

CENTRAL BANK OF THE RUSSIAN FEDERATION

DIRECTIVE

No. 5128-U dated 22 April 2019

**ON THE PROCEDURE AND TIME-LIMITS
OF PROVIDING INFORMATION BY THE INSIDERS WHO HAVE RECEIVED A REQUEST
PROVIDED FOR BY PARTS 1 - 3 OF ARTICLE 10 OF FEDERAL LAW
OF 27 JULY 2010 No. 224-FZ "ON COMBATTING
UNLAWFUL USE OF INSIDER INFORMATION
AND MARKET MANIPULATION AND INTRODUCING AMENDMENTS TO CERTAIN
LEGISLATIVE ACTS OF THE RUSSIAN FEDERATION"**

Displacing documents list
(as amended by Directive of the Central Bank of the Russian Federation dated 16.11.2020
No. 5621-U)

This Directive, based on Part 4 of Article 10 of Federal Law of 27 July 2010 No. 224-FZ "On Counteracting Unlawful Use of Insider Information and Market Manipulation and on Amendments to Certain Legislative Acts of the Russian Federation" (Corpus of Legislative Acts of the Russian Federation, 2010, No. 31, Article 4193; 2011, No. 29, Article 4291; No. 48, Article 6728; 2012, No. 31, Article 4334; 2013, No. 30, Article 4082, Article 4084; 2014, No. 30, Article 4219; 2016, No. 27, Article 4225; 2018, No. 32, Article 5103; No. 53, Article 8440) (hereinafter, "Federal Law of 27 July 2010 No. 224-FZ") establishes the procedure and time-limits for providing information by insiders who have received the request provided for by Parts 1 - 3 of Article 10 of Federal Law of 27 July 2010 No. 224-FZ.

1. Insiders included in the list of insider persons indicated in Parts 1 - 3 of Article 10 of Federal Law of 27 July 2010 No. 224-FZ (hereinafter, "insiders"), who have received from the persons indicated in Parts 1 - 3 of Article 10 of Federal Law of 27 July 2010 No. 224-FZ (hereinafter, "the requesting person") a request for providing the information indicated in Parts 1 - 3 of Article 10 of Federal Law of 27 July 2010 No. 224-FZ (hereinafter, respectively, "information", "request"), signed by the requesting person's CEO or by a person authorized by him/her and indicating the period for which the information must be provided, sent in the manner allowing to confirm the fact of its receipt by the insider, must provide to the requesting person a reply containing the requested information (hereinafter, "the reply to the request"), within the time-limit indicated in the request that must not exceed 10 working days from the day of receipt of the request by the insider.

If the information refers to operations (contracts) indicated in Parts 1 - 3 of Article 10 of Federal Law of 27 July 2010 No. 224-FZ, which were not executed (not concluded) by the insider within the period for which the information must be provided according to the request, the insider must in the reply to the request provide information on absence of facts of execution (conclusion) of operations (contracts).

2. Based on the insider's decision, the reply to the request shall contain an indication as to the need for confirmation of receipt by the requesting person of the reply to the request.

3. In case of existence of circumstances impeding compliance of the insider with the request within the time-limit established therein, the insider at his decision shall provide to the requesting person, not later than 5 working days before expiry of the time-limit established in the request, a reasoned petition to extend the time-limit for compliance with the request (hereinafter, "the petition

to extend the time-limit”).

The requesting person must examine the petition to extend the time-limit within 2 working days from the day following the day of its receipt.

If the requesting person finds the petition to extend the time-limit reasonable, the requesting person must provide to the insider a notice on extending the time-limit for providing the information (hereinafter, “the notice on extending the time-limit”) but not for more than 5 working days from the date of receipt of the notice on extending the time-limit by the insider.

If the requesting person finds the petition to extend the time-limit unreasonable, the requesting person must provide to the insider a notice on refusal to extend the time-limit for providing the information (hereinafter, “the notice on refusal”).

