

GOVERNMENT OF THE RUSSIAN FEDERATION
RESOLUTION

dated November 18, 2020 N 1867

[On the list of certain types of technically complex goods with a preliminary installed Russian programs for electronic computing machines , the procedure for compiling and maintaining a list of Russian programs for](#)

electronic computers, which must be installed for certain types of technically complex goods, and their order pre-installation

[In accordance with paragraph 4 1 of Article 4 of the Law of the Russian Federation "On consumer protection "The Government of the Russian Federation](#)

decides:

1. To approve the attached:

[a list of certain types of technically complex goods with a preliminary installed Russian programs for electronic computing cars ;](#)

[Rules for compiling and maintaining a list of Russian programs for electronic computers, which must be](#)

[installed for certain types of technically complex goods ;](#)

[Pre-installation rules for Russian programs for](#)

[electronic computers for certain types of technically complex goods .](#)

2. To the Ministry of Digital Development, Communications and Mass Media Russian Federation on the basis of applications received before December 1, 2020 copyright holders on the inclusion of information about programs in the list Russian programs for electronic computers, which must be pre-installed on certain types technically complex products, form a rating of such programs and send up to 15 December 2020 to the Government of the Russian Federation proposals for their inclusion in the specified list.

3. Establish that the pre-installation requirements for Russian programs for electronic computers for certain types [technically complex goods stipulated by the Rules of preliminary installation of Russian programs for electronic computers on certain types of technically complex goods approved by this](#) resolution:

a) are recognized as complied with, including in the case of installing programs for electronic computers, information about which is contained in unified register of programs for electronic computers and bases data from the member states of the Eurasian Economic Union, for with the exception of the Russian Federation;

b) apply to certain types of technically complex goods, produced after January 1, 2021

4. This Resolution comes into force on January 1, 2021, for exception [clause 2](#) , which comes into force on the day of the official publication of this resolution.

Prime Minister

Russian Federation

M. Mishustin

List of individual types technically complex goods with preliminary established by Russian programs for electronic computing machines

APPROVED

government decree

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1. Wireless communication equipment for home use, personal electronic computers with touchscreen screens with two or more functions, with a preliminary installed on them programs for electronic computing machines that have the ability to install such programs from stores applications for the operating systems on the basis of which the such equipment (smartphones, tablet computers).
2. Computers, stationary and portable (excluding tablets computers), system blocks with an operating system.
3. Televisions with a digital control unit that have the ability to installing such programs from application stores for operating rooms systems on the basis of which such equipment functions.

Rules for compiling and maintaining the list

Russian programs for electronic computers that should be pre-installed on certain types of technically complex goods

APPROVED BY

government decree

Russian Federation

dated November 18, 2020 N 1867

1. These Rules establish the procedure for compiling and maintaining list of Russian programs for electronic computers, which must be pre-installed on individual views technically complex goods (hereinafter, respectively - a list, programs, technically complex goods).
2. For each entry formed in the list, the following is indicated information:
 - a) the serial number of the record;
 - b) the name of the program;

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- c) previous and (or) alternative names of the program (if availability);

- d) information about the copyright holder of the program:
in relation to a citizen of the Russian Federation - surname, name, patronymic (if any), taxpayer identification number (if any);
in relation to a legal entity - full name, main state registration number, legal faces, taxpayer identification number;
in relation to the Russian Federation - the words "Russian Federation";
in relation to the subject of the Russian Federation - full name subject of the Russian Federation;
in relation to a municipality - full name municipal formation (according to the charter of the municipal formation);
- e) the address of the website page of the copyright holder in the information telecommunication network "Internet" (hereinafter - the network "Internet"), on which posted documentation, containing description functional characteristics of the program;
- [f\) the class \(classes\) of the program provided for in paragraph 3 of these The rules to which the program complies;](#)
- g) technically complex goods for which pre-installation of the program.
3. The list includes programs from the following classes:
- a) programs that provide access to information on sites and search information on the Internet (browsers);
 - b) search engines;
 - c) cartographic and navigation systems;
 - d) programs for accessing cloud storage services;
 - e) programs for sending and receiving e-mail;
 - f) instant messaging programs;
 - g) voice assistant;

