CODE OF ADMINISTRATIVE JUDICIAL PROCEDURE OF THE RUSSIAN FEDERATION

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CODE OF ADMINISTRATIVE JUDICIAL PROCEDURE OF THE RUSSIAN FEDERATION

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SECTION I

GENERAL PROVISIONS

Chapter 1. Basic Provisions

Article 1. Subject Matter of Regulation of This Code

1. This Code regulates the manner of realisation of administrative judicial procedure during the consideration and adjudication by the Supreme Court of the Russian Federation, by courts of general jurisdiction and justices of the peace (hereinafter also referred to as "the courts") of administrative cases regarding the protection of violated or disputed rights, freedoms and lawful interests of citizens, rights and lawful interest of organisations, as well as of other cases, arising from administrative and other public legal relations and pertaining to the realisation of judicial control over the lawfulness and substantiation of exercise of state or other public powers.

2. The courts consider and adjudicate administrative cases within their court competence, regarding violated or disputed rights, freedoms and lawful interests of citizens, rights and lawful interest of organisations, arising from administrative and other public legal relations, in the manner stipulated in this Code. Such administrative cases include:

1) cases regarding the challenge of normative legal acts, in full or in part;

1.1) cases regarding the challenge of acts that contain legislation clarifications and have normative features;

2) cases regarding the challenge of decisions, actions (failure to act) of public authorities, other state bodies, bodies of military administration, local self-government bodies, officials, state and municipal servants;

2.1) cases on award of compensation for violation of conditions of remand in custody, detention in a correction facility;

3) cases regarding the challenge of decisions, actions (failure to act) of non-commercial organisations vested with certain state or other public powers, including self-regulating organisations;

4) cases regarding the challenge of decisions, actions (failure to act) of qualification boards of judges;

5) cases regarding the challenge of decisions, actions (failure to act) of the High Examination Commission, tasked with conducting judicial qualification examination, and of examination commissions of constituent entities of the Russian Federation, tasked with conducting judicial qualification examinations (hereinafter also referred to as "examination commissions");

6) cases regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum;

7) cases regarding the award of compensation for the violation of right to trial within a reasonable time in cases considered by courts of general jurisdiction or of right to execution of a judicial act of a court of general jurisdiction within a reasonable time.

3. The courts consider and adjudicate administrative cases within their court competence, pertaining to the exercise of obligatory judicial control over the observance of human and civil rights and freedoms, of rights of organisations during the realisation of certain administrative authoritative demands addressed to natural persons and organisations, in the manner stipulated in this Code. Such administrative cases include:

1) cases regarding the suspension of activities or liquidation of a political party, its regional office or another structural division, of another public association, religious or another non-commercial organisation, as well as cases regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, cases regarding the expungement of records about a non-commercial organisation from a state registry;

2) cases regarding the termination of activities of mass media;

2.1) cases regarding the restriction of access to an audiovisual service;

2.2) cases on recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation;

2.3) cases on recognition of information materials as extremist;

2.4) cases on restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of Internet users, the functioning of which is ensured by an organiser of information distribution in the Internet;

3) cases regarding the recovery of monetary sums on account of compulsory payments and penalties, stipulated in law, from natural persons (hereinafter referred to as “administrative cases regarding the recovery of compulsory payments and penalties”);

4) cases regarding the placement of a foreign citizen or a stateless person, subject to deportation or transfer by the Russian Federation to a foreign state in accordance with an international treaty of the Russian Federation on readmission, or of a transferred foreign citizen or stateless person, accepted by the Russian Federation from a foreign state in accordance with an international treaty of the Russian Federation on readmission, who has no legal grounds to stay (reside) in the Russian Federation (hereinafter referred to as “a foreign citizen, subject to deportation or readmission”), into a designated special institution, referred to in the federal law regulating the legal status of foreign citizens in the Russian Federation (hereinafter referred to as “a special institution”) and on the prolongation of stay of a foreign citizen in a special institution (hereinafter referred to as “administrative cases on temporary placement of a foreign citizen, subject to deportation or readmission, into a special institution and on the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution”);

5) cases regarding the institution, prolongation, early termination of administrative supervision, as well as regarding partial removal or supplementation of administrative limitations, earlier stipulated for a person under supervision (hereinafter also referred to as “administrative cases on administrative supervision of persons released from confinement”);

6) cases regarding the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care, the prolongation of a citizen’s involuntary hospitalisation or involuntary psychiatric examination of a citizen;

7) cases regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation;

8) other administrative cases regarding the involuntary hospitalisation of a citizen to a non-psychiatric medical organisation;

9) cases regarding the protection of interests of an underage person or a person recognised in the stipulated manner as legally incapable, where his statutory representative refuses to consent to medical intervention necessary to save that person’s life;

10) on placement of an underage into a temporary detention centre for underage offenders of an internal affairs body (hereinafter – “temporary detention centre”) or on prolongation of stay of an underage in a temporary detention centre (hereinafter – “administrative case pertaining to the stay of an underage at a temporary detention centre”);

11) on placement of an underage into a special custodial educational institution (hereinafter – also “custodial educational institution”), on prolongation of stay of an underage at a custodial educational institution, on early termination of stay of an underage at a custodial educational institution or on transfer to a different custodial educational institution, on restoring the period of stay of an underage at a custodial educational institution, on involuntary medical examination of an underage in order to determine the possibility of placing him into a custodial educational institution (hereinafter – “administrative case pertaining to the stay of an underage at a custodial educational institution”).

3.1. Applications for the issuance of a court order regarding the recovery of compulsory payments and penalties are considered in the manner stipulated in this Code.

4. Cases, arising from public legal relations and referred by federal law to the competence of the Constitutional Court of the Russian Federation, of commercial courts or subject to consideration in another judicial (procedural) manner in the Supreme Court of the Russian Federation, in courts of general jurisdiction, are not subject to consideration in the manner stipulated in this Code.

5. The provisions of this Code do not apply to proceedings in cases regarding administrative violations and to proceedings in cases regarding recovery from the budget funds of the budgetary system of the Russian Federation, except where so stipulated in this Code.

Article 2. Legislation on Administrative Judicial Procedure

1. The manner of realisation of administrative judicial procedure is stipulated in the Constitution of the Russian Federation, Federal Constitutional Law No. 1 of 31st December 1996 "On Judicial System of the Russian Federation", Federal Constitutional Law No. 1 of 23rd June 1999 "On Military Courts of the Russian Federation", Federal Constitutional Law No. 1 of 7th February 2011 "On Courts of General Jurisdiction", as well as in this Code and other federal laws.

2. If an international treaty of the Russian Federation stipulates other rules of administrative judicial procedure than stipulated in this Code, the rules of the international treaty apply. It is not allowed to apply the rules of international treaties of the Russian Federation in their interpretation that contradicts the Constitution of the Russian Federation. Such contradiction may be established in the manner stipulated in a federal constitutional law.

3. The general rules of administrative judicial procedure in courts of first instance, courts of appeal, cassation and supervision, stipulated in this Code, apply to all categories of administrative cases, with due regard to the special rules of judicial proceedings, stipulated in this Code for certain categories of administrative cases.

4. If there is no norm of procedural law regulating the relations that appear during the administrative judicial procedure, the court applies the norm regulating similar relations (analogy of statute, *analogia legis*); in the absence of such a norm the court acts on the basis of principles of administration of justice in the Russian Federation (analogy of law, *analogia juris*).

5. Administrative judicial procedure is realised in accordance with the norms of procedural law that are in effect at the time of consideration and adjudication of an administrative case, the performance of a certain procedural action.

Article 3. Tasks of Administrative Judicial Procedure

The tasks of administrative judicial procedure are:

1) to ensure the accessibility of justice in the sphere of administrative and other public legal relations;

2) to protect the violated or disputed rights, freedoms and lawful interests of citizens, rights and lawful interests of organisations in the sphere of administrative and other public legal relations;

3) to consider and adjudicate administrative cases in a correct and timely way;

4) to strengthen lawfulness and to prevent violations in the sphere of administrative and other public legal relations;

5) peaceful settlement of disputes arising from administrative and other public legal relations.

Article 4. Right to Apply to Court with an Administrative Statement of Claim

1. Every interested person is guaranteed the right to apply to court for the protection of violated or disputed rights, freedoms and lawful interests, in particular if such a person believes that there are obstacles to the realisation of his rights, freedoms and lawful interests, or some obligation has been unlawfully imposed on that person, and the right, where so stipulated in this Code and other federal laws, to apply to court for the protection of other persons or the protection of public interests.

2. Coercion to the waiver of right to apply to court is impermissible.

3. If federal law stipulates obligatory pre-trial dispute resolution procedures for a certain category of administrative cases, it is possible to apply to court after such procedures have been performed.

3.1. After applying to court, the parties may use conciliatory procedures in order to settle the dispute, except in situations stipulated in this Code.

4. Foreign citizens, stateless persons, foreign and international organisations (hereinafter also referred to as "foreign persons") have the right to apply to court for the protection of their disputed or violated rights, freedoms and lawful interests in the sphere of administrative and other public legal relations based on authority subordination of one party to the other. Foreign persons enjoy procedural rights and perform procedural duties on a par with Russian citizens and organisations, except where explicitly stipulated otherwise in this Code. The Government of the Russian Federation may introduce retaliatory limitations against foreign persons of those states, the courts of which allow limitations of procedural rights of Russian citizens and organisations.

Article 5. Administrative Procedural Passive Capacity and Administrative Procedural Capacity, Administrative Procedural Legal Personality

1. All citizens, public authorities, other state bodies, local self-government bodies, their officials, public associations, religious and other organisations, including non-commercial ones, as well as public associations and religious organisations that are not legal persons are equally recognised as able to have procedural rights and perform procedural duties (administrative procedural passive capacity) in the administrative judicial procedure, if, in accordance with this Code and other federal laws, they are entitled to judicial protection of their rights, freedoms and lawful interests in the public sphere.

2. The ability to realise procedural rights, in particular to entrust a representative with the conduct of an administrative case, and to perform procedural duties in the administrative judicial procedure (administrative procedural capacity) belongs to:

1) citizens who have reached the age of eighteen and are not recognised as legally incapable;

2) underage citizens over the age of fourteen, but under the age of eighteen and citizens whose legal capacity is limited – in administrative cases arising from disputable administrative and other public legal relations, in which those citizens may participate on their own in accordance with the law. If necessary, the court may draw the statutory representatives of these citizens to participation in the consideration of the administrative case;

3) public authorities, other state bodies, local self-government bodies, election commissions, referendum commissions, public associations, religious and other organisations, including non-commercial ones;

4) public associations and religious organisations that are not legal persons – in administrative cases arising from disputable administrative and other public legal relations, in which these associations and organisations may participate in accordance with legislation.

3. Rights, freedoms and lawful interests of citizens, who have not reached the age of eighteen, of citizens whose legal capacity is limited and who, in accordance with legislation, cannot participate on their own in administrative cases arising from disputable administrative and other public legal relations, are protected in court proceedings by their statutory representatives – parents, adoptive parents, custodians, guardians or other persons granted this right by federal law. If necessary, the court may draw these citizens to participation in consideration of an administrative case.

4. Rights, freedoms and lawful interests of citizens recognised as legally incapable are protected in court proceedings by their statutory representatives – custodians or other persons granted this right by federal law. If necessary, the court may draw these citizens to participation in consideration of an administrative case.

5. Administrative procedural passive capacity and administrative procedural capacity of foreign citizens, stateless persons are determined by their personal law, by an international treaty between the corresponding country and the Russian Federation and by legislation regulating the issues of participation of these persons in disputable administrative and other public legal relations. The personal law of a citizen is the law of the country of his citizenship. If a citizen has citizenship of the Russian Federation and of another state, Russian law is regarded as his personal law. If a foreign citizen has citizenship of several foreign countries, the law of the country in which that citizen resides is regarded as his personal law. If a foreign citizen resides in the Russian Federation, Russian law is regarded as his personal law. The personal law of a stateless person is regarded to be the law of the country in which such a person resides.

6. If a person does not have procedural capacity in accordance with his personal law, on the territory of the Russian Federation this person may be recognised as having administrative procedural capacity in accordance with Russian law.

7. Administrative procedural passive capacity and administrative procedural capacity of a foreign organisation (administrative procedural legal personality) are determined by the law of the country, in which the corresponding organisation is established, by an international treaty of

the corresponding country with the Russian Federation and by legislation regulating the issues of participation of such organisations in disputable administrative and other public legal relations.

8. If a foreign organisation that does not have procedural legal personality in accordance with the law of the country in which it is established, on the territory of the Russian Federation it may be recognised as having administrative procedural legal personality in accordance with Russian law.

9. Administrative procedural legal personality of an international organisation is established on the basis of an international treaty in accordance with which it was created, on the basis of its constituent documents or of an agreement with the competent body of the Russian Federation.

Article 6. Principles of Administrative Judicial Procedure

The principles of the administrative judicial procedure are:

1) independence of judges;

2) equality of all before the law and the court;

3) lawfulness and fairness in the consideration and adjudication of administrative cases;

4) realisation of the administrative judicial procedure within a reasonable time and execution of judicial acts in administrative cases within a reasonable time;

5) public and open nature of trial;

6) direct nature of trial;

7) equality of the parties and the adversarial nature of administrative judicial procedure, supported by an active role of the court.

Article 7. Independence of Judges

1. Judges are independent in the realisation of the administrative judicial procedure and obey only the Constitution of the Russian Federation and federal law.

2. Any interference on the part of public authorities, other state bodies, local self-government bodies, other bodies, organisations, officials and citizens with the activities of the court regarding the realisation of administrative judicial proceedings is prohibited and punishable by federal law.

3. Guarantees of independence of judges are stipulated in the Constitution of the Russian Federation and in federal law.

4. Information regarding non-procedural written or oral addresses of state bodies, local self-government bodies, other bodies, organisations, officials and citizens, received by a judge with regard to an administrative case pending before that judge or received by a president of a court, deputy court president, head of a panel of judges or chairman of a judicial chamber for administrative cases with regard to an administrative case pending before the court is to be

publicly disclosed and made known to the trial participants through publication in the Internet in the stipulated manner. It does not constitute grounds for performance of any procedural actions or adoption of procedural decisions in administrative cases.

Article 8. Equality of All before the Law and the Court

1. Justice in administrative cases is administered based on the principle of equality of all before the law and the court: citizens are equal regardless of their sex, race, nationality, language, origin, property or official status, place of residence, attitude to religion, convictions, membership in public associations and other features; organisations are equal independent of their legal form, form of ownership, subordination, location and other features.

2. The court ensures equal judicial protection of rights, freedoms and lawful interests of all persons participating in the case.

Article 9. Lawfulness and Fairness in Consideration and Adjudication of Administrative Cases

Lawfulness and fairness in the consideration and adjudication of administrative cases by courts are ensured by the observance of provisions stipulated in the legislation on the administrative judicial procedure, precise and correct interpretation and application of laws and other normative legal acts (including those regulating relations pertaining to the exercise of state and other public powers) corresponding to the facts of the administrative case, as well as by judicial protection acquired by citizens and organisations through the restoration of their violated rights and freedoms.

Article 10. Reasonable Time of Administrative Judicial Procedure and Reasonable Time for Execution of Judicial Acts in Administrative Cases

1. The administrative judicial procedure and the execution of judicial acts in administrative cases are performed within a reasonable time.

2. When a reasonable time for the administrative judicial procedure is estimated, including the time from the day of receipt of the administrative statement of claim by the court of first instance to the day of adoption of the last judicial act in the administrative case, such facts as legal and actual complexity of the administrative case, the conduct of participants of court proceedings, the sufficiency and efficiency of actions taken by the court in order to consider the administrative case within a reasonable time, as well as the overall length of proceedings in the administrative case are taken into account.

3. The proceedings in administrative cases are carried out in courts within the periods stipulated in this Code. These periods may be prolonged where so stipulated and in the manner stipulated in this Code.

4. Circumstances pertaining to the organisation of the work of the court, including those referred to in Item 2 of Part 3 of Article 28 of this Code and requiring the replacement of a judge, as well as the consideration of an administrative case by various instances cannot be taken into account as grounds for the breach of the reasonable time of the administrative judicial procedure.

5. The rules for determining the reasonable time of the administrative judicial procedure stipulated in Parts 2 and 4 of this Article also apply to the determination of the reasonable time for the execution of judicial acts in administrative cases.

6. If, after the administrative statement of claim is accepted by the court, the administrative case is not considered for a long time, and court proceedings are clearly protracted, the president of the court, upon his own initiative or by virtue of a corresponding application of an interested person asking to speed up the consideration of the administrative case, may issue a reasoned decree to speed up the consideration of the administrative case.

7. In particular, an application to speed up the consideration of an administrative case must indicate the facts on which the applicant's request is founded. The application to speed up the consideration of an administrative case is considered by the president of the court no later than on the working day following the day of receipt of the application by the court, without notifying the applicant and the other persons participating in the case. After considering the application, the president of the court issues a reasoned decree to satisfy the application and speed up the consideration of the administrative case or to dismiss the application.

8. The decree to satisfy the application and speed up the consideration of the administrative case may stipulate the actions that should be taken in order to speed up the consideration, as well as the period, within which a court session must be held.

9. The copy of a decree to satisfy the application and speed up the consideration of the administrative case or to refuse to satisfy the application is forwarded to persons participating in the case no later than on the working day following the day of issuance of the decree.

Article 11. Public and Open Nature of Trial

1. Trials in administrative cases are open to the public in all courts.

2. A trial in an administrative case may be held *in camera,* if the materials of the administrative case under consideration contain information that is a state secret or another secret protected by law. Trial *in camera* is also allowed if a person participating in the case deems it necessary to preserve a commercial secret or another secret protected by law, refers to the confidential information contained in the administrative case, the privacy of citizens or other facts, the public discussion of which may hinder the correct consideration of the administrative case or lead to the divulgence of the aforementioned secrets and the violation of a citizen's rights and lawful interests, and the corresponding motion of that person is satisfied.

3. Persons participating in the case and persons that do not participate in the case, but the issue of whose rights and duties is resolved by the court, have a non-derogable right to acquire information regarding the date, time and place of consideration of the administrative case, oral

and written information about the results of consideration of the administrative case and the judicial acts adopted in it.

4. Everyone has the right to inspect, in the stipulated manner, the effective judicial decision adopted in an administrative case considered in an open court session, except when this right is limited in accordance with the law.

5. Persons participating in the case and other persons present in an open court session have the right to record the course of trial in written form and with the help of audio recording devices. Photography, video recording, radio and TV broadcast, web streaming are allowed with the permission of the court.

6. A reasoned decree is issued by the court if the trial in an administrative case is to be conducted *in camera*. The decree is issued with regard to the whole trial or its part.

7. Persons participating in the case, their representatives and, when necessary, witnesses, experts, specialists and interpreters are present during consideration of an administrative case *in camera*.

8. An administrative case is considered and adjudicated *in camera* with the observance of all rules of the administrative judicial procedure. The use of videoconferencing systems, as well as of a web conferencing system during consideration of a case *in camera* is not allowed.

9. The court warns the persons participating in the case and other persons present during the performance of a procedural action, in the course of which information referred to in Part 2 of this Article may be uncovered, about the liability for the divulgence of such information.

10. Court decisions in administrative cases are announced publicly, unless such decisions affect the rights and lawful interests of underage persons. If the trial was held *in camera*, the court publicly announces only the operative part of the decision.

11. Court decisions in administrative cases are subject to obligatory publication, where so stipulated in this Code.

Article 12. Language of Administrative Judicial Procedure

1. The administrative judicial procedure is conducted in the Russian language – the official language of the Russian Federation. In federal courts of general jurisdiction, situated in republics that are parts of the Russian Federation, the administrative judicial procedure may also be conducted in the official languages of those republics.

2. If a person participating in the case does not speak the language of the administrative judicial procedure, the court clarifies and guarantees to such a person the right to inspect the materials of the administrative case, to participate in procedural actions, give explanations, speak in court, file motions and appeals in that person’s native language or language of choice, as well as to use the services of an interpreter in the manner stipulated in this Code.

3. A court decision is laid down in the Russian language; upon the motion of a party, it is translated into the language used during the trial.

Article 13. Direct Nature of Trial

During the consideration of an administrative case the court must directly study all the evidence in the administrative case.

Article 14. Equality of the Parties and Adversarial Nature of Proceedings

1. The administrative judicial procedure is realized on the basis of equality of the parties and the adversarial nature of proceedings.

2. While preserving independence, objectiveness and impartiality, the court directs the course of the court proceedings, clarifies to each party its rights and obligations, warns the parties about the consequences of performance or failure to perform procedural actions, assists them in realizing their rights, creates conditions and takes all the measures stipulated in this Code for a comprehensive and full establishment of facts of the administrative case, in particular to uncover and order to present evidence on its own initiative, as well as to correctly apply the laws and other normative legal acts during the consideration and adjudication of the administrative case.

3. The parties enjoy equal rights as to the filing of recusals and motions, presentation of evidence, participation in the study of evidence and in pleadings, presentation of their arguments and explanations to the court, realisation of other procedural rights stipulated in this Code. The parties are guaranteed the rights to file motions, present their arguments and observations, give explanations on all issues pertaining to the presentation of evidence that arise during the consideration of an administrative case.

Article 15. Normative Legal Acts Applied During the Adjudication of Administrative Cases

1. Courts adjudicate administrative cases based on the Constitution of the Russian Federation, international treaties of the Russian Federation, federal constitutional laws, federal laws, normative legal acts of the President of the Russian Federation, the Government of the Russian Federation, federal executive bodies, on constitutions (charters), laws and other normative legal acts of constituent entities of the Russian Federation, normative legal acts of local self-government bodies and officials, as well as on normative legal acts of organisations vested, in the stipulated manner, with powers to adopt such acts.

2. If during the adjudication of an administrative case the court finds that a normative legal act subject to application is inconsistent with a law or a normative legal act of greater legal force, it adopts the decision in accordance with the law or another normative legal act of greater legal force.

3. If during the adjudication of an administrative case the court concludes that a law that was applied or is subject to application in the case under consideration is inconsistent with the Constitution of the Russian Federation, it addresses the Constitutional Court of the Russian

Federation with a request to check the constitutionality of that law. In such event, the proceedings in the administrative case are stayed by virtue of Item 5 of Part 1 of Article 190 of this Code.

4. If an international treaty of the Russian Federation stipulates other rules than those stipulated in a normative legal act, the legal force of which is equal to or less than the legal force of the normative legal act proclaiming the consent to the obligatory nature of that international treaty, the norms of the international treaty are applied in the adjudication of an administrative case. It is not allowed to apply the rules of international treaties of the Russian Federation in their interpretation that contradicts the Constitution of the Russian Federation. Such contradiction may be established in the manner stipulated in a federal constitutional law

5. During the adjudication of an administrative case the court applies the norms of substantive law that were in effect at the moment when the legal relation with participation of the administrative plaintiff appeared, unless federal law requires otherwise.

6. If there are no law norms regulating the relations in dispute, the court applies the law norms regulating similar relations (analogy of statute, *analogia legis*), unless this contradicts the nature of said relations; in the absence of such norms the court adjudicates the administrative case on the basis of the general principles and meaning of legislation (analogy of law, *analogia juris*).

Article 16. Obligatory Nature of Judicial Acts

1. Effective judicial acts (decisions, court orders, decrees, rulings) in administrative cases, as well as lawful orders, demands, instructions, subpoenas and addresses of courts are obligatory for public authorities, other state bodies, local self-government bodies, election commissions, referendum commissions, organisations, associations, officials, state and municipal servants, citizens and are subject to execution on the whole territory of the Russian Federation.

1.1. A judicial act (except for an act containing information that is a secret protected by law) may be drawn in the form of an electronic document that is signed by the judge with an enhanced qualified electronic signature. If the judicial act is adopted by a collective composition of the court, it is signed with an enhanced qualified electronic signature by all the judges that considered the case. When the judicial act is drawn in the form of an electronic document, a copy of that judicial act is made in paper form.

2. Failure to execute judicial acts in administrative cases, as well as delay in their execution results in the application of measures stipulated in this Code or in liability stipulated in federal laws.

Article 16.1. Transfer to Consideration of a Case under the Rules of Civil Judicial Procedure

1. If one applies to court with several interrelated claims, some of which are subject to consideration in the manner of civil judicial procedure, and others – in the manner of

administrative judicial procedure, the case is subject to consideration and adjudication in the manner of civil judicial procedure, if it is impossible to separate the claims.

2. If a statement of claim is submitted to the court, containing several claims, some of which are subject to consideration in the manner of administrative judicial procedure, and the others – in the manner of civil judicial procedure, if it is possible to consider them separately, the judge resolves the issue of accepting the claims subject to consideration in the manner of administrative judicial procedure.

3. If the other claims stated before the court, subject to consideration in the manner of civil judicial procedure, are within the jurisdiction of this court, the judge resolves the issue of accepting them for proceedings in accordance with legislation on civil judicial procedure, based on the copies of the statement of claim and of documents attached thereto, certified by the judge.

4. If the other claims stated before the court, subject to consideration in the manner of civil judicial procedure, are not within the jurisdiction of this court, the judge returns the statement of claim in the part concerning such claims in accordance with Item 2 of Part 1 of Article 129 of this Code.

5. If during preparations of the administrative case for trial or during the trial in the administrative case the court establishes that it is subject to consideration in the manner of civil judicial procedure, it issues a decree on the transfer to consideration of the case under the rules of civil judicial procedure.

Chapter 2. Court Competence and Jurisdiction

Article 17. Court Competence over Administrative Cases

The Supreme Court of the Russian Federation, courts of general jurisdiction and justices of the peace consider and adjudicate administrative cases regarding the protection of violated or disputed rights, freedoms and lawful interests of citizens, rights and lawful interest of organisations, as well as other administrative cases, arising from administrative and other public legal relations and pertaining to the realisation of judicial control over the lawfulness and substantiation of exercise of state or other public powers, except for cases referred by federal laws to the competence of the Constitutional Court of the Russian Federation.

Article 17.1. Administrative Cases within Jurisdiction of Justices of the Peace

Justices of the peace consider applications for the issuance of court orders regarding the recovery of compulsory payments and penalties in the manner stipulated in Chapter 11.1 of this Code.

Article 18. Administrative Cases within Jurisdiction of Military Courts

Where provided by federal laws, administrative cases regarding the protection of violated or disputed rights, freedoms and lawful interests of citizens, rights and lawful interest of

organisations in the sphere of administrative and other public legal relations are considered by military courts.

Article 19. Administrative Cases within Jurisdiction of District Courts

Administrative cases, except for administrative cases referred to in Articles 17.1, 18, 20 and 21 of this Code, as well as cases arising from administrative and other public legal relations within the jurisdiction of commercial courts, are considered by district courts as courts of first instance.

Article 20. Administrative Cases within Jurisdiction of Supreme Courts of Republics, Courts of Regions, Federal Cities, Autonomous Circuits, Court of an Autonomous Region

1. As a court of first instance, the supreme court of a republic, the court of a territory, region, federal city, of an autonomous region, autonomous circuit considers administrative cases:

1) regarding a state secret;

2) regarding the challenge of normative legal acts and challenge of acts that contain legislation clarifications and have normative features, adopted by public authorities of constituent entities of the Russian Federation, representative bodies of municipal entities;

3) regarding the challenge of decisions of qualification boards of judges of constituent entities of the Russian Federation, except for decisions regarding the suspension or termination of judicial powers, the suspension or termination of a judge's retirement;

4) regarding the challenge of decisions and actions (failure to act) of examination commissions of a constituent entity of the Russian Federation based on procedural violations, challenge of other decisions regarding the denial of access to the judicial qualification examination, as well as the challenge of actions (failure to act) of the aforementioned examination commissions, as a result of which a judicial candidate was denied access to the qualification examination;

5) regarding the suspension of activities or liquidation of regional offices or other structural divisions of political parties, interregional and regional public associations; regarding the liquidation of local religious organisations, centralised religious organisations consisting of local religious organisations located within the territory of a single constituent entity of the Russian Federation; regarding the prohibition of activities of interregional and regional public associations and local religious organisations, centralised religious organisations consisting of local religious organisations located within the territory of a single constituent entity of the Russian Federation, when such associations and organisations are not legal persons;

6) regarding the termination of activities of mass media, whose production is intended for distribution on the territory of a single constituent entity of the Russian Federation;

7) regarding the challenge of decisions (evasion from making a decision) of election commissions of constituent entities of the Russian Federation (independent of the level of elections, referendum), of circuit election commissions for the election of deputies of the State Duma of the Federal Assembly of the Russian Federation, of circuit election commissions for the election of legislative (representative) public authorities of constituent entities of the Russian Federation, except for decisions upholding the decisions of lower election commissions, referendum commissions;

8) regarding the deregistration of a candidate for the position of a deputy of the State Duma of the Federal Assembly of the Russian Federation, nominated from a single-mandate election circuit;

9) regarding the deregistration of a candidate for the position of the highest official of a constituent entity of the Russian Federation (head of the highest executive public authority of a constituent entity of the Russian Federation);

10) regarding the deregistration of a candidate, in particular of a candidate included into a registered list of candidates; regarding the deregistration of a list of candidates at elections to legislative (representative) public authorities of constituent entities of the Russian Federation;

11) regarding the disestablishment of election commissions, except where Item 10 of Article 21 of this Code applies;

12) regarding the establishment of a period for appointment of elections to public authorities of constituent entities of the Russian Federation, public authorities of federal territories, local self-government bodies;

13) regarding the recognition of composition of a legislative (representative) public authority of a constituent entity of the Russian Federation, of a representative body of a municipal entity as unauthorised;

14) regarding the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time in cases within the jurisdiction of justices of the peace and of district courts;

15) regarding the challenge of results of cadastre value assessment, including the challenge of decisions of a cadastre value assessment dispute commission, as well as the challenge of actions (failure to act) of such a commission.

