

By its Judgement of 24 March 2022 No. 12-II/2022 the Constitutional Court of the Russian Federation assessed constitutionality of Article 20, part 9, item 4 of the Federal Law "On Banks and Bank Activity", Article 189.91 and Article 189.96, item 31 of the Federal Law "On Insolvency (Bankruptcy)".

The subject of consideration were the specified legal provisions, on the basis of which the issue of the possibility of recognising the obligation under the consumer credit agreement as fulfilled prematurely by a debtor citizen by placing money on the bank account specially opened in accordance with the terms of the agreement for this purpose, after the revocation of a license from a credit organisation to carry out banking operations (the introduction of a moratorium on claims settlement of its creditors).

The challenged provisions were recognised as not being in contrary to the Constitution of the Russian Federation since, according to its constitutional and legal meaning the legal fact of revocation of a license from a credit organisation (the introduction of a moratorium on the claims settlement of its creditors) cannot prevent the recognition of the placement preceding it (them) by a debtor citizen - in the order of execution (including early payment) of their obligations under the consumer credit agreement – money on a bank account in a credit organisation specially opened in this credit organisation, by the proper fulfillment of its obligations in the relevant part.