

By the Judgement of 11 October 2022 No.42-II the Constitutional Court assessed constitutionality of Article 6, item 1, sub-item 2; Article 22, item 2² and Article 28, item 1 of the Federal Law “On compulsory pension insurance in the Russian Federation”; Article 419, item 1, sub-item 2 of the Tax Code of the Russian Federation; Article 7, part 4 of the Federal Law “On pensions of persons served in the army military, law-enforcement bodies, the Public fire 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” also Article 8, parts 2,3 and Article 15, part 18 of the Federal Law “On insurance pensions”

These provisions were subject to examination insofar as on their basis in conjunction with Article 7, item 1, paragraph 3 of the Federal Law "On compulsory pension insurance in the Russian Federation" decides the issue of imposing the obligation to pay insurance contributions for compulsory pension insurance on self-employed persons from among pensioners who receive a retirement or disability pension in accordance with Law of the Russian Federation of 12 February 1993, No. 4468-I.

The challenged legal provisions were recognized as contravening the Constitution of the Russian Federation insofar as in the system of current legal regulation, they imposing on these persons the obligation to pay insurance contributions for compulsory pension insurance, and do not establish guarantees for them to realize their pension rights upon reaching retirement age.