2. As a court of first instance, Moscow City Court considers administrative cases regarding the restriction of access to an audiovisual service, restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of Internet users, the functioning of which is ensured by an organiser of information distribution in the Internet.

Article 21. Administrative Cases within Jurisdiction of the Supreme Court of the Russian Federation

As a court of first instance, the Supreme Court of the Russian Federation considers administrative cases:

1) regarding the challenge of normative legal acts of the President of the Russian Federation, the Government of the Russian Federation, federal executive bodies, the Prosecutor General's Office, the Investigative Committee, the Judicial Department at the Supreme Court of the Russian Federation, the Central Bank of the Russian Federation, the Central Election Commission of the Russian Federation, of state non-budgetary funds, including the Pension and Social Insurance Fund of the Russian Federation, the Federal Compulsory Medical Insurance Fund, as well as of state corporations;

1.1) regarding the challenge of acts of federal executive bodies, other federal state bodies, of the Central Bank of the Russian Federation, state non-budgetary funds, including the Pension and Social Insurance Fund of the Russian Federation, the Federal Compulsory Medical Insurance Fund, that contain legislation clarifications and have normative features;

2) regarding the challenge of non-normative legal acts of the President of the Russian Federation, the Federation Council of the Federal Assembly of the Russian Federation, the State Duma of the Federal Assembly of the Russian Federation, the Government of the Russian Federation, the Government Commission on Monitoring of Foreign Investments in the Russian Federation;

3) regarding the challenge of decisions of the High Qualification Board of Judges of the Russian Federation and of decisions of qualification boards of judges of the constituent entities of the Russian Federation regarding the suspension or termination of judicial powers or the suspension or termination of a judge's retirement, as well as cases regarding the challenge of other decisions of qualification boards of judges, falling under the jurisdiction of the Supreme Court of the Russian Federation in accordance with federal law;

4) regarding the challenge of decisions and actions (failures to act) of the High Examination Commission, based on procedural violations during the qualification examination for the position of a judge; the challenge of the commission's decisions to deny access to the examination; the challenge of actions (failures to act) of the aforementioned commission, as a result of which a judicial candidate was denied access to the qualification examination;

5) regarding the suspension of activities of political parties, all-Russia and international public associations; the liquidation of political parties, all-Russia and international public associations; the liquidation of centralised religious organisations that have local religious organisations in two or more constituent entities of the Russian Federation;

6) regarding the termination of activities of mass media, whose production is intended for distribution on the territories of two or more constituent entities of the Russian Federation;

7) regarding the challenge of decisions (evasion from making a decision) of the Central Election Commission of the Russian Federation (independent of the level of elections, referendum), except for decisions upholding the decisions of lower election commissions, referendum commissions;

8) regarding the deregistration of a candidate for the position of the President of the Russian Federation, the deregistration of a federal list of candidates, the deregistration of a candidate included into a registered federal list of candidates, the withdrawal of a regional group of candidates from a federal list of candidates during the election of deputies of the State Duma of the Federal Assembly of the Russian Federation;

9) regarding the termination of activities of a Russian Federation referendum initiative group, of an initiative campaign group;

10) regarding the disestablishment of the Central Election Commission of the Russian Federation;

11) regarding the resolution of disputes between federal public authorities and public authorities of constituent entities of the Russian Federation, between public authorities of constituent entities of the Russian Federation, referred for resolution by the President of the Russian Federation in accordance with Article 85 of the Constitution of the Russian Federation;

12) regarding the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time in cases within the jurisdiction of federal courts of general jurisdiction, except for district courts and garrison military courts;

13) regarding the challenge of non-normative legal acts of the Ministry of Defence of the Russian Federation and of other federal executive bodies, in which military service is stipulated by federal law, concerning the rights, freedoms and legally protected interests of military personnel and of citizens undergoing military training;

14) regarding the challenge of non-normative legal acts of the Prosecutor General's Office of the Russian Federation and of the Investigative Committee of the Russian Federation that concern the rights, freedoms and legally protected interests of military personnel of military prosecution bodies and of military investigative agencies of the Investigative Committee of the Russian Federation.

Article 22. Submitting an Administrative Statement of Claim at the Place of Residence, Address of the Administrative Defendant

1. An administrative statement of claim against a public authority, another state body, local self-government body, election commission, referendum commission, an organisation vested with

certain state or other public powers is submitted to the court at their location; against an official, state or municipal servant – to the court at the location of the body, in which the aforementioned persons perform their duties.

1.1. An administrative statement of claim on challenge of a decision of the Federal Bailiffs Service of the Russian Federation adopted in automatic mode is submitted to the court at the place of performance of actions related to execution, or at the place of application of enforcement measures, or at the place where the enforcement procedure is conducted, in regard of which the challenge decision was adopted.

2. If the location of a public authority, another state body, local self-government body, an organisation vested with certain state or other public powers does not correspond to the territory, over which they exercise their powers or on which an official, state or municipal servant performs his duties, the administrative statement of claim is submitted to the court of the district, over the territory of which the aforementioned bodies, organisation exercise their powers or on the territory of which the corresponding official, state or municipal servant performs his duties.

3. An administrative statement of claim against a citizen or organisation that acts as a subject without administrative or other public powers in the public legal relations in dispute is submitted to the court at the place of residence of the citizen or at the address of the organisation, unless otherwise stipulated in this Code.

Article 23. Exclusive Jurisdiction

1. An administrative statement of claim regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or regarding the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution is submitted to the court at the address of the special institution, into which the foreign citizen, subject to deportation or readmission, is placed.

2. An administrative statement of claim regarding the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care or the prolongation of a citizen's involuntary hospitalisation in a medical organisation rendering inpatient psychiatric care is submitted to the court at the address of the organisation, into which the citizen is placed.

3. An administrative statement of claim regarding the involuntary psychiatric examination of a citizen is submitted to the court at the place of residence of the citizen.

4. An administrative statement of claim regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation is submitted to the court at the address of the medical antituberculous organisation, in which the citizen is under dispensary observation.

5. An administrative statement of claim regarding the protection of interests of an underage person or a person recognised in the stipulated manner as legally incapable, where his statutory representative refuses to consent to medical intervention necessary to save that person's life, is submitted to the court at the address of the medical organisation applying with such an administrative statement of claim.

6. An administrative statement of claim regarding the immediate suspension of a member of a district election commission, referendum commission from the work of the commission, immediate removal of an observer, other person from the voting premises is submitted to the court at the location of the commission.

Article 24. Administrative Plaintiff's Choice of Jurisdiction

1. An administrative statement of claim against a citizen, whose place of residence is unknown, or who does not have a place of residence in the Russian Federation, may be submitted to the court at the location of that citizen's property or his last known place of residence in the Russian Federation.

2. An administrative statement of claim against a federal executive body, resulting from the activities of its territorial body, may also be submitted to the court at the location of the territorial body.

3. An administrative statement of claim regarding the challenge of decisions, actions (failure to act) of public authorities (except for decrees of the Federal Bailiffs Service of the Russian Federation), other state bodies, local self-government bodies, organisations vested with certain state or other public powers, officials (except for bailiffs), state and municipal servants may also be submitted to the court at the place of residence of the citizen who is the administrative plaintiff, and where stipulated in this Code – at the address of the organisation that is the administrative plaintiff.

3.1. An administrative statement of claim regarding the recognition of information materials as extremist may be submitted to the court at the place of discovery, dissemination of said materials or at the address of the organisation producing them.

3.2. An administrative statement of claim regarding the recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, is submitted to the court at the address of the administrative plaintiff or at the address, place of residence of the administrative defendant.

4. Where several courts have jurisdiction to consider the case in accordance with this Article, the choice of jurisdiction belongs to the administrative plaintiff.

Article 25. Jurisdiction over Administrative Cases with Participation of Foreign Persons

The issue of jurisdiction over an administrative case with participation of foreign persons is resolved in accordance with the general rules stipulated in this Code, unless otherwise stipulated in an international treaty of the Russian Federation.

Article 26. Jurisdiction over Several Interrelated Administrative Cases

1. An administrative statement of claim against several administrative defendants residing or located in different places is submitted to the court at the place of residence or address of one of them, at the choice of the administrative plaintiff.

2. An administrative counterclaim is submitted to the court at the place of consideration of the initial administrative statement of claim.

Article 27. Referral of an Administrative Case, Accepted by the Court, to Another Court

1. An administrative case that was accepted by a court in accordance with the rules of jurisdiction must be adjudicated on its merits, even if in the future it may fall under the jurisdiction of another court of general jurisdiction or commercial court.

2. The court refers the administrative case for the consideration of another court, if:

1) an administrative defendant, whose place of residence or address was earlier unknown, files a motion for the referral of the administrative case to the court at his place of residence or address;

2) during the consideration of the administrative case in this court it is discovered that the case was accepted in violation of the rules of jurisdiction;

3) following the recusal of one or several judges or for other reasons it is impossible to replace judges or to consider the administrative case in this court. In this situation, the referral of the administrative case is performed by a higher court.

2.1. If during consideration of an administrative case in a court of general jurisdiction it is discovered that the case is subject to consideration by a commercial court, the court of general jurisdiction transfers the case to the commercial court that has statutory jurisdiction over it.

3. A court decree, which may be appealed against, is issued on referral of the administrative case to another court of general jurisdiction or a commercial court, or on refusal to refer the administrative case to the corresponding court. The referral of the administrative case to another court of general jurisdiction or a commercial court is performed after the period prescribed for appeal against that motion expires; if a procedural appeal, prosecutor’s appeal is submitted, the case is referred after the issuance of a court decree to leave that appeal without satisfaction.

4. An administrative case, forwarded from one court of general jurisdiction or commercial court to another court of general jurisdiction or commercial court, must be accepted by the court to which it was forwarded. Jurisdiction disputes among the courts in the Russian Federation are not allowed.

Chapter 3. Composition of the Court. Recusals.

Article 28. Forming the Composition of the Court

1. The composition of the court for the consideration of an administrative case is formed with regard to the workload and specialisation of judges, using an automated information system. If it is impossible to use the automated information system in a court, it is allowed to form the court composition in a different manner that excludes the influence of those interested in the outcome of the trial on the process of formation.

2. An administrative case, the consideration of which was started by a single judge or a composition of the court, must be considered by the same judge or the same composition of the court.

3. A replacement of a judge is possible in case of:

1) a self-recusal or recusal of a judge is applied for and satisfied in the manner stipulated in this Code;

2) a long-term absence of a judge due to illness, holiday, studying or a business trip;

3) termination or suspension of a judge’s powers on grounds, stipulated in federal law;

4) transfer to consideration of the case under the rules of administrative judicial procedure.

4. In case of replacement of a judge or of several judges during the consideration of an administrative case, the trial is held from the very beginning. Where in urgent situations a judge resolves the issue of accepting the administrative statement of claim for proceedings, postpones the trial, considers a provisional measures application and performs other procedural actions instead of another judge in the manner of interchangeability, this does not constitute replacement of a judge.

Article 29. Individual and Collective Consideration of Administrative Cases

1. In a court of first instance, administrative cases are considered by a single judge, unless this Article provides for collective consideration of administrative cases. In a court of first instance, collective consideration of administrative cases is performed in the composition of three judges.

2. In a court of first instance, collective consideration is stipulated for:

1) administrative cases regarding the challenge of normative legal acts of the President of the Russian Federation and the Government of the Russian Federation;

2) administrative cases regarding the disestablishment of election commissions;

3) administrative cases regarding the challenge of decisions (evasion from making a decision) of the Central Election Commission of the Russian Federation on the results of elections of the President of the Russian Federation, deputies of the State Duma of the

Federal Assembly of the Russian Federation, on the results of a referendum of the Russian Federation;

4) administrative cases remanded to a court of first instance for a new consideration with instructions to consider them collectively;

5) administrative cases which the president of the court decides to consider collectively, due to their particular complexity and based on a reasoned application of a judge;

6) administrative cases considered by the Disciplinary Chamber of the Supreme Court of the Russian Federation.

3. In a court of appeal, administrative cases are considered collectively, in the composition of three judges, unless otherwise stipulated in this Code.

4. In courts of cassation and supervision, administrative cases are considered in the composition of a presiding judge and at least two judges.

5. During the collective consideration of an administrative case one of the judges presides in the court session.

6. Where this Code provides a judge with the right to consider administrative cases and perform separate procedural actions singly, the judge acts in the name of the court.

Article 30. Resolution of Issues by the Court during Collective Consideration of Administrative Cases. Dissenting Opinion of a Judge

1. Issues arising during collective consideration of an administrative case are resolved by judges through a majority vote. No judge may abstain from voting. The presiding judge is the last to vote.

2. If a judge does not agree with the majority of judges voting for the adoption of a judicial act or votes for the adopted judicial act on the merits of the issue under consideration, but dissents during the voting on some other issue or on the reasoning of the adopted judicial act, that judge is obliged to sign the judicial act and has the right to state his dissenting opinion in written form.

3. The judge must state his opinion in written form within five days at most since the day of adoption of a decision in the administrative case. The dissenting opinion of the judge is attached to the materials of the administrative case, but is not subject to publication and is not read out during the announcement of the decision adopted in the administrative case.

Article 31. Recusal of a Judge

1. A judge cannot participate in the consideration of an administrative case and is subject to recusal, if that judge:

1) participated in a previous consideration of this administrative case as a judge and his repeated participation in the consideration of the administrative case is not allowed in accordance with this Code;

2) participated in a previous consideration of this administrative case as a prosecutor, judge's assistant, court session secretary, representative, expert, specialist, interpreter or witness;

2.1) was a court conciliator in this administrative case;

3) is a family member, relative or relative of a spouse of one of the persons participating in the case or of their representatives;

4) is personally, directly or indirectly interested in the outcome of the administrative case.

2. A judge cannot participate in the consideration of an administrative case and is subject to recusal, if there are other circumstances, not referred to in Part 1 of this Article, which may raise doubts regarding the objectiveness and impartiality of the judge.

3. An administrative case regarding the award of compensation for the violation of right to trial within a reasonable time cannot be considered by a judge, if that judge earlier participated in the consideration of the case that gave rise to these compensation claims.

4. Persons who are related to each other or are members of one family, relatives and persons, whose spouses are relatives, cannot be on the same composition of the court considering an administrative case.

Article 32. Prohibition of Repeated Participation of a Judge in the Consideration of an Administrative Case

1. A judge that participated in the consideration of an administrative case in a court of first instance cannot participate in the consideration of that case in courts of appeal, cassation and supervision.

2. A judge that participated in the consideration of an administrative case in a court of appeal cannot participate in the consideration of that case in courts of first instance, cassation and supervision.

3. A judge that participated in the consideration of an administrative case in a court of cassation cannot participate in the consideration of that case in courts of first instance, appeal and supervision.

4. A judge that participated in the consideration of an administrative case in a court of supervision cannot participate in the consideration of that case in courts of first instance, appeal and cassation.

Article 33. Recusal of a Prosecutor, Judge's Assistant, Court Session Secretary, Expert, Specialist, Interpreter

1. A prosecutor, judge's assistant, court session secretary, expert, specialist, interpreter cannot participate in the consideration of an administrative case and are subject to recusal on the grounds stipulated in Article 31 of this Code.

2. Experts and specialists also cannot participate in the consideration of an administrative case if they are subordinate or in any other way dependant on one of the persons participating in the case and their representatives.

3. The participation of a prosecutor, judge's assistant, court session secretary, expert, specialist, interpreter in a previous consideration of the administrative case in the capacity of, accordingly, a prosecutor, court session secretary, expert, specialist, interpreter does not constitute grounds for their recusal. If a court session secretary participated in the previous consideration of the administrative case in the capacity of a judge's assistant, or if a judge's assistant participated in the previous consideration of the administrative case in the capacity of a court session secretary, this does not constitute grounds for their recusal.

Article 34. Applications for Self-Recusal and Recusal

1. If there are grounds referred to in Articles 31-33 of this Code, a judge, prosecutor, judge's assistant, court session secretary, expert, specialist, interpreter are obliged to apply for self-recusals. A recusal may be applied for by persons participating in the case or considered upon the court's initiative on the same grounds.

2. An application for self-recusal or recusal must be reasoned and filed before the beginning of consideration of the administrative case on its merits. During the consideration of the administrative case, it is only allowed to apply for self-recusal or recusal if the grounds for self-recusal or recusal became known to the court or to the person applying for self-recusal or recusal after the consideration of the administrative case on its merits began.

3. If an application for self-recusal or recusal is dismissed, a repeated application for recusal by the same person and on the same grounds is not allowed.

Article 35. Consideration of Applications for Self-Recusal or Recusal

1. If there is an application for recusal, the court hears the opinions of persons participating in the case and of the person, against whom the application is filed, if this person wishes to give explanations.

2. An application for recusal of a judge considering an administrative case individually is considered by that same judge.

3. If an administrative case is considered by the court collectively, an application for recusal of a judge is considered by the same composition of the court by a majority vote, in the absence of

the judge whose recusal is sought. If there is an equal number of votes for and against the recusal, the judge is recused.

4. An application for recusal of several judges or of the whole composition of the court, collectively considering an administrative case, is considered by that same court in full composition, by a simple majority vote.

5. An application for recusal of a prosecutor, judge's assistant, court session secretary, expert, specialist or interpreter is considered by the composition of the court considering the administrative case.

6. An application for self-recusal filed by a judge, prosecutor, judge's assistant, court session secretary, expert, specialist, interpreter or an application for their recusal is considered in the deliberation room. A reasoned decree is issued after the consideration of the issue of self-recusal or recusal.

Article 36. Consequences of Satisfaction of an Application for Self-Recusal or Recusal

1. If an application for self-recusal or recusal of a judge, several judges or of the whole composition of the court is satisfied, the administrative case is considered in the same court by a different judge or a different composition of judges.

2. If, as a result of satisfaction of applications for the recusal of judges or for reasons referred to Article 32 of this Code it is impossible to form a new composition of the court for the consideration of the administrative case in the same court, the administrative case is referred by a higher court to another court of the same level in the manner stipulated in Article 27 of this Code.

Chapter 4. Persons Participating in the Case and other Participants of Court Proceedings

Article 37. Persons Participating in the Case

Persons participating in the case are:

1) the parties;

1.1) the recoveror and debtor, in administrative cases on issuance of a court order;

2) interested persons;

3) prosecutor;

4) bodies, organisations and persons applying to court for the protection of interests of other persons or of the general public, or drawn to participation in the proceedings in order to give a conclusion on the administrative case.

Article 38. Parties

1. The parties in an administrative case are the administrative plaintiff and the administrative defendant.

2. An administrative plaintiff is a person that applies to court for the protection of its rights, freedoms, lawful interests; or a person, in whose interests an application is filed by a prosecutor, a body performing public powers, an official or a citizen; or a prosecutor, a body performing public powers or an official applying to court for the realisation of supervising or other public functions that they are vested with.

3. Citizens of the Russian Federation, foreign citizens, stateless persons, Russian, foreign and international organisations, public associations and religious organisations, as well as public associations and religious organisations that are not legal persons may be administrative plaintiffs. Where stipulated in this Code, public authorities, other state bodies, local self-government bodies, election commissions, referendum commissions, other bodies and organisations vested with certain state or other public powers, officials may be administrative plaintiffs.

4. An administrative defendant is a person, against which claims are made in a dispute arising from administrative or other public legal relations, or in whose regard an administrative plaintiff performing supervising or other functions applies to court.

5. Public authorities, other state bodies, local self-government bodies, election commissions, referendum commissions, other bodies and organisations vested with certain state or other public powers, officials, state or municipal servants may be administrative defendants. Where stipulated in this Code, citizens, their associations and organisations not vested with state or other public powers in the legal relations in dispute, may be administrative defendants.

Article 39. Participation of a Prosecutor in an Administrative Case

1. A prosecutor may apply to court with an administrative statement of claim for the protection of rights, freedoms and lawful interests of citizens, of the general public or of the interests of the Russian Federation, of constituent entities of the Russian Federation, of municipal entities, as well as in other cases stipulated in federal laws. An administrative statement of claim for the protection of rights, freedoms and lawful interests of a citizen who is a subject of administrative and other public legal relations may only be submitted by a prosecutor if the citizen is not capable of applying to court himself due to health conditions, age, legal incapacity or for other good reasons.

2. The Prosecutor General of the Russian Federation, Deputy Prosecutor General of the Russian Federation may apply to the Supreme Court of the Russian Federation, the supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, to a military court, district court; a prosecutor of a constituent entity of the Russian Federation, deputy prosecutor of a constituent entity of the Russian Federation, prosecutors and deputy prosecutors with equal status may apply to the supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, to a circuit (fleet) military court,

garrison military court, district court; a prosecutor of a city, a district prosecutor and prosecutors with equal status may apply to a garrison military court, a district court.

3. An administrative statement of claim of a prosecutor must meet the requirements stipulated in Part 6 of Article 125 of this Code.

4. A prosecutor applying to court with an administrative statement of claim enjoys the procedural rights and performs the procedural duties of an administrative plaintiff (except for the right to conclude a conciliation agreement and the duty to pay court costs) and the duty to inform the citizen or his statutory representative about the renunciation of the administrative claim, submitted in the interests of that citizen.

5. *Abrogated*.

6. If the prosecutor renounces an administrative claim submitted for the protection of rights, freedoms and lawful interests of a citizen, the court leaves the corresponding application without consideration, unless the citizen who has administrative procedural capacity, his representative or a statutory representative of a citizen who does not have administrative procedural capacity renounces the administrative claim. If these persons renounce the administrative claim, the court accepts the renunciation and terminates proceedings in the administrative case, unless this contradicts the law or violates the rights, freedoms and lawful interests of other persons.

7. Where stipulated in this Code and other federal laws, the prosecutor enters the court proceedings and gives a conclusion on the administrative case. The prosecutor does not give a conclusion on the administrative case if the administrative case is initiated on the basis of his administrative statement of claim.

Article 40. Application to Court for the Protection of Rights, Freedoms and Lawful Interests of Other Persons or of the General Public

1. Where stipulated in federal constitutional laws, in this Code and other federal laws, state bodies, the Central Bank of the Russian Federation, officials, the Commissioner for Human Rights in the Russian Federation, the commissioner for human rights in a constituent entity of the Russian Federation, the Commissioner for Children’s Rights in the Russian Federation, the commissioner for children’s rights in a constituent entity of the Russian Federation, local self-government bodies, other persons may apply to court for the protection of rights, freedoms and lawful interests of other persons, of the general public, of public interests.

2. Where stipulated in this Code and other federal laws, organisations and citizens may apply to court for the protection of rights, freedoms and lawful interests of other persons.

3. Where stipulated in federal law, a public association may apply to court for the protection of common rights, freedoms and lawful interests of all members of that public association.

4. An administrative statement of claim submitted in accordance with Parts 1, 2 or 3 of this Article must meet the requirements stipulated in Part 6 of Article 125 of this Code.

5. Bodies, organisations and citizens applying to court for the protection of rights, freedoms and lawful interests of other persons or of the general public enjoy the procedural rights and perform the procedural duties of an administrative plaintiff (except for the right to conclude a conciliation agreement and the duty to pay court costs) and the duty to inform the citizen or his statutory representative about the renunciation of the administrative claim, submitted in the interests of that citizen.

6. *Abrogated*.

7. If a body, organisation or a citizen renounces an administrative claim submitted for the protection of rights, freedoms and lawful interests of another person, the court leaves such an administrative statement of claim without consideration, unless the citizen with administrative procedural capacity, in whose interests the corresponding statement of claim was submitted, his representative or a statutory representative of a citizen without administrative procedural capacity declares that he supports the administrative claim. If the aforementioned citizen, representative or statutory representative refuses to support the administrative claim, the court accepts the renunciation made by the body, organisation or citizen and terminates proceedings in the administrative case, unless this contradicts the law or violates the rights, freedoms and lawful interests of other persons.

Article 41. Participation of Several Administrative Plaintiffs or Several Administrative Defendants in an Administrative Case

1. An administrative statement of claim may be submitted to court jointly by several administrative plaintiffs or several administrative defendants (joinder of parties).

2. The joinder of parties is allowed if:

1) the subject matter of the dispute arising from administrative or other public legal relations (administrative dispute) is common rights and (or) duties of several administrative plaintiffs or several administrative defendants;

2) the rights and (or) duties of several subjects of administrative or other public legal relations (of several administrative plaintiffs or several administrative defendants) have the same basis;

3) the subject matter of the administrative dispute is homogeneous rights or duties of subjects of administrative or other public legal relations.

3. In the court proceedings, each of the administrative plaintiffs or administrative defendants acts independently towards the other party. Participants of a joinder of parties may entrust one or several participants of the joinder (administrative plaintiffs or administrative defendants) with the conduct of the administrative case.

4. Administrative co-plaintiffs may enter the administrative case prior to the adoption of the judicial act finalising the consideration of the administrative case on its merits by a court of first instance.

5. If this Code stipulates obligatory participation of another person in the administrative case in the capacity of an administrative defendant, or if it is impossible to consider the administrative case without such a person, the court of first instance draws that person to participation in the case in the capacity of an administrative co-defendant.

6. A reasoned decree is issued on the entry of an administrative co-plaintiff (co-plaintiffs) into the case, on the drawing of an administrative co-defendant (co-defendants) to participation in the case or on refusal of the court to allow one of the above. If a person refuses to enter an administrative case in the capacity of an administrative co-plaintiff, such a person may independently submit an administrative statement of claim, unless otherwise stipulated in this Code.

7. After administrative co-plaintiffs enter an administrative case and administrative co-defendants are drawn to participation in the administrative case, the preparation of the administrative case for trial and the trial of the administrative case commence from the very beginning, unless the case is conducted through a single representative or an authorised person, acting on behalf of all the administrative plaintiffs or all the administrative defendants.

Article 42. Collective Administrative Statement of Claim Submitted by a Group of Persons

1. Citizens who are participants of administrative or other public legal relations, other persons (where stipulated in federal law) have the right to apply to court with a collective administrative statement of claim for the protection of violated or disputed rights and lawful interests of a group of persons. The following conditions constitute grounds for such an application:

1) large or uncertain number of group members, making it difficult to consider the claims of potential group members individually or in the manner of joint submission of an administrative statement of claim (joinder of parties) in accordance with Article 41 of this Code;

2) homogenous nature of the subject matter of the dispute and of grounds for the corresponding claims of group members;

3) a common administrative defendant (administrative co-defendants);

4) use of the same remedy by all the group members.

2. Administrative cases regarding the protection of violated or disputed rights and lawful interests of a group of persons are considered by the court, if, on the day on which the person that stated the claim for the protection of rights and lawful interests of a group of persons applies to court, the aforementioned claim is joined by at least twenty other persons. A person may join a claim by signing the text of the administrative statement of claim or by filing a separate written application for joining an administrative statement of claim.

3. A collective administrative statement of claim must indicate the person or several persons tasked with conducting the corresponding administrative case in the interests of the group of

persons. Herewith, such a person or persons act without a power of attorney, enjoying the rights and performing the procedural duties of administrative plaintiffs.

4. If an administrative statement of claim submitted to court does not meet the requirements stipulated in Part 1 of this Article, the court leaves the statement without consideration, clarifies to persons who submitted the statement or joined the stated claims their right to individually apply to court with administrative statements of claim in the manner stipulated in this Code and clarifies the procedural consequences of such actions.

5. If another person applies to court with an administrative statement of claim, containing a claim that is similar to the claim stated in the collective administrative statement of claim pending before the court, the court offers to such a person to join the aforementioned collective statement of claim. If the person applying to court with an administrative statement of claim joins the claims stated by the group, the court joins its claims with the earlier accepted ones. If the aforementioned person refuses to join the claims stated by the group of persons, the court stays proceedings regarding this person's administrative statement of claim until a decision is adopted in the administrative case regarding the rights and lawful interests of the group of persons.

6. If the entry of administrative co-plaintiffs into an administrative case constitutes circumstances stipulated in Part 1 of this Article, the court, upon a motion of a person participating in the case and with regard to the opinion of the parties, may issue a decree regarding the consideration of the administrative case in the manner stipulated in this Article. The consideration of the administrative case then begins anew.

Article 43. Replacement of an Improper Defendant

1. If during the preparation of an administrative case for trial or during the trial in a court of first instance it is established, that the administrative statement of claim was submitted against a person that is not liable under the stated claims, the court replaces the improper administrative defendant with a proper one, with consent of the administrative plaintiff. If the administrative plaintiff does not agree to the replacement of the administrative defendant with a different person, the court may draw that person to participation in the capacity of a second administrative defendant, without the consent of the administrative plaintiff.

2. The court issues a decree regarding the replacement of an improper administrative defendant with a proper one or regarding the drawing of another proper administrative defendant to participation.

3. After the replacement of an improper administrative defendant with a proper one or after the drawing of another proper administrative defendant to participation in the administrative case, preparation for trial and the trial in the administrative case commence from the beginning.

Article 44. Procedural Legal Succession

1. If a public authority, another state body or local self-government body that is a party to an administrative case is reorganised during the consideration of the administrative case, the court

replaces this party with its legal successor. If one of the aforementioned bodies or an organisation vested with state or other public powers is disestablished, the court replaces this party with the body or organisation competent to participate in public legal relations in the same sphere as the disputable legal relations considered by the court or competent to protect the violated rights, freedoms and lawful interests of the administrative plaintiff.

