

**By the Judgment of 7<sup>th</sup> April, 2015 No. 7-II/2015 the Constitutional Court gave appraisal of constitutionality of the provisions of Items 1 and 2 of Article 1064 of the Civil Code of the Russian Federation and Item “a” of Section 2 of Article 166 of the Criminal Code of the Russian Federation**

The contested provisions were the subject-matter of consideration to the extent the question is resolved on their basis of the possibility to compensate property damage to a person-victim in criminal cases of stealing and subsequent misappropriation of a motorcar owned by him by persons, recognized as guilty of stealing the motorcar, in a case when the person having committed misappropriation has not been established and the motorcar has not been found.

The Constitutional Court recognized the contested norms as not conforming to the Constitution of the Russian Federation to the extent they do not allow to ensure compensation by the person guilty of stealing of a motorcar of property damage, caused to owner of this motorcar in connection with its stealing and subsequent misappropriation committed by a non-established person.

The Constitutional Court pointed out that pending the appropriate legislative amendments, law-enforcement bodies, including courts, must be guided by legal positions expressed in this Judgment.