

**By the Judgement of 17 July 2025 No.29-II, the Constitutional Court assessed constitutionality of Article 24.5 (part 5) of the Code of Administrative Offences of the Russian Federation**

This legal provision was the subject of consideration to the extent that, it serves as a basis for resolving the issue of termination of proceedings in the case of an administrative offense (under Article 17.15 of the said Code) and resulted in the failure of the debtor - local government body, to comply with the non-property requirements contained in the executive document and related to the exercise of state powers transferred to it within the time period established by the bailiff.

The contested legal provision was recognised as not contradicting the Constitution, since in its constitutional and legal meaning, if applied in such a case, it assumes that:

the adoption by the authorised authority or court of decision to terminate proceedings on an administrative case upon establishing the fact that the law allocates subventions to local governments for the exercise of state powers transferred to them in an amount insufficient for their implementation and if this led to their non-fulfilment or improper execution, does not require additional determination of whether it was made by local authorities a proposal to allocate additional subventions in the amount that is necessary for the proper exercise of the transferred state powers, as well as whether the local self-government bodies informed the state authorities in a timely manner about the insufficiency of the allocated subventions during the exercise of such powers;

such decision cannot be taken if the authorised authority or court finds that the allocation of a subvention in an amount insufficient for the local government body to exercise the relevant state power, which led to its non-fulfilment or improper execution, was predetermined by the provision of unreliable (incomplete) information by local governments to state authorities, despite the fact that its reliability could not be objectively verified by state authorities;

for adoption of such decision by authorised authority or court , a causal relationship must be established between the allocation of subventions for the exercise of state powers by local governments in an amount insufficient for their implementation and the failure to comply with the relevant requirements contained in the executive document;

the amount of the allocated subvention to the local government body, equal to or exceeding the costs of fulfilling the non-property requirement contained in the executive document, which constitute part of the costs of exercising the relevant state authority, cannot in itself indicate that the amount of the subvention is sufficient without taking into account the need to use the allocated funds in accordance with current legislation also for other purposes within the framework of

exercise of this authority, including the costs of executing other non-property claims in the framework of enforcement proceedings;

termination of proceedings in the case of an administrative offense in such case, does not entail termination of the obligation of a local government body to fulfill, in accordance with the law on enforcement proceedings, the non-property requirement contained in the enforcement document and also does not release public authorities from obligation to transfer to local governments the material and financial resources necessary for the exercise of state powers, including with regard to the execution of relevant judicial acts.