2. If an official who is a party to an administrative case is removed from the corresponding position during the consideration of the administrative case, the court replaces this party with another person occupying this position at the time of consideration of the administrative case or with another official or a corresponding body competent to participate in public legal relations in the same sphere as the disputable legal relations considered by the court or competent to protect violated rights, freedoms and lawful interests of the administrative plaintiff.

3. In case of death of a citizen, who is a subject of administrative or other public legal relations that are disputable or established by the court or is a party to an administrative case, the court replaces this party with its legal successor, if legal succession is allowed in these administrative or other public legal relations.

4. In case of reorganisation of a legal person, which is a subject of administrative or other public legal relations, that are in dispute or established by the court, or is a party to an administrative case, the court replaces this party with its legal successor, if legal succession is allowed in these administrative or other public legal relations.

5. The court issues a corresponding decree regarding the replacement of a party by its legal successor or regarding the refusal to do so. A procedural appeal may be submitted against this decree.

6. All actions performed in the court proceedings before the entry of the legal successor into the administrative case are obligatory for the successor to the same extent, to which they were obligatory for the person that the successor is replacing.

Article 45. Rights and Duties of Persons Participating in the Case

1. Persons participating in the case have the right:

1) to inspect the materials of the administrative case, make extracts from them and take copies thereof;

2) to apply for recusals;

3) to present evidence; to inspect evidence presented by other persons participating in this case and the evidence requested, in particular requested upon the court’s initiative, before the commencement of trial; to participate in the examination of evidence;

4) to question other participants of the court proceedings;

5) to file motions, in particular for the request of evidence; to inspect the minutes of the court session, the results of audio and (or) video recording of the progress of the court

session, if such recording took place; to present written remarks regarding the minutes and the results of audio and (or) video recording;

6) to provide the court with oral and written explanations;

7) to present arguments regarding all the issues arising during the trial;

8) to object against the motions and arguments of other persons participating in the case;

9) to know about appeals submitted by other persons participating in the case, about judicial acts adopted in the administrative case and to receive copies of judicial acts adopted in the form of separate documents;

10) to inspect the dissenting opinion of a judge in the administrative case;

11) to appeal judicial acts in parts regarding their rights, freedoms and lawful interests;

12) to enjoy other procedural rights provided in this Code.

2. An administrative statement of claim, an application, an appeal, a prosecutor's appeal, as well as other documents, may be submitted to court in paper form or in electronic form, in particular in the form of an electronic document.

2.1. An administrative statement of claim, application, appeal, prosecutor's appeal and other documents in electronic form may be submitted by a participant of proceedings through the federal state information system "Single Portal of Public and Municipal Services (Functions)" (hereinafter – "the single public and municipal services portal"), or through an information system determined by the Supreme Court of the Russian Federation, the Judicial Department at the Supreme Court of the Russian Federation, or through e-document workflow systems of the participants of proceedings with the use of the single interagency electronic interaction system.

2.2. An administrative statement of claim, application, appeal, prosecutor's appeal and other documents submitted through the single public and municipal services portal, through an information system determined by the Supreme Court of the Russian Federation, the Judicial Department at the Supreme Court of the Russian Federation may be signed by a simple electronic signature in accordance with the legislation of the Russian Federation and the rules of procedure established by the Supreme Court of the Russian Federation, the Judicial Department at the Supreme Court of the Russian Federation, unless this Code stipulates that the aforementioned documents must be signed by an enhanced qualified electronic signature.

2.3. An administrative statement of claim, application, appeal, prosecutor's appeal and other documents submitted through e-document workflow systems of the participants of proceedings must be signed by an enhanced qualified electronic signature.

3. *Abrogated*

4. Persons participating in the case have a right to receive copies of judicial acts in the form of electronic documents, as well as notifications, subpoenas and other documents (their copies) in electronic form (except for documents containing information, access to which is limited in accordance with legislation), using the Internet.

4.1. If it is technically possible, the persons participating in the case may be provided with access to the materials of the administrative case in electronic form in the Internet, through an information system determined by the Supreme Court of the Russian Federation, the Judicial Department at the Supreme Court of the Russian Federation.

5. Where stipulated in this Code, persons participating in the case are obliged to conduct their cases in court with the participation of representatives who meet the requirements stipulated in Article 55 of this Code. Through their representatives, persons participating in the case may question other participants of the court proceedings, give the necessary clarifications, state opinions and perform other procedural actions. If necessary, the court may directly draw the persons participating in the case to participation in the realisation of procedural rights.

6. Persons participating in the case must use all their procedural rights in good faith.

7. Statement of an unsubstantiated administrative claim in bad faith, obstruction, in particular systematic, of correct and timely consideration and adjudication of the administrative case by persons participating in the case, abuse of procedural rights in other forms entails for these persons the consequences stipulated in this Code.

8. Persons participating in the case perform procedural duties stipulated in this Code, as well as duties imposed upon them by the court in accordance with this Code.

9. Non-performance of procedural duties by persons participating in the case entails for them the consequences stipulated in this Code.

Article 46. Change of Grounds or Subject Matter of the Administrative Claim, Renunciation of Claim, Acknowledgement of Claim, Conciliation Agreement

1. The administrative plaintiff has the right to change the grounds or subject matter of the administrative claim before the adoption of the judicial act finalising the consideration of the case on its merits in the court of first instance.

2. The administrative plaintiff has the right to renounce the claim in full or in part before the adoption of the judicial act finalising the consideration of the case on its merits in the court of first instance or in the court of appeal.

3. The administrative defendant has the right to acknowledge the claim in full or in part during the consideration of the case in a court of any instance.

4. The parties have a right to conclude a conciliation agreement in the manner stipulated in this Code.

5. The court does not accept the renunciation of claim by the administrative plaintiff, the acknowledgment of claim by the administrative defendant, if that contradicts this Code, other federal laws or violates the rights of other persons.

6. The court does not approve the conciliation agreement of the parties, if this is directly prohibited by law, contradicts the nature of the administrative case under consideration or violates the rights of other persons.

7. Where Parts 5 and 6 of this Article apply, the court considers the case on its merits.

Article 47. Interested Persons

1. An interested person is a person, whose rights and duties may be affected during the adjudication of the administrative case.

2. Before the adoption of the judicial act finalising the consideration of the case on its merits in the court of first instance, interested persons may on their own initiative enter the administrative case on the side of the administrative plaintiff or the administrative defendant, if the aforementioned judicial act may influence their rights or duties regarding one of the parties. Interested persons may also be drawn to participation in the administrative case upon the motion of persons participating in the case or the initiative of the court.

3. Interested persons enjoy procedural rights and perform procedural duties of one of the parties, except for the rights to change the grounds or the subject matter of the administrative claim, to renounce the administrative claim, to acknowledge the administrative claim or to enter a conciliation agreement, to submit an administrative counterclaim.

4. The court issues a decree regarding the entry of an interested party into the administrative case or the drawing of an interested person to participation in the administrative case or regarding the refusal to do so.

5. *Abrogated.*

6. If an interested person enters the administrative case or is drawn to participation in the administrative case after the commencement of trial, the preparations for the trial and the trial commence from the beginning.

Article 48. Other Participants of Court Proceedings

Apart from persons participating in the case, their representatives and persons assisting the administration of justice (including an expert, specialist, witness, interpreter, judge’s assistant, court session secretary) may participate in the court proceedings.

Article 49. Expert

1. An expert is a person with special knowledge, tasked, where stipulated and in the manner stipulated in this Code, with carrying out an expert examination and presenting a conclusion on questions set before him and requiring special knowledge, in order to ascertain the facts of a concrete administrative case.

2. The expert is obliged to appear before the court when summoned, to perform a full study of objects, documents and materials, to present a substantiated and objective conclusion in written form, stating the course and the results of conducted studies.

3. If the expert is unable to appear before the court when summoned, he must notify the court in a timely manner, stating the reasons for non-appearance.

4. If the nature of studies so requires, or if it is impossible or difficult to deliver the objects, documents or materials for studying them in a court session, the expert is obliged to perform the study outside of the court session and to present to the court, within the period established in the court decree, a substantiated and objective conclusion in written form, stating the course and the results of conducted studies. The expert must appear before the court when summoned in order to personally participate in the court session and answer the questions regarding the conducted studies and the presented conclusion.

5. The expert is obliged to ensure the safety of study objects, documents and materials of the administrative case given to him and to return them to the court along with a conclusion or a notification regarding the impossibility to make a conclusion. If the expert examination will result in full or partial destruction of the study objects or a significant change of their features, the expert must obtain the court's permission in the form of a decree.

6. The expert has no right to gather materials to carry out an expert examination on his own or to establish personal contact with the participants of court proceedings, if this may give rise to doubts regarding the absence of the expert's interest in the outcome of the administrative case. The expert has no right to divulge information that he learns due to the examination or to inform anyone about the results of the examination, except for the court that appointed it.

7. If the questions set before the expert are beyond the expert's special knowledge, or if the study objects, documents and materials of the administrative case are unfit or insufficient to perform a study and make a conclusion, and the expert is denied additional documents or materials for study, or if the modern level of scientific development does not allow to answer the questions posed, the expert is obliged to present a written reasoned notification to the court, stating that it is impossible to present a conclusion.

8. If the expert has any doubts regarding the contents and volume of the task to carry out the expert examination, he must file a motion asking to make it more precise or present a written reasoned notification to the court, stating that it is impossible to make a conclusion.

9. The expert has no right to task another expert with carrying out the examination.

10. If the expert receives a court decree regarding the termination of the expert examination, he is obliged to immediately return the decree appointing the expert examination to the court, along with all the study objects, documents and materials of the administrative case provided for examination.

11. An expert or a state forensic-expert institution has no right to refuse to carry out the expert examination it is tasked with within the period established by the court, explaining it by the refusal of the party, obliged by the court to cover the expenses incurred by the examination, to pay for the examination before it is carried out.

12. If the court's demand to present an expert conclusion within the period established by the decree appointing the expert examination is not fulfilled, and there is no reasoned notification of the state forensic-expert institution or of the expert, stating that it is impossible to carry out the examination in time or to carry it out for reasons, referred to in Parts 7 and 8 of this Article, and also if the aforementioned demand is not fulfilled due to the absence of a document confirming the prepayment of the expert examination, the court imposes a court fine on the head of the state forensic-expert institution or on the expert guilty of such violations, in the form and manner stipulated in Articles 122 and 123 of this Code.

13. The expert has a right, with the court's permission:

1) to inspect the materials of the administrative case regarding the study object;

2) to participate in court sessions, to question the persons participating in the case and witnesses about the issues regarding the study object;

3) to be present during the performance of procedural actions regarding the study object;

4) to file motions, asking to provide additional materials and study objects, to draw other experts to participation in carrying out the expert examination, if this is necessary to conduct the study and present a conclusion;

5) to state the facts regarding the study object, uncovered during the expert examination, about which no questions were posed;

6) to make statements (that are to be entered into the minutes of the court session) regarding the incorrect interpretation of his conclusion or testimony by the participants of court proceedings.

14. The state forensic-expert institution and the expert, who performed work that was not part of his official duties as an employee of a state institution, are remunerated for the work performed and reimbursed for expenses incurred by carrying out the expert examination. Expenses incurred by the expert due to the appearance before the court and accommodation (travel expenses, rental of housing and additional expenses related to living away from the place of permanent residence (daily allowance) are reimbursed.

15. If a summoned expert fails to appear before the court without a good reason or does not fulfil the duty to timely notify the court about his inability to appear before the court, a court fine may be imposed upon the expert in the manner and amount stipulated in Articles 122 and 123 of this Code.

16. The expert may be held criminally liable for knowingly making a false conclusion. The expert is warned about this by the court or, at the court's instructions, by the head of the state forensic-expert institution and signs an acknowledgement in respect of the warning.

Article 50. Specialist

1. A specialist is a person with special knowledge and (or) skills, appointed by the court to give clarifications, consultations or to render other direct assistance during the examination of evidence or performance of other procedural actions regarding issues that require corresponding knowledge and (or) skills.

2. Questions regarding the contents of provisions of a normative legal act, foreign law norms, technical norms may be posed to the specialist.

3. A person summoned as a specialist is obliged to appear before the court at the designated time, to answer the questions of the court, to direct the attention of the court to specific facts or features of pieces of evidence, to give oral or written clarifications and consultations and, if necessary, to render direct assistance to the court, based on his professional knowledge and (or) skills.

4. If a specialist cannot appear before the court when summoned, he must notify the court in a timely manner, stating the reasons for non-appearance.

5. The specialist has a right, with the court's permission:

1) to inspect the materials of the administrative case regarding the study object;

2) to participate in court sessions;

3) to file motions, asking to provide additional materials.

6. The specialist may refuse to give a consultation on issues that are outside of his special field of knowledge, and also if the materials provided are insufficient to give a consultation.

7. The specialist, who performed work that was not part of his official duties as an employee of a state institution, is remunerated for the work performed and reimbursed for expenses incurred in the performance of that work. Expenses incurred due to the appearance before the court or at the place of performance of the corresponding procedural action and accommodation (travel expenses, rental of housing and additional expenses related to living away from the place of permanent residence (daily allowance) are reimbursed.

8. If a summoned specialist fails to appear before the court without a good reason or does not fulfil the duty to timely notify the court about his inability to appear before the court, a court fine may be imposed upon the specialist in the manner and amount stipulated in Articles 122 and 123 of this Code.

Article 51. Witness

1. A witness is a person that may possess certain information regarding the facts that are significant for the consideration and adjudication of the administrative case, summoned to the court to testify.

2. A person that participated in the drawing up of a document, examined by the court as written evidence, or in the creation or alteration of an object, examined by the court as real evidence, may also be summoned before the court in the capacity of a witness.

3. The following are not subject to examination as witnesses:

1) representatives and advocates for the defence in a criminal case, a case regarding an administrative violation, representatives in a civil case, administrative case – regarding the facts they learned due to the performance of their duties;

1.1) representatives of persons that participated in conducting a conciliatory procedure, intermediaries, in particular mediators, court conciliators – regarding the facts they learned due to participation in the conciliatory procedure;

2) judges, jurors or commercial court assessors – regarding the issues that arose in the deliberation room due to the discussion of the facts of an administrative case during the adoption of a judicial decision or a sentence;

3) members of the clergy of state-registered religious organisations – regarding the facts they learned from a confession;

4) other persons that cannot be examined as witnesses in accordance with federal law or an international treaty of the Russian Federation.

4. A person summoned as a witness is obliged to appear before the court at the designated time (except where Part 5 of this Article applies), to state to the court the facts on the merits of the administrative case under consideration, known personally to him, to answer additional questions of the court and of persons participating in the case. Information stated by a witness, who cannot indicate the source of his knowledge, is not evidence.

5. A witness may be examined by the court at his location, if he cannot appear before the court due to illness, old age, disability or for other good reasons.

6. A witness has no right to evade appearance before the court, commit perjury, refuse to testify for reasons not stipulated in the Constitution of the Russian Federation and federal laws.

7. If a witness cannot appear before the court when summoned, he must notify the court in a timely manner, stating the reasons for non-appearance.

8. If a summoned witness fails to appear before the court without a good reason or does not fulfil the duty to timely notify the court about his inability to appear before the court, this may result in the imposition of a court fine in the manner and amount stipulated in Articles 122 and 123 of this Code or in compelled appearance.

9. The witness is criminally liable for committing perjury or refusing to testify for reasons not stipulated in the Constitution of the Russian Federation and federal laws. The witness is warned about this by the court and signs an acknowledgement in respect of the warning.

10. The witness has a right:

1) to refuse to testify where Part 11 of this Article applies;

2) to testify in his native language or a language he can speak;

3) to use the assistance of an interpreter free of charge;

4) to seek recusal of an interpreter participating in his examination.

11. The following may refuse to testify:

1) a citizen – against himself;

2) a spouse against the other spouse; children, including adopted ones, against their parents, foster parents; parents, foster parents against their children, including adopted ones;

3) siblings and half-siblings (those who have a common father and (or) mother) against each other; a grandfather, a grandmother against their grandchildren; grandchildren against their grandfather or grandmother;

4) custodians or guardians against persons in their custodianship or guardianship;

5) a senator of the Russian Federation, a deputy of the State Duma of the Federal Assembly of the Russian Federation, a deputy of a legislative (representative) public authority of a constituent entity of the Russian Federation – regarding information they learned due to the exercise of their powers;

6) the Commissioner for Human Rights in the Russian Federation, the commissioner for human rights in a constituent entity of the Russian Federation – regarding information they learned due to the performance of their duties;

7) the Commissioner for Children's Rights in the Russian Federation, the commissioner for children's rights in a constituent entity of the Russian Federation – regarding information they learned due to the performance of their duties.

12. A witness has a right to be reimbursed for the expenses incurred by the summons (travel expenses, rental of housing and additional expenses related to living away from the place of permanent residence (daily allowance) and to receive monetary compensation for the loss of time.

Article 52. Interpreter

1. An interpreter is a person who freely speaks the language of administrative judicial proceedings and another language, knowledge of which is necessary to translate from one language to the other, or a person freely communicating with deaf, mute or deaf-mute persons.

2. The interpreter is drawn to participation in court proceedings where so stipulated and in the manner stipulated in this Code. The court issues a decree regarding the drawing of an interpreter to participation in court proceedings.

3. Persons participating in the case may present a candidate for the position of the interpreter to the court. Other participants of court proceedings cannot undertake the duties of an interpreter, although they may speak the languages necessary for translation.

4. An interpreter is obliged:

1) to appear before the court when summoned;

2) to translate the explanations, testimony, statements of persons who do not speak the language of judicial proceedings in a full and correct manner;

3) to translate the contents of explanations, testimony, statements of other persons participating in the case and of witnesses, as well as the contents of presented documents, audio recordings, expert conclusions, specialists' clarifications and consultations, instructions of the presiding judge, the contents of a court decree or court decision to persons, who do not speak the language of judicial proceedings.

5. If the interpreter cannot appear in court when summoned, he must notify the court in a timely manner, stating the reasons for non-appearance.

6. The interpreter has a right:

1) to refuse to participate in the court proceedings, if he does not speak the language well enough to provide translation;

2) to question other participants of court proceedings in order to make the translation more precise;

3) to inspect the minutes of the court session or of a certain procedural action in which he participated;

4) to make remarks (that are to be entered into the minutes of the court session) regarding the correctness of record of the translation.

7. If a summoned interpreter fails to appear before the court without a good reason or does not fulfil the duty to timely notify the court about his inability to appear before the court, a court fine may be imposed upon the interpreter in the manner and amount stipulated in Articles 122 and 123 of this Code.

8. The interpreter is criminally liable for knowingly providing a false translation. The interpreter is warned about this by the court and signs an acknowledgement in respect of the warning.

9. The interpreter, who performed work that was not part of his official duties as an employee of a state institution, is remunerated for the work performed. Expenses incurred due to the appearance before the court (travel expenses, rental of housing and additional expenses related to living away from the place of permanent residence (daily allowance) are reimbursed.

Article 52.1. Judge's Assistant

1. A judge's assistant renders assistance to a judge in preparing and organising the court proceedings, as well as in drafting judicial acts. A judge's assistant has no right to perform functions of administration of justice.

2. At the instructions of the presiding judge, a judge's assistant conducts the minutes of the court session, controls the recording of the course of the court session by technical equipment, checks the appearance of persons that must participate in the court session, performs other procedural actions where so stipulated and in the manner stipulated in this Code.

Article 53. Court Session Secretary

A court session secretary:

1) forwards summons and notifications;

2) checks the appearance of persons that must participate in court sessions, ascertains the grounds for their non-appearance and reports on these issues to the presiding judge;

3) controls the recording of the course of the court session by technical equipment;

4) takes the minutes of the court session;

5) formalises the materials of the administrative case;

6) carries out other instructions of the presiding judge.

Chapter 5. Representation in Court

Article 54. Conduct of Administrative Cases in Court through Representatives

1. Unless this Code stipulates obligatory participation of a representative in court proceedings, citizens that have administrative procedural capacity may conduct their administrative cases in person and (or) through representatives. Personal participation of a citizen does not deprive him of the right to have a representative in the same case.

2. Rights and lawful interests of legally incapable citizens are protected in court by their statutory representatives – parents, foster parents, custodians or other persons that have this right by virtue of federal law. Statutory representatives may entrust the conduct of the administrative case to a representative of their choice. If this Code stipulates obligatory participation of a representative in court proceedings, the statutory representatives must entrust the conduct of the administrative case to a representative of their choice.

3. Rights and lawful interests of citizens whose legal capacity is limited, of citizens under the age of eighteen may be protected in court proceedings by representatives or statutory representatives – parents, foster parents, custodians or other persons that have this right by virtue of federal law. Statutory representatives perform, in the name of represented persons, all the procedural actions

that the represented persons are entitled to, with due regard to limitations stipulated in federal laws. Statutory representatives may entrust the conduct of the administrative case to a representative of their choice. If this Code stipulates obligatory participation of a representative in court proceedings, the statutory representatives must entrust the conduct of the administrative case to a representative of their choice.

4. If an administrative defendant whose place of residence is unknown or an administrative defendant in whose regard the issue of involuntary hospitalisation to a medical organisation rendering inpatient psychiatric care or the issue of involuntary psychiatric examination is being resolved does not have a representative, the court appoints an advocate as a representative. The court also has this power in other situations stipulated in federal law.

5. Administrative cases of an organisation may be conducted by the sole executive body of that organisation or other persons authorised by the organisation and acting within the scope of powers granted to them by federal laws, other normative legal acts or the constituent documents of the organisation, or by representatives of the organisation.

6. An organisation undergoing liquidation is represented in court by an authorised representative of the liquidation commission.

7. A public or religious association that is not a legal person may be represented in court by an authorised member of such an association or by a representative entrusted with the conduct of the administrative case by the members of the association.

8. Public authorities, other state bodies, local self-government bodies may be represented by their heads or by representatives of these bodies.

9. If claims are stated against the Government of the Russian Federation or if the Government of the Russian Federation applies to court with an administrative statement of claim, the interests of the Government of the Russian Federation are represented by persons appointed in the manner stipulated by the Government of the Russian Federation.

Article 55. Requirements to Persons Who May Act as Representatives in Court

1. An advocate or another person who is fully legally capable, is not in custodianship or guardianship and has a law degree or a scientific decree in the legal sphere may act in court as a representative in administrative cases.

2. Judges, investigators, prosecutors and other persons, whose participation in court proceedings in the capacity of representatives is prohibited by federal law, may only participate in court proceedings as representatives of the corresponding bodies or as statutory representatives. Persons assisting the administration of justice in an administrative case cannot act as representatives of persons participating in that case.

3. An advocate must present documents certifying his advocate’s status in accordance with federal law, as well as his powers, to the court. Other representatives must present documents regarding their education, as well as documents certifying their powers.

Article 56. Powers of a Representative

1. A representative may perform all procedural actions in the name of the represented person. If the conduct of an administrative case with the participation of a representative is obligatory, the representative performs all procedural actions instead of the represented person. This does not apply to actions regarding the statement of explanations and clarifications by the represented person himself and the drawing of the represented person to participation in the realisation of other procedural rights, if the court deems it necessary.

2. The power of attorney or another document issued by the represented person must explicitly state the right of the representative to perform the main procedural actions, as well as the right to perform these actions on the representative's own initiative or with the consent of the represented person. In particular, the power of attorney must state the right of the representative:

1) to sign the administrative statement of claim and the objections to the statement of claim, to submit them to court, to sign and submit to a justice of the peace an application for issuance of a court order;

2) to apply for provisional measures regarding the administrative claim;

3) to submit an administrative counterclaim;

4) to enter a conciliation agreement or an agreement of the parties regarding the facts of the administrative case;

5) to renounce the administrative claim in full or in part or to acknowledge the administrative claim;

6) to change the grounds or the subject matter of the administrative claim;

7) to transfer the powers of a representative to another person (sub-delegation);

8) to sign the application for the review of judicial acts due to new or newly discovered facts;

9) to appeal against a judicial act;

10) to present an enforcement document for enforcement;

11) to receive the adjudicated monetary funds or other property.

3. A power of attorney issued by the Central Election Commission of the Russian Federation must explicitly state the right of the representative to give a conclusion in the administrative case.

4. If an advocate participates as a court-appointed representative, he may perform the procedural actions stipulated in Items 1, 2, 3, 6, 8, 9 of Part 2 of this Article on behalf of the represented person.

5. A person participating in the case that issued a power of attorney to conduct the case in court and later revoked it must immediately notify the court considering the case about the revocation.

Article 57. Drawing and Confirming the Powers of a Representative

1. The powers of statutory representatives are confirmed by documents certifying their status and powers, presented to the court.

2. The powers of heads of public authorities, other state bodies and local self-government bodies are confirmed by documents certifying their official status, presented to the court.

3. The powers of heads of organisations, acting on behalf of organisations and within the scope of powers stipulated in a federal law, another normative legal act or in constituent documents are confirmed by documents presented by them to the court, certifying their status and the fact that they were vested with powers.

4. The powers of an advocate to act as representative in court are confirmed by an order issued by the corresponding chamber of advocates. Where so stipulated in this Code, such powers are also confirmed by a power of attorney.

5. The powers of other representatives to conduct an administrative case must be stipulated in a power of attorney, issued and drawn in accordance with federal law, or in another document, where so stipulated by an international treaty of the Russian Federation or by federal law. The powers of a representative may also be expressed in an oral statement of the represented person, made in a court session (this is indicated in the minutes of the court session) or in a written statement presented to the court. If there are qualification requirements for a representative, the representative must present to the court the documents confirming that these requirements are met.

6. A power of attorney issued by an organisation must be signed by its head or another person authorised to do so in accordance with its constituent documents. The power of attorney must carry the seal of the organisation (subject to the seal's existence).

7. A power of attorney issued by an individual entrepreneur must be signed by the entrepreneur and must carry the entrepreneur's seal, or may be certified in accordance with Part 8 of this Article.

8. A power of attorney issued by a citizen for the conduct of an administrative case is certified by a notary or by an official of the organisation in which the represented person studies, works or serves; or by a partnership of housing owners, by a housing, housing and construction or another specialised consumer association managing an apartment house, a management company at the place of residence of the represented person; by the administration of a stationary social services organisation in which the represented person resides or of a medical organisation in which the represented person is undergoing inpatient treatment. Powers of attorney issued by military personnel, members of staff of military units, forces, institutions, military education institutions or by their family members are certified by the commander (head) of the corresponding military

unit, force, institution, military education institution. Powers of attorney issued by persons in custody or in confinement are certified by the head of the corresponding institution.

Article 58. Verifying the Powers of Persons Participating in the Case and Their Representatives

1. The court is obliged to verify the powers of persons participating in the case and of their representatives.

2. The court acknowledges the powers of persons participating in the case and of their representatives and admits them to participation in a court session based on the examination of documents presented to the court by the aforementioned persons.

3. If necessary, documents confirming the powers of a representative, their copies are attached to the materials of the administrative case, or information about them is included into the minutes of the court session.

4. If a person participating in the case or its representative fails to present the necessary documents, confirming their powers, or presents documents that do not meet the requirements stipulated in this Code and other federal laws, and also if the rules of representation, stipulated in Articles 54 and 55 of this Code, are violated, the court refuses to acknowledge the powers of the corresponding person to participate in the administrative case; this is indicated in the minutes of the court session.

5. If a person participating in the case does not have administrative procedural capacity and does not have a representative, or if the statutory representative of such a person has no right to conduct administrative cases for reasons stipulated in law, the court stays proceedings in the administrative case and tasks the corresponding bodies and persons with resolving the issue of appointment of a representative or replacement of a statutory representative.

Chapter 6. Evidence and Proof

Article 59. Evidence

1. Evidence in an administrative case is information received in the manner stipulated in this Code and other federal laws, based on which the court establishes the presence or absence of facts, substantiating the claims and objections of persons participating in the case, and of facts that have significance for the correct consideration and adjudication of the administrative case.

2. Explanations of persons participating in the case and witness testimony, obtained, in particular, with the use of videoconferencing systems, of a web conferencing system, as well as written and real evidence, audio and video recordings, conclusions of experts are admitted as evidence.

3. Evidence obtained in violation of federal law has no legal force and cannot be used as the basis of a court decision.

Article 60. Relevance of Evidence

The court only accepts evidence that has significance for the consideration and adjudication of the administrative case.

Article 61. Admissibility of Evidence

1. A piece of evidence is admissible if it meets the requirements stipulated in Article 59 of this Code. The facts of an administrative case that, in accordance with the law, must be confirmed by certain means of evidence cannot be confirmed by any other evidence.

2. The court recognizes a piece of evidence as inadmissible upon a written motion of a person participating in the case or on its own initiative.

3. During the consideration of a motion to exclude a piece of evidence from the administrative case due to its inadmissibility, the burden of proof, as regards the facts on which the motion is based, lies on the person that filed that motion.

Article 62. Burden of Proof

1. Persons participating in the case must prove the facts to which they refer in substantiation of their claims and objections, unless this Code stipulates another manner of distribution of the burden of proof in administrative cases.

2. The burden of proof as regards the lawfulness of challenged normative legal acts, acts that contain legislation clarifications and have normative features, decisions, actions (failure to act) of bodies, organisations and officials vested with state or other public powers lies on the corresponding body, organisation or official. The aforementioned bodies, organisations and officials must also confirm the facts to which they refer in substantiation of their objections. In such administrative cases the administrative plaintiff, prosecutor, bodies, organisations and citizens applying to court for the protection of rights, freedoms and lawful interests of other persons or of the general public are not obliged to prove the unlawfulness of the challenged normative legal acts, acts that contain legislation clarifications and have normative features, decisions, actions (failure to act), but are obliged:

1) to indicate, which normative legal acts contradict the challenged acts, decisions, actions (failure to act);

2) to confirm information that the challenged normative legal act, act that contains legislation clarifications and has normative features, decision, action (failure to act) violated or may violate the rights, freedoms and lawful interests of the administrative plaintiff or of the general public, or that a real threat of such violation exists;

3) to confirm other facts to which the administrative plaintiff, prosecutor, bodies, organisations and citizens refer in substantiation of their claims.

