this labour record shall also be reckoned on granting them preferential pensions, in preferential amounts and for prolonged meritorious service, on establishing the amount of monthly rates of wages (salaries) depending on the term of work in their speciality, and also on granting bonuses or rated increases for long service and annual results of the enterprise where they serve.

7. If the citizen who was either illegally sentenced or against whom criminal proceedings were illegally instituted is not employed or receives wages in lesser amounts than prior to having been sentenced or subjected to criminal proceedings, the pension, at his/her request, shall be granted basing on the salary (rate of wages) for the post (job) that he/she occupied (fulfilled) prior to having been sentenced or subjected to criminal proceedings, or for some other similar post (job) on the day the acquittal comes into legal effect or the day when the decision (rider) on dropping criminal proceedings has been passed.

On granting preferential pensions, the periods indicated in the first part of Art. 6 of the present Statute shall be equated, by choice of the petitioner for a pension, either to the job that preceded his/her illegal conviction or illegal subjection to criminal proceedings, or to the job that followed his/her release from criminal responsibility or serving his/her punishment.

8. The executive committee of the local Soviet of People's Deputies or the management of the enterprise, institution or organisation shall return to the citizen who has lost the right to use the living accommodation he previously occupied due to having been illegally sentenced, and when such return is impossible it shall grant him in due order, but out of turn, equivalent accommodation with all amenities in the same residential area, taking into account all existing norms of living space and size of family.

9. With respect to citizens who, in connection with having been illegally sentenced, were stripped of their military or other ranks, and also orders and medals of the USSR, on recommendation of the court that had quashed the sentence and dropped criminal proceedings, the question of restoring the said ranks and returning the said orders and medals shall be resolved in accordance with established procedure.

10. In case of an acquittal or termination of criminal proceedings due to absence of a criminal event or a *corpus delicti*, or due to failure to prove the citizen's involvement in committing a crime, and also when cases involving administrative infringement of the law are dismissed, inquiry and preliminary investigation bodies and procurator's offices and courts shall be obliged to explain to that citizen the procedure for restoring his violated rights and for compensating other damage, and also, at his request, within one month's time inform in written form his work collective or social organisations at his place of residence of their decision.

If information concerning the sentencing or subjection of the said citizen to criminal proceedings, or concerning the application to him of confinement as a temporary constraint, or imposition on him of administrative punishment in the form of arrest or corrective labour was published in the press, then on demand by the said citizen, and in case of his death on demand by his relatives, inquiry or preliminary investigation bodies and procurator's offices or courts, the respective editorial boards shall publish the necessary report within a period of one month.

11. The amount of damage indicated in points 1, 4 and 5 of Art. 2 of the present Statute shall be estimated within a period of one month from the day the citizen filed his application by the respective inquiry or preliminary investigation body, procurator's office or court by passing a cor-

responding decision (rider). If the case has been dropped by the court when it heard it by way of cassation or supervision, the said actions shall be executed by the court of first instance.

Citizens who have applied with claims for damages shall have the right to appeal in a statutory manner against the decision (rider), passed on the basis of the first part of the present Article, either to the procurator or to the higher court.

12. If the claim to restore the citizen's labour, pension and housing rights indicated in Arts. 5, 7 and 8 of the present Statute, and also to return the property indicated in point 3 of Art. 2 of the present Statute or the cost of that property, has not been satisfied, or the said citizen does not agree with the decision adopted, he shall have the right to sue therefor in court.

By choice of the plaintiff, the suit may be filed at his place of residence, or wherever the respondent is located. The parties in these lawsuits shall be released from costs for court proceedings.

13. Restoration of official, pension, housing, and other personal and property rights, and compensation of other damage inflicted to servicemen of the Soviet Army and Navy, forces and agencies of the USSR Ministry of the Interior and the USSR Committee for State Security by illegal actions of inquiry or preliminary investigation bodies and by procurator's offices and courts shall be executed in accordance with regulations established by the present Statute, and under procedure established by the USSR Minister of Defence, the USSR Minister of the Interior, and the Chairman of the USSR Committee for State Security, respectively.

14. Instructions on matters of applying the present Statute shall be published by the Ministry of Justice of the USSR, the Procurator's Office of the USSR and the Ministry of Finance of the USSR by agreement with the Supreme Court of the USSR, the USSR Ministry of the Interior, and the USSR Committee for State Security.

Approved by Decree of the
Presidium of the USSR
Supreme Soviet on May 18, 1981

*Gazette of the USSR Supreme
Soviet, No. 21, 1981, Item 741*

**LAW OF THE USSR
ON COMPENSATING DEPUTIES OF THE SUPREME
SOVIET OF THE USSR FOR EXPENSES CONNECTED
WITH THE EXERCISE OF THEIR POWERS**

The Supreme Soviet of the Union of Soviet Socialist Republics *decrees*:

1. That deputies of the Supreme Soviet of the USSR be compensated 200 roubles a month for exercising their powers.

2. That deputies of the Supreme Soviet of the USSR be released from their regular employment or duties with retention of their average earnings (wages) at their permanent place of work for the period of sessions of the Supreme Soviet of the USSR and meetings of the Presidium of the USSR Supreme Soviet, committees of the USSR Supreme Soviet, and committees of the respective chambers of the USSR Supreme Soviet, and for fulfilment of missions entrusted to them by the Supreme Soviet of the USSR, Presidium of the USSR Supreme Soviet or committees of the USSR Supreme Soviet or the committees of the respective chambers of the USSR Supreme Soviet, and also for the time of their stay at their constituencies in order to exercise the deputies' powers.

To compensate the expenses of deputies of the Supreme Soviet of the USSR during sessions of the USSR Supreme Soviet and during meetings of the Presidium of the USSR Supreme Soviet, committees of the USSR Supreme Soviet or committees of the respective chambers of the USSR Supreme Soviet, and also in other cases stipulated by the Presidium of the USSR Supreme Soviet, deputies shall be paid a daily allowance. The size and procedure of the daily allowance payment shall be determined by the Presidium of the USSR Supreme Soviet.

3. On Soviet territory, deputies of the USSR Supreme Soviet shall enjoy the right of free passage over all railways, highways, and inland water and internal air communication routes, and by all types of municipal passenger transport (with the exception of taxi cabs).

4. That the estimate of the Presidium of the USSR Supreme Soviet stipulate for 30,000 roubles annually for each respective chamber of the USSR Supreme Soviet to be at the disposal of both the Chairman and Deputy Chairmen of the Soviet of the Union and the Chairman and Deputy Chairmen of the Soviet of Nationalities for expenses involved in communication with deputies and in their representation.

Adopted on January 17, 1938

Gazette of the USSR Supreme Soviet, No. 1, 1938; No. 1, 1973, Item 217; No. 4, 1980, Item 66

STATUTE OF MILITARY TRIBUNALS

Chapter I

General Provisions

ARTICLE 1. In accordance with the Constitution of the USSR, military tribunals are courts of the USSR, part of the single judicial system of the USSR, and operative in the Armed Forces of the USSR.

Military tribunals shall be organised in military districts, groups of forces, fleets, armies, flotillas, formations, and garrisons. When need be, military tribunals may also be organised in the respective services of the Armed Forces of the USSR.

The organisation and competence of, and also the procedure for electing judges and people's assessors of military tribunals in the Armed Forces of the USSR shall be determined by the present Statute.

ARTICLE 2. In exercising the tasks of socialist justice, military tribunals are called upon to fight against encroachments upon the security of the USSR, the combat efficiency and combat readiness of its Armed Forces, military discipline, and the established order of military service.

ARTICLE 3. In exercising justice, military tribunals shall be guided by the Constitution of the USSR, by the Fundamentals of Legislation of the USSR and the Union Republics on the Judicial System in the USSR, by the present Statute, by other legislation of the USSR, and also by the legislation of the Union Republics.

Sentences and decisions passed by military tribunals shall be proclaimed in the name of the Union of Soviet Socialist Republics.

ARTICLE 4. A military tribunal shall be elected to consist of a chairman, in certain cases, one or several deputies, and members of the military tribunal and people's assessors.

ARTICLE 5. USSR citizens on active military service who, on the date of election, have attained the age of 25 may be elected chairmen, deputy chairmen, and members of military tribunals.

Judges of military tribunals shall be elected by the Presidium of the Supreme Soviet of the USSR for a term of five years, and shall be responsible and accountable to the latter.

Judges of military tribunals may be recalled or dismissed before the expiry of their term only by the Presidium of the Supreme Soviet of the USSR.

ARTICLE 6. Every USSR citizen on active military service may be elected a people's assessor of a military tribunal.

People's assessors of military tribunals shall be elected by show of hands by meetings of servicemen in military units for a term of two and a half years, and shall be responsible and accountable to the electors.

People's assessors of military tribunals who fail to justify the confidence shown to them may be recalled by decision of the electorate adopted at meetings of servicemen by open ballot.

In meting out justice, people's assessors of military tribunals, shall enjoy all the rights of judges.

The procedure for conducting meetings of servicemen for electing and recalling people's assessors of military tribunals shall be determined by the Ministry of Justice of the USSR together with the Ministry of Defence of the USSR.

ARTICLE 7. The hearing of civil and criminal cases in military tribunals shall be collegial.

In courts of first instance, all criminal and civil cases shall be heard with participation of a judge (chairman, deputy chairman, or member of military tribunal) and two people's assessors.

Hearing of cases in military tribunals in cassation and supervision proceedings shall be with participation of three military tribunal judges.

ARTICLE 8. Judges and people's assessors of military tribunals shall be independent and subject only to the law.

ARTICLE 9. In executing their duties in court, judges and people's assessors of military tribunals may not be held criminally responsible, arrested or subjected to measures of administrative punishment imposed in court proceedings without the consent of the Presidium of the Supreme Soviet of the USSR.

ARTICLE 10. For violating military discipline and for official misdemeanors, judges of military tribunals shall bear disciplinary responsibility in the order established by the USSR legislation on disciplinary responsibility of judges.

Chapter II

Jurisdiction of Military Tribunals

ARTICLE 11. The following cases shall be under the jurisdiction of military tribunals:

1) cases involving all crimes committed by servicemen, and also reservists mustered in camps;

2) cases involving all crimes committed by officers, warrant officers, mitchmen, sergeants, sergeant-majors, privates and sailors of state security agencies;

3) cases involving crimes against the established order of service committed by commanding personnel of corrective-labour institutions;

4) all cases involving espionage;

5) cases involving crimes committed by persons concerning whom there are specific instructions in USSR legislation.

