

By the Judgement of 19 February 2018 No. 9-II/2018 the Constitutional Court appraised constitutionality of Section 5 of Article 2 of the Federal Law “On Guarantees of Pension Security for Individual Categories of Citizens” and Item 5 of Article 15 of the Law of the Russian Federation “On Status of Judges in the Russian Federation”.

The contested provisions were the subject-matter of consideration insofar as on their basis is resolved the question of pension security of a judge, who became disabled during the exercise of his powers for reasons not connected with official activity and who, before acquisition of the right to the monthly life allowance, retired because of inability due to state of health to exercise powers of a judge.

The Constitutional Court has recognised the contested provisions as not conforming to the Constitution of the Russian Federation to the extent to which legal mechanism established by them does not guarantee to the said category of persons pension security in the amount comparable with lost income in the form of salary (monthly remuneration) of a judge on conditions determined with regard to his constitutional-law status.

The Constitutional Court has emphasised that the operating order of pension security of this category of persons shall be applied until the federal legislator has executed the present Judgement.