

The law regulating the operations of data centres has been adopted

FAO managers and employees of data centres

Pepeliaev Group advises that a law¹ has been passed in order to legally regulate the operations of data centres.

The draft law was put before the State Duma in 2021. Its adoption had been the subject of extensive discussions for four years and, finally, the draft law was passed in the third reading on 15 July 2025. On 23 July, the Russian President signed it.

The law, among other things:

- introduces the concept of a data centre;
- creates an obligation of the Ministry of Digital Development, Communications and the Mass Media (the "Ministry of Digital Development") to establish and maintain the register of data centres;
- makes a data centre transferable under a concession agreement or public-private partnership agreement;
- introduces a ban on installing mining infrastructure at a data centre.

The new developments will come into force on 1 March 2026.

The concept of a data centre

The amendments bring forward a concept of a data centre, defining it as a "complex of buildings, parts of buildings or premises that are united by a single purpose and include a set of utility systems designed and used for placing equipment for processing and/or storing data.

According to the Explanatory Note², it is necessary to define a data centre to draw a clear distinction between the activity of a data centre and services involving the hosting, storage and processing of information.

¹ Draft law No. 1195296-7 "On amending articles 2 and 6 of the Federal Law 'On communications' and individual items of Russian legislation"// Access it via the link: <https://sozd.duma.gov.ru/bill/1195296-7>

² The Explanatory Note to Draft law No. 1195296-7 "On amending articles 2 and 6 of the Federal Law 'On communications' and individual items of Russian legislation"// Access it via the link: <https://sozd.duma.gov.ru/bill/1195296-7>

In addition, once the law comes into force, a special code of the foreign trade classification will be adopted for operators of data centres. This will mean that operators of data centres will no longer be required to obtain licences of communications operators, as they are currently obliged to do.

Register of Data Centres

The law provides for a register of data centres to be created, with the Ministry of Digital Development having the obligation to maintain it.

The Government, in turn, will determine:

- the rules for setting up and maintaining the register;
- the information to be entered in the register, the procedure for gaining access to such information and the procedure for removing information from the register;
- the requirements for data centres and operators of data centres;
- information security requirements.

By a register of data centres being formed:

- the state will have the opportunity to control operations of data centres and, as a consequence, effectively use the resources that are designated for attaining the objectives of digitalisation;
- this will be instrumental in attracting investments with “order being restored”;
- there will be an increased level of trust in services that are placed in controlled data centres.

Data Centres being transferable under a concession agreement or public-private partnership agreement

Amendments have been made to the Law on Concession Agreements³. Specifically, there is now a wider list of items that are transferable under concession agreements and public-private partnership agreements, with such agreements now able to cover data centres.

The purpose of the new development is to stimulate the construction of data centres in remote areas. According to a State Duma deputy Sergey Boyarsky, “the development of data centres is a necessary step to eradicating digital inequality within different regions in the country”⁴.

The ban on installing mining infrastructure in a data centre

The amendments provide for a ban on carrying out mining activities in a data centre.

³ Federal Law No. 115-FZ dated 21 July 2005 “On concession agreements”.

⁴ <https://t.me/sergeyboyarskiy24/1513>

The ban is probably connected with the Government considering whether power should be supplied to data centres on preferential terms⁵. Such a measure will prevent the use of mining infrastructure to receive benefits that are intended for data centres.

What to think about and what to do

Operators of data centres are advised to monitor closely the adoption by the Government of the resolution that will set out the procedure for keeping the register and establish requirements for data centres and their operators.

Once the resolution is adopted, operators of data centres will have to prepare for data centres being included in the Ministry for Digital Development's register. It is important to ensure compliance with the new information security requirements and technical characteristics, as well as to review the types of operations and rule out mining operations to qualify for benefits in terms of power supply.

Help from your adviser

Pepeliaev Group's lawyers have extensive experience of providing legal advice to IT companies, including on matters connected with the operations of data centres.

We will be happy to provide comprehensive assistance in preparing for and performing the registration of data centres in the register, help you to align your business with the new statutory requirements, advise you on issues of participating in concession and private-public partnership agreements, and devise a system for liaising with state authorities.

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⁵ <https://www.interfax.ru/russia/1029250>