

By the Judgement of 12 July 2018 No. 31-II/2018 the Constitutional Court appraised constitutionality of Section 8 of Article 291⁶ of the Arbitration Procedure Code of the Russian Federation.

The contested provision was a subject-matter of consideration insofar as on its basis is allowed consideration by the Chairman of the Supreme Court of the Russian Federation (hereinafter – the Supreme Court), his Deputy of a complaint, report of an interested person against a ruling of a judge of the Supreme Court to refuse to submit a cassation complaint, report for consideration in the court session of a Court Board of the Supreme Court and passing of a ruling on abrogation of the said ruling of a judge of the Supreme Court and submission of the cassation complaint, report together with the file for consideration in the court session of the Court Board of the Supreme Court on expiry of a two-month term from the day of entry into force of the last appealed judicial act in this case, established by the Arbitration Procedure Code of the Russian Federation for application with a cassation complaint, report to the Court Board of the Supreme Court.

The Constitutional Court has recognised the contested provision as not contradicting the Constitution of the Russian Federation so far as it contemplates that application of interested persons to the Chairman of the Supreme Court, his Deputy with a request to disagree with the ruling of a judge of the Supreme Court on refusal to submit a cassation complaint, report for consideration in the court session of a Court Board of the Supreme Court and to pass ruling on its abrogation and carrying out of this procedural action is only possible within the two-month term for cassation appeal established by the procedural law. The time of consideration of this complaint, report in a cassation instance of the Supreme Court in calculation of this term is not taken into account.