ARTICLE 12. In localities where, due to exceptional circumstances, general courts are absent, military tribunals shall hear all civil and criminal cases.

ARTICLE 13. Besides criminal cases, military tribunals shall hear civil actions filed by military units; state enterprises, institutions, and organisations; collective farms, other cooperative organisations and their associations; and

other social organisations; and also by individual citizens concerning compensation of material loss caused them by crimes.

ARTICLE 14. When one person or a group of persons are accused of committing several crimes, if even one case falls under the jurisdiction of a military tribunal and all the other under that of any other court, the case involving all the said crimes shall be heard by a military tribunal.

When a group of persons are accused of committing one or several crimes, if a case involving even one of the accused falls under the jurisdiction of a military tribunal, and the rest under the jurisdiction of any other court, the case involving all the accused shall be heard by a military tribunal.

ARTICLE 15. Cases of crimes committed by persons indicated in points 1, 2 and 3 of Art. 11 of the present Statute when those persons were on active service, but discharged by the time the case was to be heard in court, shall be heard by military tribunals.

Cases of crimes committed by persons prior to being called up for military service or prior to joining state security agencies, but who have been enlisted for military service or have joined state security agencies by the time those cases were to be examined, shall be heard by general courts.

ARTICLE 16. Cases involving crimes committed by persons with military rank of lieutenant-colonel or captain inclusive, and also all civil cases in instances envisaged by Art. 12 of the present Statute, shall fall under the jurisdiction of military tribunals of armies, flotillas, formations, and garrisons.

ARTICLE 17. The following cases shall be within the competence of military tribunals of respective services of USSR Armed Forces, military districts, groups of forces, and fleets:

1) cases involving crimes committed by persons with ranks of colonel or commodore;

2) cases involving crimes committed by persons holding posts from regimental commander, commodore and higher, and those equal to them in official position;

3) cases involving all crimes, for which peacetime legislation stipulates the death penalty.

ARTICLE 18. Cases of exceptional importance, and also cases involving crimes committed by servicemen with military ranks of general (admiral) or those holding posts from formation commander and higher and those equal to them, shall fall under the jurisdiction of the Military Collegium of the USSR Supreme Court.

ARTICLE 19. The question of transferring cases from military tribunals of one of the services of USSR Armed Forces, military district, group of forces, and fleet to military tribunals of another service of USSR Armed Forces, military district, group of forces, and fleet shall be decided by the Chairman of the Military Collegium, USSR Supreme Court.

Within one of the services of USSR Armed Forces, military district, group of forces, and fleet, the question of transferring cases from one military tribunal to another shall be decided by the chairman of the military tribunal of the respective service of USSR Armed Forces, military district, group of forces, and fleet.

ARTICLE 20. A higher military tribunal and the Military Collegium of the USSR Supreme Court shall have the right to dispose itself as a court of first instance of any case that falls under the jurisdiction of a lower military tribunal.

Chapter III

Supervision Over Judicial Activity of Military Tribunals

ARTICLE 21. Supervision over the judicial activity of military tribunals shall be exercised by the Supreme Court of the USSR, and also by the military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets within the bounds of their competence.

ARTICLE 22. The Plenary Session of the Supreme Court of the USSR shall:

1) examine, by way of supervision and with account of protests by the Chairman of the USSR Supreme Court and

the Procurator-General of the USSR, and also of findings of the Procurator-General of the USSR concerning newly discovered circumstances, the cases which are adjudicated by military tribunals and on which riders were issued by the Military Collegium of the USSR Supreme Court;

2) hear reports by chairmen of the military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces and fleets on the practice of application by military tribunals of USSR legislation, and also on execution of guiding explanations of Plenary Session of the USSR Supreme Court.

The Chairman and Deputy Chairmen of the USSR Supreme Court, while ensuring the work of the USSR Supreme Court in supervision over the judicial activity of military tribunals, shall act within the bounds of the powers granted them by the USSR Law on the Supreme Court of the USSR.

ARTICLE 23. The Military Collegium of the USSR Supreme Court shall:

1) hear cassation and private complaints and protests against decisions, judgements, and riders of military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets, and against rulings by judges of these tribunals;

2) hear by way of supervision protests by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR, their deputies, the Chairman of the Military Collegium of the USSR Supreme Court, and the Chief Military Procurator against decisions, judgements, and riders passed by military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets, and against rulings passed by judges of these tribunals;

3) hear, in line with findings on newly-discovered circumstances made by the Procurator-General of the USSR or the Chief Military Procurator, cases, for which decisions, judgements, riders have been passed by military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets.

☞ In ensuring the work of the Collegium for supervision over the activity of military tribunals, the Chairman of the Military Collegium, USSR Supreme Court, shall have the

right to demand and receive judicial cases, already heard by military tribunals, for checking by way of supervision, and also for examination and generalisation of court practice; shall organise the work for checking, by way of supervision, newly arrived judicial cases and, in instances stipulated by law, shall submit protests; shall organise the work for studying and generalising court practice, for analysing judicial statistics of military tribunals and the Military Collegium, USSR Supreme Court, and also for exercising control over execution by military tribunals of guiding explanations of the Plenary Session of the USSR Supreme Court, and shall use the results of this activity by the said Military Collegium to ensure correct and uniform application of laws in administering justice by military tribunals.

ARTICLE 24. Military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets shall:

1) hear cassation and private complaints and protests against decisions, judgements, and riders passed by military tribunals of armies, flotillas, formations, and garrisons, and against rulings passed by judges of these tribunals;

2) hear by way of supervision protests filed by the Chairman of the Supreme Court of the USSR, the Procurator-General of the USSR, by their deputies, by the Chairman of the Military Collegium, USSR Supreme Court, by the Chief Military Procurator and his deputies, and by chairmen of the military tribunals and military procurators of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets against legally effective decisions, judgements, and riders of military tribunals of armies, flotillas, formations and garrisons, and against rulings passed by judges of these tribunals;

3) hear, in accord with findings on newly-discovered circumstances made by the Procurator-General of the USSR, by the Chief Military Procurator, by their deputies, and by military procurators of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets, criminal cases on which military tribunals of armies, flotillas, formations and garrisons have passed judgements or riders;

4) hear, in accord with statements by persons involved in a given case, or by the procurators on newly-discovered

circumstances, civil lawsuits, on which military tribunals of armies, flotillas, formations and garrisons have passed decisions and riders.

In ensuring the work of an appropriate tribunal for supervision over the judicial activity of lower tribunals, the chairman of the military tribunal of the respective service of USSR Armed Forces, military district, group of forces, and fleet shall have the right to demand and receive court files for checking them by way of supervision, and also for studying and generalising judicial practice; shall organise the work for checking the judicial cases arrived by way of supervision and submit protests in statutory instances; shall organise the work for studying and generalising judicial practice, analysing judicial statistics, and controlling implementation by military tribunals of guiding explanations of the Plenary Session of the USSR Supreme Court, and shall use the results of this activity to ensure correct and uniform application of laws in the administration of justice by military tribunals.

Chapter IV

Organisational Guidance of Military Tribunals. Organisation of Work in Military Tribunals

ARTICLE 25. Organisational guidance of military tribunals shall be conducted by the Ministry of Justice of the USSR, and also by the chairmen of the military tribunals of the respective services of USSR Armed Forces, districts, groups of forces, and fleets within the bounds of their competence.

ARTICLE 26. The Ministry of Justice of the USSR and its Military Tribunals Administration shall:

1) check the organisation of work of military tribunals and take measures to improve it;

2) study and generalise the court practice of military tribunals, coordinating this activity with the USSR Supreme Court and its Military Collegium, respectively, and organise work for keeping court statistics and use the results of the generalisation and data of court statistics to eliminate shortcomings in the organisation of the work of military tribunals;

3) select and train military tribunal personnel and provide advanced training for improving their qualification;

4) verify the methods of work of military tribunals and provide organisational guidance of them in disseminating legal knowledge and explaining existing legislation, and render legal assistance to comrades' courts;

5) together with the USSR Ministry of Defence prepare proposals for organising military tribunals.

The USSR Minister of Justice and the Head of the Military Tribunals Administration, USSR Ministry of Justice, shall issue orders on matters of organising the work of military tribunals,

ARTICLE 27. The Chairman of the military tribunal of the respective service of USSR Armed Forces, military district, group of forces, and fleet shall:

1) direct the work of the respective military tribunal;

2) check the organisation of work in military tribunals of armies, flotillas, formations and garrisons, and take measures for improving it;

3) organise work for studying and generalising court practice and keeping court statistics by military tribunals, and use the results of said generalisation and data of court statistics to eliminate shortcomings in the organisation of the work of military tribunals;

4) direct the work of military tribunals for disseminating legal knowledge, explaining existing legislation, and providing legal assistance to comrades' courts, coordinating this activity with the command, political bodies, and the military procurator's office;

5) direct the work of training and advancing the qualification of military tribunal personnel;

6) determine by agreement with the military council the number of people's assessors for military tribunals.

The Chairman of the military tribunal of the respective service of USSR Armed Forces, military district, group of forces and fleet, within the bounds of his competence, shall issue orders on matters of organising the work of military tribunals.

ARTICLE 28. The Chairman of the military tribunal of an army, flotilla, formation, and garrison shall:

1) direct the work of the military tribunal;

2) direct the study of court practice and the keeping of court statistics in the respective military tribunal;

3) conduct work for educating military tribunal personnel and for improving their qualification;

4) organise work for disseminating legal knowledge and explaining existing legislation, and for rendering legal assistance to comrades' courts, coordinating this activity with the respective command, political bodies, and the military procurator's office.

The Chairman of the military tribunal of an army, flotilla formation and garrison shall, within the bounds of his competence, issue orders on matters of organising the work of military tribunals.

ARTICLE 29. The Head of the Military Tribunals Administration, Ministry of Justice of the USSR, within the bounds of his competence, shall inform the Minister of Defence of the USSR and the Head of the Central Political Administration of the Soviet Army and Navy, the commanders-in-chief of the respective services of USSR Armed Forces, and the command and political bodies of frontier guard and internal forces on matters ensuing from organisational guidance of military tribunals.

On matters ensuing from the activity of military tribunals the chairmen of the military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, fleets, armies and flotillas shall inform the respective military councils, and the chairmen of military tribunals of formations and garrisons—their respective military commands and political bodies.

Chapter V

Staffing and Providing Military Tribunals With Materials and Equipment

ARTICLE 30. The structure and staff of military tribunals and the Military Tribunals Administration, Ministry of Justice of the USSR, shall be determined jointly by the Ministry of Justice of the USSR and the Ministry of Defence of the USSR.