3. The court establishes the facts that have significance for the correct consideration and adjudication of the administrative case in accordance with the material law norms subject to application to the disputable public legal relations, based on the claims and objections of persons participating in the case. Herewith, in administrative cases regarding the challenge of normative legal acts, decisions, actions (failure to act), adopted or performed, accordingly, by public authorities, local self-government bodies, other bodies and organisations vested with certain state or other public powers, by officials, state or municipal servants, as well as in administrative cases regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, the court is not bound by the grounds and arguments of the stated claims.

Article 63. Order to Present Evidence

1. In order to adjudicate administrative cases correctly, the court may order to present evidence upon a motion of persons participating in the case or on its own initiative. Copies of documents received by the court are forwarded to persons participating in the case, if they do not have those documents.

2. The court issues a decree regarding the order to present evidence, stipulating the period and manner for presentation of the piece of evidence. A copy of the decree is forwarded to persons participating in the case and to the person that has the requested piece of evidence, no later than on the working day following the issuance of the decree. If necessary, the court may request for the piece of evidence to be handed over to the person that has the request.

3. The person that has the piece of evidence requested by the court may forward it directly to the court or hand it over for presentation to the court to the person that has the corresponding request.

4. If the person who is ordered by the court to present a piece of evidence is not able to present it at all or within the stipulated period, it is obliged to inform the court about this within five days since the receipt of a copy of a decree regarding the order to present evidence and (or) of the request, stating the reasons, for which the requested piece of evidence cannot be presented.

5. If the person who is ordered to present a piece of evidence fails to present the piece of evidence at all or within the stipulated period, or fails to present the piece of evidence to the court for reasons that the court does not recognise as good, the court imposes a court fine on that person, in the manner and amount stipulated in Articles 122 and 123 of this Code.

6. The imposition of a court fine does not free the person who has the requested piece of evidence from the obligation to present it to the court.

Article 64. Grounds for Relief from the Burden of Proof

1. Facts recognised by the court as commonly known do not need proof.

2. Facts established in an effective judicial act in a previously considered civil or administrative case or in a case previously considered by a commercial court are not proven and are not subject to challenge during the consideration of another administrative case with the participation of persons, in whose regard those facts were established, or of persons that belong to a group of persons, in regard of which such facts were established.

3. An effective court sentence in a criminal case, other court rulings in this case and court rulings in a case regarding an administrative offence are obligatory for a court considering an administrative case regarding the administrative law consequences of actions of the person, in whose regard the sentence and the rulings were pronounced, only as to whether certain actions took place and whether they were committed by that person.

Article 65. Relief from the Burden of Proof of Facts Acknowledged by Parties

1. Facts acknowledged by the parties due to an agreement reached by them during a court session or out of the court session, as well as facts acknowledged by a party and used by the other party in substantiation of its claims or objections are accepted by the court as facts that need no further proof.

2. Agreement on the facts is certified by written statements of the parties.

3. The acknowledgment of facts by a party may be stated in oral or written form. The fact that the parties reach an agreement on the facts or the acknowledgment of certain facts by a party, as well as the contents of an oral acknowledgment, made by a party, are entered into the minutes of the court session and certified by signatures of the parties or of a party. Statements regarding the agreement on the facts, as well as a written acknowledgment of facts by a party are attached to the materials of the administrative case.

4. If the facts acknowledged and confirmed by the parties or a party in the manner stipulated in this Article are accepted by the court, they are not subject to verification in the course of proceedings in the administrative case.

5. If the court has reasons to believe that the agreement was reached by the parties or the acknowledgment was made in order to conceal the real facts or under the influence of deceit, violence, threat or due to an innocent mistake, the court does not accept the agreement of the parties or the acknowledgment and issues a corresponding decree. The aforementioned facts are then subject to proof.

Article 66. Letters of Request

1. If a court considering an administrative case cannot obtain evidence located on the territory within the jurisdiction of another court in the manner stipulated in Article 63 of this Code, it may send a request to the corresponding court of the same or lower level to perform certain procedural actions (hereinafter referred to as “letter of request”), in which regard a decree is issued.

2. The decree regarding the letter of request briefly states the contents of the administrative case under consideration, information about the parties, their place of residence or address, facts subject to ascertainment and evidence that needs to be collected by the court executing the letter of request. The copy of a decree is forwarded to the requested court no later than on the working day following the day of issuance of the decree.

3. The decree regarding a letter of request is binding for the requested court and must be executed by it within a month since the day of receipt of a copy of the decree.

4. Proceedings may be stayed in the administrative case for the time of execution of the letter of request.

Article 67. Execution of a Letter of Request

1. A letter of request is executed by the court in a court session in accordance with the rules stipulated in this Code. Persons participating in the case are notified of the time and place of the court session. Non-appearance of the aforementioned persons, duly notified of the time and place of the court session, does not preclude the conduct of the court session, unless this contradicts the nature of the letter of request.

2. A decree is issued regarding the execution of the letter of request, which is immediately forwarded to the requesting court along with the minutes and all the evidence gathered in execution of the letter of request. If it is impossible to execute the letter of request for reasons beyond control of the requested court, the court indicates this in the decree.

3. If persons participating in the case, witnesses or experts that gave explanations, testified or made conclusions for the requested court, appear in a court session of the court considering the administrative case, they give explanations, testify and make conclusions in the general manner.

Article 68. Explanations of Persons Participating in the Case

1. Persons participating in the case give their explanations regarding the facts known to them, which have significance for the correct consideration and adjudication of the administrative case, in oral or written form. At the suggestion of the court, a person participating in the case may state its explanations in written form. Explanations stated in written form are attached to the materials of the administrative case.

2. Explanations of persons participating in the case are subject to verification and evaluation along with other evidence.

Article 69. Witness Testimony

1. Witness testimony is information known to a witness about the facts that have significance for the correct consideration and adjudication of the administrative case, given by the witness to the court in oral form. At the suggestion of the court, a witness who gave oral testimony may state it

in written form. Witness testimony stated in written form is attached to the materials of the administrative case.

2. Information stated by the witness is not evidence, unless the witness can indicate the source of his knowledge.

3. If witness testimony is based on information from other persons, these persons must also be examined.

4. A person may be summoned to court in the capacity of a witness upon a motion of a person participating in the case or on the initiative of the court.

5. In a motion to summon a witness, the person participating in the case must indicate, what facts that have significance for the correct consideration and adjudication of the administrative case the witness can confirm; he must also inform the court of the name, first name and patronymic, place of residence of the witness and of other information known to him, necessary to summon the witness to court.

6. On its own initiative, the court may summon a person, that participated in the drawing up of a document examined by the court as a piece of written evidence or in the creation or alteration of an object examined by the court as real evidence, in the capacity of a witness.

Article 70. Written Evidence

1. Contracts, acts, reference notes, business correspondence, other documents and materials made in the form of digital or graphic records, containing facts that have significance for the administrative case, received via fax, electronic or other communication means, including the use of the Internet, as well as with the use of videoconferencing systems, of a web conferencing system (if it is technically possible to transfer documents and materials in this manner) or in any other manner that allows to establish the authenticity of a document, are written evidence. Written evidence also includes judicial acts, minutes of court sessions, minutes of performance of individual procedural actions and attachments thereto (charts, maps, plans, drawings).

1.1. Documents received via fax, electronic or other communication means, including the Internet, as well as documents signed by an electronic signature in the manner stipulated in the legislation of the Russian Federation, are admitted as written evidence where so stipulated and in the manner stipulated in this Code, in other federal laws, other normative legal acts. If copies of documents are presented to court in electronic form, the court may order to present the originals of those documents.

2. Written evidence is presented to court in the original or in the form of a duly certified copy. If only a part of a document pertains to the administrative case under consideration, a certified extract from that document may be presented.

3. Originals of documents are presented to court if, in accordance with federal law or another normative legal act, the facts of an administrative case can only be confirmed with the use of such documents, and also upon the demand of the court, if it is impossible to adjudicate the

administrative case without the original documents, or if presented copies of the same document have different contents.

4. Documents presented to court and confirming the performance of legally significant actions must meet the requirements stipulated for such type of documents.

5. Written evidence presented to court, made completely or partially in a foreign language, must be accompanied by a duly certified translation into the Russian language.

6. A document received in a foreign state is recognised as written evidence by the court, if its authenticity is not contested and it is legalised in the stipulated manner.

7. Foreign official documents are recognised as written evidence by the court where so stipulated in international treaties of the Russian Federation.

8. Written evidence is attached to the materials of the case. Originals of documents cannot be attached to the materials of an administrative case if they are to stay at the location of their permanent or temporary storage in accordance with federal law.

Article 71. Returning the Originals of Documents

1. Originals of documents that are contained in an administrative case and regarded as written evidence may be returned to the persons that presented them, upon their motions, after the court examines the originals, or after the judicial act finalising the consideration of the administrative case comes into effect, unless those documents are subject to transfer to another person.

2. After their examination, originals of documents may be returned to the person that presented them only if the court concludes that this will not harm the correct consideration and adjudication of the administrative case.

3. If originals of documents are returned to the person that presented them, copies of those documents, certified by the court, stay in the materials of the administrative case.

Article 72. Real Evidence

1. Objects that may serve as means of establishing the facts that have significance for the administrative case due to their appearance, qualities, location or other features are written evidence.

2. The court issues a decree to attach real evidence to the administrative case.

Article 73. Storage of Real Evidence

1. Real evidence is stored at the court, unless otherwise stipulated in federal law.

2. Real evidence that cannot be delivered to the court is stored at its location or another place designated by the court. Real evidence must be inspected by the court, thoroughly described and, if necessary, sealed. Photos of the real evidence may be taken during the inspection; the inspection may be video recorded. The court and the person, in whose custody the real evidence is left, take measures to preserve it intact.

3. The costs of storage of the real evidence are distributed among the parties in accordance with the rules stipulated in Chapter 10 of this Code.

Article 74. Examination and Inspection of Written and Real Evidence at Its Location

1. If it is impossible or difficult to deliver written or real evidence to the court, such evidence is examined and inspected at its location or in another place designated by the court. The court issues a decree on the examination and inspection of evidence at its location.

2. Persons participating in the case and their representatives are notified of the time and place of examination and inspection of evidence. Non-appearance of the aforementioned persons and their representatives, duly notified of the time and place of examination and inspection of written and real evidence, does not preclude the examination and inspection.

3. When necessary, witnesses, experts, specialists and interpreters may be summoned during the examination and inspection of written and real evidence.

4. Results of examination and inspection of written and real evidence at its location are entered into the minutes in the manner stipulated in Articles 205 and 206 of this Code. Plans, charts, designs, calculations, copies of documents made and verified during the examination, data storage devices with audio and video recordings made during the inspection, photos of written and real evidence are attached to the minutes along with the expert’s conclusion or specialist’s clarifications, made in written form.

5. Examination and inspection of perishable real evidence is immediately carried out at its location in the manner stipulated in this Article.

Article 75. Disposal of Real Evidence Located at the Court

1. Real evidence located at the court may be returned to the persons that presented it, upon their motions, after examination and inspection by the court, unless such evidence is subject to transfer to other persons. Real evidence may be returned to the person that presented it, if the court concludes that this will not harm the correct consideration and adjudication of the administrative case.

2. The court may store the real evidence until the act finalising the consideration of the administrative case comes into effect.

3. Objects that cannot be owned or possessed by individual persons in accordance with federal law are transferred to the corresponding organisations.

4. The court issues a decree on matters of disposal of real evidence. This decree may be appealed against.

Article 76. Audio and Video Recordings

1. A person or an organisation that provides audio and (or) video recordings on a digital or other data storage device or submits a motion for an order to present such recordings must indicate, when, by whom and in what conditions the recordings were made.

2. The data storage devices carrying audio and video recordings are stored at the court. The court takes measures to preserve them intact.

3. In exceptional circumstances, audio and video recordings may be returned to the person or organisation that provided them, after the court decision comes into effect. Copies of the recordings stay in the administrative case.

4. Copies of audio and video recordings may be issued to a person participating in the case, upon the motion and at the expense of such a person.

5. The court issues a decree regarding the returning of audio and video recordings. This decree may be appealed against.

Article 77. Appointment of Expert Examination

1. If, during the consideration of an administrative case, issues arise that require special knowledge, the court appoints an expert examination that may be entrusted to an expert institution, a certain expert or several experts.

2. The court may appoint an expert examination upon the motion of a person participating in the case or upon its own initiative. The expert examination may be appointed upon the initiative of the court if the law provides for an expert examination, or if it is necessary to carry out such an examination in order to verify a statement regarding the falsification of a presented piece of evidence, or if it is necessary to carry out an additional or repeated expert examination, or if it is necessary to carry out an expert examination regarding the uncovered facts of the administrative case and the presented evidence.

3. Persons participating in the case may suggest questions that need to be resolved during the expert examination, to the court. The final list of questions, on which an expert conclusion is needed, and their wording are established by the court. If the court dismisses questions suggested by persons participating in the case, reasons must be provided for that in the court decree regarding the appointment of the expert examination.

4. Persons participating in the case have a right:

1) to motion to carry out the expert examination in a certain expert institution or to draw the persons suggested by them to participation as experts;

2) to formulate questions for the expert;

3) to inspect the court decree regarding the appointment of the expert examination;

4) to motion to include additional questions for the expert into the decree;

5) to give explanations to the expert;

6) to inspect the expert conclusion or the statement regarding the impossibility to make a conclusion;

7) to motion for an additional, repeated, complex or collective expert examination.

5. If a party evades participation in the expert examination, fails to provide the experts with the necessary documents and materials, as well as in other circumstances, when it is impossible to carry out the expert examination without the participation of that party due to the facts of the administrative case, the court may recognize a fact, for the ascertainment of which the expert examination was appointed, as established or disproven, depending on which side evades from examination and what significance the examination has for that party.

6. Proceedings in the administrative case may be stayed for the time of the expert examination.

Article 78. Contents of Decree regarding the Appointment of Expert Examination

1. The court issues a decree appointing an expert examination or dismissing the motion for the appointment of an expert examination.

2. The following is indicated in the decree on the appointment of an expert examination:

1) grounds for appointing the expert examination;

2) name, first name and patronymic of the expert or the name of the expert institution, in which the expert examination is to be carried out;

3) questions set before the expert;

4) documents and materials provided to the expert;

5) special conditions of handling the provided documents and materials during the expert examination, if so required;

6) the period, within which the expert examination must be carried out and the corresponding conclusion must be presented to court.

3. If any questions suggested by persons participating in the case are dismissed, the reasons for such a dismissal must be indicated in the decree.

4. If the person, upon whose motion the expert examination is appointed, is not exempt from the payment of sums for carrying out the expert examination, the decree must also indicate the duty of that person to deposit a monetary sum payable to the expert, in the amount established by the court based on the agreement between the parties and the expert. The sum is to be deposited to a bank account in accordance with Article 109 of this Code.

5. In the decree regarding the appointment of the expert examination, the court also warns the expert about the liability stipulated in the Criminal Code of the Russian Federation for knowingly providing a false conclusion and about the imposition of a court fine, where Part 12 of Article 49 of this Code applies.

Article 79. Carrying Out an Expert Examination

1. The expert examination is carried out by experts, who are employees of a state forensic-expert institution, at the instructions of the head of that institution or by other experts tasked with examination by the court.

2. The expert examination may be carried out in a court session or out of the court session, if the nature of study so requires or if it is impossible or difficult to deliver the documents and materials for their examination in a court session.

3. Persons participating in the case may be present during the expert examination, unless their presence may disturb the studies or the experts are deliberating or drawing up the conclusion.

Article 80. Collective Expert Examination

1. A collective expert examination is carried out by at least two experts who have special knowledge in the same field. The collective nature of examination is determined by the court.

2. If after conducting the studies, the experts have the same opinion on the questions posed, they make a single conclusion. If there are disagreements, the expert that does not agree with the opinion of the other expert or experts draws up a separate conclusion addressing all the issues or only those issues that caused disagreement.

Article 81. Complex Expert Examination

1. If, during the establishment of relevant facts in an administrative case, it becomes necessary to carry out an expert examination using special knowledge in different fields or with the use of knowledge of different scientific areas within one field, the court appoints a complex expert examination.

2. A complex expert examination is entrusted to several experts.

3. The conclusion of the experts participating in a complex expert examination indicates, what studies and to what extent were carried out by each of the experts, what facts were established and what conclusions were reached by each of the experts. Each expert participating in a complex expert examination signs and bears responsibility for that part of the conclusion which describes the studies performed by him.

4. The general conclusion is made by the experts competent to assess the results and formulate such a conclusion. Experts, who did not participate in formulating the general conclusion or who disagree with it, sign and bear responsibility only for that part of the conclusion which describes the studies performed by those experts.

Article 82. Conclusion of an Expert (of a Commission of Experts)

1. Based on the studies performed and on their results, the expert (commission of experts) makes a written conclusion and signs it, unless otherwise stipulated in this Code. If the expert examination is carried out in a court session, the expert may make a conclusion in oral form.

2. The conclusion of the expert (commission of experts) must indicate:

1) date, time and place of the expert examination;

2) grounds for carrying out the expert examination;

3) information about the expert institution and the expert tasked with carrying out the expert examination (family name, first name, patronymic, education, qualification, working experience, academic degree and rank, position occupied);

4) information that the expert was warned about the liability stipulated in the Criminal Code of the Russian Federation for knowingly providing a false conclusion;

5) questions before the expert (commission of experts);

6) objects of studies and materials of the administrative case, provided to the expert (commission of experts) for carrying out the expert examination;

7) information about the persons present during the expert examination;

8) description and results of studies, including the methods applied;

9) conclusions regarding the questions before the expert (commission of experts) and the substantiation of those conclusions;

10) other necessary information.

3. Documents and materials illustrating the conclusion of the expert (commission of experts) are attached to the conclusion and are its constituent part.

4. If during the expert examination the expert (commission of experts) establishes facts regarding which there were no questions, but which, in his opinion, have significance for the correct consideration of the administrative case, the expert may also make conclusions regarding these facts.

5. The conclusion of the expert (commission of experts) is read out in the court session and examined along with other evidence in the administrative case.

6. An expert, including an expert who is a member of a commission of experts, may be summoned to a court session upon a motion of a person participating in the case or upon the initiative of the court.

7. After the conclusion is read out, the expert may give necessary clarifications and is obliged to answer additional questions of the court and of persons participating in the case. The expert's answers to the additional questions are entered into the minutes of the court session.

8. The conclusion of the expert (commission of experts) is not obligatory for the court and is evaluated in accordance with the rules stipulated in Article 84 of this Code. The court must provide reasons for disagreement with the conclusion of the expert (commission of experts) in the decision or decree.

Article 83. Additional and Repeated Expert Examination

1. If the court finds the conclusion of the expert (commission of experts) inconsistent or unclear, it may appoint an additional expert examination, entrusting it to the same or a different expert (commission of experts).

2. If there are doubts regarding the substantiation of conclusion of the expert (commission of experts) or if the findings of the expert (commission of experts) are contradictory, the court may appoint a repeated examination regarding the same questions, entrusting it to a different expert (commission of experts).

3. The court decree regarding the appointment of an additional or repeated expert examination must indicate the reasons for the court's disagreement with an earlier conclusion of the expert (commission of experts).

Article 84. Evaluation of Evidence

1. The court evaluates evidence in accordance with its inner conviction, based on a comprehensive, full, objective and direct examination of all the evidence in the administrative case.

2. No piece of evidence has predetermined force for the court.

3. The court evaluates the relevance, admissibility, credibility of every piece of evidence in particular and the sufficiency and coherence of the body of evidence in general.

4. A piece of evidence is recognized as credible, if after verifying and examining it the court concludes that the information it contains is factually true.

5. When evaluating a document or other written evidence, the court must ascertain, with regard to other evidence, that such a document or another piece of written evidence was issued by a body competent to present that type of evidence, is signed by a person competent to sign such a document, contains all the other obligatory requisites of this type of evidence.

6. When evaluating a copy of a document or of another piece of written evidence, the court ascertains, whether the contents of the copy of the document were altered in comparison to the original during the copying, what technical method was used to perform the copying, whether

the copying guarantees the sameness of the original and the copy of the document, how the copy of the document was stored.

7. The court cannot regard as proven the facts that are only confirmed by a copy of a document or of another piece of written evidence, if the original of the document was lost or was not provided to the court, and the copies presented by persons participating in the case are not identical, and it is impossible to establish the contents of the original document with the help of other evidence.

8. The court must reflect the results of evaluation of evidence in its decision, stating the reasons, for which certain pieces of evidence are accepted in substantiation of the court's conclusions and the others are dismissed, as well as the reasons, for which preference was given to certain pieces of evidence over different ones.

Chapter 7. Provisional Measures regarding an Administrative Claim

Article 85. Application of Provisional Measures regarding an Administrative Claim

1. If the administrative plaintiff or a person applying to court for the protection of rights of other citizens or of the general public files a provisional measures application, the court may take provisional measures regarding the administrative claim, in particular when the proceedings in the administrative case are staid for the purpose of dispute settlement, if:

1) there is a real threat that a violation of rights, freedoms and lawful interests of the administrative plaintiff or of the general public, for the protection of whose rights, freedoms and lawful interests the administrative statement of claim was submitted, will occur before a court decision is adopted in the administrative case or the parties reconcile;

2) it will be impossible or difficult to protect the rights, freedoms and lawful interests of the administrative plaintiff without taking such measures.

2. The court may suspend the effect of a challenged decision in full or in part, prohibit to perform certain actions or may take other provisional measures where Part 1 of this Article applies, unless this Code prohibits to take provisional measures in certain categories of administrative cases.

3. If a body or official vested with authority suspends the normative legal acts or decisions adopted by it, or if the performance of challenged actions is suspended, this does not pertain to provisional measures.

4. Provisional measures must be relevant and proportionate to the stated claims.

Article 86. Provisional Measures Application

1. An application for provisional measures may be filed to court along with the administrative statement of claim or before the consideration of the administrative case on its merits, as well as

before the decision comes into effect. A motion for provisional measures may be stated in the administrative statement of claim.

1.1. An application for provisional measures submitted in electronic form must be signed by an enhanced qualified electronic signature.

2. The following is indicated in a provisional measures application:

1) the name of the court, to which the application is filed;

2) information about the administrative plaintiff and the administrative defendant (name or family name, fist name and patronymic, address or place of residence, other information known about them, including phone and fax numbers, e-mail addresses);

3) the subject matter of the administrative claim;

4) the reason for applying for provisional measures and its substantiation;

5) the provisional measure requested by the applicant;

6) a list of documents attached to the application.

3. The provisional measures application is signed by the person filing it. The application signed by a representative of the administrative plaintiff must be accompanied by a power of attorney or another document confirming the powers of the representative to sign the application.

4. If the motion for provisional measures is stated directly in the administrative statement of claim, this motion must contain information referred to in Items 4 and 5 of Part 2 of this Article.

Article 87. Consideration of a Provisional Measures Application

1. The provisional measures application is considered by a single judge in courts of first and appellate instances.

2. If the provisional measures application does not meet the requirements stipulated in Article 86 of this Code, the court leaves the application without action in accordance with Article 130 of this Code, immediately informing the person that filed it in this regard.

3. The provisional measures application is considered by the court without notification of persons participating in the case, no later than on the working day following the day of receipt of the application by the court or the correction of defects found by the court in the application.

4. The court may refuse to take provisional measures if there are no grounds for such measures.

5. The court issues a decree on taking of provisional measures or on refusal to do so. Copies of the decree are immediately forwarded to persons participating in the case.

6. The motion for provisional measures contained in the administrative statement of claim is considered by the court in the manner stipulated in this Article, separately from other claims and

motions stated in the administrative statement of claim, no later than on the working day following the acceptance of the administrative statement of claim for proceedings.

Article 88. Executing the Court Decree on Provisional Measures

1. The court decree to take provisional measures is executed immediately, in the manner stipulated for the execution of judicial acts.

2. A court fine may be imposed upon persons guilty of non-execution of the court decree on provisional measures, in the amount and manner stipulated in Articles 122 and 123 of this Code.

Article 89. Cancellation of Provisional Measures

1. Provisional measures may be cancelled by the court upon its own initiative or upon the application of persons participating in the case.

2. The application of persons participating in the case for the cancellation of provisional measures in considered in a court session within five days since the day of receipt of the application by the court. Persons participating in the case are notified of the time and place of the court session. Non-appearance of the aforementioned persons, duly informed of the time and place of the court session, does not preclude the consideration of the issue of cancellation of provisional measures.

3. If the court refuses to satisfy the administrative claim, provisional measures stay in effect until the court decision comes into effect. However, along with the adoption of such a decision or afterwards, the court may issue a decree regarding the cancellation of provisional measures. If the administrative claim is satisfied, all provisional measures stay in effect until the court decision is executed.

4. A decree is issued after the application for the cancellation of provisional measures is considered. Copies of the decree are immediately forwarded to persons participating in the case.

Article 90. Appeal against the Court Decree to Take or Cancel Provisional Measures

1. A procedural appeal may be submitted against the court decree to take or cancel provisional measures.

2. If a procedural appeal is submitted against the court decree to take provisional measures, the court does not suspend the execution of that decree. If a procedural appeal is submitted against the court decree to cancel provisional measures, the court suspends the execution of that decree.

Article 91. Replacement of Provisional Measures

Provisional measures may be replaced upon the motion of a person participating in the case in the manner stipulated in this Chapter.

Chapter 8. Procedural Periods

Article 92. Calculation of Procedural Periods

1. Procedural actions are performed within the procedural periods stipulated in this Code. If procedural periods are not stipulated in this Code, they are set by the court. The court must set procedural periods taking into account the principle of reasonableness.

2. A procedural period is defined by a date, a reference to an event that will inevitably happen or a time range. In the latter case, the procedural action may be performed during the whole time range. Periods calculated in days only include working days, except for the periods stipulated for performance of procedural actions by the court, persons participating in the case and other participants of proceedings in administrative cases stipulated in Part 2 of Article 213, Chapters 24, 28, 30, 31, 31.1 of this Code.

3. If a procedural period is calculated in years, months or days, it begins to run on the day following the date or the event marking its beginning.

4. If a procedural period is calculated in hours, it begins to run on the date or following the event marking its beginning.

5. If a procedural action must be performed immediately, the procedural period begins to run immediately on the date or following the event marking its beginning.

Article 93. Ending of a Procedural Period

1. A procedural period calculated in years expires on the corresponding month and date of the last year of the stipulated procedural period. A procedural period calculated in months expires on the corresponding date of the last month of the stipulated period. If a procedural period calculated in months expires in a month that does not have a corresponding date, it expires on the last day of that month.

2. If a procedural period expires on a non-working day, the next working day is the last day of the period.

3. A procedural period calculated in hours expires with the last hour of the stipulated period.

4. If a procedural period is set for the performance of a procedural action (except for a procedural period calculated in hours), that action may be performed until 24 hours of the last day of the procedural period. If an appeal, documents or monetary sums were submitted to a postal organisation until 24 hours of the last day of the stipulated procedural period, the period is

not regarded as expired. This does not apply to procedural periods stipulated in Article 240, Parts 3 and 3.1 of Article 298, Part 2 of Article 314 of this Code.

5. If a procedural action must be performed directly in a court or another organisation, the procedural period expires on the hour, on which the working day or the corresponding operations are terminated in that court or organisation in accordance with the stipulated rules.

Article 94. Consequences of Missing a Procedural Period

1. The right to perform procedural actions expires along with the procedural period, stipulated in this Code or set by the court.

2. Unless a motion to restore a missed procedural period is filed, appeals submitted and documents presented after the expiration of the procedural period are not considered by the court and are returned to the person that submitted or presented them.

Article 94.1. Suspension of a Procedural Period

1. The period of consideration and adjudication of an administrative case is suspended simultaneously with the suspension of proceedings in the case.

2. The period of consideration and adjudication of an administrative case continues to run from the day of renewal of proceedings in the case.

Article 94.2. Prolongation of Procedural Periods

The court may prolong procedural periods established by it.

Article 95. Restoration of a Missed Procedural Period

1. The court may restore a procedural period, stipulated in this Code, for persons who missed it, if it finds that the period was missed for good reasons. Where so stipulated in this Code, a missed procedural period is not subject to restoration, independent of the reasons for which it was missed.

2. An application for restoration of a missed procedural period is filed to the court, in which the procedural action was to be performed, unless otherwise stipulated in this Code. The application must indicate the reasons for which the period was missed. Documents confirming the good nature of those reasons are attached to the application. The application is considered without notification of persons participating in the case. Taking into account the nature and complexity of the procedural issue, the court may summon the persons participating in the case to appear in the court session, notifying them of its time and place.

3. The necessary procedural action must be performed along with the filing of the application for restoration of a missed procedural period (an appeal or application must be filed, documents must be presented).

4. A procedural appeal may be submitted against a court decree on restoration of a missed procedural period or on refusal to restore it.

