

Anti-monopoly Compliance Law now in force

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A [law*](#) setting out how companies in Russia can introduce anti-monopoly compliance systems came into force on 12 March 2020. With the exception of a number of technical amendments, it largely reproduces the provisions of the previous bill (on which we [reported](#) earlier).

Implementing an anti-monopoly compliance system is not compulsory.

If a company or group of companies decides to implement such a system, it must make sure that the internal documents it adopts to this end include the following provisions:

- requirements for the assessment of anti-monopoly risks within the company;
- measures aimed at reducing anti-monopoly risks;
- monitoring measures;
- the procedure for informing employees of the compliance system; and
- information about the company's anti-monopoly compliance officer.

Internal documents can contain more provisions than those listed above.

Companies can apply to the Russian Federal Anti-monopoly Service (FAS) to get confirmation that their internal documents on anti-monopoly compliance are in line with the legislation.

The FAS believes that putting in place anti-monopoly compliance will help prevent violations by companies. At the same time, the new law is silent on whether liability can be mitigated or excluded in case of violations by companies who have implemented a compliance system cleared with the FAS.

Despite the fact that implementing an anti-monopoly compliance system is not mandatory and will not in itself guarantee leniency from the competition authority, Russian companies should, in our view, consider introducing such a system and clear their internal documents with the FAS. Having antitrust compliance documents cleared by the regulator may still, in certain instances, be viewed as a factor mitigating liability for infringements of the Competition Law. This will also enable the companies concerned to refer to their compliance system in their relations with contractors and employees.

If you have any questions on this eAlert, do not hesitate to contact CMS Russia experts [Maxim Boulba](#), [Elena Andrianova](#) and [Maria Ermolaeva](#) or your regular contact at CMS Russia.

**In Russian*

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