

By the Judgement of 24 May 2024 No.24-II, the Constitutional Court assessed constitutionality of Article 30.1 (item 4 of part 1) of the Code of Administrative Offences the Russian Federation

The abovementioned legal provision was the subject of consideration to the extent that it resolves the issue of determining the territorial jurisdiction for consideration of an appeal against a decision of administrative commission which is established in accordance with the law of a constituent entity of the Russian Federation.

The contested legal provision was found to be inconsistent with the Constitution of the Russian Federation insofar as the uncertainty of its content does not allow this issue to be resolved unambiguously, thus allowing arbitrary attribution of consideration of an appeal against a decision on an administrative offence issued by an administrative commission to the jurisdiction of a district court at the seat of the administrative commission, at the place of the commission's session or at the place where the administrative offence was committed.

Until appropriate amendments are made to the legislation on administrative offences, the territorial jurisdiction for considering such an appeal should be determined by the location of the administrative commission.

Separately, the Constitutional Court noted that the recognition of the unconstitutionality of the contested provision would not entail the consequences provided for in Article 79 (item 6 of part 3) of the Federal Constitutional Law "On the Constitutional Court of the Russian Federation".