Chapter 9. Court Notifications and Summons

Article 96. Court Notifications and Summons

1. Unless otherwise stipulated in this Code, persons participating in the case, as well as witnesses, experts, specialists and interpreters are notified by the court or summoned to court by registered mail with return receipt, a subpoena with return receipt, a telephoned message or a telegram, via fax or other means of communication and delivery, allowing the court to ascertain that the court notification or subpoena was received by the addressee. A person participating in the case may be notified, with its consent, by a notification or summons in the form of an SMS or an e-mail. The consent of a person participating in the case to be notified via SMS or e-mail must be confirmed by a written acknowledgement, indicating the information about that person, the consent to be notified via the aforementioned means, that person's mobile phone number or e-mail address, to which the notification will be sent.

1.1. Court notifications and documents attached thereto may be forwarded to a participant of proceedings in electronic form through the single public and municipal services portal or through an e-document workflow system of the participant of proceedings with the use of the single interagency electronic interaction system.

2. A subpoena is one of the forms of court notifications and summons. Persons participating in the case are notified of the time and place of a court session or of performance of certain procedural actions by subpoenas. Copies of procedural documents are forwarded to a person participating in the case along with a notification in the form of a subpoena or registered mail. Subpoenas are also used to summon witnesses, experts, specialists and interpreters to court.

3. Court notifications and summons must be served upon the persons participating in the case in a manner that allows them sufficient time to prepare for the administrative case and timely appear before the court.

4. A court notification addressed to a person participating in the case is sent to the address, indicated by the person participating in the case or his representative. If the citizen does not actually reside at the address, the notification may be sent to his place of work.

5. A court notification addressed to an organisation is sent to its address. A court notification addressed to an organisation may be sent to the address of its representative office or branch office, if those are indicated in its constituent documents.

6. Foreign persons are notified in accordance with the rules stipulated in this Article, unless another manner is stipulated in an international treaty of the Russian Federation.

7. Information regarding the acceptance of an administrative statement of claim, an appeal or a prosecutor's appeal for proceedings, regarding the time and place of a court session or of performance of a certain procedural action is published by the court in the Internet in the stipulated manner no later than 15 days before the commencement of a court session or the performance of a certain procedural action, unless otherwise stipulated in this Code. Documents confirming that the aforementioned information was published by the court in the Internet in the stipulated manner, including the date of publication, are attached to the case materials.

8. Administrative plaintiffs that are public authorities, other state bodies, local self-government bodies, other bodies and organisations vested with certain state or other public powers may only be notified by the court about the time and place of a court session (preliminary court session) through the placement of the corresponding information in the Internet in the stipulated manner, within the period stipulated in Part 7 of this Article. The aforementioned persons, as well as other persons participating in the case, that have state or other public powers and that have received the first court notification in the administrative case under consideration, take measures on their own to acquire further information regarding the progress of the administrative case, using any sources of information and any communication means.

9. Persons referred to in Part 8 of this Article bear the risk of unfavourable consequences resulting from failure to take measures to acquire information about the progress of the administrative case, if the court has information that those persons were duly notified of the commenced proceedings, unless those measures could not be taken because of extreme and unpreventable circumstances.

10. Where persons participating in the case that are local self-government bodies, other bodies and organisations vested with certain state or other public powers lack technical capability, they may motion for court notifications and subpoenas to be forwarded to them without the use of the Internet.

Article 97. Contents of Subpoenas and Other Court Notifications

1. Subpoenas and other court notifications must:

1) contain the name and address of the court;

2) indicate the time and place of the court session;

3) contain the name of the addressee – the person notified or summoned;

4) indicate, in what capacity the addressee is notified or summoned;

5) contain the name of the administrative case, regarding which the addressee is notified or summoned;

6) indicate that persons, whose participation in the trial is obligatory in accordance with the law or deemed obligatory by the court, are obliged to appear before the court or, if that is impossible, are obliged to inform the court of their non-appearance and of the reasons for the non-appearance before the commencement of trial and to present

documents confirming the good nature of reasons for the non-appearance; indicate the consequences of non-fulfilment of the aforementioned obligations by such persons, stipulated in this Code;

7) indicate that persons, whose participation in the trial is not obligatory, are obliged to inform the court of their non-appearance before the commencement of trial; indicate the consequences of non-fulfilment of the aforementioned obligation by such persons, stipulated in this Code.

2. In subpoenas or other court notifications, addressed to persons participating in the case, it is suggested to them to present to the court all the evidence in the administrative case that they have. Consequences of failure of notified or summoned persons to present evidence or appear in court are also indicated, and the obligation to inform the court of the reasons for non-appearance is clarified.

3. The judge forwards a copy of the administrative statement of claim along with a subpoena or another court notification, addressed to the administrative defendant; the judge forwards a copy of written explanations of the administrative plaintiff (if they have been received by the court) along with a subpoena or another court notification, addressed to the administrative plaintiff.

Article 98. Delivery of Subpoenas and Other Court Notifications

1. Subpoenas and other court notifications are delivered by mail, through the single public and municipal services portal, through an e-document workflow system of a participant of proceedings with the use of the single interagency electronic interaction system or by the person tasked by the judge with delivery. The time of service upon the addressee is indicated in the manner stipulated by postal organisations, or by the means of the corresponding information system, or on the document subject to return to the court.

2. With consent of a person participating in the case, the judge may hand to him directly the subpoena or another court notification for service upon another person subject to notification or summon. The person tasked with delivery of the subpoena or another court notification is obliged to return the counterfoil of the subpoena or the copy of another court notification with the addressee’s acknowledgement of receipt.

Article 99. Service of a Subpoena

1. A subpoena addressed to a citizen is served upon him in person, against acknowledgment of receipt made on the subpoena’s counterfoil. A subpoena addressed to an organisation is served upon the corresponding official, who signs the subpoena’s counterfoil in acknowledgement of receipt.

2. If the person delivering the subpoena does not find the summoned citizen at his place of residence, the subpoena is handed to one of the adult members of his family, residing with him, with that family member’s consent, for further service upon the addressee.

3. If a citizen, foreign citizen or stateless person that have administrative procedural capacity are summoned to court in administrative cases, referred to in Items 4-8 of Part 3 of Article 1 of this Code, an indication is made on the subpoena, requiring personal service upon the addressee. If the aforementioned person does not have administrative procedural capacity, the subpoena is served upon his statutory representative. It is not allowed to serve subpoenas in such administrative cases upon other persons.

4. If the addressee is temporarily absent, the person delivering the subpoena makes a note on its counterfoil as to the addressee's destination and estimated time of return.

5. If the addressee's place of stay is unknown, a note is made about this on the subpoena subject to service, with indication of time and place of the action performed, as well as of the source of information.

6. An addressee is also regarded as notified, if:

1) the court has evidence that the court notification was delivered through an e-document workflow system of a participant of proceedings with the use of the single interagency electronic interaction system;

2) the court has evidence that the court notification was delivered through the single public and municipal services portal to a participant of proceedings that provided consent at the single public and municipal services portal to be notified through the single public and municipal services portal, and herewith such a participant did not motion for court notifications to be sent to it in paper form.

Article 100. Consequences of Refusal to Accept a Subpoena or Another Court Notification

1. If an addressee refuses to accept the subpoena or another court notification, the person delivering or serving it makes a corresponding note on the subpoena or another court notification, which is returned to the court.

2. An addressee that refused to accept the subpoena or court notification is regarded as notified of the time and place of the trial or of the performance of a certain procedural action.

Article 101. Change of Address during Proceedings in an Administrative Case

Persons participating in the case are obliged to inform the court about the change of their address during proceedings in the administrative case. If that is not done, subpoenas or other court notifications are sent to the addressee's last known place of residence or address and are regarded as delivered, even if the addressee no longer resides or is no longer located at that address.

Article 102. Unknown Place of Stay of Administrative Defendant

If the place of stay of the administrative defendant is unknown, the court begins to consider the administrative case after receiving information about it from the administrative defendant's last known place of residence.

Chapter 10. Court Costs

Article 103. Court Costs

1. Court costs consist of a state fee and expenses pertaining to the consideration of the administrative case.

2. The amount and manner of payment of the state fee are stipulated in the tax legislation of the Russian Federation

Article 104. Relief from Payment of State Fee, Grounds and Manner for Exemption from Payment of State Fee, Decrease of its Amount, Postponement or Payment of State Fee by Instalments

1. Relief from payment of state fee is granted where so stipulated and in the manner stipulated in the tax legislation of the Russian Federation.

2. The grounds and manner for exemption from the payment of state fee, for the decrease of its amount, for granting a postponement or payment of the state fee in instalments are stipulated in accordance with the tax legislation of the Russian Federation.

Article 105. Grounds and Manner for Return or Offset of State Fee

The grounds and manner for the return or offset of the state fee are stipulated in accordance with the tax legislation of the Russian Federation.

Article 106. Expenses Pertaining to the Consideration of the Administrative Case

Expenses pertaining to the consideration of the administrative case include:

1) sums payable to witnesses, experts, specialists and interpreters;

2) expenses for the services of an interpreter, incurred by foreign citizens and stateless persons, unless otherwise stipulated in an international treaty of the Russian Federation;

3) travel and accommodation expenses of the parties, interested persons, incurred by their appearance before the court;

4) representation costs;

5) expenses for the inspection of evidence at its location;

6) postal expenses incurred by the parties and interested persons due to the consideration of the administrative case;

7) other expenses recognised by the court as necessary.

Article 107. Relief from Reimbursement of Expenses Pertaining to the Consideration of the Administrative Case

The following persons are exempt from reimbursement of expenses pertaining to the consideration of the administrative case:

1) administrative plaintiffs and administrative defendants, who are disabled persons of groups I and II;

2) public organisations of disabled persons, if they are administrative plaintiffs and administrative defendants, and also if they represent the interests of their members in court;

3) veterans of the Great Patriotic War, combat veterans and military service veterans, who are administrative plaintiffs and administrative defendants;

4) administrative plaintiffs and administrative defendants, who are low-income persons, recognised as such in accordance with legislation on calculation of per capita income for recognition of citizens as low-income citizens.

Article 108. Monetary Sums Payable to Witnesses, Experts, Specialists and Interpreters

1. Expenses incurred by the appearance before the court (travel expenses, rental of housing and additional expenses related to living away from the place of permanent residence (daily allowance) are reimbursed to witnesses, experts, specialists and interpreters.

2. Employed citizens, summoned in the capacity of witnesses, are paid monetary compensation based on the actual amount of time spent on performance of duties of a witness and their average wages. Unemployed citizens, summoned in the capacity of witnesses, are paid monetary compensation based on the actual amount of time spent on the performance of duties of a witness. The amount and manner of payment of this compensation are stipulated by the Government of the Russian Federation.

3. Experts, specialists and interpreters receive remuneration for the work performed by them at the instructions of the court, unless that work is part of their official duties as employees of a state institution. The amount of remuneration for the experts and specialists is established by the court with consent of the parties and by agreement with the experts and specialists.

Article 109. Parties' Deposit of Monetary Sums Payable to Witnesses, Experts and Specialists or for Payment of Other Expenses Pertaining to the Consideration of the Administrative Case

1. Monetary sums payable to witnesses, experts and specialists or designated for payment of other expenses, recognised by the court as necessary and pertaining to the consideration of the administrative case, are deposited in advance by the party that filed the corresponding motion to the account of, accordingly, the Supreme Court of the Russian Federation, general jurisdiction court of cassation, general jurisdiction court of appeal, the supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, a circuit (fleet) military court, an office of the Judicial Department in a constituent entity of the Russian Federation, opened in the manner stipulated in the budgetary legislation. If the aforementioned motion is filed by both parties, the required sums are deposited by the parties in equal shares.

2. If the summoning of witnesses, appointment of experts, drawing of specialists to participation and other payable actions are performed upon the initiative of the court, the corresponding expenses are reimbursed out of budgetary allocations of the federal budget.

3. The court, taking into account the property status of a citizen, may exempt him from payment of expenses, referred to in Part 1 of this Article, or decrease their amount. In that case, the expenses are reimbursed out of budgetary allocations of the federal budget.

4. Unused monetary sums, deposited by the parties in advance of future court costs, are returned to them by virtue of a judicial act. The manner of returning the unused monetary sums is established by the Government of the Russian Federation.

Article 110. Payment of Monetary Sums Due to Witnesses and Interpreters

1. Monetary sums due to witnesses are paid after the fulfilment of their duties, independent from the time of the actual deposit of the court costs by the parties to the accounts, referred to in Part 1 of Article 109 of this Code. The payment for the services of interpreters and reimbursement of the costs incurred by them due to the appearance before the court are performed after the fulfilment of their duties, out of budgetary allocations of the federal budget.

2. The manner of payment and amount of monetary sums due to interpreters is stipulated by the Government of the Russian Federation. The manner of payment of monetary sums due to witnesses is stipulated by the Government of the Russian Federation.

Article 111. Distribution of Court Costs among the Parties

1. The court adjudicates all court costs to be paid to the party, in whose favour the court decision is adopted, at the expense of the other party, except where Article 107 and Part 3 of Article 109 of this Code apply. In cases regarding the recovery of compulsory payments and penalties, court costs are distributed among the parties proportionally to the satisfied claims.

2. Rules stipulated in Part 1 of this Article also apply to the distribution of court costs, incurred by the parties due to the consideration of the case in courts of appeal, cassation and supervision.

2.1. Court costs incurred by interested persons that participated in the case on the side in whose favour the judicial act is adopted may be reimbursed to said persons, if their actual conduct in the proceedings contributed to the adoption of the judicial act.

2.2. If an interested person appealed against a judicial act, and the court refused to satisfy the appeal, the court costs incurred by persons participating in the case due to consideration of the corresponding appeal may be recovered from the interested person.

3. If a higher court alters the adopted decision of a lower court or adopts a different decision without remanding the case for a new consideration, it also changes the distribution of court costs, with due regard to the rules stipulated in this Article. If in the aforementioned situation the higher court does not alter the decision of the lower court in the part regarding the distribution of court costs, that issue must be resolved by the court of first instance upon the application of the interested person.

Article 112. Reimbursement of Representation Costs

The court adjudicates representation costs to be paid to the party, in whose favour the court decision is adopted, at the expense of the other party, within reasonable limits. If the party obliged to reimburse representation costs is exempt from such reimbursement, the aforementioned costs are reimbursed out of budgetary allocations of the federal budget.

Article 113. Distribution of Court Costs Following Renunciation of Administrative Claim and Conclusion of a Conciliation Agreement

1. If the administrative plaintiff renounces the administrative statement of claim, the administrative defendant does not reimburse the court costs incurred by the plaintiff. The administrative plaintiff reimburses the costs incurred by the administrative defendant due to the conduct of the administrative case. If, after the administrative statement of claim is submitted, the administrative defendant voluntarily satisfies the claims of the administrative plaintiff, and, as a result, the latter ceases to support its claims, all the court costs incurred by the administrative plaintiff, including representation costs, are recovered from the administrative defendant upon the request of the administrative plaintiff.

2. When concluding a conciliation agreement, the parties must stipulate the manner of distribution of court costs, including representation costs. If the parties do not stipulate the manner of distribution of court costs, the court resolves this issue in accordance with Articles 104, 108 and 111 of this Code.

Article 114. Reimbursement of Court Costs Incurred by the Court due to the Consideration of the Administrative Case

1. If the administrative statement of claim is satisfied, the court costs incurred by the court due to the consideration of the administrative case and the state fee (if the administrative plaintiff was exempt from their payment) are recovered from the administrative defendant to the federal budget, unless the defendant is exempt from the payment of court costs.

2. If the court refuses to satisfy the claim, the court costs incurred by the court due to the consideration of the administrative case are recovered from the administrative plaintiff to the federal budget, unless the plaintiff is exempt from the payment of court costs.

3. If both parties are exempt from the payment of court costs, the court costs incurred by the court due to the consideration of the administrative case are reimbursed out of budgetary allocations of the federal budget.

4. The manner and amount of reimbursement of court costs incurred by the court in accordance with this Article are stipulated by the Government of the Russian Federation.

Article 114.1. Resolution of Issues Pertaining to Court Costs

1. If an issue pertaining to court costs incurred due to consideration of an administrative case in a court of first instance, appeal, cassation, due to consideration of the case in supervision is not resolved during the consideration of the case in the corresponding court, an application on this issue may be submitted to the court that considered the case as a court of first instance within three months from the day on which the last judicial act, the adoption of which finalized the consideration of the case, enters into force.

2. The period for submission of such an application, missed for a good reason, may be restored by the court.

Article 115. Appeal against a Court Costs Decree

A procedural appeal may be submitted against a court decree regarding court costs.

SECTION II

MEASURES OF PROCEDURAL COMPULSION

Chapter 11. Measures of Procedural Compulsion

Article 116. Notion and Types of Measures of Procedural Compulsion

1. Measures of procedural compulsion are actions stipulated in this Code, taken in regard of persons who violate the stipulated court rules and obstruct the administrative judicial procedure.

2. Measures of procedural compulsion include:

1) limitation of presentation of a trial participant or ruling that participant out of order;

2) warning;

3) expulsion from the courtroom;

4) compelled appearance;

5) obligation to appear;

6) court fine.

3. If measures are taken in regard of a person, it does not free that person from performing the corresponding obligations, stipulated in this Code or established by the court on the basis of provisions of this Code.

Article 117. Grounds and Manner of Use of Measures of Procedural Compulsion

1. Measures of procedural compulsion are used immediately after a person commits the corresponding violation.

2. A single measure of procedural compulsion may be used for a single violation.

3. The court indicates the use of measures of procedural compulsion, referred to in Item 1 of Part 2 of Article 116 of this Code, in the minutes of the court session. Objections of the person, against whom such measures are used, are likewise entered into the minutes of the court session. The use of these measures may be appealed against during the appeal of the court decision.

4. The court issues a decree on the use of measures of procedural compulsion referred to in Items 4–6 of Part 2 of Article 116 of this Code. The decree is issued in the form of a separate judicial act, which may be appealed against separately from the court decision. The decree must indicate the person, in whose regard it is issued, the address, place of residence or stay of such a person, the grounds for the use of the measure of procedural compulsion, other necessary information, including information referred to in Part 1 of Article 199 of this Code.

Article 118. Limiting Presentation of a Trial Participant, Ruling That Participant out of Order

1. If a trial participant violates the rules of presentation in a court session, the presiding judge may:

1) in the name of the court, limit the presentation of that participant, if the participant is addressing an issue not pertaining to the trial;

2) in the name of the court, rule that participant out of order, if the participant arbitrarily violates the order of presentations, fails to fulfil the orders of the presiding judge twice, uses strong language or abusive comments or calls for actions punishable by law.

Article 119. Warning and Expulsion from the Courtroom

1. If a trial participant disturbs the established order in a court session, the presiding judge may:

1) in the name of the court, give him a warning;

2) in the name of the court, expel him from the courtroom, disconnect him from the video conference or web conference for a part of the court session or for the whole session.

2. For repeatedly disturbing the order in the court session, citizens present in the court session are expelled from the courtroom, disconnected from the video conference or web conference for the whole duration of the court session upon the order of the presiding judge.

Article 120. Compelled Appearance

1. If a duly informed person, whose participation in the trial is obligatory in accordance with the law or deemed obligatory by the court, or a duly notified witness repeatedly fails to appear before the court without a good reason or fails to inform the court of the reasons for his non-appearance, the court may issue a compelled appearance decree in his regard. The decree is enforced by a territorial body of the federal executive body, tasked with ensuring the stipulated manner of activities of the courts and with enforcement of judicial acts and acts of other bodies (hereinafter referred to as “territorial body for ensuring the activities of the courts and enforcing the acts”). The recovery of expenses for the compelled appearance is performed on the basis of the corresponding application of that territorial body in the manner stipulated in Chapter 33 of this Code.

2. Compelled appearance cannot be applied to underage persons, pregnant women or persons, who are unable to appear in the court session when summoned due to their illness, age or for other good reasons.

3. Apart from the information referred to in Part 4 of Article 117 of this Code, the compelled appearance decree must indicate the date, time and place, to which the person must be delivered,

and which territorial body for ensuring the activities of the courts and enforcing the acts is tasked with ensuring the compelled appearance.

4. The compelled appearance decree is immediately forwarded for enforcement to the territorial body for ensuring the activities of the courts and enforcing the acts at the place of proceedings in the administrative case or at the place of residence, stay (location), place of work, service or studies of the person subject to compelled appearance.

Article 121. Obligation to Appear

1. If necessary, a measure of procedural compulsion in the form of obligation to appear can be used against a person, whose participation in the trial is obligatory in accordance with the law or deemed obligatory by the court.

2. An obligation to appear is a written obligation of the person referred to in Part 1 of this Article to timely appear in the court session when summoned by the court and to immediately inform the court of the change of place of residence or stay (location).

3. Measures of procedural compulsion stipulated in Articles 120 and 122 may be used against a person who fails to perform the obligation to appear.

Article 122. Imposition of Court Fines

1. Court fines are imposed by the court where so stipulated in this Code. The maximum court fine that can be imposed upon a public authority, another state body is 100 000 rubles, upon a local self-government body, other bodies and organisations vested with certain state or other public powers – 80 000 rubles, upon an organisation – 50 000 rubles, upon an official – 30 000 rubles, upon a state or municipal servant – 10 000 rubles, upon a citizen – 5 000 rubles.

2. For contempt of court, the court may impose a court fine on persons participating in the case, other persons present in the courtroom. A court fine for contempt of court is imposed if the actions performed are not punishable by criminal law.

3. Court fines imposed by the court upon officials of state bodies, local self-government bodies and other bodies, organisations, upon state and municipal servants are recovered from the private funds of those persons.

4. Court fines are recovered to the federal budget.

Article 123. Consideration of Issue of Court Fine Imposition

1. The issue of imposing a court fine upon a person is considered in a court session.

2. After considering the issue, the court issues a reasoned decree.

3. A procedural appeal may be submitted against the court fine decree by the person, upon whom the fine is imposed, within a month from the day of receipt of a copy of the decree.

SECTION III

GENERAL RULES OF PROCEDURE IN A COURT OF FIRST INSTANCE

Chapter 11.1. Proceedings in Administrative Cases regarding the Issuance of Court Orders

Article 123.1. Court Order

1. A court order is a judicial act, issued by a single judge based on an application regarding the claims of a recoverer for the recovery of compulsory payments and penalties.

2. Provisions of Article 16 of this Code apply to an effective court order.

3. A court order is simultaneously an enforcement document, enforced in the manner stipulated for the execution of judicial decisions.

Article 123.2. Filing a Court Order Application

A court order application is filed to court in accordance with the general rules of jurisdiction stipulated in this Code.

Article 123.3. Form and Contents of a Court Order Application

1. A court order application and documents attached thereto are filed to a justice of the peace in paper form or in electronic form, in particular in the form of an electronic document.

2. A court order application must indicate:

1) the name of the court to which the application is filed;

2) the name of the recoverer, its address, phone number, fax number, e-mail address, bank account details;

3) documents confirming the power to sign a court order application;

4) the family name, first name and patronymic of the debtor, his place of residence or stay, one of his identifiers (insurance individual account number, taxpayer's identification number, identification document serial number, driver’s license serial number, transport vehicle registration license number), as well as the date and place of birth, name of

employer (if known), phone number, fax number, e-mail address (if these details are known);

5) the name of the compulsory payment subject to recovery, the amount of the monetary sum representing the payment and the calculation of that sum;

6) provisions of a federal law or of another normative legal act stipulating the compulsory payment;

7) information confirming that a request for voluntary payment was forwarded;

8) the amount and calculation of the monetary sum representing the penalty, and the provisions of the normative legal act stipulating the penalty;

9) other documents substantiating the recoverer's claims;

10) a list of documents attached to the application.

3. Documents confirming that a copy of the court order application and of documents attached thereto were forwarded to the debtor by registered mail with return receipt or documents confirming that the aforementioned copies were forwarded to the debtor in another way that allows the court to ascertain that they were received by the addressee are attached to the court order application. A copy of the request for voluntary payment is also attached to the application.

4. A court order application is signed by the person referred to in Article 287 of this Code.

5. Where stipulated by the tax legislation of the Russian Federation, a document confirming the payment of the state fee is attached to the court order application.

Article 123.4. Grounds for Returning or Refusing to Accept the Court Order Application

1. The judge returns the court order application on grounds, stipulated in Article 129 of this Code, and also if:

1) documents confirming the stated claim are not presented;

2) requirements to the form and contents of the court order application, stipulated in Article 123.3 of this Code, are not met.

2. If a court order application is returned, this does not preclude the recoverer from repeatedly applying to court with an application against the same debtor, with the same claim and on the same grounds, after the correction of defects.

3. The judge refuses to accept the court order application on grounds stipulated in Article 128 of this Code, and also if:

1) a claim is stated that is not stipulated in Part 3.1 of Article 1 of this Code;

2) the debtor's place of residence or stay is outside of the Russian Federation;

3) it may be concluded from the application and documents attached thereto that the claim is not unobjectionable.

4. Refusal to accept the court order application on grounds referred to in Part 3 of this Article precludes the recoverer from repeatedly applying to court with the same application.

5. The court issues a decree on returning or refusal to accept the court order application within five days from the day of receipt of the application by the court.

Article 123.5. Issuing a Court Order

1. A court order on the merits of the stated claim is issued within five days from the day of receipt of the court order application by the court.

2. The court order is issued without holding a trial and a court session, based on examination of presented evidence by the judge.

3. A copy of the court order is forwarded to the debtor within three days from the issuance of the court order. The debtor has the right to present objections regarding the execution of the court order within twenty days from the day on which the aforementioned copy is forwarded.

Article 123.6. Contents of a Court Order

1. A court order must indicate:

1) the case number and the date of issuance of the court order;

2) the name of the court, the family name and initials of the judge that issued the court order;

3) the name and address of the recoverer;

4) the family name, fist name and patronymic of the debtor, his place of residence or stay, one of his identifiers (insurance individual account number, taxpayer's identification number, identification document serial number, driver's license serial number, transport vehicle registration license number), as well as the date and place of birth, name of employer (if known);

5) laws and other normative legal acts that the court applied when satisfying the claims;

6) the amount of monetary sums subject to recovery;

7) the amount of the state fee recoverable from the debtor in favour of the recoverer or to the corresponding budget;

8) details of the recoverer's bank account, to which the recoverable funds are to be transferred;

9) the time range, during which the recoverable debt, enforceable in parts or in the form of periodic payments, appeared.

2. The court order is drawn up on a special form sheet, in duplicate, signed by the judge. One of the originals stays in the case materials. A copy of the court order is made for the debtor.

3. The court order may be drawn up in the form of an electronic document signed with an enhanced qualified electronic signature and in duplicate on paper. The paper copies of the court order are drawn up on a special form sheet and signed by the judge.

Article 123.7. Cancelling a Court Order

1. A court order is subject to cancellation by the judge, if the debtor presents objections regarding its execution within the period stipulated in Part 3 of Article 123.5 of this Code.

2. A decree on cancellation of the court order indicates that the recoverer has the right to apply to court with an administrative statement of claim in the manner stipulated in Chapter 32 of this Code.

3. Copies of the decree on cancellation of the court order are forwarded to the recoverer and debtor no later than within three days from the day of issuance of the decree.

4. Objections of the debtor, submitted to court after the expiration of the period stipulated in Part 3 of Article 123.5 of this Code, are not considered by the court and are returned to the person that presented them, unless that person substantiates that it was impossible to present the objections within the stipulated period for reasons beyond control of that person.

Article 123.8. Handing the Court Order

1. If the debtor does not present objections within the stipulated period, the second original of the court order, certified by the court's seal, is handed to the recoverer for further presentation for enforcement. At the recoverer's request, the court may forward the court order for enforcement to a bailiff, in particular in the form of an electronic document, signed by the judge with the use of an enhanced qualified electronic signature in accordance with the legislation of the Russian Federation.

2. If a state fee is to be recovered from the debtor to the corresponding budget, a writ of execution is issued on the basis of the court order, which is certified by the court's seal and forwarded to the bailiff for enforcement in this part. The writ of execution may be forwarded for enforcement to the bailiff in the form of an electronic document, signed by the judge with the use of an enhanced qualified electronic signature in accordance with the legislation of the Russian Federation.

3. A court order may be appealed against in the manner stipulated in Chapter 35 of this Code.

Chapter 12. Submitting an Administrative Statement of Claim

Article 124. Administrative Statement of Claim

1. An administrative statement of claim may contain claims:

1) to recognize a normative legal act, adopted by the administrative defendant, as inoperative, in full or in part;

2) to recognise a decision adopted by the administrative defendant or an action (failure to act) performed by him as unlawful, in full or in part;

3) to oblige the administrative defendant to adopt a decision on a certain issue or to perform certain actions in order to remedy the violation of rights, freedoms and lawful interests of the administrative plaintiff;

4) to oblige the administrative defendant to abstain from performing certain actions;

5) to establish, whether a public authority, local self-government body, another body, organisation, vested with certain state or other public powers, an official has powers to resolve a certain issue;

6) on award of compensation for violation of rights in the sphere of administrative and other public legal relations by the administrative defendant, where so stipulated in this Code.

2. An administrative statement of claim may contain other claims aimed at the protection of rights, freedoms and lawful interests in the sphere of public legal relations.

Article 125. Form and Contents of an Administrative Statement of Claim

1. The administrative statement of claim is submitted to court in written, readable form, signed with the indication of the date of its signing by the administrative plaintiff and (or) its representative, if the latter is authorised to sign such a statement of claim and to submit it to court.