- h) news aggregators;
- i) programs that provide access to online broadcasts and content, posted by users;
- j) programs for accessing social networks;
- k) programs providing audiovisual services;
- l) programs for the use of the national payment system "Mir";
- m) programs providing access to infrastructure elements, providing information technology interaction information systems, used for

providing

state and municipal services and the execution of state and municipal functions in electronic form, including programs, intended in accordance with the legislation of the Russian Federation for the identification and (or) authentication of persons in including using biometric personal data;

o) office software;

o) anti-virus programs or programs with properties antivirus programs for file and network protection;

p) programs for accessing resources included in the approved Ministry of Digital Development, Communications and Mass Media Of the Russian Federation a list of socially significant domestic Internet services, including programs for accessing the list of Russian programs that are rapidly gaining popularity.

4. Programs, information about which are included in the list, must correspond to one or more classes of programs specified in [paragraph 3 of these Rules...](#)

5. The list includes information about the program that corresponds the following requirements:

a) the exclusive right to the program, including the right to change it for the territory of the whole world and for the entire duration of the exclusive right, belongs to one or more of the following persons (copyright holders): Russian Federation, subject of the Russian Federation, Russian a legal entity or an individual who is a citizen Russian Federation.

Russian legal entity for the purposes of this subparagraph a legal entity registered on the territory of the Russian Federation, in relation to which, directly or indirectly (through one or several legal entities, including those registered outside Russian Federation) control is exercised by one or several of the following persons: the Russian Federation, a subject of the Russian Federation, citizen of the Russian Federation or controlled by them jointly or separately persons.

Control refers to the ability to define decisions accepted by another legal entity, through an order directly or indirectly (through a legal entity or through several legal entities, including those registered outside the Russian Federation) more than 50 percent of the total number of votes cast by the voting shares (shares) constituting the authorized (pooled) capital of the legal faces;

b) the program is lawfully introduced into civil circulation in the territory Russian Federation, copies of the program or the right to use programs must be freely implemented throughout the territory Russian Federation, including be available for installation from using application stores for operating systems based on which is a technically complex product;

c) there are no restrictions imposed by foreign states and (or) by foreign persons, preventing the distribution or otherwise using the program on the territory of the Russian Federation or territories of individual subjects of the Russian Federation;

- d) there are no court decisions to restrict the distribution of programs, entered into legal force;
- e) there are no restrictions on the distribution of the program on the territory of the Russian Federation established by federal laws;
- f) absent within 3 years preceding the date of submission of the application for inclusion of the program in the list, court decisions that have entered into legal force, establishing the facts of violation by the copyright holder of the program of the legislation of the Russian Federation on personal data;
- g) the program ensures safe operation technically complex product in accordance with the requirements for the programs, determined by the manufacturer of the goods;

- h) the program is compatible with the system software (operating system), on the basis of which it functions technically complex product in accordance with the requirements for programs, established by the owner of the system software (operating system), including security and protection of consumer personal data;
- i) the program does not have features that are not declared by the copyright holder of the program;
- j) information about the program does not constitute a state secret, and the program does not contain information constituting a state secret;
- k) warranty service, technical support and upgrades of software is carried out by a Russian organization;
- m) the user interface of the program is implemented in Russian.

6. The inclusion of a program in the list is based on the criterion of high popularity, which is calculated based on the rating of programs, formed by the Ministry of Digital Development, Communications and Mass Communications of the Russian Federation on an annual basis (hereinafter referred to as the rating). The rating is formed based on the number of program users for the previous year separately for each type of technically difficult goods, behind exception programs, the respective classes,

foreseen [subparagraphs "l" - "n" and "p" of paragraph 3 of these Rules...](#)

To form a rating, the number of program users must be at least 500 thousand for the previous year.