The structure and number of staff members of the Military Collegium, Supreme Court of the USSR, shall be en-

dorsed by the Presidium of the USSR Supreme Soviet on joint recommendation of the Chairman of the Supreme Court of the USSR and the Minister of Defence of the USSR.

The personnel of military tribunals, the Military Tribunals Administration of the Ministry of Justice of the USSR, and the Military Collegium of the Supreme Court of the USSR shall be included in USSR Armed Forces and shall be provided with all kinds of supplies on an equal basis with the personnel of military units and institutions of the Ministry of Defence of the USSR.

The list of official posts of judges of military tribunals and of the Military Collegium, Supreme Court of the USSR, and of corresponding ranks shall be endorsed by the Presidium of the USSR Supreme Soviet: for military tribunals—on joint recommendation of the Minister of Justice of the USSR and the Minister of Defence of the USSR; for the Military Collegium, Supreme Court of the USSR—on joint recommendation of the Chairman of the Supreme Court of the USSR and the Minister of Defence of the USSR.

ARTICLE 31. The officers, warrant officers, mitchmen, sergeants and sergeant-majors of military tribunals, the Military Tribunals Administration of the Ministry of Justice of the USSR, and the Military Collegium of the Supreme Court of the USSR shall be on active military service, and all statutes on military service, military regulations and orders of the Minister of Defence of the USSR specifying the procedure of service shall apply to them accordingly.

Military ranks of junior and senior officers shall be conferred in the order established by the Council of Ministers of the USSR: servicemen assigned to military tribunals and the Military Tribunals Administration of the USSR Ministry of Justice shall be conferred those ranks on recommendation of the Head of the Military Tribunals Administration, USSR Ministry of Justice, and the chairmen of the military tribunals of the respective services of USSR Armed Forces, military districts, groups of forces, and fleets; and servicemen assigned to the Military Collegium of the Supreme Court of the USSR—on recommendation of the Chairman of the Military Collegium of the Supreme Court of the USSR.

Military ranks of generals shall be conferred on servicemen of military tribunals and the Military Tribunals Ad-

ministration, Ministry of Justice of the USSR, by the Council of Ministers of the USSR on joint recommendation of the Minister of Justice of the USSR and the Minister of Defence of the USSR, and on servicemen of the Military Collegium, Supreme Court of the USSR—by the Council of Ministers of the USSR on joint recommendation of the Chairman of the Supreme Court of the USSR and the Minister of Defence of the USSR.

ARTICLE 32. Workers and office employees of military tribunals shall be appointed and relieved of their offices by the Chairman of the respective military tribunal.

ARTICLE 33. The provision of materials, equipment, finances, transport, means of communication and storage of archive materials of military tribunals, the Military Tribunals Administration of the USSR Ministry of Justice, and the Military Collegium of the Supreme Court of the USSR shall be entrusted to the respective institutions of the Ministry of Defence of the USSR.

The official premises of military tribunals shall be protected by military units of formations and garrisons to which they are assigned.

Arrested persons shall be escorted to and guarded in military tribunals by military units of formations and garrisons to which those military tribunals are assigned, and also by units (subunits) of internal forces of the Ministry of the Interior of the USSR assigned to military tribunals in towns where they are located.

Adopted on December 25, 1958;
revised on June 25, 1980

*Gazette of the USSR Supreme
Soviet*, No. 1, 1959, Item 14;
No. 27, 1980, Item 546

DE C R E E
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR
ON THE BASIC DUTIES AND RIGHTS
OF VOLUNTEER PUBLIC ORDER SQUADS

With a view to further improving the activity of volunteer public order squads the Presidium of the Supreme Soviet of the USSR *decrees*:

1. Volunteer public order squads shall be set up by work collectives at enterprises, institutions, and organisations, and also at citizens' places of residence in order to strengthen the protection of public order and the struggle against infringements of the law.

All activities of volunteer squads shall be based on strict observance of socialist legality.

2. Guidance of volunteer squads shall be exercised by Soviets of People's Deputies and their executive and administrative organs.

3. District, town, ward, township and rural Soviets of People's Deputies and their executive committees, in exercising within their competence guidance over volunteer squads, shall organise and direct their activity, take measures for reinforcing them with best representatives of the working people, ensure observance of the law by the said squads, organise their interaction with government and non-government organisations involved in protection of the law and order, hear communications and reports by the commanders and chiefs of staff of the said squads and also communications and reports on matters relating to the work of the said squads by managers of enterprises, institutions and organisations, irrespective of their departmental subordination, and decide on matters of providing the said squads with material and technical supplies.

4. Volunteer squads shall execute the following basic duties:

a) take part in protection of public order on streets, squares, and highways, and in parks, railway terminals, quays, airports, and other places of public resort, and also in maintaining order during various mass gatherings;

b) render assistance to organs of the interior, the procurator's offices, justice agencies and courts in their activity for strengthening public order and combatting infringements of the law;

c) take part in combatting hooliganism, drunkenness, home distilling, stealing of state and social property, and also citizens' personal property, and in fighting violations of trade regulations, speculation, and other infringements of the law;

d) take part in educational work among work collectives and the population at large to ensure observance of rules of socialist community life and prevent anti-social deeds; and take part in combatting child neglect and juvenile delinquency;

e) take part in ensuring traffic and pedestrian safety and in preventing road accidents;

f) take measures to render emergency medical aid to victims of accidents or infringements of the law, and also to those found in places of public resort in a helpless state; take part in saving people and property and in maintaining public order during natural calamities and other extraordinary circumstances;

g) render assistance to border guards in protecting the state border of the USSR;

h) take part in measures for protecting and conserving natural wealth, and in fighting poaching and violations of hunting and fishing regulations.

5. When a deputy of a Soviet of People's Deputies applies to a member of a volunteer squad, the latter shall render him assistance in curbing any infringement of the law discovered by the said deputy.

6. With a view to discharging the duties entrusted to them, members of volunteer squads shall have the right:

a) to demand from citizens observance of established public order and the cessation of law violations;

b) to demand from public peace disturbers their passports or other identifying documents in cases when there is a need

to establish the identity of the person in question for clarification of circumstances under which the law was infringed or of the person's involvement;

c) in the absence of militiamen or other entrusted officials, to draw up protocols in cases of deliberate disturbance of public peace or infliction of property or other damage to citizens, enterprises, institutions, and organisations, subsequently transferring the said protocols to the chief of staff (commander) of the volunteer squad;

d) to bring to the militia or to the headquarters of the volunteer squad persons who had committed infringements of the law, or with a view to preventing infringements of the law, when other measures of influence have been exhausted, and also to determine the identity of the disturber and to draw up a protocol, unless there is possibility of drawing it up on the spot where the law was broken; in this case, the person taken to the squad headquarters may not stay there for more than one hour. In cases when prevention of infringements of the law involves impounding weapons for committing such, these weapons shall be turned over to the militia without delay;

e) to enter clubs, stadiums, cinemas, and other places of public resort to pursue hiding infringers of the law, to curb infringements of the law in those places, and also, with consent of the management of those places, to execute duties for ensuring public order;

f) in cases allowing for no delay, to use means of transport (with the exception of special and diplomatic cars) to take to medical institutions persons who have suffered from accidents or infringements of the law, are in helpless state in places of public resort, and require in this connection immediate medical aid;

g) when executing their duties for protecting public order, to make free use of municipal passenger transport (with the exception of taxi cabs) in the order established by the legislation of the USSR and the Union Republics;

h) when on duty for protecting public order, to make free use of telephones of enterprises, institutions and organisations;

i) to demand that drivers of motor vehicles, tractors, and other self-powered vehicles violating traffic rules submit documents giving them the right to drive those vehicles, and to convey to the nearest agency of the interior or

its unit drivers of these transport vehicles who are either intoxicated or carry no driver's licenses.

7. Members of volunteer squads taking an active part in combatting infringements of the law shall be rewarded by the executive committees of local Soviets of People's Deputies and by appropriate state bodies, institutions, enterprises and social organisations. For special services in executing their public duty and concomitant courage and heroism, members of volunteer squads, in accordance with existing legislation, shall be recommended for decoration with USSR orders or medals.

8. Resistance to legal actions by members of volunteer squads, and attempts on the lives, health and dignity of the latter in connection with their activity for protecting public order, shall entail responsibility in conformity with the legislation of the USSR and the Union Republics.

9. State organs, social organisations, and officials shall render all-out cooperation and assistance to volunteer squads.

10. Supervision over strict and uniform observance of the law in the activity of volunteer squads shall be exercised by the Procurator-General of the USSR and by procurators subordinate to him in conformity with the USSR Law on the Procurator's Office of the USSR.

Adopted on May 20, 1974

*Gazette of the USSR Supreme
Soviet*, No. 22, 1974, Item 326;
No. 10, 1981, Item 232

DE C R E E
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR
ON FLAGS AND ENSIGNS OF STATE AND SOCIAL
BODIES, ORGANISATIONS AND OFFICIALS

The Presidium of the Supreme Soviet of the USSR *decrees*:

1. To establish that state and social bodies, organisations and officials may have flags and ensigns that shall be their symbols and distinctive signs in cases stipulated by the legislation of the USSR and the Union Republics, or by the statutes of appropriate social organisations.

2. The flags and ensigns of USSR state and social bodies, organisations and officials shall be endorsed by the Council of Ministers of the USSR or in accordance with the procedure established by the latter.

Regulations for hoisting the said flags and ensigns shall be established by the procedure determined by the Council of Ministers of the USSR.

3. The procedure for endorsing the flags and ensigns of state and social bodies and organisations of the Union Republics and their officials, and the procedure for establishing regulations for hoisting such flags and ensigns, shall be determined by the legislation of the Union Republics.

4. State and social bodies, organisations and officials shall retain the right to appropriate flags and ensigns endorsed in the order effective prior to promulgation of the present Decree.

5. Flags and ensigns of state and social bodies, organisations and officials resembling other existing Soviet and foreign flags and ensigns shall not be endorsed. Nor shall flags and ensigns depicting emblems and other signs stipulated by statutes of international organisations or international treaties be endorsed, unless something different follows from respective statutes or treaties.

6. The flags and ensigns of all state and social bodies, organisations and officials shall be registered in the order determined by the Council of Ministers of the USSR.

Flags and ensigns not registered in due order shall not be used.

7. The appended legislative acts of the USSR shall be deemed null and void.*

8. The Presidiums of the Supreme Soviets of the Union Republics shall be entrusted to bring the legislation of the Union Republics into conformity with the present Decree.

