

**By the Judgement of 12 November 2024 No.51-II, the Constitutional Court assessed constitutionality of Article 30.1 (item 3 of part 1) and other provisions of the Code of Administrative Offences of the Russian Federation.**

This provision has been the subject of consideration insofar as it determines the territorial jurisdiction to consider a complaint against a decision of an official on an administrative offence that has not entered into force.

The above-mentioned legal provision was found to be inconsistent with the Constitution of the Russian Federation, as it did not allow for a clear resolution of the issue of determining the territorial jurisdiction to consider the complaint in question.

Until appropriate legislative changes are made in the application of the contested provision, this complaint shall be considered by the court at the location of the authority (official) that adopted the decision in the case of an administrative offence with the exception for the complaint on the decision made in the cases provided for by Article 28.6 (part 3) of the Code of Administrative Offences, which is subject to consideration by the court in the place where the administrative offence was committed.

The provisions of the Code of Administrative Offences were also considered, to the extent that, on the basis of them, a court of general jurisdiction, when considering the complaint in question, resolves the question of transferring case to another court of the same level, in accordance with the rules of territorial jurisdiction.

These provisions were recognised as not contradicting the Constitution, since they imply that the transferring of a complaint by a court of general jurisdiction for consideration to another court of the same level for consideration, in accordance with the rules of territorial jurisdiction is binding for the receiving court, obliging it to take the actions and decisions provided by law.

The Constitutional Court separately noted that the Podolsk City Court of the Moscow Oblast is obliged to consider the case on the merits.