The list includes one program with the highest rating on each class, except for programs corresponding to the classes, foreseen [subparagraphs "k" and "l" of paragraph 3 of these Rules...](#)

[For the class of programs provided for in subparagraph "k" of paragraph 3 of these Rules, the list includes the 2 most popular programs.](#)

[According to the class of programs provided for in subparagraph "l" of paragraph 3 of these Rules, the list includes no more than 10 programs determined](#)

by the Presidium of the Government Commission for the Development of Production and distribution of domestic audiovisual content from among audiovisual services included in the register of audiovisual services [in accordance with part 2 of article 10.5 of the Federal Law "On Information,](#)

[According to the class of programs provided for in subparagraph "m" of paragraph 3 of these Of the Rules , the list includes the program, the copyright holder of which is the operator of the national payment card system, formed in accordance with Article 30 2 of the Federal Law "On National payment system " .](#)

[According to the class of programs provided for in subparagraph "n" of paragraph 3 of these Of the Rules , the list includes a program that provides access to a single portal of state and municipal services, created in accordance with part 1 of article 21 of the Federal Law "On the organization provision of state and municipal services " .](#)

The selection procedure for inclusion in the list of programs corresponding to the class provided for in [subparagraph "p" of paragraph 3 of these Rules](#), as well as in the list of programs that are rapidly gaining popularity, it is approved Ministry of Digital Development, Communications and Mass Media Russian Federation

on

basis

solutions

presidium

Government Commission on Digital Development, Use

information technology to improve the quality of life and conditions

business activities (hereinafter - the presidium

Government Commission on Digital Development).

The criterion of high popularity established by this paragraph is not spreads

on

programs,

the corresponding

classes,

foreseen [subparagraphs "l" -"n" and "p" of paragraph 3 of these Rules...](#)

7. Ministry of Digital Development, Communications and Mass Media

Of the Russian Federation annually, no later than June 1, forms a rating in

According to [paragraph 6 of these Rules](#) and sends for consideration to

Presidium of the Government Commission on Digital Development

proposals for the inclusion of programs in the list.

Proposals for inclusion in the list of programs corresponding to

classes provided for in [paragraph 3 of these Rules](#), with the exception of [subparagraphs "l"](#)

- ["n" of paragraph 3 of these Rules](#) are sent to

consideration by the Presidium of the Government Commission on Digital development.

Proposals for inclusion in the list of programs corresponding to the class,

envisaged [subparagraph "l" of paragraph 3 of these Rules](#) are sent

for consideration by the Presidium of the Government Development Commission

production and distribution of domestic audiovisual content.

days are subject to consideration by the Presidium authorized in accordance with by these Rules of the Governmental Commission, which has the right to make changes to proposals for listing programs taking into account the impact such programs for the development of the information technology market in the Russian Federation and to promote the promotion of domestic audiovisual content.

Proposals considered by the said Bureau to include programs in the list of the Ministry of Digital Development, Communications and Mass communications of the Russian Federation sends to the Government Russian Federation for approval.

The list is approved by the Government of the Russian Federation not later than August 1 of each year and updated according to offers Ministry of Digital Development, Communications and Mass Media Of the Russian Federation, prepared in accordance with these Rules.

8. To calculate the rating, the Ministry of Digital Development, Communications and mass communications of the Russian Federation has the right to request documents and materials about the program confirming compliance with the requirements and criterion

foreseen [paragraphs 5](#) and [6 of these Rules](#) ,

copyright holder (s) of the program.

The rightholder (rightholders) shall send (send) the indicated in the request documents and materials to the Ministry of Digital Development, Communications and mass communications of the Russian Federation within 10 days from the date receiving a request.

9. To include in the list information about the program corresponding requirements,

foreseen [paragraph five real Of the Rules](#),

the copyright holder of the program, no later than April 1, has the right to send to Ministry of Digital Development, Communications and Mass Media Russian Federation statement on the inclusion of information about the program in the list (hereinafter referred to as the statement) with the attachment of information and documents (or their copies) specified in [paragraphs 10 and 11 of these Rules](#)...

The application and the documents attached to it are sent by the applicant to Ministry of Digital Development, Communications and Mass Media Of the Russian Federation in the form of electronic documents by filling out the appropriate forms posted on the official website Ministries, or using a single portal of state and municipal services (functions) and is signed by the applicant with using an enhanced qualified electronic signature.