Adopted on August 15, 1980

Gazette of the USSR Supreme Soviet, No. 34, 1980, Item 693

* Not appended here.—*Ed.*

DE C R E E
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR ON THE PROCEDURE OF PUBLICATION
AND COMING INTO FORCE OF LAWS OF THE USSR,
RESOLUTIONS AND OTHER ACTS OF THE SUPREME
SOVIET OF THE USSR, AND DECREES
AND RESOLUTIONS OF THE PRESIDIUM
OF THE SUPREME SOVIET OF THE USSR

Guided by Art. 116 of the Constitution of the USSR and by the Standing Orders of the Supreme Soviet of the USSR, the Presidium of the USSR Supreme Soviet *decrees* that:

1. Laws of the USSR and resolutions and other acts of the Supreme Soviet of the USSR, decrees and resolutions of the Presidium of the USSR Supreme Soviet shall, not later than within seven days after their adoption, be published in the languages of the Union Republics and signed by the Chairman and Secretary of the Presidium of the USSR Supreme Soviet.

Addenda to the afore-mentioned acts shall be published and signed by the Secretary of the Presidium of the USSR Supreme Soviet.

2. Laws of the USSR and resolutions and other acts of the Supreme Soviet of the USSR shall be published in the *Gazette of the USSR Supreme Soviet* published in the languages of the Union Republics, and in the newspaper *Izvestia of the Soviets of People's Deputies of the USSR*.

Decrees and resolutions of the Presidium of the Supreme Soviet of the USSR shall be published in the *Gazette of the USSR Supreme Soviet*. Acts of the Presidium of the USSR Supreme Soviet requiring wide-ranging and immediate promulgation shall also be published in the *Izvestia of the Soviets of People's Deputies of the USSR*.

Publication of acts of the Supreme Soviet of the USSR and of the Presidium of the USSR Supreme Soviet in the *Gazette of the USSR Supreme Soviet* and in the newspaper *Izvestia of Soviets of People's Deputies of the USSR* shall be held to be official publication.

Acts of the Supreme Soviet of the USSR and of the Presidium of the USSR Supreme Soviet may also be published in other organs of the press, broadcast by television and radio, transmitted by telegraph, and sent out to appropriate government agencies and non-government organisations.

Resolutions of the Soviet of the Union and resolutions of the Soviet of Nationalities of the Supreme Soviet of the USSR shall be published in the *Gazette of the USSR Supreme Soviet*, and, when need be, in other publications.

3. Decrees and resolutions of the Presidium of the USSR Supreme Soviet having no general significance or no normative character shall not be published if the Presidium of the USSR Supreme Soviet so decides. These acts shall be forwarded to appropriate government bodies and non-government organisations, which shall bring them to the notice of the enterprises, institutions, organisations and individuals upon which these acts are binding.

4. On representation by the USSR Ministry of Foreign Affairs the *Gazette of the USSR Supreme Soviet* shall publish international treaties concluded in the name of the USSR that have come into force for the USSR and were signed on the authority of the Presidium of the USSR Supreme Soviet; the afore-mentioned *Gazette* shall also publish ratified treaties and treaties to which the USSR has become a signatory on the authority of resolutions of the Presidium of the USSR Supreme Soviet.

Any international treaty of the USSR, the original text of which was composed in a foreign language, shall be published in the afore-said *Gazette* in this language with an official Russian translation.

5. Laws of the USSR, resolutions and other acts of the USSR Supreme Soviet, and decrees and resolutions of the Presidium of the USSR Supreme Soviet of a generally normative character shall come into force simultaneously over the entire territory of the USSR ten days after they have been published in the *Gazette of the USSR Supreme Soviet*. The same acts, published in the newspaper *Izvestia of Soviets of People's Deputies of the USSR* prior to publication in the *Gazette*, shall come into force ten days after publication in the *Izvestia*.

Published non-normative acts of the Supreme Soviet of the USSR and of the Presidium of the USSR Supreme Soviet shall come into force from the moment of their adoption.

The periods indicated in the present article for the aforesaid acts to come into force shall not be applied in cases when the USSR Supreme Soviet or the Presidium of the USSR Supreme Soviet while adopting such acts, establishes another period for bringing these acts into force.

6. Decrees and resolutions of the Presidium of the USSR Supreme Soviet not published according to Art. 3 of the present Decree shall come into force from the moment they are received by government bodies and non-government organisations, provided the Presidium of the USSR Supreme Soviet has not established some other period for bringing them into effect.

Approved on June 19, 1958;
revised on May 6, 1980

*Gazette of the Supreme Soviet
of the USSR, No. 14, 1958,
Item 275; No. 20, 1980,
Item 374*

LAW OF THE USSR ON THE AGRICULTURAL TAX

I. GENERAL PROVISIONS

Article 1. The agricultural tax shall be levied on the following farms:

1) small holdings of members of collective farms, including collective fisheries;

2) small holdings of other citizens who have been given allotments in localities administratively subordinate to rural Soviets of People's Deputies.

Article 2. The tax shall be collected from every small holding and computed according to the size of the plot of land in its use.

In determining the amount of tax, any land taken up by buildings, bushes, forests, roads of general use, ravines and gulleys shall be excluded from the area of the small holding.

II. TAXATION OF SMALL HOLDINGS OF COLLECTIVE FARMERS AND OTHER CITIZENS

Article 3. The tax from the small holdings of collective farmers and other citizens shall be computed according to rates per one-hundredth of a hectare in terms of a year.

The following average and ceiling tax rates shall be introduced for the Union Republics.

In requisite cases the Council of Ministers of the USSR may alter the tax rates, indicated in this Article, for individual Union Republics.

Union Republics	Tax rates per one-hundredth of a hectare		
	average rate throughout the Republic	ceiling rates	
		lowest rate	highest rate
RSFSR	85 kopecks	3) kopecks	1.40 roubles*
Ukrainian Republic			
eastern regions	85 kopecks	50 kopecks	1.20 roubles
western regions	40 kopecks	20 kopecks	60 kopecks
Byelorussian Republic			
eastern regions	60 kopecks	30 kopecks	90 kopecks
western regions	30 kopecks	20 kopecks	50 kopecks
Uzbek Republic			
irrigated land	2.20 roubles	—	—
non-irrigated land	80 kopecks	—	—
Kazakh Republic	77 kopecks	40 kopecks	1.30 roubles
Georgian Republic	1.30 roubles	40 kopecks	2.50 roubles
Azerbaijan Republic	1.20 roubles	60 kopecks	1.80 roubles
Lithuanian Republic	30 kopecks	—	—
Moldavian Republic			
left-bank districts	80 kopecks	—	—
right-bank districts	40 kopecks	—	—
Latvian Republic	40 kopecks	—	—
Kirghiz Republic	90 kopecks	40 kopecks	1.30 roubles
Tajik Republic			
irrigated land	2.20 roubles	—	—
non-irrigated land	80 kopecks	—	—
Armenian Republic	1.30 roubles	—	—
Turkmen Republic			
irrigated land	2 roubles	—	—
non-irrigated land	80 kopecks	—	—
Estonian Republic	40 kopecks	—	—

* 1 rouble equals 100 kopecks. — *Ed.*

Article 4. Proceeding from the average tax rates introduced by Art. 3 of this Law for Union Republics, the Councils of Ministers of the Union Republics that are divided into regions shall fix the average tax rates for individual Autonomous Republics, territories and regions, as well as increased or decreased rates within the stipulated limits, depending on their economic features.

The Councils of Ministers of the Union Republics that are not divided into regions, the Councils of Ministers of the

Autonomous Republics, the executive committees of territory and regional Soviets of People's Deputies, proceeding from the average tax rates established for republics, territories, and regions, shall fix special tax rates for individual districts and, if necessary, for separate rural localities. Tax rates shall be fixed with due account of the size of income derived by small holdings, the yields of certain crops and the economic features of the localities.

Article 5. Taxpayers shall be registered and the tax computed by financial agencies every year as of June 1.

The tax levied on the small holding shall be paid in two equal portions by August 15 and October 15.

III. AGRICULTURAL TAX REBATES

Article 6. The following small holdings shall be exempt from the tax:

1) small holdings whose family members are in active military service, provided there are no other able-bodied persons on the farm, except the wife or mother of the serviceman, who have children under 8 years of age;

2) small holdings whose family members include invalids of the Great Patriotic War or other invalids from among servicemen who have become invalids due to a wound, contusion or mutilation in the defence of the USSR or in the discharge of other duties in the military service, or due to an illness connected with presence at the front; small holdings of invalids from among former partisans, as well as small holdings of other invalids who have been placed on a par with the said categories of servicemen in the awarding of pensions.

In the event of the death of an invalid the rebate accorded to his small holding shall be effective until the end of the respective year;

3) small holdings whose family members include disabled workers of first and second groups, if there are no able-bodied persons, shall be granted the rebate in the full amount and, if there are able-bodied persons, a rebate reduced by 50 per cent.

In case a disabled worker belonging to first and second groups is included in the third group within a year and also

in the event of his death, the rebate granted to the household shall be effective until the end of the year;

4) small holdings whose family members include Heroes of the Soviet Union, Heroes of Socialist Labour, and persons awarded with the orders of Glory (First, Second and Third Classes) shall be granted a rebate reduced by 50 per cent.

5) small holdings whose family head has reached the following age: men—60 years, women—55 years, unless other able-bodied members of the household make their labour contribution to it.

Article 7. The following small holdings shall be tax-exempt if they are headed by:

1) teachers of rural schools (including teachers who are retired on a pension), teachers of rural vocational schools, instructors of boarding schools, schools with extended-day groups, heads and instructors of pre-school children's institutions, directors, deputy directors responsible for upbringing and education, labour tutors and instructors in children's homes, senior Young Pioneer leaders in general education schools, children's homes and boarding schools in rural localities;

2) agronomists, livestock experts, hydrotechnicians, land surveyors, land-reclamation specialists, veterinary surgeons and doctors' assistants, physicians, apothecaries, nurses, government sanitary inspectors with a specialised education who work according to their speciality in rural enterprises, institutions and organisations;

3) chairmen and deputy chairmen of collective farms, managers and their deputies on state and stud farms, and in state nursery gardens, agro-industrial enterprises, inter-farm enterprises (organisations), machine and livestock, trial machine, meadow improvement and other specialised stations, as well as other agricultural associations (enterprises) in rural localities;

4) engineers, technicians and mechanics on collective, state and stud farms, in state nursery gardens, agro-industrial enterprises, inter-farm enterprises (organisations), machine and livestock, trial machine and meadow improvement and other specialised stations, as well as other agricultural associations (enterprises) in rural localities, provided the said persons work in these capacities or hold other posts according to their speciality.

