

Hazardous production facility safety: simplified administrative suspension of operations and higher fines

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Goltsblat BLP advises that Federal Law of 23 July 2010 No. 171-FZ "On Amendment of the Code of Administrative Offences of the Russian Federation and the Federal Law "On Hazardous Production Facility Safety"" has come into effect.

A decision on administrative suspension of operations can now be taken not only by a court but also by competent executive authorities and the previous 5-day maximum prohibition on activities has been abolished. A temporary suspension can now last until a resolution on an administrative offence case comes into effect.

The amendments have increased substantially the fines for industrial safety violations, as well as with respect to operation of hazardous production facilities. Fines on officials now amount to 30 000 to 40 000 roubles and on legal entities to 300 000 to 400 000 roubles.

A definition is given of a gross industrial safety violation (directly jeopardising human life and health), which entails a fine on officials of from 40 000 to 50 000 roubles and on legal entities of from 500 000 to 1 000 000 roubles.

Liability is also established for failure to fulfil or duly fulfil on time lawful industrial safety instructions issued by a supervisory authority. A relevant violation entails an administrative fine of up to 50 000 roubles on officials and from 400 000 to 700 000 roubles on legal entities.

The amendments came into effect on 1 January 2011.

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