

By its Judgement of 17 November 2022 No. 50-II/2022 the Constitutional Court assessed constitutionality of Article 38, item 1¹, Article 63, item 17 and sub-item “Г” of item 5 of the Federal Law “On Basic Guarantees of Electoral Rights and the Right to Participate in Referendums for Citizens of the Russian Federation”; as well as Article 35, part 5, item 4 of the Election Code of the Moscow.

These legal provisions have been the subject of consideration insofar as they serve as a basis for determining the possibility for an election commission to take into account, when deciding on approving the form and text of the ballot and information materials about candidates, the information about changes in the candidate's main job or service position, his main place of work or service, which occurred after his registration and which were submitted to the election commission before it took such a decision.

The challenged legal provisions were found not to contradict the Constitution of the Russian Federation, since their constitutional and legal meaning in the system of current regulation implies that the election commission which registered a candidate or a list of candidates, when taking the above decision, must not refuse to take into account the information submitted by the candidate (or a person authorized by election laws to act in his interests) and which not causing doubts about the reliability of information about changes after the registration of the candidate in his/her main place of work or service if this - taking into account the time of submission of the said information, the way of its confirmation, the existence of the need to check its reliability - does not violate the established time limits for the election commission to adopt the said decision.

The Constitutional Court found that there were no grounds for reviewing the applicant's case. The applicant is entitled to compensatory mechanisms against her, whose form and amount shall be determined by the Khoroshevsky District Court of the City of Moscow.