Rebates for the small holdings of the workers of the said specialised stations shall be accorded also in those cases where these stations are situated within city or township limits but serve rural enterprises and organisations;

5) economists, planners and bookkeepers with a higher or secondary specialised education who work on collective or state farms, in agro-industrial enterprises, inter-farm enterprises (organisations) and in other agricultural enterprises, and also in the agricultural boards of the executive committees of local Soviets of People's Deputies and hold these posts, provided these enterprises (organisations) and boards are situated in rural localities.

Article 8. Small holdings suffering from natural calamities (destruction of agricultural crops, perennial fruit trees or basic property as a result of a fire, explosion, lightning strike, flood, earthquake, storm, hurricane, tsunami, heavy shower, hail, avalanche, landslide, high-flood, mud flow, outcrop of ground waters, locally unprecedented prolonged rainfall, late frosts and abundant snow-fall; loss of cattle) may, depending on the size of the damage inflicted, be exempt, fully or partially, from the agricultural tax by decision of the executive committees of township and rural Soviets of People's Deputies, adopted on the basis of the financial bodies' preliminary conclusion.

In the event of the death or prolonged grave illness of the main family worker his small holding, as well as a small holding experiencing temporary material difficulties, may be exempt from the tax in the same manner.

In those cases where the small holdings of collective farmers are situated directly on the territory of a city (subordinate to the area, region, territory or republic) or a ward Soviet of People's Deputies, the question about tax rebates, provided for by this Article, shall be settled by the executive committee of a corresponding city or ward Soviet of People's Deputies and in a town city of district subordination—by the executive committee of a city Soviet of People's Deputies on the basis of the financial agencies' preliminary conclusion.

Article 9. When determining the agricultural tax rebates non-able-bodied persons shall include first- and second-group invalids.

When determining tax rebates, able-bodied persons shall not include family members who have reached the respective ages in the current calendar year (men—60 years, women—55 years) and children below 16 years of age (inclusive), as well as servicemen and students of educational establishments with more than a one-year term of instruction.

Article 10. The Council of Ministers of the USSR shall have the right to introduce additional agricultural tax privileges.

IV. LIABILITY OF TAXPAYERS AND PROCEDURE OF APPEALING AGAINST ACTIONS TAKEN BY FINANCIAL AGENCIES

Article 11. Taxpayers who failed to pay the agricultural tax on time shall pay this tax for not more than two preceding years.

Revision of an incorrect imposition of the tax may also be effected for not more than two preceding years.

Article 12. If the tax is levied on the taxpayer for preceding years in the order prescribed by Art. 11 of this Law, he shall pay the tax in equal portions in two periods of time: within a month since he has received a notice of payment and within three months after the first period.

Article 13. Taxpayers failing to pay the tax on time shall pay a penalty of 0.2 per cent of the sum due for every day of delay.

Persons guilty of tax evasion shall be subject to measures provided for by the Statute on the Recovery of Late Taxes and Non-Tax Payments.

Article 14. Complaints against alleged wrongful actions taken by officials of the financial bodies which computed and collected the tax shall be lodged with the financial departments of the executive committees of district, city and ward Soviets of People's Deputies, and decisions on these complaints shall be passed within the terms established by USSR legislation for examining complaints and statements of citizens.

Decisions on the said complaints may be appealed within one month to a higher financial body.

Article 15. Lodging of complaints shall not suspend the collection or recovery of the tax. The financial body that scrutinises a complaint shall have the right to suspend the recovery of the sums due from the taxpayer pending the settlement of the complaint.

Article 16. Instructions on the application of this Law shall be issued by the USSR Ministry of Finance.

Adopted on August 8, 1953;
revised on December 22, 1983

Gazette of the USSR Supreme Soviet No. 7, 1953; No. 6, 1968, Item 41; No. 48, 1969, Item 434; No. 9, 1970, Item 81; No. 51, 1971, Item 500; No 49, 1978, Item 814; No. 52, 1983, Item 802

DECREE
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR ON THE INCOME TAX PAID
BY THE POPULATION

I. GENERAL PROVISIONS

1. USSR citizens who receive income on Soviet territory shall pay the income tax levied on the population.

The present Decree shall not apply to income earned by collective farmers from work on collective farms of which they are members.

2. The following persons shall be exempt from the income tax:

1) factory, office and professional workers and other citizens placed on a par with them in terms of taxation, who receive wages and salaries and other types of remuneration or scholarships that do not exceed 70 roubles a month;

2) servicemen in active short-term military service and reservists called to training assemblies and musters with respect to their regular and daily allowances and other sums received in the place of service during assemblies and musters;

3) Lenin, State, Government and Leninist Komsomol prize winners with respect to their prize money;

4) pensioners with respect to the pensions they receive;

5) invalids of the Great Patriotic War or other invalids from among servicemen who have become invalids due to a wound, contusion or mutilation during the defence of the USSR or in the discharge of other duties in military service, or due to an illness connected with their presence at the front, invalids from among former partisans, as well as other invalids who are placed in terms of pensions on a par with the said categories of servicemen with respect to the income they receive;

6) invalids from among commissioned officers and privates serving in the agencies of the interior, who have become invalids due to a wound, contusion or mutilation in the discharge of official duties with respect to the income they receive;

7) persons with respect to the income they derive from domestic trades and handicrafts, which does not exceed 840 roubles a year;

8) men who have reached 60 years of age and women who have reached 55 years of age with respect to the income they derive from domestic trades and handicrafts and other non-agricultural trades in rural localities, provided their households are exempted from the agricultural tax;

9) persons with respect to other income that does not exceed 300 roubles a year, except the income they earn in enterprises, institutions and organisations.

3. For participants of the Civil War and the Great Patriotic War, of other military operations for the defence of the USSR from among servicemen who served in military units, headquarters and institutions that were part of the army in the field and former partisans, the amount of the income tax on all the income they receive shall be reduced by 50 per cent.

4. For factory, office and professional workers and for persons placed on a par with them in terms of taxation, who have four and more dependents, the amount of the income tax collected at their main place of work shall be reduced by 30 per cent.

5. The taxable income shall not include:

1) state social insurance benefits and state social security benefits, except temporary incapacity allowances, prenatal allowances, and allowances for the care of infants;

2) sums of emoluments not exceeding 1,000 roubles for every discovery, invention, efficiency proposal and industrial design and paid to the authors of discoveries and inventions protected by authors' certificates, and to the authors of efficiency proposals and industrial designs supplied with certificates;

3) sums received as alimony;

4) sums received in compensation for injury when work capacity is lost due to mutilation or other impairment of health and also to the loss of the bread-winner;

5) sums received as wages and salaries and other sums

received by USSR citizens from Soviet enterprises, institutions and organisations in foreign currency in connection with work abroad;

6) sums received from the sale of personal property;

7) sums received by way of inheritance and gifts, with the exception of sums of the author's emoluments received by heirs or legatees of the authors of works of science, literature and art;

8) winnings from Soviet state loans and lotteries;

9) interest on and winnings from deposits in the USSR State Bank institutions and state savings banks;

10) sums paid by state mandatory and voluntary insurance bodies;

11) charges on shares in cooperatives.

6. The Council of Ministers of the USSR shall have the right to determine certain types of income earned by citizens that are subject to full or partial exemption from taxable income.

7. The USSR Ministry of Finance and the Ministries of Finance of the Union Republics shall have the right to grant full income tax exemptions to individual taxpayers or to groups of taxpayers and also to reduce the amount of the income tax for individual taxpayers or groups of taxpayers.

The Ministries of Finance of the Autonomous Republics, the financial departments of the executive committees of the territory and regional Soviets of People's Deputies, the Soviets of People's Deputies of the autonomous regions and areas, the district, city and ward Soviets of People's Deputies shall have the right to grant full income tax exemptions to individual taxpayers and also to reduce the amount of the tax for individual taxpayers.

8. Income earned abroad by USSR citizens who permanently reside on Soviet territory shall be subject to the income tax under this Decree.

Foreign nationals and stateless persons shall be subject to the income tax in accordance with the Decree of the Presidium of the Supreme Soviet of the USSR dated May 12, 1978 and entitled "On Income Tax from Foreign Juridical and Natural Persons" and with the present Decree.

II. TAXATION OF FACTORY, OFFICE AND PROFESSIONAL WORKERS

9. The income tax on the wages of factory, office and professional workers and on other monetary payments and payments in kind connected with their labour duties and received at the main place of work shall be levied at the following rates:

Monthly earnings (in roubles)	Amount of tax due (in roubles)	Monthly earnings (in roubles)	Amount of tax due (in roubles)
71	0.25	81	3.75
72	0.59	82	4.09
73	0.93	83	4.43
74	1.30	84	4.77
75	1.65	85	5.11
76	2.00	86	5.45
77	2.39	87	5.79
78	2.73	88	6.13
79	3.07	89	6.47
80	3.41	90	6.81
		91	7.12
		from 92 to 100	7.12 plus 12 per cent of the sum exceeding 91 roubles
		over 100	8.20 plus 13 per cent of the sum exceeding 100 roubles

10. The taxable monthly earnings of factory, office and professional workers shall include the sums charged at the main place of work, including sums received for combining jobs at the main place of work.

11. The taxable monthly earnings of factory, office and professional workers shall not include the following sums:

- 1) severance allowances paid upon dismissal;
- 2) sums paid in the form of grants;
- 3) compensation payments provided for by current legislation, with the exception of compensation for unused leave upon the dismissal of a worker;
- 4) sums paid under current legislation to individual cate-

gories of workers in exchange for free accommodation and public utilities;

5) all types of allowance in kind granted on the strength of relevant decisions of the Government of the USSR, sums paid by enterprises, institutions and organisations to workers and other employees in exchange for this allowance and also bonuses (gifts).

12. Persons placed on a par with workers and other employees in terms of the income tax shall include:

1) officers, warrant officers, mitchmen, and re-enlisted servicemen with respect to their money allowance;

2) students of higher educational establishments, secondary specialised schools, post-graduate students and interns with respect to their scholarship;

3) lawyers with respect to the fees they receive for their work in legal advice offices.

13. The income tax on the wages of factory, office and professional workers and on other payments connected with their labour duties and received at the main place of work shall be collected by the enterprises, institutions and organisations that make these payments.

14. Simultaneously with the receipt of money intended for the payment of wages and salaries from the USSR State Bank institutions, the enterprises, institutions and organisations shall transfer to the treasury sums of the income tax subject to collection from workers and other employees.

