

By the Judgement of 17 May 2022 No. 19-II/2022 the Constitutional Court assessed constitutionality of Article 4.5, part 1 of the Code of Administrative Offences of the Russian Federation.

The above article became subject to examination insofar as it served as basis for resolve the question of the day from which the limitation period for administrative responsibility should be calculated.

The challenged provision was recognized as contravening the Constitution of the Russian Federation to the extent that creates an ambiguous solution to this question and thereby allows for an arbitrary determination as such a day the day of committing an administrative offense, as well as the day following the day of committing an administrative offense.

Until the appropriate legislative changes are made, the calculation of the limitation period to administrative responsibility in accordance with the contested article should be starting from the day of committing an administrative offense.

Constitutional Court also noted that since the challenged legal provision does not in itself serve as a basis for bringing to administrative responsibility, the declaration of its unconstitutionality does not entail the consequences referred to in Article 79, part 3, item 6 of the Federal Constitutional Law "On the Constitutional Court of the Russian Federation".