The application is submitted to the Ministry of Digital Development, Communications and mass communications of the Russian Federation by the copyright holder (person, authorized by all copyright holders) of the program, and in the case submission of an application regarding the program, the exclusive right to which belongs to the Russian Federation, a subject of the Russian Federation or municipality respectively federal

executive authority, executive authority of the subject Of the Russian Federation, a local government body or an organization, managing (disposition) such right (hereinafter - applicant).

10. The application must contain the following information:

a) information provided [subparagraphs "b" - "g" of paragraph 2 of these Rules](#) ;

b) e-mail address and telephone number by which communication with the applicant is carried out;

c) declaration (applicant's assurance) of program compliance requirements set [paragraph 5 of these Rules](#) ;

d) declaration (assurance of the applicant) on the accuracy of the information, contained in the statement.

11. The following documents must be attached to the application:

a) a copy of the program without technical means of copyright protection or with the means to legally remove restrictions of use software installed by applying technical

remedies for copyright protection - in cases where the relevant a copy of the program was not submitted to the Ministry of Digital development, communications and mass communications of the Russian Federation earlier;

b) a document confirming the powers of the person who signed the application, to act on behalf of the copyright holder (s)

programs (not required if the application is signed by the copyright holder, who is a citizen of the Russian Federation, or a person who has the right act without a power of attorney on behalf of the copyright holder a legal entity, according to the information entered in the United state register of legal entities);

c) documentation describing functional characteristics programs and information required for installation and operation programs;

d) documentation containing a description of the processes that ensure maintaining the program life cycle, including eliminating malfunctions,

identified

in

progress

exploitation

programs,

improvement of the program, as well as information about the staff, necessary to provide such support;

e) information about the number of users of the program for the previous calendar year, confirmed by the conclusion of the audit organization or auditor for an engagement providing reasonable assurance about non-financial information;

f) other documents confirming the compliance of the program requirements set [paragraph 5 of these Rules](#) .

12. The total period for consideration of the application by the Ministry of Digital development, communications and mass communications of the Russian Federation cannot exceed 30 calendar days from the date of filing an application by the applicant in Ministry.

13. If the Ministry of Digital Development, Communications and Massive communications of the Russian Federation of the fact of the presence in the application, and (or) in documents attached to it, and (or) in materials that are unreliable and (or) insufficient information, the Ministry sends a request to the applicant about requesting appropriate explanations by e-mail, specified in the application, indicating the deadline for submitting a response that is at least 3 working days.

Calculation of the period provided [paragraph 12 of these Rules](#), suspended from the date of referral by the Ministry of Digital Development, communications and mass communications of the Russian Federation specified in the paragraph the first of this paragraph of the request until the day of receipt by the authorized authority from the applicant of the requested explanations and (or) documents or until the day the expiration of the period provided for in the first paragraph of this paragraph.

Sending the request provided for in paragraph one of this paragraph is not required if the Ministry of Digital Development, Communications and mass communications of the Russian Federation established the fact that statement, and (or) in the documents attached to it, and (or) in the materials inaccurate information based on documents received in accordance with the established procedure from state bodies.

14. Applicant submitting to the Ministry of Digital Development, communications and mass communications of the Russian Federation explanations and (or) [documents on request, provided for in paragraph one of clause 13 of these Rules](#) , has the right, [simultaneously with the explanations, additionally](#) submit to the authorized body documents that were not requested, but indicate the absence in the application and attached to him documents and materials of false information.

15. Based on the results of consideration of the application, the Ministry of Digital development, communications and mass communications of the Russian Federation accepts decision on the program's compliance with the requirements and criteria, foreseen [paragraphs 5 and 6 of these Rules](#) , and forms the rating.

16. Ministry of Digital Development, Communications and Mass Media Of the Russian Federation makes a decision on the inconsistency of the program requirements and criteria stipulated [paragraphs 5 and 6 of these Rules](#) if:

- a) the application for the inclusion of information was submitted in violation the requirements established by these Rules;
- b) the applicant submitted to the Ministry of Digital Development, Communications and mass communications of the Russian Federation forged documents, materials and (or) false information;
- c) the applicant has not provided explanations and (or) documents upon request, the first paragraph [clause 13 of these Rules](#) , when provided that without receiving such explanations and (or) documents is missing the ability to confirm the accuracy of the submitted by the applicant information and (or) the authenticity of the documents submitted by the applicant;
- d) within 12 months preceding the day of receipt of the application, Ministry of Digital Development, Communications and Mass Media The Russian Federation made a decision to refuse the same applicant in the inclusion of information about the program in the list on the basis, envisaged [subparagraph "b" of this paragraph](#) .