Organisations that have no accounts of their own in the USSR State Bank institutions shall transfer the sums of the tax collected from workers and other employees to these institutions the day after they have paid wages.

III. TAXATION OF CITIZENS WITH RESPECT TO EARNINGS RECEIVED FROM ENTERPRISES, INSTITUTIONS AND ORGANISATIONS OUT OF THE MAIN PLACE OF WORK

15. The tax shall be levied on the wages and other monetary payments and payments in kind received by citizens from enterprises, institutions and organisations out of the main place of work for plurality of offices, for performance of incidental jobs, for the delivery of pelts and other hunting products, for the home manufacture of articles to be delivered to enterprises, institutions and organisations in accordance

with contracts concluded and for jobs performed by workers not on the staff, at the following rates:

Monthly earnings (in roubles)	Amount of tax due
under 15	1.5 per cent of income
from 15 to 20	22 kopecks plus 5.5 per cent of the sum exceeding 15 roubles
from 21 to 30	50 kopecks plus 6 per cent of the sum exceeding 20 roubles
from 31 to 40	1.10 roubles plus 7 per cent of the sum exceeding 30 roubles
from 41 to 50	1.80 roubles plus 8 per cent of the sum exceeding 40 roubles
from 51 to 70	2.60 roubles plus 10 per cent of the sum exceeding 50 roubles
from 71 to 100	4.60 roubles plus 12 per cent of the sum exceeding 70 roubles
over 100	8.20 roubles plus 13 per cent of the sum exceeding 100 roubles

The same tax rates shall be applied to the authors of discoveries and inventions protected by authors' certificates, of efficiency proposals and industrial designs supplied with certificates who receive emoluments exceeding 1,000 roubles for every discovery, invention, efficiency proposal and industrial design. The tax shall be computed and deducted from the entire sum of emoluments (minus 1,000 roubles) separately for every discovery, invention, efficiency proposal and industrial design.

16. The income tax on the earnings of citizens listed in Art. 15 of this Decree shall be collected by the enterprises, institutions and organisations that pay these sums.

**IV. TAXATION OF CITIZENS WITH RESPECT TO INCOME
DERIVED FOR THE PUBLICATION, PERFORMANCE
OR ANY OTHER USE OF WORKS OF SCIENCE,
LITERATURE AND ART**

17. The tax on authors' earnings for the publication, performance or any other use of works of science, literature and art shall be collected at the following rate:

1) sums of money paid to Soviet and other authors for the use of their works on USSR territory, sums of money remitted to Soviet authors from abroad (including translations done specially for consumption beyond the borders of the USSR in the statutory manner):

Annual earnings (in roubles)	Amount of tax due
under 180	1.5 per cent of income
from 181 to 240	2.70 plus 5.5 per cent of the sum exceeding 180 roubles
from 241 to 360	6.00 plus 6 per cent of the sum exceeding 240 roubles
from 361 to 480	13.20 plus 7 per cent of the sum exceeding 360 roubles
from 481 to 600	21.60 plus 8 per cent of the sum exceeding 480 roubles
from 601 to 840	31.20 plus 10 per cent of the sum exceeding 600 roubles
from 841 to 1,200	55.20 plus 12 per cent of the sum exceeding 840 roubles
over 1,200	98.40 plus 13 per cent of the sum exceeding 1,200 roubles

The tax on other income of writers and workers of art shall be collected at the same rates, except for wages at the main place of work;

2) sums of authors' earnings remitted from abroad to Soviet or other authors permanently residing in the USSR, with the exception of sums sent from abroad to Soviet authors for their works (including translations), done

Annual earnings (in roubles)	Amount of tax due
under 500	30 per cent of income
from 501 to 1,000	150 roubles plus 45 per cent of the sum exceeding 500 roubles
from 1,001 to 3,000	375 roubles plus 55 per cent of the sum exceeding 1,000 roubles
from 3,001 to 5,000	1,475 roubles plus 65 per cent of the sum exceeding 3,000 roubles
over 5,000	2,775 roubles plus 75 per cent of the sum exceeding 5,000 roubles

pecially for consumption beyond the borders of the USSR in the statutory manner):

From author's emoluments paid to Soviet or other authors permanently residing in the USSR the tax shall be deducted for the use of their works in socialist countries in the statutory manner at rates reduced by 50 per cent, if the sum of the earnings does not exceed 1,000 roubles a year. In those cases where the annual sum of such emoluments exceeds 1,000 roubles, the sum of the tax shall be collected in a reduced amount only from the first thousand roubles of the emoluments received.

The income tax on the successors in law (except authors heirs or legatees) shall also be collected at the rates indicated in Points 1 and 2 of the present Article.

18. The income tax on authors' emoluments paid to Soviet and other authors for the use of works of fiction, musical and fine arts shall be collected at the following rates:

Annual income (in roubles)	Amount of tax due
under 500	60 per cent of income
from 501 to 1,000	300 roubles plus 65 per cent of the sum exceeding 500 roubles
from 1,001 to 3,000	625 roubles plus 70 per cent of the sum exceeding 1,000 roubles
over 3,000	2,025 roubles plus 75 per cent of the sum exceeding 3,000 roubles

From the authors' emoluments paid to the heirs of Soviet and other authors for the use of other types of works (besides works of fiction, musical and fine arts) taxes shall be deducted at the rates indicated in this Article with the charged sum increased by 20 per cent.

From the authors' emoluments paid to the heirs of Soviet and other authors—persons who have not reached 16 years of age, students below 23 years of age, men who have reached 60 years and women who have reached 55 years, and persons who received disability pensions—the income tax shall be collected in amounts provided for by this Article with the charged sum reduced by 50 per cent, unless the sum of emoluments exceeds 1,000 roubles a year. In those cases where

the annual sum of such emoluments exceeds 1,000 roubles, the tax shall be collected in a reduced amount only from the first thousand roubles of the emoluments received.

19. The income tax on authors' emoluments that are remitted from abroad, on sums subject to transfer abroad and also on sums of money paid to the successors in law (including heirs) of Soviet and foreign authors shall be computed and collected by VAAP (the All-Union Copyright Agency). The tax on other sums of the authors' emoluments paid in the USSR and also on other income of writers and art workers (besides wages received at the main place of work) shall be computed and collected directly in every place of payment. With every subsequent payment the tax shall be re-computed for the general sum of payments made in the current year in the given place of payment. Incomes listed in this Section shall be taxed without the application of the non-taxable minimum of income fixed by this Decree.

V. TAXATION OF CITIZENS ENGAGED IN OTHER TYPES OF ACTIVITY

20. The tax on incomes of citizens engaged in domestic trades and handicrafts shall be collected at the following rate:

Annual income (in roubles)	Amount of tax due
from 841 to 3,000	the rate equal to the annual sum of the income tax paid from the earnings of workers and other employees at the main place of work
from 3,001 to 5,000	332.40 roubles plus 60 per cent of the sum exceeding 3,000 roubles
over 5,000	1,532.40 plus 65 per cent of the sum exceeding 5,000 roubles

21. The tax on the income derived from the private practice of doctors and other medical workers, teachers, architects, artists, typists, stenographers and other professionals shall be collected at the following rate:

Annual income (in roubles)	Amount of tax due
from 301 to 360	15 roubles plus 10 per cent of the sum exceeding 300 roubles
from 361 to 480	21 roubles plus 14 per cent of the sum exceeding 360 roubles
from 481 to 600	37.80 roubles plus 19 per cent of the sum exceeding 480 roubles
from 601 to 840	60.60 roubles plus 23.5 per cent of the sum exceeding 600 roubles
from 841 to 1,200	117 roubles plus 29 per cent of the sum exceeding 840 roubles
from 1,201 to 1,800	221.40 roubles plus 33.5 per cent of the sum exceeding 1,200 roubles
from 1,801 to 2,400	422.40 roubles plus 40 per cent of the sum exceeding 1,800 roubles
from 2,401 to 3,000	662.40 roubles plus 46.5 per cent of the sum exceeding 2,400 roubles
from 3,001 to 5,000	941.40 roubles plus 52.5 per cent of the sum exceeding 3,000 roubles
from 5,001 to 7,000	1,991.40 roubles plus 59 per cent of the sum exceeding 5,000 roubles
over 7,000	3,171.40 roubles plus 69 per cent of the sum exceeding 7,000 roubles

The tax on the income derived by ministers of religion and members of executive bodies of religious associations from religious activity and also on the income earned by other citizens from the performance of religious rites or from participation in them shall be collected at the same rates.

22. The tax on the income of citizens who are not listed in Arts. 9, 15, 17, 18, 20 and 21 of this Decree shall be collected at the following rates:

Annual income (in roubles)	Amount of tax due
from 301 to 360	22.20 roubles plus 15 per cent of the sum exceeding 300 roubles
from 361 to 480	31.20 roubles plus 20 per cent of the sum exceeding 360 roubles

Annual income (in roubles)	Amount of tax due
from 481 to 600	55.20 roubles plus 25 per cent of the sum exceeding 480 roubles
from 601 to 840	85.20 roubles plus 31 per cent of the sum exceeding 600 roubles
from 841 to 1,200	159.60 roubles plus 37.5 per cent of the sum exceeding 840 roubles
from 1,201 to 1,800	294.60 roubles plus 44 per cent of the sum exceeding 1,200 roubles
from 1,801 to 2,400	558.60 roubles plus 50 per cent of the sum exceeding 1,800 roubles
from 2,401 to 3,000	858.60 plus 56 per cent of the sum exceeding 2,400 roubles
from 3,001 to 5,000	1,194.60 plus 62.5 per cent of the sum exceeding 3,000 roubles
from 5,001 to 7,000	2,444.60 plus 71 per cent of the sum exceeding 5,000 roubles
over 7,000	3,864.60 roubles plus 81 per cent of the sum exceeding 7,000 roubles

23. Taxable income shall be the difference between gross income (in money and in kind) and expenditure involved in the derivation of income.

24. Income shall be taxed by financial bodies in the place of the taxpayer's residence, and if his or her activity is conducted elsewhere, income shall be taxed at the place of this activity with the obligatory notification of the financial body situated at the place of the taxpayers' residence of the amount of income and the tax.

The tax shall be computed from the entire annual income according to types of activity listed in Arts. 20, 21 and 22 of this Decree.

25. The income tax shall be paid by March 15, May 15, August 15 and November 15.

26. The income tax shall be paid according to the following procedure:

1) in every quarter taxpayers pay 25 per cent of the annual sum of the tax computed for the income derived in the preceding year, whereas taxpayers who pay the tax for the first time pay 25 per cent of the sum computed for the presumable income in the current year.

