

By the Judgement of 13 February 2020 No.8-II the Constitutional Court of the Russian Federation appraised constitutionality Article 5, Para. 2 of the Federal Law “On Municipal Service in the Russian Federation”

The challenged provision was subject of consideration to the extent that, in a systematic connection with other provisions of the Federal Law, it serves as the basis for deciding on the termination of the employment contract for non-compliance with the statutory restrictions and prohibitions associated with the municipal service, with a municipal employee who did not indicate information about his or her criminal record in the questionnaire of the established form when applying to the municipal service.

The Constitutional Court recognised the challenged provision as not contradicting the Constitution of the Russian Federation to the extent that the principle of unity of restrictions and obligations when performing the municipal service and the state civil service in systemic connection with other provisions of the Federal Law does not imply termination of the employment contract with municipal employees in such a situation.