

By the Judgement of 6 April 2021 No. 10-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 14.13, Section 4 of the Code of the Russian Federation on Administrative Offences.

The challenged provision was the subject of consideration to the extent that in the system of current legal regulation, primarily in connection with the provisions of Articles 119, 120 and 332 of the Code of Commercial Procedure of the Russian Federation, on its basis the issue of the possibility of bringing the head of the debtor to administrative liability for illegal obstruction of the activities of the bankruptcy administrator and imposing a court fine on him for failure to comply with a judicial act of a commercial court in case of non-fulfilment of the obligation established by law and reproduced in a decision of the commercial court on the introduction of supervision to provide the temporary administrator with accounting and other documents reflecting the economic activity of the debtor three years before the introduction of supervision.

The challenged provision was recognised as not contradicting the Constitution of the Russian Federation, since in the system of current legal regulation, primarily in connection with the mentioned provisions of the Code of Commercial Procedure of the Russian Federation, in any case, they do not imply for the failure of the debtor's manager to apply the specified obligation to him in connection with the same act and administrative liability for unlawful obstruction of the activities of the arbitration manager, and a court fine for failure to comply with the judicial act of the arbitration court.