4. The insider, except for the case indicated in clause 5 of this Directive, must provide to the requesting person the reply to the request in the form of an electronic document in one of the following ways at the insider’s choice:

by using software and technical means and the Internet;

on an electronic media (CD, flash drive) by courier or registered mail with return receipt;

by using the software published on the official website of the requesting person in the information and telecommunications network "Internet" (if available); (the paragraph is entered by Directive of the Bank of Russia of 16.11.2020 N 5621-U);

by means of information systems and software and hardware complexes of the requesting person used for corporate information interaction (including e-mail), if this is provided for by the internal document of the requesting person (for insiders specified in paragraphs 7 and 13 of Article 4 of Federal Law of 27 July 2010 No. 224-FZ). (the paragraph is entered by Directive of the Bank of Russia of 16.11.2020 N 5621-U)

5. If there exist any circumstances impeding execution by the individual insider of the request in the form of an electronic document by one of the ways indicated in clause 4 of this Directive, the individual insider must provide to the requesting person the reply to the request in hard copy, sending it at his/her discretion by courier or by registered mail with return receipt. (as edited by Directive of the Bank of Russia of 16.11.2020 N 5621-U)

6. When providing the reply to the request in the manner indicated in the third paragraph of clause 4 of this Directive, the insider must submit the reply to the request in the form of a file of one of the following types, at the insider’s choice: ".dbf", ".xls", ".xlsx", ".txt", ".csv".

7. The reply to the request on electronic information medium (CD, flash disk) must be provided by the insider together with a cover letter issued in hard copy.

8. If the reply to the request contains an indication that the requesting person needs to acknowledge the receipt of the reply to the request, the requesting person, not later than 2 working days from the day of the receipt of the reply to the request, must provide to the insider the confirmation of the receipt of the reply to the request (hereinafter, “the confirmation”).

9. The petition to extend the time-limit must be provided by the insider, and the notice on extension of the time-limit, the notice on refusal, the confirmation - by the requesting person, in the manner allowing to confirm the fact of its receipt by the recipient.

10. The reply to the request, the petition to extend the time-limit in the form of an electronic document must be signed with the digital signature of the insider – individual or his/her authorized person, the head of the insider - legal entity or his/her authorized person (except for the submission of the aforementioned documents by ways provided for by paragraphs 4 and 5 of clause 4 of this Directive), and contain data allowing insider’s identification.

The notice on extending the time-limit, the notice on refusal, the confirmation in the form of an electronic document must be signed with the digital signature of the head of the requesting person or his/her authorized person (except for the submission of the aforementioned documents by ways provided for by paragraphs 4 and 5 of clause 4 of this Directive), and contain data allowing requesting person's identification.

The reply to the request, the petition to extend the time-limit, the cover letter provided in hard copy must be signed by the insider – individual or his/her authorized person, the head of the insider - legal entity or his/her authorized person or his/her authorized person and contain data allowing insider's identification.

The notice on extending the time-limit, the notice on refusal, the confirmation issued by the requesting person in hard copy must be signed by the head of the requesting person or his/her authorized person and contain data allowing requesting person's identification. (clause 10 as edited by Directive of the Bank of Russia of 16.11.2020 N 5621-U)

11. If the reply to the request, the petition to extend the time-limit, the cover letter, the notice on extending the time-limit, the notice on refusal, the confirmation issued in hard copy consist of more than one page, the pages must be numbered, stitched and have the certification endorsement on the back side with indication - in figures and in letters - of the number of the stitched pages, signed by their issuer, with indication of the name, first name, patronymic (the latter - if any) and the date of issue. as
(as edited by Directive of the Bank of Russia of 16.11.2020 N 5621-U)

12. In case the reply to the request, and (or) the cover letter, and (or) the petition for extending the time-limit by is signed by an authorized person of the insider, the insider, at the request of the requesting person for the provision of a document confirming the authority of the authorized person of the insider, must provide a document confirming the authority of the specified person within 3 working days of the date of receipt of such a request in a manner that allows confirming the fact of its receipt by the requesting person. (clause 12 as edited by Directive of the Bank of Russia of 16.11.2020 N 5621-U)

13. This Directive shall come into force 10 days after the day of its official publishing<*>.

<*> Officially published on the Bank of Russia's website on 12.07.2019.

14. From the day of this Directive's coming into force clause 3 of Order of the Federal Financial Markets Service of 18 June 2013 No. 13-51/нз-н "On Approval of the Regulations for the Procedure of Notification of Persons about Their Inclusion in the List of Insiders and Exclusion from Such List, the Regulations for the Procedure of Transfer of Lists of Insiders to Trade Organizers via Which Operations with Financial Instruments, Foreign Currency and (or) Goods Are Effected, the Regulations for the Procedure and Time-Limits for Sending by Insiders of Notices on the Operations Performed by Them", registered by the Ministry of Justice of the Russian Federation on 30 August 2013 No. 29797, as well as the Regulations for the Procedure and Time-Limits for Sending by Insiders of Notices on the Operations Performed by Them, approved by it, shall not be applied

Chairman of the Central Bank
of the Russian Federation
E.S.NABIULLINA
