

By the Judgement of 15 January 2019 No. 3-II/2019 the Constitutional Court appraised constitutionality of Article 4.5, Section 1 of the Administrative Offences Code of the Russian Federation.

The contested provision was a subject-matter of consideration to the extent to which, establishing that the judgement on an administrative offence, regarding violation of the Russian Federation consumer protection legislation, cannot be made after one year period from the date of administrative offence, it serves as the ground for deciding on the possibility to distribute the specified period on cases of administrative prosecution for conduction a business with the violation of the requirements and conditions provided by special permission (license) (Article 14.1, Section 3 of the Administrative Offences Code of the Russian Federation).

The Constitutional Court has recognised the contested provision as not contradicting to the Constitution of the Russian Federation to the extent that it does not imply the extension of a one-year limitation period of the administrative liability for the mentioned offence.

The Constitutional Court has also emphasised that this conclusion does not exclude the right of consumers to demand compensation for damages and moral harm caused them by violating the requirements and conditions for conducting a business provided by special permission (license), and in accordance with the Civil Code of the Russian Federation and Consumer Right Protection Law of the Russian Federation.