

By the Judgement of 6 November 2024 No.50-II, the Constitutional Court assessed constitutionality of Article 8.8 (part 3) of the Code of Administrative Offences of the Russian Federation

The above-mentioned provision was the subject of a consideration insofar as it serves as a basis for the imposition of administrative liability for failure to use a plot of land intended for the construction of an individual dwelling for this purpose for more than three years.

The challenged provision was found to be inconsistent with the Constitution of the Russian Federation to the extent that the administrative liability provided for therein is incurred for failure to comply with the obligation to use a land plot within the established period of time, in the absence of a direct, clear and unambiguous reference to such a period in the federal legislation in force.

The Constitutional Court separately noted that the adoption of a federal law pursuant to the Judgement was not required and that the entry into force of the new Federal Law on 1 March 2025 would remove the obstacles to the application of the contested legal provision.