

By the Judgement of 22 July 2021 No. 40-II the Constitutional Court of the Russian Federation assessed constitutionality of Article 183, part 1 of the Commercial Procedure Code of the Russian Federation

The norm was subject to consideration insofar as within the current legal framework it serves as basis for commercial courts to decide on the indexation of monetary sums.

The challenged norm was recognised not to be in conformity with the Constitution of the Russian Federation insofar as this provision contains to criteria for indexation foreseen by it, taking into account the lack in the current legal framework of mechanism for indexation of monetary sums awarded by court.

Pending introduction of relevant adequate amendments to the legal framework the commercial courts in order to implement the challenged norm where conditions and amount of indexation are not established by federal law recognised by court as grounds for indexation or by agreement the official statistical information on the index of consumer price (tariffs) for goods and services in the Russian Federation shall be used as criterion for indexation foreseen by the challenged norm. This information is published on the Internet communication network at the official website of the federal executive authority in charge of collecting official statistical information as regards social, economic, demographic, ecologic and other public processes in the Russian Federation.