

**By the Judgement of 2 December 2021 No 51-II/2021 the Constitutional Court assessed constitutionality of Article 21<sup>1</sup>, items 1-4 and of Article 22, item 7 of the Federal Law “On the State Registration of Legal Entities and Individual Entrepreneurs”.**

These provisions establish the procedure for excluding a legal entity from the Unified State Register of Legal Entities (hereinafter EGRUL). They were the subject of consideration insofar as they serve as the basis for recognizing a garage cooperative as having actually ceased its activities and for excluding it from the UGRUL.

The Constitutional Court recognized the contested norms to be not in conformity with the Constitution of the Russian Federation insofar as under the meaning attributed to them by law enforcement practice, they are applied to the recognition of garage (garage-construction) cooperative as actually invalid and to its exclusion from the UGRUL on the basis of the mere statement of such formal features as the absence of bank account transactions and failure to submit reports provided for by the legislation of the Russian Federation on taxes and fees. Thereby, these norms do not allow to take into account the specific properties of this type of legal entity as association of citizens, specially designed to provide them with the opportunity to use property for personal purposes, as a rule, without active participation in civil life, without carrying out income-generating activities and without professional management of the organisation.

Until appropriate legislative changes are made, the courts shall apply the challenged provisions, with due account of the legal positions contained in the present Judgement.