2. Unless otherwise stipulated in this Code, the following must be indicated in an administrative statement of claim:

1) the name of the court, to which the administrative statement of claim is submitted;

2) if the administrative plaintiff is a body, organisation or official – the name of the administrative plaintiff, its address, for an organisation also information about its state registration; if the administrative plaintiff is a citizen – the name, first name and patronymic of the administrative plaintiff, his place of residence or stay, the citizen’s date and place of birth, information about higher legal education (if that citizen wishes to personally conduct an administrative case for which this Code stipulates obligatory participation of a representative); if the administrative statement of claim is submitted by a representative – the name, first name and patronymic of the representative, an address

for forwarding subpoenas and other court notifications, information about higher legal education; phone and fax numbers, e-mail addresses of the administrative plaintiff and of his representative (if any);

3) if the administrative defendant is a body, organisation or an official – the name of the administrative defendant, its location, for organisations and individual entrepreneurs also information about their state registration (if known); if the administrative defendant is a citizen – the family name, first name and patronymic of the administrative defendant, his place of residence or stay, place and date of birth (if known); phone and fax numbers, e-mail addresses of the administrative defendant (if known);

4) what rights, freedoms and lawful interests of the person applying to court or of other persons, in whose interests the administrative statement of claim is submitted, are violated, or about the reasons that may cause such a violation;

5) the claims against the administrative defendant and the statement of grounds and arguments, substantiating the claims of the administrative plaintiff;

6) information about the performance of pre-trial dispute resolution procedures, if such procedures are stipulated in federal law;

6.1) information about the actions taken by a party (by the parties) and aimed at reconciliation, if such actions were taken;

7) information about the filing of a complaint to a higher body and the results of its consideration, if such a complaint was filed;

8) other information that needs to be indicated in accordance with provisions of this Code stipulating the special rules of procedure in certain categories of administrative cases;

9) a list of documents attached to the administrative statement of claim.

3. An administrative statement of claim submitted for the protection of rights, freedoms and lawful interests of a group of persons must describe the violation of their rights, freedoms and lawful interests.

4. The administrative plaintiff provides the evidence that is known to him and that may be used by the court in the establishment of facts that have significance for the correct consideration and adjudication of the administrative case.

5. The administrative plaintiff may state its motions in the administrative statement of claim.

6. An administrative statement of claim submitted by a prosecutor or by other persons referred to in Article 40 of this Code must meet the requirements stipulated in Items 1-5, 8 and 9 of Part 2 of this Article. If a prosecutor applies to court for the protection of rights, freedoms and lawful interests of a citizen, the administrative statement of claim must indicate the reasons preventing that citizen from submitting an administrative statement of claim on his own.

7. An administrative plaintiff not vested with state or other public powers may forward copies of the administrative statement of claim and of the attached documents to the other persons

participating in the case (if they do not have them) by registered mail with return receipt or in another way that allows the court to ascertain that copies of the statement and documents were received by the addressee. An administrative plaintiff vested with state or other public powers must forward copies of the administrative statement of claim and of the attached documents to the other persons participating in the case (if they do not have them) by registered mail with return receipt or ensure the transfer of those copies in another way that allows the court to ascertain that they were received by the addressee.

8. The administrative statement of claim may also be submitted to court in electronic form, in particular in the form of an electronic document. Herewith, the copies of the administrative statement of claim and documents attached thereto may be forwarded to a person participating in the case and vested with state or other public powers through the official website of the corresponding public authority, other state body, local self-government body, other body or organisation vested with certain state or other public powers.

9. An administrative statement of claim submitted in electronic form and containing a motion for provisional measures regarding the administrative claim must be signed by an enhanced qualified electronic signature.

Article 126. Documents Attached to the Administrative Statement of Claim

1. Unless otherwise stipulated in this Code, the following is attached to the administrative statement of claim:

1) return receipts or other documents confirming the service, in accordance with Part 7 of Article 125 of this Code, of copies of the administrative statement of claim upon the other persons participating in the case, as well as of other documents attached thereto that they did not have, in particular if the statement of claim and documents attached thereto were submitted to the court in electronic form. If copies of the administrative statement of claim and of other documents, submitted in paper form, were not forwarded to the other persons participating in the case, copies of the statement and of documents attached thereto must be presented to the court in the number equal to the number of administrative defendants and interested persons, as well as an additional copy for the prosecutor (if necessary);

2) a document confirming the payment of the state fee in the stipulated manner and amount or confirming the right to relief from payment of the state fee, or a motion to grant a postponement, decrease of the amount of the state fee or payment in instalments, accompanied by documents stating the grounds for such a motion;

3) documents confirming the facts, on which the administrative plaintiff bases its claims, unless the administrative plaintiff is exempt from the obligation to prove certain facts in a given category of administrative cases;

4) a document confirming that a citizen who is an administrative plaintiff willing to personally conduct an administrative case, for which this Code stipulates obligatory

participation of a representative, has higher legal education or a scientific decree in the legal sphere;

5) if the administrative statement of claim is submitted by a representative – a power of attorney or other documents certifying the powers of the representative of the administrative plaintiff, a document confirming that the representative has higher legal education or a scientific decree in the legal sphere;

6) documents confirming that the administrative plaintiff performed the pre-trial administrative dispute resolution procedures, if such procedures are stipulated in federal law, or documents containing information about the complaint filed to a higher body and the results of its consideration, if such a complaint was filed;

7) other documents that need to be attached in accordance with the provisions of this Code stipulating the special rules of procedure in certain categories of administrative cases.

2. Documents attached to an administrative statement of claim may be presented to court in electronic form.

Article 127. Accepting the Administrative Statement of Claim

1. The issue of accepting an administrative statement of claim for court proceedings is resolved by a single judge within three days from the day of receipt of the administrative statement of claim by the court, unless a different period is stipulated in this Code.

2. The judge issues a decree regarding the acceptance of the administrative statement of claim for court proceedings, based on which proceedings are initiated in the administrative case in the court of first instance. Phone and fax numbers of the court, its postal address, the address of the official website, on which information about the activities of the court is placed, and e-mail address, to which and from which the persons participating in the case may forward and receive information about the administrative case and other information stipulated in this Code, are indicated in the decree.

3. Copies of the decree regarding the acceptance of the administrative statement of claim for court proceedings are forwarded to persons participating in the case, their representatives no later than on the working day following the day of issuance of the decree. Copies of the administrative statement of claim and of the attached documents are also forwarded to the administrative plaintiff and the interested persons, unless such copies were forwarded in accordance with Part 7 of Article 125 of this Code.

Article 128. Refusal to Accept the Administrative Statement of Claim

1. Unless otherwise stipulated in this Code, the judge refuses to accept the administrative statement of claim, if:

1) the application is subject to consideration in the manner of constitutional or criminal procedure, in the manner of proceedings in cases on administrative offences, or is not subject to consideration in a court;

2) the administrative statement of claim is submitted for the protection of rights, freedoms and lawful interests of another person, of the general public or of public interests by a public authority, another state body, local self-government body, organisation, official or citizen, not vested with such a right by this Code or other federal laws;

3) it does not appear from the administrative statement of claim regarding the challenge of a normative legal act, of an act that contains legislation clarifications and has normative features, of a decision or action (failure to act) that this act, decision or action (failure to act) violates or otherwise affects the rights, freedoms and lawful interests of the administrative plaintiff;

4) there is an effective court decision in an administrative dispute between the same parties regarding the same subject matter and on the same grounds, a court decree on termination of proceedings in this administrative case due to the renunciation of the administrative statement of claim by the administrative plaintiff or approval of a conciliation agreement; or a court decree regarding the refusal to accept the administrative statement of claim. The court refuses to accept an administrative statement of claim regarding the challenge of normative legal acts, decisions, actions (failure to act) that violate rights, freedoms and lawful interests of the general public, if there is an effective court decision adopted with regard to an administrative claim on the same subject matter;

5) there are other grounds to refuse to accept the administrative statement of claim in the provisions of this Code stipulating the special rules of procedure in certain categories of administrative cases.

2. The judge issues a reasoned decree regarding the refusal to accept the administrative statement of claim for court proceedings, indicating in it the grounds for refusal to accept the administrative statement of claim, and resolves the issue of returning the state fee to the person that submitted the administrative statement of claim, if the state fee has been paid. A copy of the decree is handed or forwarded to the administrative plaintiff together with the administrative statement of claim and documents attached thereto no later than on the working day following the day of issuance of the decree.

3. The refusal to accept an administrative statement of claim from an administrative plaintiff precludes repeated application to court with such an administrative statement of claim.

4. A procedural appeal may be submitted against the court decree regarding the refusal to accept the administrative statement of claim.

5. If the court decree regarding the refusal to accept the administrative statement of claim is reversed, such a statement is regarded as submitted on the day of initial application to court.

Article 129. Returning the Administrative Statement of Claim

1. Unless otherwise stipulated in this Code, the judge returns the administrative statement of claim to the administrative plaintiff, if:

1) the administrative plaintiff failed to perform the obligatory pre-trial dispute resolution procedures, stipulated in federal law for this category of administrative disputes;

2) the court has no jurisdiction over the case;

3) the administrative statement of claim is submitted by a person that does not have administrative procedural capacity;

4) the administrative statement of claim is not signed or is signed and submitted to court by a person that does not have the powers to sign and (or) to submit it to court;

5) a case initiated earlier between the same parties regarding the same subject matter and on the same grounds is pending before this court or another court or a commercial court;

6) an application for the returning of the statement of claim is received from the person applying to court before the decree on the acceptance of the administrative statement of claim for proceedings is issued;

7) the defects of the administrative statement of claim and of documents attached thereto are not corrected within the period stipulated in the decree to leave the administrative statement of claim without action;

8) there are other grounds for the administrative statement of claim to be returned in accordance with the provisions of this Code stipulating the special rules of procedure in certain categories of administrative cases.

2. The judge issues a reasoned decree to return the administrative statement of claim, indicating the grounds for returning it and the manner for eliminating the obstacles to the initiation of an administrative case, and also resolves the issue of returning the state fee to the administrative plaintiff. The court decree must be issued within three days since the day of receipt of the administrative statement of claim by the court or since the expiration of the period, granted to the person that submitted the administrative statement of claim, for elimination of obstacles that caused the administrative statement of claim to be left without action, unless another period is stipulated in this Code. A copy of the decree to return the administrative statement of claim is handed or forwarded to the administrative plaintiff along with the administrative statement of claim and the documents attached thereto no later than on the working day following the day of issuance of the aforementioned decree.

3. The returning of the administrative statement of claim to the administrative plaintiff does not preclude repeated application to court with an administrative statement of claim regarding the same subject matter in the manner stipulated in law.

4. A procedural appeal may be submitted against the decree to return the administrative statement of claim.

5. If the decree to return the administrative statement of claim is reversed, this administrative statement of claim is regarded as submitted on the day of initial application of the administrative plaintiff to court.

Article 130. Leaving the Administrative Statement of Claim without Action

1. Unless otherwise stipulated in this Code, if a judge finds that the administrative statement of claim was submitted in violation of requirements of Articles 125 and 126 regarding the form and contents of the administrative statement of claim and (or) of documents attached thereto, the judge issues a decree to leave the administrative statement of claim without action, indicating the grounds of such a decision and granting the person that submitted the administrative statement of claim a reasonable period of time to eliminate the obstacles that cause the administrative statement of claim to be left without action. A copy of the decree to leave the administrative statement of claim without action is forwarded to the person that submitted the administrative statement of claim no later than on the working day following the issuance of such a decree.

2. If a person that submitted the administrative statement of claim corrects the defects pointed out by the judge within the period, stipulated in the decree to leave the administrative statement of claim without action, the administrative statement of claim is regarded as submitted on the day of initial application of that person to court. Otherwise, the administrative statement of claim is regarded as not submitted and is returned to the person that submitted it along with all the documents attached thereto in the manner stipulated in Article 129 of this Code.

3. A procedural appeal may be submitted against the court decree to leave the administrative statement of claim without action.

Article 131. Submission and Conditions of Acceptance of an Administrative Statement of Counterclaim

1. It is allowed to accept an administrative statement of claim as an administrative statement of counterclaim, if one of the following requirements is met:

1) the initial administrative statement of claim and the administrative statement of counterclaim are interrelated, and their joint consideration will result in a more speedy and correct resolution of the dispute arising from administrative and other public legal relations;

2) the satisfaction of the administrative statement of counterclaim excludes, in full or in part, the satisfaction of the initial administrative statement of claim;

3) the counterclaim is aimed at the offset of the initial claim.

2. Until the court of first instance adopts a judicial act finalising the consideration of the administrative case on its merits, the administrative defendant may submit an administrative statement of counterclaim against the administrative plaintiff, for joint consideration with the initial administrative statement of claim.

3. The administrative statement of counterclaim is submitted in accordance with the general rules stipulated for submission of an administrative statement of claim.

Chapter 13. Preparation of the Administrative Case for Trial

Article 132. Aims of Preparing the Administrative Case for Trial

Preparation for trial is obligatory in every administrative case and is conducted in order to ensure a correct and timely consideration of the administrative case. Preparation for trial is performed by a single judge with participation of the parties, their representatives, interested persons, after the administrative statement of claim is accepted for proceedings.

Article 133. Decree on Preparation of the Administrative Case for Trial

1. The judge issues a decree regarding the preparation of the administrative case for trial, indicating the actions that the parties and other persons participating in the case need to perform, as well as the period for the performance of those actions.

1.1. The decree regarding the preparation of the administrative case for trial may indicate the right of the parties to seek assistance of an intermediary, in particular a mediator, a court conciliator, in order to settle the dispute, or to use other conciliatory procedures.

2. An indication regarding the preparation of the administrative case for trial may be made in the decree on the acceptance of the administrative statement of claim for proceedings.

Article 134. Period for Preparation of the Administrative Case for Trial

The administrative case is prepared for trial within the period determined with regard to the concrete administrative case and the procedural actions that need to be performed.

Article 135. Actions of the Parties and the Court during Preparation of the Administrative Case for Trial

1. During the preparation of the administrative case for trial, the administrative plaintiff or its representative:

1) provides the administrative defendant with copies of documents that were not attached to the administrative statement of claim and that contain evidence substantiating the factual grounds of the administrative statement of claim, unless the administrative plaintiff is exempt from the burden of proof in their regard;

2) files motions for an order to present evidence that it cannot receive on its own, without the assistance of the court.

2. The administrative defendant or its representative:

1) clarifies the claims of the administrative plaintiff and the factual grounds of these claims;

2) presents written objections regarding the stated claims to the administrative plaintiff or its representative and to the court;

3) provides the court with evidence substantiating the objections against the administrative statement of claim and presents copies of documents containing that evidence to the administrative plaintiff or its representative;

4) files motions for an order to present evidence that it cannot receive on its own, without the assistance of the court.

3. During the preparation of the administrative case for trial, the court:

1) forwards copies of the administrative statement of claim and of documents attached thereto to the administrative defendant and the interested person, unless those documents were forwarded in accordance with Part 7 of Article 125 of this Code, and establishes a reasonable period of time for presentation of written objections on the merits of the administrative statement of claim to the court and the forwarding of their copies to the administrative plaintiff and the interested person. If the administrative defendant does not have state or other public powers, the court, having established that the copies of the administrative statement of claim and of documents attached thereto were served upon the administrative defendant in accordance with Part 7 of Article 125 of this Code, stipulates a reasonable period of time for presentation of written objections on the merits of the administrative statement of claim to the court and for forwarding them to the administrative plaintiff and the interested person. If the aforementioned copies were not forwarded to the administrative defendant and the interested person, the court forwards them itself, stipulating a reasonable period of time for presentation of written objections on the merits of the administrative statement of claim to the court and for forwarding the necessary number of their copies that the court will then forward to the administrative plaintiff and the interested persons. If the administrative statement of claim and documents attached thereto were submitted to the court in electronic form, they are forwarded to the administrative plaintiff by placing them in the Internet in the stipulated manner, in a section, access to which is granted to the persons participating in the case and other participants of proceedings (hereinafter also referred to as “in restricted access mode”), and (or) the aforementioned persons are informed about the possibility to inspect such documents and make copies thereof at the court;

2) summons the parties, their representatives and explains to them their procedural rights and duties, the consequences of performance or non-performance of procedural actions by the parties within the stipulated procedural period; asks the administrative plaintiff, the administrative defendant, their representatives about the merits of their stated claims and objections; ascertains whether the administrative plaintiff supports the administrative statement of claim in full or in part, whether the administrative defendant acknowledges the administrative statement of claim in full or in part;

3) decides whether other administrative plaintiffs, administrative defendants and interested persons should enter the case and resolves the issue of replacing the improper administrative defendant;

4) resolves the issue of joinder or severance of claims;

5) resolves the issue of obtaining the necessary evidence and offers to present it within the period stipulated by the court;

6) when necessary, helps the persons that do not have authority or other public powers to obtain evidence and orders to present that evidence; orders to present evidence on its own initiative, resolves issues of summoning witnesses, appointing an expert examination, drawing a specialist or an interpreter to participation in the court proceedings; in urgent situations also resolves the issue of examination and inspection of written and real evidence at its location, takes other measures pertaining to the presentation of evidence;

7) sends letters of request;

8) upon the motion of the administrative plaintiff or its representative, resolves the issue of taking provisional measures regarding the administrative claim;

9) upon the motion of persons participating in the case, their representatives, or upon its own initiative resolves the issue of participation of persons participating in the case in the court session (preliminary court session) with the use of videoconferencing systems or of a web conferencing system and takes measures to ensure such participation. Based on the results of consideration of the aforementioned motion and issue, the court issues a reasoned decree;

10) assists the parties in reconciliation, if reconciliation is allowed in the given category of administrative cases; in particular, for the purposes of dispute settlement, clarifies to the parties their right to seek assistance of an intermediary, in particular a mediator, court conciliator, to use other conciliatory procedures, as well as the conditions and manner of realizing this right, the nature and benefits of conciliatory procedures, the consequences of such actions; takes measures for the parties to conclude a conciliation agreement; assists the reconciliation of the parties;

11) resolves whether it is necessary to conduct a preliminary court session and appoints the date, time and place of that session;

12) resolves whether it is obligatory for persons participating in the case to personally participate in the court session;

13) performs other procedural actions aimed at ensuring a correct and timely consideration of the administrative case with due regard to its facts, the nature of the disputable public legal relation, the normative legal acts subject to application and the evidence presented in the administrative case.

4. If a motion of the administrative plaintiff or of its representative regarding the immediate consideration and adjudication of the case is satisfied, the court takes the necessary measures, forwards notifications, summons, copies of decrees to the trial participants as soon as possible,

using any technical means of communication (phone or fax, e-mail and other communication means) allowing to control the receipt of the message by the addressee.

5. If a party obstructs the timely preparation of the administrative case for trial, in particular if the administrative defendant does not present or fails to timely present written objections and the necessary evidence within the period granted by the court or fails to carry out other instructions of the court, the court may impose a court fine upon the party at fault, in the manner and amount stipulated in Articles 122 and 123 of this Code.

Article 136. Joinder or Severance of Administrative Claims

1. By virtue of a decree, the court may join several administrative cases pending before it, if such cases have a single nature and the same parties participate in them, or may join several pending administrative cases on claims of one administrative plaintiff against different administrative defendants or several administrative cases on claims of several different administrative plaintiffs against one administrative defendant in order to consider and adjudicate them jointly, if it deems such a joinder contributing to the correct and timely consideration of the stated administrative claims.

2. The court may severe one administrative claim or a number of joined claims into separate proceedings if it deems separate consideration of the stated claims reasonable.

3. The joinder of administrative cases into a single procedure or severance of administrative claims into separate proceedings is possible until the judicial acts, finalising the consideration of administrative cases in a court of first instance, are adopted.

4. The court issues a decree on the joinder of administrative cases into single proceedings or on severance of stated claims into separate proceedings or on the refusal to satisfy the corresponding motion. Copies of the decree are forwarded to persons participating in such administrative cases.

5. A procedural appeal may be submitted against the decree to satisfy the motion to join several administrative cases or to severe stated claims into separate proceedings.

6. During the joinder of administrative cases they are adjoined to the administrative case initiated earliest.

7. After the joinder of administrative cases into single proceedings or the severance of stated claims into separate proceedings, the preparation of the administrative case for trial begins anew.

Article 137. Reconciliation of the Parties. Conciliation Agreement

1. Reconciliation of the parties may only pertain to their rights and duties as subjects of disputable public legal relations and is possible where mutual concessions of the parties are allowed.

1.1. Reconciliation of the parties takes place on the basis of principles of voluntary nature, cooperation, equality of the parties and confidentiality.

2. The court stays proceedings in an administrative case for the time necessary for the reconciliation of the parties.

2.1. The parties enjoy equal rights in choosing the conciliatory procedure, determining the conditions in which it is conducted, as well as the person of the intermediary, in particular of a mediator, court conciliator. The parties may conclude an agreement in regard of said issues. Reconciliation of the parties is possible at any stage of the administrative judicial procedure and also during the execution of a judicial act in the administrative case, unless otherwise stipulated in this Code, other laws and does not follow from the nature of the corresponding legal relations.

3. The parties may resolve their dispute by entering a conciliation agreement. The conciliation agreement is concluded in written form and signed by the parties or their representatives, if they have the corresponding powers. The conciliation agreement must indicate the terms, on which the parties have reached reconciliation, as well as the manner of distribution of court costs, including representation costs.

4. *Abrogated.*

5. *Abrogated.*

6. *Abrogated.*

7. *Abrogated.*

8. *Abrogated.*

9. *Abrogated.*

10. The conciliation agreement is concluded in regarded of the administrative claims stated before the court. Provisions that are connected to the stated claims, but were not subject matter of the trial may be included into the conciliation agreement. A conciliation agreement may be concluded in regard of the issue of distribution of court costs.

137.1. Approval of the Conciliation Agreement by the Court

1. A conciliation agreement is approved by the court before which the case is pending. If the conciliation agreement is concluded in the process of execution of a judicial act, it is presented for the approval of the court that considered the case as a court of first instance.

2. The court considers the issue of approving a conciliation agreement in a court session. Persons participating in the case are notified of the time and place of the court session.

3. If the persons that concluded the conciliation agreement and were duly notified of the time and place of the court session fail to appear in the court session, the court does not consider the issue of approving the agreement, unless an application was received from those persons regarding the consideration of this issue in their absence.

4. The issue of approving a conciliation agreement concluded in the process of execution of a judicial act is considered by the court within a period not exceeding one month from the day on which it receives the application regarding the approval of the agreement.

5. After considering the issue of approving the conciliation agreement, the court issues a decree.

6. The court does not approve the conciliation agreement if it contradicts the law or violates the rights, freedoms and lawful interests of other persons.

7. When considering the issue of approving the conciliation agreement, the court studies the facts of the dispute and the arguments and evidence presented by the persons participating in the case, assessing them only in the extent necessary to check whether the agreement meets the requirements of the law and that the rights, freedoms and lawful interests of other persons are not violated. If the issue of approving the conciliation agreement is considered within the framework of appeal against a judicial act or its execution, the legality and substantiation of the corresponding judicial act are not verified.

8. The court has no right to approve a conciliation agreement in part, to amend or exclude from the agreement any conditions approved by the parties. When considering the issue of approving the conciliation agreement, the court may suggest it to the parties to exclude from the agreement particular terms that contradict the law or violate the rights, freedoms and lawful interests of other persons.

9. The court decree regarding the approval of the conciliation agreement indicates:

1) the approval of the conciliation agreement or refusal to approve the conciliation agreement;

2) the terms of the conciliation agreement;

3) that the state fee, in the amounts stipulated in federal laws on taxes and levies, is returned to the plaintiff from the corresponding budget;

4) the distribution of court costs.

10. A decree on approval of a conciliation agreement concluded in the process of execution of a judicial act must also indicate that the judicial act is not subject to execution.

11. A decree on approval of a conciliation agreement is subject to immediate execution and may be appealed against before a court of cassation within one month from the day of issuance of that decree.

12. A decree on refusal to approve a conciliation agreement may be appealed against.

13. If a conciliation agreement is approved in a court of first instance, this results in termination of proceedings in the case in full or in part. If a conciliation agreement in regard of the stated claims is approved in a court of appeal, cassation and supervision, this results in reversal of the judicial act and termination of proceedings in the case. If a conciliation agreement is approved in the process of execution of a judicial act, this results in termination of execution of that judicial act, while the act remains effective. An indication is made in this regard in the court decree. If a

conciliation agreement concluded during consideration of an application regarding the issue of distribution of court costs incurred in courts of first instance, appeal, cassation and review is approved, this results in termination of proceedings regarding such an application.

14. The conciliation agreement is executed in the manner and within the period stipulated in the agreement. A conciliation agreement that was not executed voluntarily is subject to enforcement under the rules stipulated in Chapter 38 of this Code.

Article 137.2. Manner and Periods of Conducting the Conciliatory Procedure

1. A conciliatory procedure may be conducted upon the motion of the parties (of a party) or upon the suggestion of the court. The court's suggestion to conduct a conciliatory procedure may be contained in a decree to accept the administrative statement of claim for proceedings, decree on preparation of the administrative case for trial or in a different decree regarding the administrative case; the court may also make this suggestion orally. The court may postpone the trial in the administrative case and declare an adjournment in the court session in order for the parties to study the possibility of using the conciliatory procedure.

2. If the parties agree with the court's suggestion to conduct a conciliatory procedure, or if a motion of the parties (of a party) for conduction of a conciliatory procedure is satisfied with consent of the other party, as well as where Item 8 of Part 1 of Article 191 of this Code applies, the court issues a decree to conduct the conciliatory procedure and, where necessary, to stay proceedings in the administrative case. In the decree to conduct the conciliatory procedure, the court indicates the family names, first names and patronymics, names of the parties, the subject matter of the dispute and the list of issues, for settling which the conciliatory procedure may be used, the periods for conducting the conciliatory procedure. The decree to conduct the conciliatory procedure may also contain other instructions necessary to ensure the proper conduction of the conciliatory procedure.

3. The conciliatory procedure must be finalized within the period stipulated by the court in the decree to conduct the conciliatory procedure. This period may be prolonged by the court upon the motion of the parties.

4. During the use of the conciliatory procedure the parties may reach the results of conciliation stipulated in this Code.

5. If the parties failed to reach reconciliation, refused to conduct conciliatory procedures, or the period for conduction of those procedures expired, the court renews proceedings in the administrative case in the manner stipulated in Article 192 of this Code.

Article 137.3. Types of Conciliatory Procedures

Disputes may be settled through negotiations, activities of an intermediary, including mediation, court conciliation, or through the use of other conciliatory procedures, provided that this does not contradict federal law.

Article 137.4. Negotiations

1. The parties may settle the dispute through holding negotiations for the purpose of reconciliation.

2. Negotiations are performed on conditions determined by the parties.

3. Conducting negotiations is mandatory where so stipulated in federal law.

Article 137.5. Mediation

1. The parties may settle the dispute through the use of mediation in the manner stipulated in this Code and in federal law.

2. The use of mediation in administrative cases indicated in Items 1, 1.1 and 6 of Part 2 and Items 1, 2, 4, 9 of Part 3 of Article 1 of this Code is not allowed.

Article 137.6. Court Conciliation

1. The parties may settle the dispute through the use of a conciliatory procedure with participation of a court conciliator (court conciliation).

2. Court conciliation is performed on the basis of principles of independence, impartiality and goodwill of the court conciliator. The manner of conducting court conciliations and the requirements to a court conciliator are determined in this Code and the Rules of Court Conciliation adopted by the Supreme Court of the Russian Federation.

3. A court conciliator is a retired judge. The list of court conciliators is formed and approved by the Plenary Session of the Supreme Court of the Russian Federation based on proposals of general jurisdiction courts of cassation, general jurisdiction courts of appeal, supreme courts of republics, courts of territories, regions, federal cities, of the court of an autonomous region, of courts of autonomous circuits, circuit (fleet) military courts regarding the candidates for positions of court conciliators from among the retired judges expressing their wish to act as court conciliators. A court conciliator acts in the procedure of court conciliation with due regard to the provisions of this Code and of legislation on the status of judges in the Russian Federation.

4. The court conciliator is selected from the list of court conciliators upon mutual agreement of the parties and approved by a court decree.

5. In order to compare and bring the positions of the parties in the case closer together, discover additional possibilities for settling the dispute with regard to the interests of the parties, to render them assistance in reaching a mutually acceptable result of conciliation based also on the parties' understanding and assessment of the substantiated nature of the stated claims and objections, the court conciliator may conduct negotiations with the parties and other persons participating in the case, study the documents presented by them, inspect the materials of the administrative case

with the consent of the court and perform other actions necessary for the effective settlement of the dispute and stipulated in the Rules of Court Conciliation, in particular provide recommendations to the parties for the purpose of settling the dispute within the shortest possible time. The court conciliator is not a trial participant and may not perform actions resulting in creation, alteration and termination of rights or obligations of persons participating in the case and of other participants of the court proceedings. The judge may request information about the course of the conciliatory procedure no more than once in fourteen calendar days.

6. The manner and conditions of remuneration of labour of retired judges acting as court conciliators are determined by the Government of the Russian Federation.

Article 137.7. Results of Conciliatory Procedures

1. The results of conciliation of persons participating in the case may in particular be the following:

1) a conciliation agreement in regard of all or part of the stated claims;

2) full or partial renunciation of the administrative claim;

3) full or partial acknowledgment of the administrative claim;

4) full or partial renunciation of the (prosecutor's) appeal, cassation or supervisory appeal;

5) acknowledgment of the facts on which the other party bases its claims or objections;

6) an agreement regarding the facts.

2. The full or partial acknowledgment of facts, of the administrative claim (of claims), renunciation of the administrative claim (of claims) is accepted by the court in the manner stipulated in this Code.

3. The acknowledgment of the facts on which the other party bases its claims or objections may take the form of a party's unilateral statement that it agrees with the position of the other party, or the form of an agreement regarding the facts.