17. In order to conduct an examination when considering an application and

attached documents Ministry of Digital Development, Communications and mass communications of the Russian Federation has the right to create expert commission, the composition and procedure of which are approved Ministry of Digital Development, Communications and Mass Media Russian Federation. The functions of the expert commission include:
a) evaluation of the program for compliance with the requirements and criteria, established [paragraphs 5](#) and [6 of these Rules](#) ;

b) preparation of proposals for clarifying the classes of programs and rating formation.

18. The expert commission considers documents and materials, forms an expert opinion, which is of a recommendatory nature, and submits it to the Ministry of Digital Development, Communications and Mass communications of the Russian Federation within 10 working days from the date receipts from the Ministry of documents and materials.

19. Ministry of Digital Development, Communications and Mass Media Of the Russian Federation when deciding on the compliance of the program requirements and criteria stipulated [paragraphs 5](#) and [6 of these Rules](#), has the right to take into account the expert opinion received from the expert commission.

20. An applicant whose program information is included in the list, is obliged to notify the Ministry of Digital Development, Communications and Mass Media communications

Russian

Federation

about

change

information,

foreseen [subparagraphs "b" - "g" of paragraph 2 of these Rules](#) , during 5 working days from the date of entry into force of the relevant changes from attachment of documents confirming such changes.

21. To comply with the requirements of copyright holders of programs, provided for in [subparagraphs "g" and "h" of paragraph 5 of these Rules](#) , as well as other requirements set by the manufacturer of a technically complex product and (or) system software (operating systems), the manufacturer of a technically complex product and (or) system software (operating system) must host

these requirements are publicly available on the Internet and (or) other bring them to the attention of the copyright holders of the programs.

Requirements set by the manufacturer of a technically complex product and (or) the copyright holder of the system software

(operating system) for copyright holders of programs should not be less favorable than the requirements for other rightholders

programs that are pre-installed on a technically complex product.

22. Exclusion of information about the program from the list is carried out in the following cases:

a) receipt by the authorized body of an application from the copyright holder (all copyright holders) of the program to exclude the program from the list;

b) identification of the fact of software discrepancy requirements set [paragraph 5 of these Rules](#) ;

c) identification of the fact of submission by the applicant to the Ministry of digital development, communications and mass communications of the Russian Federation forged documents, materials and (or) false information when sending statements or notices of changes in information.

23. Ministry of Digital Development, Communications and Mass Media

Of the Russian Federation no later than 10 working days from the date of receipt

[statements by the copyright holder in accordance with subparagraph "a" of paragraph 22 of these Rules or from the date of revealing the fact provided for subparagraphs "b"](#)

or ["in" paragraph 22 of these Rules](#) , sends to

Government of the Russian Federation draft act of the Government

Of the Russian Federation on excluding the program from the list.

24. Decisions, actions (inaction) of the Ministry of Digital Development, communications and mass communications of the Russian Federation can be appealed in the manner prescribed by the legislation of the Russian Federation.

Pre-installation rules

Russian programs for electronic computers into separate types of technically complex goods

APPROVED BY

government decree

Russian Federation

dated November 18, 2020 N 1867

1. These Rules determine the order of pre-installation

Russian programs for electronic computers for individual

types of technically complex goods (hereinafter, respectively - programs, technically complex goods).

2. Pre-installation of programs is carried out by the manufacturer individual technically complex goods or other persons - manufacturers technically complex goods authorized to carry out

pre-installation of programs, including by persons carrying out

delivery and (or) sale of technically complex goods on the territory

Russian Federation (hereinafter referred to as the manufacturer of a technically complex product or persons authorized by him).

