

**By the Judgement of 31 October 2024 No.49-II, the Constitutional Court assessed constitutionality of Articles 195 and 196, 197 (item 1), Article 200 (item 1 and paragraph 2 of the item 2) and Article 208 (paragraph 2) of the Civil Code of the Russian Federation**

The above-mentioned legal provisions were considered to the extent that they serve as a basis for resolving the issue of the possibility of extending the limitation period at the prosecutor's claims to return to the income of the Russian Federation assets acquired by a person holding a position subject to requirements and prohibitions aimed at preventing corruption (public position) as a result of their violation, including assets into which the originally acquired assets (by offence) has been partially or fully transformed or converted (income from assets).

The contested provisions were found to be inconsistent with the Constitution to the extent that judicial interpretation allows the general three-year and ten-year limitation periods and the rules for their expiration to be considered applicable to claims of prosecutors in question, which does not allow for consideration of the specifics of the acts giving rise to those claims.

The Constitutional Court concluded that the legislation in force does not set a time limit for a prosecutor to file such a claim.

The above conclusion applies only to the prosecutor's claims, to return to the income of the Russian Federation assets acquired by a person holding a public position subject to requirements and prohibitions aimed at preventing corruption as a result of their violation and cannot be automatically extended to the question of the applicability or inapplicability of the limitation period to other than the above-mentioned claims of prosecutors (e.g. claims for the transfer of assets to public entities or the recognition of their right to property, including those based on violations of the privatisation process).