

By the Judgment of 6 October 2017 No. 23-II/2017 the Constitutional Court appraised constitutionality of the provisions of Item 2 of Article 115 of the Family Code of the Russian Federation and Item 1 of Article 333 of the Civil Code of the Russian Federation.

The contested provisions were the subject-matter of consideration insofar as on their basis it is decided whether it is possible to reduce penalty subject to payment because of a debt formed due to guilt of a person obliged to pay alimony under court decision.

The Constitutional Court has recognised the contested provisions as not contradicting the Constitution of the Russian Federation so far as they do not hinder the court, in the presence of circumstances deserving attention, to reduce penalty subject to payment because of a debt formed due to guilt of a person obliged to pay alimony under court decision, if the penalty subject to payment is manifestly disproportionate to consequences of breach of the obligation to pay alimony.