In case the taxpayer's income increases or decreases considerably throughout the year the sum of the tax may be re-computed at the terms pending the tax payment;

2) at the expiration of the respective year or the termination of a source of income the annual sum of the tax shall be computed according to the actual income, and the difference between this sum and the sums paid throughout the year shall be subject to collection from the taxpayers or returned to them within 15 days.

27. Taxpayers and their taxation shall be taken into account on the basis of:

1) tax returns submitted annually by taxpayers to financial bodies by January 15. Should a source of income arise throughout the respective year, the tax return shall be submitted within 5 days after the expiry of one month following the day the income source has appeared, and should a source of income cease to exist throughout the year—within 5 days following its disappearance;

2) information presented to financial bodies by enterprises, institutions and organisations regarding the sums paid to individual citizens which under this Decree are subject to taxation directly by financial agencies, and also information submitted by housing management bodies and owners of buildings in the manner and terms established by the USSR Ministry of Finance;

3) materials of investigations conducted by financial bodies into the activities of citizens and other available information about the taxpayers' income.

VI. CONTROL OVER PROPER TAXATION AND TAXPAYERS' LIABILITY

28. With a view to ascertaining the full amount of taxable income the officials of financial bodies shall have the right:

1) to verify the documents of enterprises, institutions and organisations concerning the computation and collection of the tax, and also the transfer of the collected sums of the tax to the treasury;

2) to verify the respective documents of enterprises, institutions and organisations that submit to financial bodies information needed for taxation according to Art. 27 of this Decree;

3) to enter unhindered premises where domestic trades and handicrafts are conducted, private practice and other types of activity take place, to verify this activity, to examine relevant documents, to inspect stocks of raw and auxiliary materials, equipment and finished articles, to question persons receiving income and also their clients.

29. The sums of the tax due on the wages of factory, office and professional workers and on the income of other citizens listed in Arts. 12 and 25 of this Decree but not collected in good time by enterprises, institutions and organisations may be recovered within not more than three months, and the excessively collected sums of the tax may be returned within not more than 12 months pending the discovery of an incorrect deduction.

The sums of the tax on the income derived from the publication, performance of any other use of works of science, literature and art which were not collected in good time may be recovered within not more than 12 months of the year in which an incorrect collection was discovered and also for the preceding year. The excessively collected sums of the tax shall be returned for the same period.

Other categories of taxpayers who were not recommended to pay the income tax in good time or were levied incorrectly shall return the income tax or be subject to tax recovery for not more than two preceding years.

The sums of the income tax which were not recovered as a result of the taxpayer's evasion shall be collected for the entire time of evasion.

30. Taxpayers failing to make a timely payment of the income tax shall pay a penalty of 0.2 per cent of the sum due for every day of delay.

Taxpayers evading tax payment shall be subject to measures provided for by the Statute on the Recovery of Tax and Non-Tax Payments Not Made in Good Time.

VII. PROCEDURE FOR APPEALING ACTIONS TAKEN BY FINANCIAL AGENCIES

31. Complaints against actions taken by officers of financial and other agencies that computed and collected the income tax shall be lodged with the executive committees of the district, city and ward Soviets of People's Deputies

and decisions on them shall be made under the terms stipulated by USSR legislation for considering citizens' complaints and statements.

Decisions taken by financial departments may be appealed against within one month to a higher financial body.

Filing complaints shall not delay payment of the income tax.

The financial agency that scrutinises a complaint shall have the right to stop the collection of the tax due from the taxpayer pending the settlement of the complaint.

VIII. PROCEDURE FOR ISSUING INSTRUCTIONS ON THE APPLICATION OF THIS DECREE

32. Instructions on the application of this Decree shall be issued by the USSR Ministry of Finance.

Adopted on April 30, 1943;
revised on October 20, 1983

Gazette of the USSR Supreme Soviet, No. 17, 1943; No. 29; 1947; No. 18, 1956, Item 394, No. 45, 1962, Item 457; No. 35, 1968, Item 314; No. 3, 1970 Item 24; No. 4, 1972, Item 27; No. 37, 1973, Item 497, No. 39, Item 542, No. 48, Item 679; No. 21, 1975, Item 338; No. 43, 1983, Item 653

DECREE
OF THE PRESIDIUM OF THE SUPREME SOVIET
OF THE USSR ON INCOME TAX FROM COOPERATIVE
SOCIETIES AND SOCIAL ORGANISATIONS

The Presidium of the USSR Supreme Soviet *decrees*:

1. In accordance with this Decree the income tax shall be levied on the actual balance-sheet profit derived by cooperative societies and social organisations from their economic activity and on the excess of income over expenditure that results from arrangements requiring payment.

The tax paid shall be 35 per cent of the taxable income

2. The income tax shall be paid by the following bodies:

a) enterprises and economic agencies of cooperative societies and social organisations which operate on a self-supporting basis, have their own balance sheets and a settlement account in a credit institution. These entities are taxed with respect to all their income from all activities.

The USSR Ministry of Finance shall have the right, by agreement with the Central Union of Consumer Societies, to levy an income tax on the higher bodies of the enterprises and economic agencies of consumer cooperative societies which derive profits from their activity;

b) agencies of cooperative societies and social organisations which do not operate on the principle of cost accounting but which have their own accounts in credit institutions. These agencies are taxed on their income accruing from arrangements requiring payment and on the income of subordinate economic units that do not have their own balance sheets.

3. The income tax shall be computed and paid directly by taxpayers.

The income tax shall be computed quarterly on the basis of the sum of actual balance-sheet profits and the excess of income over expenditure for the time that has passed since the beginning of the calendar year.

The amount of a payment shall be determined as the

difference between the sum of the tax computed for the time that has elapsed since the beginning of the year and the sum of the tax calculated for the preceding quarters.

4. The tax shall be paid quarterly but not later than the 5th day of the second month of a quarter.

5. Depending on the subordination of the taxpayer, the income tax shall be collected for the benefit of the Union budget or of the state budgets of the Union Republics.

6. The taxpayers shall submit quarterly and annually bookkeeping statements and balance sheets to relevant financial agencies under terms stipulated by current legislation, as well as accounts of sums of the tax in the form established by the USSR Ministry of Finance.

If the submitted accounts and balance sheets are incomplete or unclear, the taxpayers shall be obliged upon request of financial agencies to present the requisite additional materials within 10 days.

7. Taxpayers who have not prepared bookkeeping accounts and balance sheets for the corresponding period under review by the established periods of tax payment shall pay 110 per cent of the sum of the tax calculated for the preceding period under review.

8. Taxpayers failing to make a timely payment of income tax shall pay, on the instruction from financial agencies, a penalty in the indisputable manner, which constitutes 0.05 per cent of the sum due for every day of delay.

9. The managers and chief (senior) bookkeepers of enterprises and economic agencies of cooperative societies and social organisations shall bear responsibility for the proper computation and timely payment of the income tax, and also for the proper drawing up of bookkeeping accounts and balance sheets and the timely submission of them to financial bodies, and also for the proper computation of tax payments.

10. Taxpayers shall have the right to appeal against the wrong actions made by financial bodies in connection with the recovery of tax. Complaints shall be addressed to that financial body by whose order this recovery has been made. These complaints shall be examined and decisions taken within five days of the filing of the complaint.

Decisions on complaints may be appealed against to a higher financial body within 30 days.

The submission of a complaint shall not delay the recovery of the tax.

11. Control over proper computation and timely payment of the income tax by cooperative societies and social organisations shall be exercised by financial bodies.

Taxpayers shall be obliged to present to financial bodies on their demand all the documents that are necessary for the verification of proper computation of the size of taxable income and the sum of the tax.

12. The USSR Council of Ministers shall have the right to introduce income tax privileges for certain categories of taxpayers.

13. Instructions on the application of this Decree shall be issued by the USSR Ministry of Finance.

14. The present Decree shall be put into effect as of January 1, 1979.

15. The provisions of this Decree shall not extend to collective farms and inter-farm enterprises (organisations) and their associations.

Adopted on March 1, 1979

Gazette of the USSR Supreme Soviet, No. 10, 1979, Item 156

DE C R E E
OF THE PRESIDUM OF THE SUPREME SOVIET
OF THE USSR ON INCOME TAX FROM
FOREIGN JURIDICAL AND NATURAL PERSONS

The Presidium of the Supreme Soviet of the USSR *decrees*:

1. Income received by foreign juridical persons from conducting on the territory of the USSR, both directly and through their representations, statutory activity shall be subject to the imposition of an income tax in the amount of 40 per cent.

2. The income tax from foreign juridical persons shall be computed by the USSR Ministry of Finance or, on its behalf, by local financial bodies, on the basis of tax returns presented by foreign juridical persons.

In those cases where foreign juridical persons have received income subject to tax throughout a whole calendar year, tax returns shall be presented not later than February 1 of the year that follows the year in which the income was received.

If work is terminated within a calendar year, the income from which is subject to tax, tax returns shall be presented within a month's time of the day of the termination of the receipt of such income.

3. In the determination of the sum of the taxable income of foreign juridical persons, expenses connected with their activity on the territory of the USSR, including management and general administration expenses, shall be excluded from their gross income.

The amount of such expenses shall be indicated in tax returns presented in accordance with Art. 2 of the present Decree.

4. The payment of income tax by foreign juridical persons

shall be effected from the sums of income actually received for the past calendar year not later than March 15 of the following year. The basis for the payment of the tax shall be a payment notification from the USSR Ministry of Finance.

Should the activity of foreign juridical persons be terminated in the course of a calendar year, the income from which is subject to tax, the tax shall be paid from the sum of actually received income. In these cases the time periods of the tax payment shall be introduced by the USSR Ministry of Finance.

For late payment of the tax, a fine in the amount of 0.05 per cent shall be levied for every day of delay.

In case of evasion of payment of tax, measures shall be taken as provided for by the legislation of the USSR.

5. Income tax from foreign juridical persons shall be included in the revenue of the Union budget.

6. Income of foreign natural persons and their legal successors, received from statutory activity conducted on the territory of the USSR, shall be subject to income tax in the manner and amounts provided for by USSR legislation for the imposition of income tax on Soviet citizens.

Foreign natural persons shall also pay other taxes and dues in accordance with USSR legislation.

In those cases where in a foreign state taxes are collected from sums of similar categories of income received by Soviet citizens in that state according to higher or lower rates, these higher or lower rates may be also applied in the taxation in the USSR of nationals of the corresponding state. The same procedure shall be applied to the taxation of income of foreign juridical persons. Instructions to this effect shall be issued by the USSR Ministry of Finance in agreement with the USSR Ministry of Foreign Affairs.