3. Manufacturer of technically complex goods or persons authorized by him are obliged to:

a) carry out the preliminary installation of programs from the approved

The Government of the Russian Federation of the list of Russian programs for electronic computers, which must be

installed for certain types of technically complex goods (hereinafter -

[list](#)), [for each class of programs provided for by the Rules](#)

[compiling and maintaining a list of Russian programs for electronic computers that must be pre-installed](#)

[for certain types of technically complex goods approved by](#)

Resolution of the Government of the Russian Federation of November 18, 2020 N

1867 "On the list of certain types of technically complex goods with

pre-installed Russian programs for electronic

computers, the procedure for compiling and maintaining a list of Russian

programs for electronic computers, which should be pre-installed on certain types of technically complex goods, and the order of their preliminary installation "(hereinafter - [rules](#)), for corresponding technically complex product;

b) ensure preservation on a technically complex product in advance installed programs when updating, including after returning a technically complex product to the factory settings, as well as with technical maintenance of devices;

c) provide no less favorable conditions for use by the consumer of pre-installed programs in relation to other programs pre-installed by the manufacturer technically complex product, the copyright holder of the system software (operating system) or their affiliates, including the ability to update programs, their non-discriminatory display on screen, as well as the ability for the user to make settings software.

4. For technically complex goods specified in paragraph 1 of the list, must be installed programs corresponding to the classes provided [subparagraphs "a" -"p" of paragraph 3 of the Rules.](#)

For technically complex goods specified in paragraph 2 of the list, must be installed programs corresponding to the classes provided [subparagraphs "a" ,"about" and"p" of paragraph 3 of the Rules.](#)

For technically complex goods specified in paragraph 3 of the list, must be installed programs corresponding to the classes provided [subparagraphs "a" ,"b" ,"to" and"l" of paragraph 3 of the Rules...](#)

5. Pre-installation of programs for technically complex products carried out in the following ways:

a) in full to the hard disk of a technically complex product;

b) by placing a graphic image of the program on the screen a technically complex product, when choosing which by the consumer the program is being loaded;

c) by placing a technically complex product at the first start-up a dialog box for loading programs from each class of programs, provided for a technically complex product, while must there is no way to skip such a dialog box.

6. Manufacturer of technically complex goods or persons authorized by him has the right to choose any of the methods specified in [clause 5 of these Rules](#) preinstallation of programs or their combination.

7. The version of the preinstalled program must be free of charge for the consumer at the moment of first switching on the device and maintenance process, including updates. In this case, the copyright holder programs have the right to offer and (or) distribute paid versions or paid advanced functionality in the service process (including updates). In the event of consumer refusal from paid service the copyright holder is obliged to maintain the possibility of using and functionality of the installed program.

8. Manufacturer of a technically complex product or authorized by him persons, copyright holders of programs are not entitled to charge consumers for implementation of pre-installation of programs.

Manufacturer of technically complex goods or persons authorized by him

is not entitled to charge additional fees from the copyright holders of programs for implementation of pre-installation of programs.

The copyright holder of the programs is not entitled to charge the manufacturer and (or) from persons who supply and (or) sell technically complex goods on the territory of the Russian Federation, additional payment for implementation of pre-installation of programs.

9. The obligation of the manufacturer of a technically complex product or persons authorized by him for the pre-installation of programs is recognized executed in cases when:

a) the manufacturer or his authorized persons have performed pre-installation of programs in the manner provided [subparagraph "a" of paragraph 5 of these Rules](#), and in accordance with the requirements of such pre-installation in force during production a technically complex product;

b) the manufacturer or his authorized persons have carried out pre-installation of programs in the ways provided [subparagraphs "b" and "in" paragraph 5 of these Rules](#), and in accordance with requirements for such a pre-installation in force during the primary sale to the consumer of a technically complex product for the territory of the Russian Federation.

10. Manufacturer of a technically complex product or authorized by him persons are exempted from pre-installation of programs if the technical requirements of the program to be preinstalled, do not correspond to the technical characteristics of a technically complex product or are not compatible with system software (operating system), on the basis of which it functions technically complex goods.

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Federal agency of Communication

Russian Telecom certification

Certification of a wi-fi , Bluetooth in Russia

FAC declaration

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[FCA Declaration / FCC Declaration / Russian Federal agency of communication declaration \(mintest-russia.com\)](#)