

By the Judgement of 28 January 2020 No.5-II the Constitutional Court of the Russian Federation appraised constitutionality of Article 7, Section 4 of the Law of the Russian Federation “On Pensions for Individuals in Military Service, Service in the Internal Affairs Bodies, in the State Bodies for Controlling the Circulation of Drugs and Psychotropic Substances, Institutions and Criminal Justice Agencies, Troops of the National Guard of the Russian Federation, Enforcement Agencies of the Russian Federation and their Families ”, Article 6, Para. 1, Subpara. 2; Article 22, Para. 2.2 and Article 28, Para. 1 of the Federal Law “On Compulsory Pension Insurance in the Russian Federation”, Articles 419, Para. 1, Subpara. 2 of the Tax Code of the Russian Federation, as well as Article 8, Sections 2 and 3; Article 15, Section 18 of the Federal law “On insurance pensions”

The challenged provisions were subject of consideration to the extent that they resolve the issue (in connection with Article 7, Para. 1, Subpara. 3 of the Federal Law “On Compulsory Pension Insurance in the Russian Federation”) of imposing obligations on military pensioners to pay insurance contributions for compulsory pension insurance, including the joint part of the tariff, without establishing guarantees for receiving an old-age insurance pension upon occurrence of a fixed payment.

The challenged provisions in their connection with Article 7, Para. 1, Subpara. 3 of the Federal Law “On Compulsory Pension Insurance in the Russian Federation” are recognised not contradicting the Constitution of the Russian Federation to the extent that they, when referring the said persons to insurers for compulsory pension insurance, assign to such persons the obligation to pay appropriate insurance contributions in order to ensure their right to receive compulsory insurance coverage for compulsory pension insurance.

The challenged provisions in their connection with Article 7, Para. 1, Subpara. 3 of the Federal Law “On Compulsory Pension Insurance in the Russian Federation” were also found to be inconsistent with the Constitution of the Russian Federation to the extent that they are characterised by uncertainty of the regulatory content with regard to the volume and conditions of formation and implementation in the system of compulsory pension insurance of pension rights of lawyers from among military pensioners duly acting as the policyholder on the payment of insurance premiums for compulsory pension insurance.