Article 138. Preliminary Court Session

1. A preliminary court session is conducted in order to:

1) clarify the facts that have significance for the correct consideration and adjudication of the administrative case;

2) determine the sufficiency of evidence in the administrative case;

3) determine, whether the period for applying to court with an administrative statement of claim was missed;

4) procedurally record the actions of the parties, performed during the preparation of the administrative case for trial;

5) determine whether it is possible to resolve the administrative dispute prior to the trial, in particular through the use of conciliatory procedures.

2. The preliminary court session is conducted by a single judge responsible for preparing the administrative case for trial. Parties, other persons participating in the case and their representatives are notified of the time and place of the preliminary court session. Non-appearance of persons participating in the case or of their representatives, duly notified of the time and place of the preliminary court session, does not preclude the conduct of the session. The aforementioned persons may participate in the preliminary court session with the use of videoconferencing systems in accordance with Article 142 of this Code or of a web conferencing system in accordance with Article 142.1 of this Code.

3. At the preliminary court session, parties, other persons participating in the case, their representatives (or, where obligatory participation of a representative is stipulated, only the representatives) may present evidence, file motions, state their arguments regarding all the issues arising during this session.

4. If there are sufficient grounds, at the preliminary court session the court may stay proceedings in the administrative case, terminate them in full or in part or leave the administrative statement of claim without action in the manner stipulated in this Code for the resolution of corresponding issues, unless the given administrative case is subject to collective consideration.

5. At the preliminary court session, the court may ascertain the reasons, for which the administrative plaintiff missed the period stipulated in this Code for application to court. If the court finds that the period was missed without a good reason, it adopts a decision to refuse to satisfy the administrative claim without examining other facts of the administrative case. This decision cannot be adopted in administrative cases subject to collective consideration. The court decision may be appealed against in the manner stipulated in this Code.

5.1. The issue of transferring the case, accepted by the court for proceedings, to another court of general jurisdiction or a commercial court may be resolved at the preliminary court session.

6. After resolving all the issues referred for the preliminary court session, the court decides whether the administrative case is ready for trial.

7. Minutes of the conducted preliminary court session are drawn up in accordance with Articles 205 and 206 of this Code.

Article 139. Appointment of an Administrative Case for Trial

1. After finding an administrative case prepared, the court issues a decree on the appointment of the administrative case for trial. In the decree, the court indicates that the preparation of the administrative case for trial is complete, whether the interested persons were drawn to participation in the administrative case, whether claims were adjoined or severed and whether

other issues were resolved, in regard of which corresponding decrees were not issued. The court also stipulates the time and place of the court session in a court of first instance.

2. After finding the administrative case prepared, the court may conclude the preliminary court session and open the court session with consent of the persons participating in the case, provided that the persons participating in the case are present in the preliminary court session, or provided that the persons participating in the case are absent in the preliminary court session, but have been informed about the time and place of the preliminary court session and are asking to consider the administrative case on its merits in their absence, unless collective consideration of an administrative case is required in accordance with this Code.

Chapter 14. Trial

Article 140. Oral Nature of Trial

1. Trial in the administrative case is conducted in oral form, unless otherwise stipulated in this Code. If an administrative case is considered in a court session, persons participating in the case, other trial participants must be notified of the time and place of the court session.

2. Where stipulated in this Code, an administrative case may be tried without a court session, in the form of simplified (written) proceedings, as stipulated in Chapter 33 of this Code.

Article 141. Periods of Consideration and Adjudication of Administrative Cases

1. Administrative cases are considered and adjudicated by the Supreme Court of the Russian Federation within three months, and by other courts – within two months since the day of receipt of the administrative statement of claim by the court, including the time for preparing the administrative case for trial, unless another period for the consideration and adjudication of an administrative case is stipulated in this Code.

2. In complicated administrative cases, the court president, deputy court president, head of a panel of judges may prolong the period stipulated in Part 1 of this Article, for one month at most.

3. The period, for which the administrative statement of claim was left without action (where so stipulated in this Code), is not included into the period of consideration and adjudication of the administrative case, but is taken into account in determining the reasonable time of proceedings.

4. In case of transfer to consideration of the case under the rules of administrative judicial procedure, if the grounds or the subject matter of the administrative claim is changed, the period of consideration and adjudication of the administrative case is reset.

Article 142. Participation in a Court Session via Videoconferencing Systems

1. If the presence of a person is required in a court session for the correct consideration and adjudication of an administrative case, and that is impossible for that person for objective

reasons, the issue of participation of that person in the court session is resolved by the court (upon the motion of persons participating in the case or the court's own initiative) with the use of videoconferencing systems, if that is technically possible.

2. Videoconferencing systems may be used in the court at the place of residence, stay or location of the person, whose presence in the court session is required, but who has no possibility to appear before the court considering the administrative case. In order to ensure the participation of persons in custody or in confinement in the court session, the videoconferencing systems of the corresponding institutions are used.

3. The court issues a decree on participation of persons, whose presence is necessary for the correct consideration of the administrative case, via videoconferencing systems. Copies of this decree are forwarded to the corresponding participants of court proceedings and to the corresponding court or institution, with which the videoconferencing connection will be established, no later than on the working day following the day of issuance of the decree.

4. In order to ensure the participation in the court session of a person, whose presence is necessary for the correct consideration of the administrative case, the court session secretary of the court considering the administrative case or a judge's assistant establishes connection with the court or institution, in which videoconferencing systems are used. At the instructions of the presiding judge, the court session secretary at the location of the aforementioned person or a judge's assistant checks the presence of persons, who are to participate in the court session via videoconferencing systems, establishes their identity and performs other instructions of the presiding judge. In particular, the court session secretary takes a signed acknowledgement from the witness regarding his duties and regarding the warning about criminal liability for refusal to testify or for perjury, accepts written materials from the trial participants. All documents received in the court, in which videoconferencing was organised, are forwarded to the court considering the administrative case in order to be attached to the minutes of the court session, no later than on the day following the day of the court session.

5. Where, in order to ensure participation in the court session of persons in custody or confinement, videoconferencing systems of the corresponding institutions are used, the corresponding court decree is executed by the head of the institution, in which the indicated persons are held in custody or serve their sentence in the form of deprivation of liberty.

6. Rules stipulated in this Article may be applied in a court of appeal, cassation or supervision.

Article 142.1. Participation in a Court Session via a Web Conferencing System

1. Persons participating in the case and other participants of proceedings may participate in the court session via a web conferencing system, provided that they file the corresponding motion, or at the initiative of the court, if the participation in a court session of a person unable to personally attend the court session for objective reasons is necessary for the correct consideration and adjudication of the administrative case, as well as if it is technically possible for the court to engage in a web conference.

2. The identity of the citizen, his representative or of a representative of a legal person

participating in the court session via a web conferencing system is established with the use of information-technological means ensuring the identification of a person without their personal presence (the single identification and authentication system, single personal data information system, ensuring the processing (including collection and storage) of biometric personal data, their verification and transfer of information regarding the degree of their correspondence to the presented biometric personal data of a citizen of the Russian Federation (hereinafter – "the single biometric system").

3. The court issues a decree regarding the participation of persons, referred to in Part 1 of this Article, in the court session via a web conferencing system, indicating in it the time of the court session. Information necessary for participation in the court session via a web conferencing system is sent to the aforementioned persons in advance, in electronic form.

4. The court considering the administrative case refuses to satisfy a motion for participation in the court session via a web conferencing system, if:

1) there is no technical possibility for participation in the court session via a web conferencing system;

2) the administrative case is considered *in camera*.

5. During the court session, persons participating in the case and other participants of proceedings participating in the court session via a web conferencing system may submit applications, motions and documents attached thereto in electronic form.

6. The court considering the administrative case takes a signed acknowledgment from the witnesses, experts, interpreters participating in the court session via a web conferencing system regarding the explanation of their rights and duties and the warning about the liability for their violation. The acknowledgment is presented to the court in the form of an electronic document signed by an enhanced qualified electronic signature.

Article 143. Presiding Judge

1. The presiding judge:

1) directs the course of the proceedings;

2) creates conditions for a full and comprehensive examination of evidence and ascertainment of facts of the administrative case;

3) removes from the trial that which does not pertain to the administrative case under consideration;

4) gives the floor to trial participants; where stipulated in this Code, may in the name of the court use measures of procedural compulsion against participants violating the rules of presentation by limiting a participant's presentation or ruling a participant out of order.

2. The presiding judge takes measures to maintain due order in the court session. Orders of the presiding judge are obligatory for all trial participants and persons present in the court session. In

the name of the court, the presiding judge may issue a warning to persons disturbing the order of the court session, may expel them from the courtroom for the whole duration of the court session or its part, may impose a court fine on them in the manner and amount stipulated in Articles 122 and 123 of this Code. The presiding judge informs the person participating in the case and readmitted to the courtroom of all the procedural actions performed in the absence of that person.

3. If necessary, the presiding judge explains his actions. If any of the trial participants object against the actions of the presiding judge, these objections are entered into the minutes of the court session.

Article 144. Order in the Court Session

1. Trial participants and other citizens present in the courtroom are obliged to maintain the order established in the court session.

2. When judges enter the courtroom or leave the courtroom to adopt a judicial act, all those present in the courtroom rise. Persons present in the courtroom during the announcement of the court decision or, if a decision is not adopted, during the announcement of a court decree finalising the proceedings in the administrative case, hear that announcement while standing.

3. Trial participants address the court with the words "Honourable Court," [uvazhayemiy sud] and address the judge with the words “Your Honour,” [vasha chest]. Trial participants testify and give their explanations to the court, question the persons participating in the case and answer the questions of the court while standing and only after they are given the floor by the presiding judge. This rule may be departed from with permission of the presiding judge.

4. The trial is conducted in conditions guaranteeing order in the court session and the safety of trial participants.

5. Actions of persons present in the courtroom and performing photography, video recording, radio, TV- or Internet broadcasting of the court session, allowed by the court, must not disturb the order established in the court session. The court may limit the time for these actions. These actions must be performed on the places designated in the courtroom by the court, with regard to the opinion of persons participating in the case.

6. After an oral warning, measures of procedural compulsion stipulated in this Code may be taken against persons disturbing the order in the court session and disobeying the lawful orders of the presiding judge.

Article 145. Opening a Court Session

At the time designated for the trial in the administrative case the presiding judge opens the court session and announces, what administrative case is subject to consideration.

Article 146. Checking Appearance of Trial Participants

1. The secretary of the court session or a judge’s assistant reports to the court, who of the persons summoned in the administrative case have appeared, whether the persons not appearing in the court session were duly notified, and what information there is regarding the reasons for their non-appearance.

2. The presiding judge or the court or institution ensuring the participation of persons, whose presence is necessary for the correct consideration and adjudication of the administrative case, via videoconferencing systems, establishes the identity of every trial participant that has appeared in the court session, checks the powers of officials, representatives.

Article 147. Participation of an Interpreter

1. The court may draw an interpreter to participation in the trial on its own initiative or upon the motion of persons participating in the case. When appointing an interpreter from a number of candidates, the court takes into account the opinion of persons participating in the case.

2. Rights and duties of the interpreter, stipulated in Article 52 of this Code, are explained to him.

3. The interpreter is warned about the liability, stipulated in the Criminal Code of the Russian Federation for knowingly providing a false translation. The interpreter signs an acknowledgement in respect of the warning, which is attached to the minutes of the court session.

Article 148. Expulsion of Witnesses from the Courtroom

The presiding judge takes measures to avoid contact between the witnesses that have testified and those that have not yet testified. Until witness examination begins, the presiding judge expels the witnesses from the courtroom. As regards witnesses that testify via videoconferencing systems or a web conferencing system, the judge takes measures to exclude the possibility of participation of such witnesses in the court session via aforementioned means until their examination begins.

Article 149. Announcement of the Composition of the Court and Explanation of the Right for Self-Recusal and Recusal

1. The presiding judge announces the composition of the court, informs, who participates in the court session in the capacity of a prosecutor, judge’s assistant, court session secretary, of representatives of parties and interested persons, of an expert, specialist, interpreter. The presiding judge explains to the persons participating in the case their right to apply for self-recusal and recusal.

2. The grounds for self-recusal and recusal, the manner of resolution of the corresponding issues and the consequences of satisfaction of applications for self-recusal and recusal are stipulated in Articles 31-36 of this Code.

Article 150. Consequences of Non-Appearance of Persons Participating in the Case, Their Representatives in the Court Session

1. The court postpones the trial in the administrative case, if one of the following persons fails to appear in the court session:

1) one of the persons participating in the case, if there is no information regarding its notification about the time and place of the court session;

2) a duly notified administrative defendant, not vested with state or other public powers, whose presence in the court session is obligatory in accordance with the law or deemed obligatory by the court;

3) a representative of a person participating in the case, where this Code stipulates obligatory participation of a representative.

2. Before the court session begins, persons participating in the case, as well as their representatives (if the representatives are notified by the court or if obligatory participation of representatives in the case is stipulated) are obliged to inform the court about their inability to appear in the court session and about the reasons for non-appearance. Persons whose participation in the consideration of an administrative case is obligatory in accordance with the law or deemed obligatory by the court must inform the court about the reasons for their non-appearance in the court session and present the corresponding evidence. If the aforementioned persons fail to inform the court of the reasons for their non-appearance in the court session within the stipulated period, such reasons are not regarded as good; it cannot be concluded based on these reasons that the procedural rights of those persons were violated.

3. Unless otherwise stipulated in this Code, if a person whose participation in the consideration of an administrative case is obligatory in accordance with the law or deemed obligatory by the court fails to appear in the court session, a court fine is imposed upon that person in the manner and amount stipulated in Articles 122 and 123 of this Code.

4. In case of repeated non-appearance without a good reason:

1) of a person referred to in Item 2 of Part 1 of this Article, that person may be subject to compelled appearance in the manner stipulated in Article 120 of this Code; herewith, the consideration of the administrative case is postponed;

2) of a representative referred to in Item 3 of Part 1 of this Article, a court fine is imposed in the manner and amount stipulated in Articles 122 and 123 of this Code upon the person at fault.

5. If there is information that the persons referred to in Items 1 and 2 of Part 4 of this Article repeatedly failed to appear before the court for good reasons, the trial in the administrative case is postponed.

6. The court may postpone the trial in the administrative case, if:

1) a person participating in the case that filed a motion for the postponement of trial and presented evidence of the good reasons for the non-appearance does not appear in the court session for a good reason;

2) a representative of a person participating in the case does not appear in the court session for a good reason (where participation of a representative is not obligatory), and the represented person files a motion for the postponement of trial, stating the reasons, for which it is impossible to consider the administrative case in the absence of the representative, and presents evidence of the good reasons for the non-appearance.

7. If all the persons participating in the case (as well as their representatives), duly notified of the time and place of its consideration, fail to appear in the court session, and their appearance is not obligatory or is not deemed obligatory by the court, the court considers the administrative case in simplified (written) proceedings, regulated in Chapter 33 of this Code.

8. If a person participating in the case leaves the court session without a good reason, measures stipulated in this Code for persons participating in the case, who were duly notified of the time and place of the court session and failed to appear without a good reason, are used against such a person.

Article 151. Consequences of Non-Appearance of Witnesses, Experts, Specialists, Interpreters in the Court Session

1. *Abrogated.*

2. If duly notified witnesses, experts, specialists, interpreters fail to appear in the court session, the court hears the opinions of persons participating in the case, their representatives and issues a decree regarding the possibility of consideration of the administrative case in the absence of those persons or a decree on the postponement of trial.

3. A court fine in the manner and amount, stipulated in Articles 122 and 123 of this Code, may be imposed upon the summoned experts, specialists, interpreters, who failed to appear in the court session and to present information about the good reasons for their non-appearance, unless other consequences of non-appearance are stipulated in this Code. Repeated non-appearance of a duly notified witness or repeated failure of the witness to inform the court about the reasons for the non-appearance may result in compelled appearance, as stipulated in Article 120 of this Code.

Article 152. Postponement of Trial in an Administrative Case

1. Postponement of trial in an administrative case is allowed, where so stipulated in this Code.

2. The court may postpone the trial in an administrative case, if:

1) it finds it impossible to consider the administrative case in the current court session, in particular due to the non-appearance of one of the trial participants, if the court has reasoned doubts as to whether the actual person that passed identification or authentication is participating in the court session, or as to the expression of will of that person, as well as if an administrative statement of counterclaim is submitted;

2) there are malfunctions during the use of the technical equipment of the court session, including the videoconferencing systems or the web conferencing system;

3) a party's motion for the postponement of trial in the administrative case, stating the need to present additional evidence, is satisfied;

4) it becomes necessary to perform other procedural actions.

3. The court may postpone the trial in the administrative case upon the motion of a person participating in the case, if it is necessary for the court to acquire additional evidence and other information in order to ensure a comprehensive, full and objective ascertainment of facts of the administrative case.

4. The court issues a decree on the postponement of trial in the administrative case.

5. If trial in the administrative case is postponed, the court may still examine the witnesses, who appeared in the court session, if the parties are present in the session. The witnesses that already testified are summoned into the new court session only if it is necessary to examine them repeatedly.

6. If trial in the administrative case is postponed, the date and time of a new court session are set, taking into account the time necessary to summon the trial participants or to request the evidence. This is announced to persons present in the court session, who give a written acknowledgement in the minutes of the court session. Corresponding notifications and summons are forwarded to the persons, who are absent from the court session or repeatedly drawn to participation in the case.

7. After postponement, the trial in the administrative case begins anew. If the parties do not insist on repeating the explanations of all trial participants, are familiar with the materials of the administrative case, including the earlier given explanations of trial participants, and the composition of the court has not changed, the court may grant the trial participants the right to confirm the earlier given explanations without repeating them, to update them, to ask additional questions.

Article 153. Explanation to Persons Participating in the Case of Their Procedural Rights and Duties, Clarifications regarding the Powers of the Representative

The presiding judge explains to persons participating in the case their rights and duties and also gives clarifications regarding the powers of the representative, if his participation is obligatory in the conduct of the case.

Article 154. Consideration of Motions of Persons Participating in the Case

Motions of persons participating in the case and of their representatives regarding the trial in the administrative case are considered by the court after it hears the opinions of other persons participating in the case, their representatives. After considering a motion, the court issues a decree.

Article 155. Explanation to Expert and Specialist of Their Rights and Duties

1. The presiding judge explains to the expert and specialist their rights and duties stipulated, accordingly, in Articles 49 and 50 of this Code.

2. The presiding judge warns the expert of the liability stipulated in the Criminal Code of the Russian Federation for knowingly making a false conclusion. The expert signs an acknowledgement in this regard, which is attached to the minutes of the court session.

Article 156. Beginning of Consideration of the Administrative Case on its Merits

1. The presiding judge or one of the judges reports the administrative case. Then the presiding judge ascertains, whether the administrative plaintiff supports the administrative claim, whether the administrative defendant acknowledges the administrative claim, and, if it is possible to conclude a conciliation agreement in this category of administrative cases, whether the parties wish to finalise the case by concluding a conciliation agreement. Corresponding notes are made in this regard in the minutes of the court session.

2. If the administrative case is considered in the absence of a person participating in the case, who stated his arguments regarding the administrative claims in the form of written explanations, the presiding judge reads out these explanations.

Article 157. Renunciation of the Administrative Claim by the Administrative Plaintiff, Its Representative; Acknowledgement of the Administrative Claim by the Administrative Defendant, Its Representative; Conciliation Agreement

1. Statements of the administrative plaintiff, its representative regarding the renunciation of the administrative claim, statements of the administrative defendant, its representative regarding the acknowledgement of the administrative claim, as well as the conditions of a conciliation

agreement are entered into the minutes of the court session and signed by the administrative plaintiff, administrative defendant or by both parties, their representatives. Written statements regarding the renunciation or acknowledgement of the administrative claim, as well as the conditions of the conciliation agreement are attached to the materials of the administrative case. This is indicated in the minutes of the court session.

2. If in a given category of administrative cases it is not allowed to accept the renunciation or acknowledgement of the administrative claim or to approve a conciliation agreement, the court clarifies this to the administrative plaintiff and (or) the administrative defendant, their representatives. If the aforementioned actions are allowed in this category of administrative cases, the court clarifies the consequences of renunciation, acknowledgment of the administrative claim or of approval of the conciliation agreement.

3. If the court accepts the renunciation of the administrative claim or approves the conciliation agreement, it issues a decree that simultaneously terminates proceedings in the administrative case in full or in the corresponding part. The decree must indicate the conditions of the approved conciliation agreement of the parties. If the administrative defendant acknowledges the administrative claim, and this is accepted by the court, a decision is adopted to satisfy the claims stated by the administrative plaintiff.

4. If the court does not accept the renunciation, acknowledgement of the administrative claim or if it is impossible to accept it, or if the court does not approve the conciliation agreement, it issues a decree in this regard and continues the consideration of the case on its merits.

Article 158. Order of Examination of Evidence

The court establishes the order of examination of evidence in the administrative case, taking into account the opinions of persons participating in the case, their representatives. If necessary, the order of examination of evidence may be altered.

Article 159. Explanations of Persons Participating in the Case

1. After the administrative case is reported, the court hears explanations of the administrative plaintiff, administrative defendant and of the interested persons, their representatives. The prosecutor, representatives of public authorities, other state bodies, local self-government bodies, organisations and citizens applying to court for the protection of rights, freedoms and lawful interests of other persons state their explanations before the administrative plaintiff. Persons participating in the case, their representatives may question one another. The court may question the persons participating in the case, their representatives at any moment of their explanations.

2. If persons participating in the case, their representatives fail to appear in the court session, as well as where Articles 66 and 67 of this Code apply, their written explanations are read out by the presiding judge.

Article 160. Warning the Witness about the Liability for Refusal to Testify and Perjury

1. Before a witness is examined, the presiding judge, the court or the institution ensuring the participation of the witness in the court session via videoconferencing systems establishes his identity. The presiding judge explains to the witness his rights and duties, stipulated in Article 51 of this Code, warns the witness about the liability stipulated in the Criminal Code of the Russian Federation for refusal to testify or for perjury. The witness signs an acknowledgement, stating that his duties and liability were explained to him. The acknowledgement is attached to the minutes of the court session.

1.1. If a witness is examined via a web conferencing system, his identity is established with the use of information-technological means ensuring the identification of a person without their personal presence (the single identification and authentication system, the single biometric system). An acknowledgement is taken from the witness, stating that his duties and liability were explained to him. The acknowledgement must be signed by the witness' enhanced qualified electronic signature.

2. To a witness under the age of sixteen, the presiding judge explains the duty to truly state all the information regarding the administrative case, known to him. Such a witness is not warned about the liability for refusal to testify or for perjury.

Article 161. Witness Examination

1. Every witness is examined separately, except when the court appoints simultaneous examination of two or more witnesses in order ascertain why their testimonies differ.

2. Witness examination via videoconferencing systems is performed by the court considering the administrative case in accordance with the general rules stipulated in this Code for the examination of a witness, with due regard to the special rules stipulated in Article 142 of this Code.

2.1. Witness examination via a web conferencing system is performed by the court considering the administrative case in accordance with the general rules stipulated in this Code for the examination of a witness, with due regard to the special rules stipulated in Article 142.1 of this Code.

3. The presiding judge ascertains, what relations exist between the witness and the persons participating in the case, and suggests it to the witness to state to the court all the information, personally known to him about the facts of the administrative case.

4. During the examination, the witness may use written materials, if his testimony contains data that is hard to keep in mind. After the end of the examination, these materials are presented to the court, the persons participating in the case, their representatives and may be attached to the administrative case by virtue of a court decree.

5. After that, the witness may be asked questions. The first one to ask questions is the person, upon whose application the witness was summoned, or the representative of that person,

followed by other persons participating in the case, their representatives. The court may ask the witness at any time of the examination.

6. If necessary, the court may repeatedly examine the witness during the same or the next court session and may repeatedly examine other witnesses in order to clarify the controversies in their testimonies.

7. The witness who already testified stays in the courtroom until the end of consideration of the administrative case, unless the court allows that witness to leave earlier.

Article 162. Examination of a Underage Witness

1. Witnesses under the age of fourteen (and, if the court so decides, witnesses over the age of fourteen and under the age of sixteen) are examined in the presence of a teaching employee, summoned before the court. If necessary, parents, foster parents, custodian or guardian of the underage witness are summoned as well, unless they are interested in the outcome of the administrative case. With permission of the presiding judge, the aforementioned persons may question the witness and state their opinion regarding the personality of the witness and the contents of his testimony.

2. In exceptional circumstances, if that is necessary to establish the facts of the administrative case, a person participating in the case or a citizen present in the courtroom may be expelled from the courtroom for the time of examination of the underage witness, upon the decree of the court. After returning to the courtroom, the person participating in the case, its representative must be informed of the contents of the testimony of the underage witness and must be given the opportunity to question the witness.

3. After the end of the examination, the witness under the age of sixteen is expelled from the courtroom, unless the court deems the presence of that witness in the courtroom necessary.

Article 163. Reading out the Testimony

Testimony acquired in accordance with Part 5 of Article 51, Articles 66 and 67, Part 5 of Article 152 of this Code is read out in the court session. After that, persons participating in the case, their representatives may give explanations regarding the testimony.

Article 164. Examination of Written Evidence

1. Written evidence, including the minutes of inspection of written evidence drawn up where Articles 66, 67 and 74 of this Code apply, is read out in the court session and presented to persons participating in the case, their representatives and, when necessary, to witnesses, experts, specialists.

2. Persons participating in the case, their representatives may give clarifications and explanations and ask witnesses, experts, specialists about the written evidence.

Article 165. Reading out and Examining Correspondence, Phone Conversations, Postal, Telegraph or Other Messages of Citizens

In order to protect the privacy of correspondence, phone conversations, postal, telegraph and other messages of citizens, their contents may only be read out and examined by the court in an open session with the consent of persons that exchanged correspondence, postal, telegraph or other messages. Without the consent of these persons, their correspondence, phone conversations, postal, telegraph or other messages are read out and examined *in camera*.

Article 166. Examination of Real Evidence

1. Real evidence is examined by the court and presented to persons participating in the case, their representatives and, when necessary, to witnesses, experts, specialists. Persons, to whom real evidence is presented, may point the attention of the court to certain facts pertaining to the real evidence or inspection thereof. Their statements in this regard are entered into the minutes of the court session.

2. Minutes of inspection of real evidence, performed in the manner stipulated in Articles 66, 67 and 74 of this Code, are read out in the court session. Persons participating in the case, their representatives may give explanations regarding the aforementioned minutes.

Article 167. Playback and Examination of Audio and Video Recordings

1. Rules stipulated in Article 165 of this Code apply to the playback of audio and video recordings, containing personal data.

2. The playback of audio and video recordings is performed in the courtroom or in another specially designated room. Technical characteristics of equipment and storage devices, as well as the time of playback are indicated in the minutes of the court session. After the playback, the court hears the explanations of persons participating in the case. If necessary, the playback may be repeated in full or in part.

3. A specialist may be drawn in order to ascertain information contained in the audio or video recordings. If necessary, the court may appoint an expert examination.

Article 168. Examination of the Expert Conclusion. Appointment of Additional or Repeated Expert Examination

1. The expert conclusion is read out in the court session. The expert may be questioned in order to clarify and supplement the conclusion. The first ones to ask questions are the person, upon whose motion the expert examination was appointed, the representative of that person, followed by other persons participating in the case, their representatives. If the expert examination was appointed upon the initiative of the court or upon the motion of both parties, the administrative

plaintiff or its representative is the first one to ask questions. The court may question the expert at any time of the examination.

2. The expert conclusion is examined in the court session, assessed by the court along with other evidence and does not have predetermined force for the court. If the court does not agree with the expert conclusion, reasons for the disagreement must be provided in the court decision in the administrative case or in the court decree to appoint an additional or repeated expert examination, carried out where so stipulated and in the manner stipulated in Article 83 of this Code.

Article 169. Specialist's Consultation

1. The specialist provides the court with an oral or written consultation, based on his professional knowledge, without performing any special studies appointed by virtue of a court decree.

2. A specialist's written consultation is read out in the court session and attached to the administrative case. The specialist's oral consultation and clarifications are entered into the minutes of the court session.

3. The specialist may be questioned in order to clarify and supplement the consultation. The first ones to ask questions are the person, upon whose motion the specialist was drawn to participation, the representative of that person, followed by other persons participating in the case, their representatives. If the specialist was drawn to participation upon the initiative of the court or upon the motion of both parties, the administrative plaintiff or its representative is the first one to ask questions. The court may question the specialist at any time of the examination.

4. The specialist's consultation does not pertain to the body of evidence in the administrative case.

Article 170. Finalisation of Consideration of the Administrative Case on Its Merits

After the examination of all the evidence, the presiding judge gives the floor to the prosecutor or a person giving a conclusion on the administrative case and asks other persons participating in the case, their representatives, whether they wish to present additional explanations. If there are no further explanations, the presiding judge announces the consideration of the administrative case on its merits finalised, and the court proceeds to judicial pleadings.

Article 171. Judicial Pleadings

1. Judicial pleadings consist of speeches of persons participating in the case, their representatives. The administrative plaintiff, its representative are the first to speak during the pleadings, followed by the administrative defendant, its representative.

2. The interested person, its representative speak in judicial pleadings after the parties, their representatives.

3. The prosecutor, representatives of public authorities, other state bodies, local self-government bodies, organisations and citizens applying to court for the protection of rights, freedoms and lawful interests of other persons are the first to speak in judicial pleadings.

4. Persons participating in judicial pleadings have no right to refer to the facts that were not ascertained by the court and to evidence that was not examined in the court session.

