

**By the Judgement № 56-II of 21 December 2022 the Constitutional Court assessed constitutionality Article 10 (item 2 of part 1) of the Federal Law "On Additional Measures of State Support for Families with Children".**

This legal provision was the subject of consideration to the extent that it served as basis to decide upon the issue of the possibility of directing funds (part of the funds) of maternal (family) capital to improve housing conditions by reconstructing another capital construction project intended for permanent residence, except for an individual housing construction project given that the person who received the certificate for maternal (family) capital has met all the requirements for the reconstruction of such projects.

The contested legal provision was found to be inconsistent with the Constitution of the Russian Federation since it does not provide for such a possibility in the circumstances specified, given that the person who received the certificate for maternity (family) capital has met all the requirements for the reconstruction of such objects, and has also complied with other conditions except for the type of object and, accordingly, the type of permitted use of the land plot for the allocation of funds (part of the funds) of maternity (family) capital for such reconstruction.

Until the introduction of appropriate legislative changes, as well as the resulting changes in by-laws, the indication in regulatory legal acts, including in the forms approved by these acts, of the reconstruction of individual housing construction projects specifically should not prevent the use of funds (part of the funds) of maternity (family) capital to improve housing conditions through the reconstruction of another capital construction project intended for permanent residence other than an individual housing construction project subject to the fulfillment of the relevant requirements and observance of the necessary conditions.