

By the Judgement of 7 April 2022 No. 14-II/2022 the Constitutional Court of the Russian Federation assessed constitutionality of provisions of Article 58 of Law “On pensions of persons served in the army military, law-enforcement bodies, the State Fire-Fighting Service, drug trafficking monitoring bodies and psychotropic substances, organizations and bodies of criminal executive system, troops of national guard of the Russian Federation, bodies of forced execution of the Russian Federation, and their families” and of Article 21 item 1, part 1 and Article 22 item 2, part 1 of the Federal Law “On labour pensions Russian Federation”

These provisions of Federal Law became subject to examination insofar they serve as a basis for suspension and subsequent termination of payment of a person dismissed from military service of his pension for length of service, which was made by crediting money to his account in a credit institution, while he did not carry out operations on this account for six consecutive months.

The Constitutional Court has recognized Article 21, item 1, sub-item 1 and Article 22, item 1, sub-item 2 of the Federal Law “On Labour Pensions in the Russian Federation” as not contradicting the Constitution of the Russian Federation since they are - in their constitutional and legal sense in the system of current legal regulation do not involve the suspension and subsequent termination of payment of pensions to this category of citizens, the delivery and receipt of which is made through a credit institution by crediting the appropriate funds to an account, in the absence of transactions on this account for six consecutive months.

Article 58 item 1 of the Law of the Russian Federation “On Pensions for Individuals in the Military Service, the Internal Affairs Bodies, the State Fire-Fighting Service, in the State 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» was the subject of consideration, since in restoring the payment of the pension it allows receiving it for the past time in an amount not exceeding the amount calculated for the three years preceding the pensioner's application to the pension authority.

This legal provision recognized as contradicting the Constitution of the Russian Federation insofar as in connection with Article 21, item 1, sub-item 1, and Article 22, item 1, subparagraph 2, of the Federal Law "On Labor Pensions in the Russian Federation" allows payment to a person dismissed from military service of a pension for length of service not received by him, the payment of which was suspended and subsequently terminated, only in an amount not exceeding the amount calculated for the three years preceding the application of

the pensioner for restoration of payment, provided that in the period when it was not paid, he did not lose the right to this pension.