

By the Judgement of 26 December 2024 No.59-II, the Constitutional Court assessed constitutionality of Article 13 (item 6) of the Law of the Russian Federation “On Protection of Consumer Rights”

This legal provision was examined insofar as it serves as a basis for resolving the issue of the insured’s (who is a consumer) recovery of a fine (based on a court decision) from the insurer under an insurance contract concluded in order to protect the interests of a creditor under a credit contract which includes life and health insurance as an integral part, when the insurance indemnity in the part of personal insurance is received by a third party – credit organisation.

The contested legal provision was found not to be incompatible with the Constitution, since it could not be used as a basis for rejecting such a claim by the insured (consumer) who had concluded such a contract, if the insurer (contractor) has not voluntarily fulfilled the obligation at the request of the consumer.