7. It shall be established that for the purposes of eliminating double taxation or reciprocally exempting from taxes and dues, their collection from foreign juridical and natural persons may be terminated or limited in accordance with agreements concluded by the USSR with foreign states.

The collection of taxes and dues may also be terminated or limited in those cases where the same measures are applied to Soviet juridical and natural persons in the corresponding state. In particular, on a basis of reciprocity, the following amounts of money may be exempted from the income tax:

a) sums paid by Soviet foreign trade organisations to foreign juridical and natural persons under foreign trade deals;

b) wages and salaries earned by natural persons from foreign organisations which have sent them to work in the USSR;

c) sums paid to foreign juridical and natural persons for performances in the USSR by artistic ensembles and individual artists, and for the presentation of operas, ballets, plays or concert programmes;

d) interest earned by foreign juridical persons for the execution of banking operations in the USSR.

Instructions on the manner in which this Article shall be applied shall be issued by the USSR Ministry of Finance in agreement with the USSR Ministry of Foreign Affairs and with the ministries and departments concerned.

8. The provisions of this Decree shall not affect the tax privileges established in accordance with international treaties and agreements to which the USSR is a party, and in accordance with USSR legislation, of foreign diplomatic and consular representations, other institutions and organisations of foreign states and international organisations equated with them with regard to tax privileges, heads of diplomatic representations, members of the diplomatic staff and workers of said representations, institutions and organisations, and members of their families.

These privileges shall apply to representatives of foreign states, members of parliamentary and governmental delegations and also, on the basis of reciprocity, to the members of delegations of foreign states who arrive in the USSR in order to participate in inter-state negotiations, international conferences and meetings or with other official missions.

9. If foreign and natural persons hold that the taxation of their income does not correspond to the provisions of this Decree, the complaints of these persons shall be considered and decisions on them shall be made by the USSR Ministry of Finance within three months from the day of receipt of the complaint.

In those cases where a complaint is recognised as valid, the USSR Ministry of Finance or, on its behalf, local financial bodies shall be obliged to return the overpaid sums or to accord tax privileges, if the complaint was submitted within a year of payment of the tax.

Decisions by the USSR Ministry of Finance on these complaints shall be final.

The submission of complaints as provided for by this Article shall not suspend the collection of the tax.

10. The provisions of this Decree shall also be extended to stateless persons.

11. It shall be established that for the purposes of this Decree, the terms used herein have the following meaning:

- a) "Foreign juridical person" means a company, firm, corporation and any other organisation instituted according to the laws and rules of a foreign state;
- b) "Representation" means an office, agency, etc., opened on the territory of the USSR by foreign juridical persons on the basis of USSR legislation or that Soviet organisation which represents the interests of a foreign juridical person on Soviet territory;
- c) "Foreign natural person" means a national (subject) of the respective foreign state, irrespective of the actual whereabouts or residence of this person;
- d) "Income" means:

with regard to foreign juridical persons and their representations—sums of money received from carrying out work, from rendering services, from using copyright, the right to inventions, industrial designs, production processes or formulae and other similar rights and also from carrying on other kinds of statutory activity on the territory of the USSR;

with regard to foreign natural persons—wages, emoluments, scholarships and other sums of money received from statutory activity on the territory of the USSR, including sums received in connection with the work of these persons for hire, with training, traineeship, the use of copyright, the right to inventions, industrial designs, production processes or formulae and other similar rights, and also sums of money received from the sale, exchange, leasing or other use of property belonging to them, or sums of money received as a result of inheritance or gift.

12. Instructions on the procedure for the application of this Decree, including the procedure of presenting tax returns by foreign juridical persons, other information and accounts, and also the procedure of their verification shall be issued by the USSR Ministry of Finance in agreement with the USSR Ministry of Foreign Affairs.

13. Income tax, as provided for by this Decree, shall be levied on income received by foreign juridical and natural persons as of July 1, 1978.

The tax may also be collected from income received before this Decree becomes effective, but not for more than two preceding years. Instructions about tax collection in these cases shall be issued by the USSR Ministry of Finance in agreement with the USSR Ministry of Foreign Affairs.

14. It shall be recognised that the following enactments are not effective any longer:

The Decision of the Central Executive Committee and the Council of People's Commissars of the USSR dated February 2, 1936, and entitled "Taxation of Representations of Foreign Economic Organisations Carrying on Commercial Operations on the Territory of the USSR" (*The Laws of the USSR*, No. 5, 1936, Item 41);

Point 50 of the Decision of the Central Executive Committee of the USSR dated January 13, 1937 and entitled "On the Approval of Decisions Adopted between the Sessions of the Central Executive Committee of the USSR and Subject to Approval by the 3rd Session of the CEC of the USSR, Seventh Convocation" (*The Laws of the USSR*, No. 7, 1937, Item 24);

Point "e" in Art. 16 of the Decree of the Presidium of the USSR Supreme Soviet dated April 30, 1943 and entitled: "On the Income Tax Paid by the Population" (*Gazette of the USSR Supreme Soviet*, No. 17, 1943; No. 37, 1973, Item 497).

Arts. 2 and 3 of the Decree of the Presidium of the USSR Supreme Soviet dated September 4, 1973 and entitled "On the Income Tax from the Sums of Money Paid for the Publication, Performance or Other Use of Scientific, Literary and Art Works" (*Gazette of the USSR Supreme Soviet*, No. 37, 1973, Item 497).

Adopted on May 12, 1978

Gazette of the USSR Supreme Soviet, No. 20, 1978, Item 313

STATUTE
ON THE NATIONAL ANTHEM OF THE UNION
OF SOVIET SOCIALIST REPUBLICS

1. The national anthem of the Union of Soviet Socialist Republics is a symbol of the Soviet socialist state of the whole people, its sovereignty, unity, the friendship and fraternity of the working people of all the nations and nationalities of the country. It expresses the voluntary unification of the Soviet Republics, the historic significance of Russia, the great services of Lenin in creating the USSR, the guiding role of the CPSU that leads the Soviet people to the triumph of communism.

It shall be the patriotic duty of every Soviet citizen to pay a deep respect for the National Anthem of the USSR.

2. The National Anthem of the USSR shall be played:

(1) during the opening and closing of meetings devoted to national holidays observed in the USSR;

(2) in broadcasts of Central Television and Central Home Radio Service on the eve of the New Year's night after the striking of the clock on the Spassky Tower of the Moscow Kremlin; in broadcasts of Central Television when national holiday programmes are started on February 23, March 8, April 22, May 1, May 9, September 1, October 7, November 7, December 30 and also January 1; in broadcasts of Central Home Radio Service when the first all-Union programme begins and ends;

(3) during the unveiling of monuments, obelisks and other structures in commemoration of major historical events in the life of the Soviet society and the state, in honour of

outstanding Soviet political and military leaders, statesmen, people's heroes, scientists, writers and artists;

(4) during the ceremony of presenting a USSR state award to a Union or Autonomous Republic, territory, region, autonomous region or area, district, town and other populated locality, enterprise, institution and organisation;

(5) at the hoisting of the USSR National Flag during ceremonies and other festive events carried on by government and non-government bodies, enterprises, institutions and organisations;

(6) when heads of state and government of foreign countries who pay official visits to the Soviet Union are being met or seen off—after the performance of the National Anthem of a corresponding foreign state.

USSR legislation may also provide for other occasions when the National Anthem of the USSR is played without fail.

3. The National Anthem of the USSR may be played also in other cases by decision of government and non-government bodies, heads of enterprises, institutions and organisations with the observance of the requirements of this Statute.

4. When the National Anthem of the USSR is played together with the National Anthem of a Union Republic, the former shall be played first.

5. The National Anthem of the USSR may be performed by an orchestra or chorus or by both of them, or vocally and instrumentally. Sound recording facilities may also be used.

The full version of the National Anthem of the USSR shall be performed vocally and vocally-and-instrumentally. When instruments alone are used, it may be played in a short version: the tune and refrain shall be repeated once.

6. The National Anthem of the USSR shall be performed in strict conformity with its text and music as approved by the Decree of the Presidium of the USSR Supreme Soviet on May 27, 1977.

7. When the National Anthem of the USSR is played in public those who are present shall hear it while standing on their feet, with men removing their head-dresses or saluting it.

8. The procedure of the performance of the National Anthem of the USSR in military units, on board military

vessels and ships, and the form of salute during this ceremony by servicemen shall be laid down by military regulations.

9. The performance of the National Anthem of the USSR in agencies of the interior and also the salutation by privates and NCOs of the agencies of the interior during this ceremony shall be regulated by the rules issued by the USSR Minister of the Interior.

10. In educational establishments, the National Anthem of the USSR shall be played in accordance with the rules issued by the USSR Ministry of Education, the USSR State Committee for Vocational Education, the USSR Ministry of Higher and Secondary Specialised Education in agreement with the Central Committee of the All-Union Leninist Young Communist League and other organisations concerned.

11. During national and international sporting competitions the National Anthem of the USSR shall be played in accordance with the rules issued by the Committee for Physical Culture and Sport under the Council of Ministers of the USSR in agreement with the All-Union Central Council of Trade Unions, the Central Committee of the All-Union Leninist Young Communist League and the Central Committee of the USSR Voluntary Society for Assisting the Army, Air Force and Navy.

The ritual of the performance of the National Anthem of the USSR during international sporting competitions shall be determined with an eye to the existing practice of international sports organisations.

12. When Soviet institutions and organisations carry on respective undertakings on the territory of foreign states the National Anthem of the USSR shall be played in accordance with the rules issued by the USSR Ministry of Foreign Affairs with due account for the practice in the host country and local customs.

13. The rules for the performance of the National Anthem of the USSR in the agencies of the interior and educational establishments, during sporting competitions and also during the undertakings carried on by Soviet institutions and organisations on the territory of foreign states shall be issued in the light of the requirements of this Statute.

14. The strict implementation of the present Statute shall be supervised by the heads of government and non-government bodies, enterprises, institutions and organisations and where the National Anthem of the USSR is played

during the hoisting of the National Flag of the USSR—also by the managers of the agencies and officials who are obliged to watch over the exact implementation of the Statute on the National Flag of the USSR and the Instruction for its application.

Approved by the Decree of the
Presidium of the USSR Supreme
Soviet on April 3, 1984

*Gazette of the USSR Supreme
Soviet, No. 15, 1984, Item 216*

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