5. The presiding judge may use measures of procedural compulsion and stop the speaker if he goes outside the framework of the administrative case under consideration.

6. After presenting their speeches, all persons participating in the case, their representatives may, with the permission of the court, make rebuttals regarding what was said. The right of the last rebuttal always belongs to the administrative defendant, its representative.

Article 172. Resumption of Consideration of the Administrative Case on its Merits

If, during or after the judicial pleadings, the court deems it necessary to ascertain new facts that have significance for the consideration of the administrative case or to examine new evidence, it issues a decree to resume the consideration of the administrative case on its merits. After the consideration of the administrative case on its merits is finalised, judicial pleadings take place in the general manner.

Article 173. Retirement of the Court for the Adoption of a Decision

After the judicial pleadings the court retires into the deliberation room to adopt a decision in the administrative case. The presiding judge informs those present in the courtroom about this.

Article 174. Announcement of the Court Decision

1. After the decision is adopted and signed, the court returns to the courtroom, where the presiding judge or one of the judges announces the decision of the court. The presiding judge then orally explains the meaning of the court decision, the manner and period for appealing against it.

2. If only the operative part of the decision is announced, the presiding judge clarifies, when the reasoned decision will be drawn up, and in what manner the persons participating in the case, their representatives will be informed of the decision.

Chapter 15. Court Decision

Article 175. Adopting a Court Decision

1. When a court of first instance adjudicates an administrative case on its merits, the decision is adopted in the name of the Russian Federation.

2. The decision is adopted by the court in the deliberation room.

3. Only the judge considering the administrative case singly or judges that make up the composition of the court considering the administrative case may be present in the deliberation room during the adoption of the decision.

4. If an administrative case is considered by a collective composition of the court, the judges deliberate in the manner stipulated in Article 30 of this Code. Judges cannot divulge information articulated during the discussion and adoption of the decision, or in any other way violate the secrecy of deliberations. Herewith, the statement of a dissenting opinion by a judge in the manner stipulated in Article 30 of this Code cannot be regarded as violation of secrecy of deliberations.

Article 176. Lawfulness and Substantiation of a Court Decision

1. The decision of the court must be lawful and substantiated.

2. The court decision is based only on evidence that was examined in the court session.

Article 177. Drawing Up a Reasoned Court Decision

1. The court decision is adopted immediately after the trial in the administrative case.

2. Only the operative part of the decision may be announced in a complex administrative case. The drawing up of a reasoned decision may be postponed for a maximum of ten days since the day of the end of trial in the administrative case, unless otherwise stipulated in this Code. The announced operative part of the decision must be signed by all the judges that participated in the adoption of the decision, including the judge that has a dissenting opinion, and attached to the administrative case.

3. When the operative part of a court decision is drawn in the form of an electronic document, a copy of that operative part of a court decision is additionally made in paper form.

Article 178. Issues Resolved during the Adoption of the Court Decision

1. The court adopts the decision regarding the administrative claims stated by the administrative plaintiff. Where stipulated in this Code, the court may exceed the bounds of the stated claims (of the subject matter of the administrative statement of claim or the grounds and arguments referred to by the administrative plaintiff).

2. When adopting the decision, the court establishes, what law norms are to be applied in the administrative case, establishes the rights and duties of persons participating in the case, decides whether the administrative claim is to be satisfied; if necessary, stipulates the manner and period for the execution of the decision.

3. When adopting the decision, the court also resolves issues of preserving or cancelling provisional measures regarding the administrative claim, the fate of real evidence, the distribution of court costs and other issues that arise in the course of trial and need to be resolved.

4. If the court deems it necessary to ascertain new facts that have significance for the consideration of the administrative case or to examine new evidence, it issues a decree to renew the trial. After the consideration of the administrative case on its merits is finalised, the court hears the judicial pleadings again.

Article 179. Stating the Court Decision

1. The court decision is stated in written form by the presiding judge or by one of the judges.

1.1. The court decision may be drawn in the form of an electronic document. When the decision is drawn in the form of an electronic document, a copy of that decision is additionally made in paper form.

2. If the administrative case is considered by a single judge, the decision is signed by that judge. If the administrative case is considered by a collective composition of the court, it is signed by all the judges, including the judge who has a dissenting opinion. Corrections entered into the court decision must be certified by signatures of the judges.

Article 180. Contents of a Court Decision

1. A court decision consists of the introductory part, the descriptive part, the statement of reasons and the operative part.

2. The introductory part of the court decision must indicate:

1) the number of the administrative case;

2) the date and time of adoption of the court decision;

3) the name of the court that adopted the decision;

4) the composition of the court;

5) information about the parties, other persons participating in the case, their representatives, about the judge’s assistant, court session secretary, other participants of court proceedings, the subject matter of the administrative claim.

3. The descriptive part of the court decision must contain the statement of claims of the administrative plaintiff, the objections of the administrative defendant, the opinions of other persons participating in the case.

4. The statement of reasons must indicate:

1) facts of the administrative case, established by the court;

2) evidence, on which the conclusions of the court regarding those facts are based;

3) arguments, based on which the court dismisses certain pieces of evidence;

4) normative legal acts that the court applied in adopting the decision, as well as substantiation regarding the issues referred to in Part 6 of this Article. The statement of reasons may contain references to decisions of the Constitutional Court of the Russian Federation, Rulings of the Plenary Session of the Supreme Court of the Russian Federation, rulings of the Presidium of the Supreme Court of the Russian Federation, case law reviews of the Supreme Court of the Russian Federation adopted by the Presidium of the Supreme Court of the Russian Federation in order to ensure the consistency of judicial practice and lawfulness.

5. If the court refuses to satisfy the administrative claim, as the period for application to court was missed without a good reason, and it is impossible to restore that period, where so stipulated in this Code, the statement of reasons may solely indicate that the court established these facts.

6. Unless otherwise stipulated in this Code, the operative part of the court decision must contain:

1) conclusions of the court regarding the satisfaction of the administrative claim in full or in part or regarding the refusal to satisfy the administrative claim;

2) conclusions of the court regarding the issues resolved by it based on the facts of the administrative case; in particular – indications as to the manner and period for the execution of the court decision, the immediate execution of the court decision (if so ordered by the court), the fate of the real evidence (unless this issue was resolved prior to the adoption of the court decision), the preservation or cancellation of provisional measures regarding the administrative claim, the satisfaction of the civil claim in full or in part or the refusal to satisfy the civil claim;

3) other information, subject to indication during adjudication of administrative cases of a certain category in accordance with this Code;

4) indication regarding the distribution of court costs;

5) the manner and period for appealing against the court decision.

Article 181. Court Decision in Favour of Several Administrative Plaintiffs or Against Several Administrative Defendants

1. If a court decision is adopted in favour of several administrative plaintiffs, the court indicates, how the violations committed against each of the administrative plaintiffs are to be remedied.

2. If a court decision is adopted against several administrative defendants, the court indicates, how the violations committed against the administrative plaintiff are to be remedied, and which of the administrative defendants must remedy those violations.

Article 182. Handing and Forwarding Court Decision Copies

1. A court decision drawn up in the form of an electronic document is forwarded to the persons participating in the case by placing it in the Internet in the stipulated manner, in restricted access mode, no later than on the day following the day of its adoption.

2. A court decision drawn up in the form of an electronic document may also be forwarded to a participant of proceedings through the single public and municipal services portal or through an e-document workflow system of the participant of proceedings with the use of the single interagency electronic interaction system.

3. Upon the motion of persons referred to in Part 1 of this Article, copies of the court decision drawn up in electronic form are handed to them in paper form against acknowledgment of receipt or sent no later than three days from receipt of the corresponding motion.

4. If a court decision is only drawn up in paper form, copies of the court decision are handed against acknowledgment of receipt to persons participating in the case, their representatives or are sent to them no later than three days from the day of adoption of the court decision in its final form, unless otherwise stipulated in this Code.

5. Where so stipulated and within the periods stipulated in this Code, copies of the court decision are also forwarded to other persons, in paper form or in the form of an electronic document.

Article 183. Additional Court Decision

1. Until the decision in the administrative case comes into effect, the court that adopted the decision may adopt an additional decision upon the applications of persons participating in the case or upon its own initiative, if:

1) the court decision does not concern one of the claims, in regard to which persons participating in the case presented evidence and gave explanations;

2) in resolving the issue of restoration of violated rights of the administrative plaintiff, the court did not indicate the corresponding actions that the administrative defendant is obliged to perform;

3) the issue of court costs was not resolved by the court.

2. The additional court decision or the court decree on refusal to adopt such a decision is adopted by the court after the issue of adopting an additional court decision is considered in a court session. Persons participating in the case are notified of the time and place of the court session, but their non-appearance does not preclude the consideration and resolution of the aforementioned issue.

3. The additional court decision or the court decree on the refusal to adopt such a decision may be appealed against.

Article 184. Correction of Slips of Pen, Misprints, Obvious Arithmetical Errors in the Court Decision

1. After the decision in the administrative case is announced, the court that adopted it has no right to reverse or alter it.

2. Upon the motions of persons participating in the case or upon its own initiative, the court that adopted the decision in the administrative case may correct slips of the pen, misprints, obvious arithmetical errors made in the court decision, independent of whether the decision came into effect or not.

2.1. Issues of correcting the slips of pen, misprints, obvious arithmetical errors in the court decision are considered by the court within ten days after receipt of the corresponding application without holding a court session and without notifying the persons participating in the case. If necessary, the court may summon the persons participating in the case to a court session, notifying them about its time and place.

3. A procedural appeal may be submitted against the court decree regarding the corrections in the court decision or the refusal to correct the court decision.

Article 185. Clarification of the Court Decision

1. If the decision is unclear, the court that adopted it may, upon the application of persons participating in the case, clarify the court decision without changing its contents.

2. It is allowed to clarify the decision if it has not been executed and if the period for the enforcement of the court decision has not yet expired.

3. The application for the clarification of the court decision is considered in a court session. Persons participating in the case are notified of the time and place of the court session, but their non-appearance does not preclude the consideration and resolution of the issue of clarification of the court decision.

4. Copies of the decree on clarification of the court decision or on refusal to clarify the court decision are forwarded to persons participating in the case no later than on the working day following the day of issuance of the corresponding decree.

5. A procedural appeal may be submitted against the court decree on clarification of the court decision or on refusal to clarify the court decision.

Article 186. Coming of a Court Decision into Effect

1. If the court decision is not appealed against, it comes into effect after the expiration of the period stipulated in this Code for appeal.

2. If an appeal is submitted, the disputed court decision comes into effect after the consideration of the appeal by the court, unless the decision is reversed. If a decision of the court of first instance is reversed or altered by a decree of the court of appeal, and a new decision is adopted, it comes into effect immediately.

Article 187. Execution of a Court Decision

Unless subject to immediate execution, the court decision is executed after it comes into effect, in the manner stipulated in federal law. The court may stipulate a prescription period for the execution of the court decision, in accordance with the nature of the corresponding claims.

Article 188. Immediate Execution of a Court Decision

1. A court decision is subject to immediate execution where so explicitly stipulated in this Code, as well as if the court orders the immediate execution of the adopted decision.

2. Unless this Code explicitly prohibits immediate execution of decisions in administrative cases of a certain category, the court may order the immediate execution of the decision in the administrative case at the request of the administrative plaintiff, if, due to special circumstances, the protraction of execution of this decision may significantly harm public or private interests. The issue of immediate execution of the court decision may be resolved simultaneously with the adoption of the decision.

3. The issue of ordering the immediate execution of a court decision is resolved in a court session. Persons participating in the case are notified of the time and place of the court session, but their non-appearance does not preclude the resolution of the issue of immediate execution of the court decision.

4. A procedural appeal may be submitted against the court decree on immediate execution of the court decision or on refusal to order immediate execution of the court decision. The appeal against the court decree on immediate execution of the court decision does not suspend the execution of the decree.

Article 189. Postponement or Execution of the Court Decision in Instalments, Change of the Means and Manner of Execution

1. In accordance with the applications of persons participating in the case, of the bailiff or taking into account the property status of the parties or other facts, the court that considered the administrative case may postpone the execution of the court decision or allow execution in instalments, or change the means and manner of its execution.

2. Applications referred to in Part 1 of this Article are considered in a court session. Persons participating in the case are notified of the time and place of the court session, but their non-appearance does not preclude the consideration and resolution of the pending issue regarding the

postponement or execution of the court decision in instalments, the change of means or manner of execution of the court decision.

3. A procedural appeal may be submitted against the court decree on the postponement of execution or execution of the court decision in instalments, change of the means and manner of execution.

Chapter 16. Stay of Proceedings in the Administrative Case

Article 190. Duty of the Court to Stay Proceedings in the Administrative Case

1. The court is obliged to stay proceedings in the administrative case:

1) in case of death of a citizen who is a party to the administrative case, if the disputable administrative legal relation or another public legal relation allows for legal succession (until a legal successor is determined);

2) if a citizen who is a party to the administrative case is recognised as legally incapable and does not have a statutory representative (until a statutory representative is determined);

3) if a citizen that is a party to an administrative case is participating in military action as part of the Armed Forces of the Russian Federation, other military forces, military formations and bodies created in accordance with the legislation of the Russian Federation, is participating in a counter-terrorist operation, has been drafted into military service within the framework of mobilisation, has concluded a contract on voluntary assistance in performance of the tasks entrusted to the Armed Forces of the Russian Federation, is performing tasks in conditions of a state of emergency or martial law, armed conflict, unless such a citizen has filed a motion for the administrative case to be considered in his absence;

4) if it is impossible to consider the administrative case until another case pending before a court of general jurisdiction, a commercial court is adjudicated (until the corresponding judicial act comes into effect);

5) if the court addresses the Constitutional Court of the Russian Federation with a request regarding the constitutionality of a law that is to be applied in the administrative case (until the judicial act comes into effect);

6) if, upon the motion of the parties or upon the motion of a party with consent of the other party, the court sets a period for the conciliation of the parties (until the end of that period).

2. The court also stays proceedings in the administrative case where so stipulated in this Code.

Article 191. Right of the Court to Stay Proceedings in the Administrative Case

1. The court may stay proceedings in the administrative case upon its own initiative or upon the applications of persons participating in the case:

1) if a public authority, a local self-government body, another body vested with state or other public powers is reorganised or disestablished (until the body competent to participate in public legal relations in the same sphere as the disputable legal relations or a body competent to protect the violated rights, freedoms and lawful interests of the administrative plaintiff is determined);

2) if a legal person that is a party to the administrative case undergoes reorganisation (until a legal successor is determined);

3) if a citizen who is a person participating in the case is in a medical institution or on a long-term service trip (until that citizen returns);

4) if a citizen is performing state duties stipulated in federal law, on condition that the citizen was drawn to the performance of those duties (until the citizen ceases to perform the aforementioned duties);

5) if the court appoints an expert examination (until the court receives the expert conclusion or until the expiration of the period stipulated by the court for carrying out an expert examination, or until the court receives information that it is impossible to carry out the examination);

6) if the court sends a letter of request in accordance with Articles 66 and 67 of this Code (until the court receives materials regarding the executed request or until the period stipulated by the court for the performance of corresponding actions expires, or until the court receives information that it is impossible to perform those actions);

7) if the Constitutional Court of the Russian Federation accepts a complaint regarding the violation of constitutional rights and freedoms of a citizen by a law that was applied in another case, but the ruling regarding which has significance for the consideration of the given administrative case (until the judicial act comes into effect);

8) if prior to applying to court with claims on challenge of decisions, actions (failure to act) of a public authority, local self-government body, other body, organisation vested with certain state or other public powers, of an official, state or municipal servant, with claims regarding recovery of compulsory payments and penalties the parties did not use pre-trial dispute settlement, and a citizen, organisation that is a party to the dispute does not object against using the corresponding conciliatory procedure, and its use may serve to ascertain the facts of the dispute, eradicate the contradictions in the positions of the parties, in particular through debt reconciliation;

9) if a citizen performing the functions of a sole executive body of an organisation that is a person participating in the case is taking part in military actions as part of the Armed Forces of the Russian Federation, other military forces, military formations and bodies created in accordance with the legislation of the Russian Federation, is participating in a

counter-terrorist operation, has been drafted into military service within the framework of mobilisation, has concluded a contract on voluntary assistance in performance of the tasks entrusted to the Armed Forces of the Russian Federation, is performing tasks in conditions of a state of emergency or martial law, armed conflict, where the consideration of the case is impossible without the participation of such a citizen, and the functions of managing said organisation were not transferred by him in the manner stipulated in the legislation of the Russian Federation.

2. If persons participating in the case conduct the administrative case with participation of representatives, the court does not stay proceedings where Items 3 and 4 of Part 1 of this Article apply.

Article 192. Resumption of Proceedings in the Administrative Case

Proceedings in the administrative case are resumed upon applications of persons participating in the case or upon the initiative of the court, after the obstacles that caused the stay are eliminated.

Article 193. Staying and Resuming Proceedings in the Administrative Case

1. The court issues a decree regarding the stay of proceedings in the administrative case or on refusal to stay proceedings in the administrative case, regarding the resumption of proceedings in the administrative case or on refusal to resume proceedings in the administrative case.

2. Copies of the court decree are forwarded to persons participating in the case no later than on the working day following the issuance of the decree.

3. A procedural appeal may be submitted against the court decree regarding the stay of proceedings in the administrative case or on refusal to resume proceedings in the administrative case.

Chapter 17. Termination of Proceedings in the Administrative Case

Article 194. Grounds for Termination of Proceedings in the Administrative Case

1. Unless otherwise stipulated in this Code, the court terminates proceedings in the administrative case:

1) if there are grounds stipulated in Part 1 of Article 128 of this Code;

2) if there is an effective court decision in an administrative dispute between the same parties regarding the same subject matter and on the same grounds, a court decree to terminate proceedings in this administrative case due to the acceptance of the renunciation of the administrative claim by the administrative plaintiff, approval of a conciliation agreement, or a court decree on refusal to accept the administrative statement of claim. The court terminates proceedings in administrative cases on challenge of

normative legal acts, of acts that contain legislation clarifications and have normative features, of decisions, actions (failures to act) that violate rights, freedoms and lawful interests of the general public, if there is an effective court decision adopted on an administrative claim regarding the same subject matter;

3) if the administrative plaintiff renounces the administrative claim, and the renunciation is accepted by the court;

4) if the parties conclude a conciliation agreement, and it is approved by the court;

5) in case of death of a citizen who was a party to the administrative case, where legal succession is not allowed;

6) in case of liquidation of an organisation that was a party to the administrative case, where the public legal relation does not allow legal succession.

2. The court may also terminate proceedings in the administrative case if the challenged normative legal act, decision were cancelled or reviewed and ceased to affect the rights, freedoms and lawful interests of the administrative plaintiff.

3. The court also terminates proceedings in the administrative case, where so stipulated in this Code.

Article 195. Manner and Consequences of Termination of Proceedings in the Administrative Case

1. The proceedings in the administrative case are terminated by a court decree, indicating the grounds for the termination of proceedings in the administrative case, resolving the issues of returning the state fee and distribution of court costs among the parties. A repeated application to court regarding the administrative dispute between the same parties, on the same subject matter and on the same grounds is not allowed.

2. Copies of the court decree on termination of proceedings in the administrative case are forwarded to persons participating in the case no later than on the working day following the day of issuance of the decree or, if they are present in the court session, handed to them against acknowledgement of receipt.

3. A procedural appeal may be submitted against the court decree on the termination of proceedings in the administrative case.

Chapter 18. Leaving the Administrative Statement of Claim without Consideration

Article 196. Grounds for Leaving the Administrative Statement of Claim without Consideration

1. The court leaves the administrative statement of claim without consideration, if:

1) the administrative plaintiff failed to perform the pre-trial dispute resolution procedures, stipulated in federal law for this category of administrative cases;

2) the administrative statement of claim is submitted by a person that does not have administrative procedural capacity;

3) the administrative statement of claim was not signed or was signed and submitted to court by a person that did not have the powers to sign and (or) to submit it, or by a person whose official position is not indicated;

4) there is an earlier initiated case regarding the dispute between the same parties, on the same subject matter and on the same grounds pending before this or another court, a commercial court;

5) proceedings in this administrative case were initiated on the basis of an administrative statement of claim violating the requirements stipulated in Articles 125 and 126 of this Code, and these violations were not corrected within the period stipulated by the court; or if, after changing the claims, the administrative plaintiff failed to present documents confirming the facts on which the changed claims are based (unless the administrative plaintiff is exempt from the burden of proof in regard of these facts).

2. The court also leaves the administrative statement of claim without consideration where so stipulated in this Code.

Article 197. Manner and Consequences of Leaving the Administrative Statement of Claim without Consideration

1. If the administrative statement of claim is left without consideration, proceedings in the administrative case are finalised by a court decree. In that decree, the court indicates the obstacles that caused the administrative statement of claim to be left without consideration and the means of eliminating them, resolves issues of returning the state fee and of distribution of court costs among the parties.

2. Copies of the court decree on leaving the administrative statement of claim without consideration are forwarded to persons participating in the case no later than on the working day following the day of issuance of the decree or, if they are present in the court session, handed to them against acknowledgement of receipt.

3. After the obstacles that caused the administrative statement of claim to be left without consideration are eliminated, the administrative plaintiff may repeatedly apply to court with an administrative statement of claim in the general manner.

4. A procedural appeal may be submitted against the court decree on leaving the administrative statement of claim without consideration.

Chapter 19. Court Decree

Article 198. Issuing a Court Decree

1. A judicial act of a court of the first instance, not adjudicating the administrative case on its merits, is issued in the form of a court decree.

1.1. A court decree in the form of a separate judicial act may be drawn in the form of an electronic document. When a decree is drawn in the form of an electronic document, a copy of that decree is made in paper form.

2. The court issues a decree in writing, in the form of a separate judicial act or in the form of a minutes decree.

3. The court issues the decree in the form of a separate judicial act, if:

1) this Code stipulates the possibility of appealing against the decree separately from the court decision;

2) the issue that is the subject matter of the decree is not resolved by the court in a court session;

3) when resolving a complex issue in a court session, the court deems it necessary to issue the decree in the form of a separate judicial act, not subject to appeal separately from the court decision.

4. Where Part 3 of this Article does not apply, the court issues the decree in the form of a minutes decree.

5. A court decree in the form of a separate judicial act, regarding issues resolved during the court session, is issued in the deliberation room in accordance with the rules stipulated for the adoption of decisions. A court decree in the form of a minutes decree is issued without the court retiring into the deliberation room, is announced orally and entered into the minutes of the court session. If the administrative case is considered by a collective composition of the court, the judges discuss issues pertaining to the issuance of a minutes decree in the courtroom, without retiring into the deliberation room.

6. The court decree is announced immediately after it is issued.

Article 199. Contents of a Court Decree

1. A court decree issued in the form of a separate judicial act must indicate:

1) the date and place of issuance of the decree, the administrative case number assigned by the court of first instance;

2) the name of the court that issued the decree, composition of the court and, if the decree is issued in a court session, information about the court session secretary, judge’s assistant;

3) the persons participating in the case, subject matter of the administrative dispute, number of the administrative case;

4) the issue that is the subject matter of the decree;

5) reasons for the conclusions of the court, references to laws and other normative legal acts that the court applied;

6) conclusion resulting from the consideration of the aforementioned issue by the court;

7) manner and period for appealing against the court decree.

2. A decree issued by the court in the form of a separate judicial act is signed by the judge that issued it or by the composition of the court.

3. A minutes decree must contain information indicated in Items 4-6 of Part 1 of this Article.

Article 200. Special Court Decree

1. If the court discovers violations of lawfulness, it issues a special decree and forwards its copies to the corresponding bodies, organisations or to the corresponding officials no later than on the working day following the day of issuance of the special decree. The aforementioned bodies, organisations and officials are obliged to inform the court about the measures taken in order to remedy the discovered violations within a month since the day of issuance of the decree, unless another period is stipulated in the special decree.

2. The special decree may be appealed against by persons, whose interests are affected by that decree.

3. Failure to inform the court about the measures taken to remedy the discovered violations of lawfulness may result in a court fine being imposed upon the officials at fault, in the manner and amount stipulated in Articles 122 and 123 of this Code. The imposition of a court fine does not exempt the corresponding officials from the duty to inform the court about the measures taken.

4. If, during the consideration of the administrative case, the court discovers elements of a crime in the actions of persons participating in the case, other trial participants, officials or other persons, the court informs the bodies of inquiry or investigative bodies about it.

Article 201. Forwarding and Handing the Court Decrees to Persons Participating in the Case

1. A court decree issued in the form of a separate judicial act, drawn up in the form of an electronic document if forwarded to persons participating in the case and, if necessary, also to other persons by placing it in the Internet in the stipulated manner, in restricted access mode, no later than on the day following the day of issuance of the decree, unless other periods are stipulated in this Code.

2. A court decree issued in the form of a separate judicial act, drawn up in the form of an electronic document may be forwarded to a participant of proceedings through the single public and municipal services portal or through an e-document workflow system of the participant of proceedings with the use of the single interagency electronic interaction system.

3. Upon the motions of persons referred to in Part 1 of this Article, copies of the decree drawn up in electronic form are handed to them in paper form against acknowledgment of receipt or are sent by mail.

4. If a decree issued in the form of a separate judicial act is only drawn up in paper form, the court forwards copies of the decree to persons participating in the case and, if necessary, also to other persons no later than on the working day following the day of issuance of the decree, unless other periods are stipulated in this Code, or hands them to said persons against acknowledgement of receipt

Article 202. Appealing against a Court Decree

1. A court decree may be appealed against separately from the judicial act finalising the consideration of the case, where so stipulated in this Code or if the court decree precludes the further progress of the administrative case.

2. Objections against a court decree not subject to appeal separately from the judicial act finalising the consideration of the case (including a minutes decree) may be stated in the appeal against that judicial act.

Article 203. Coming of a Court Decree into Effect and Execution of a Court Ruling

1. A decree of a court of first instance, not subject to appeal separately from the court decision, comes into effect from the moment of its issuance. A decree of a court of first instance, subject to appeal, comes into effect after the expiration of the period for submission of a procedural appeal, if such an appeal was not submitted. Otherwise, the decree comes into effect after the procedural appeal is considered in appeal, unless that decree is reversed.

2. If it is necessary to perform certain actions in order to execute the decree of a court of first instance, such actions are performed within the periods stipulated in this Code or within the periods stipulated by the court in accordance with this Code.

Chapter 20. Minutes

Article 204. Duty to Take Minutes

Audio recording is performed and written minutes are drawn up during the course of every court session of courts of first and appellate instance (including the preliminary court session), as well as during the performance of separate procedural actions out of the court session.

Article 205. Contents of the Minutes

1. Minutes of the court session or minutes of a separate procedural action performed out of the court session must contain all the significant information about the consideration of the administrative case or about the performance of the separate procedural action.

2. Persons participating in the case, their representatives may motion for information about the facts that they deem significant for the adjudication of the administrative case to be entered into the corresponding minutes.

3. Minutes of the court session indicate:

1) the date and place of the court session;

2) the time of commencement and ending of the court session;

3) the name of the court considering the administrative case, composition of the court and information about the judge's assistant, court session secretary;

4) the name and number of the administrative case;

5) information about the appearance of persons participating in the case, their representatives, witnesses, experts, specialists, interpreters;

6) information regarding the explanation to persons participating in the case, their representatives, witnesses, experts, specialists, interpreters of their procedural rights and duties;

7) information regarding the warning about criminal liability for knowingly providing a false translation, given to the interpreter; for perjury and refusal to testify, given to witnesses; for knowingly making a false conclusion, given to the expert;

8) instructions of the presiding judge and decrees issued by the court in the courtroom without retiring into the deliberation room;

9) oral statements, motions and explanations of persons participating in the case, their representatives;

10) agreements of the parties regarding the facts of the administrative case and the stated claims and objections;

11) witness testimony, explanations of experts regarding their conclusions;

12) consultations and clarifications given by specialists;

13) information about the reading out of written evidence, inspection of real evidence, playback of audio and video recordings;

14) conclusions provided by the prosecutor and the Central Election Commission of the Russian Federation;

15) the transcript of judicial pleadings;

16) information about the reading out and clarification of the meaning of the court decision and of court decrees, clarifications given regarding the manner and period for appealing against them;

17) information about explanations provided to persons participating in the case, their representatives, regarding their right to inspect the minutes and the audio recording of the court session, and to submit remarks in their regard;

18) information about the use of shorthand, audio- or video recording equipment, of videoconferencing systems, of a web conferencing system and (or) other technical equipment, as well as about the broadcast of the court session via radio, TV or Internet. If a broadcast took place, the name of the mass medium or the Internet address of the website, through which the broadcast was performed, is indicated;

19) date on which the minutes were drawn up.

4. If shorthand writing, audio and (or) video recording of the court session is used, information referred to in Items 1-5, 7-9, 12, 18 and 19 of Part 3 of this Article must be indicated. Storage devices, carrying information acquired through the use of shorthand writing and (or) other technical equipment by the court, are attached to the minutes.

Article 206. Drawing Up the Minutes

1. The court session secretary or a judge's assistant acting on instructions of the presiding judge draws up the minutes of the court session and controls the use of shorthand, audio and (or) video recording equipment, videoconferencing systems, web conferencing system and (or) other technical devices in the course of the court session or during the performance of a separate procedural action. Audio recording of the court session is permanently performed in the course of the court session, safe for the period when the court retires to the deliberations room. Storage devices, carrying information acquired through the use of shorthand writing and (or) other technical equipment, are attached to the minutes.

2. The minutes may be hand-written or drawn up with the use of technical devices. The minutes are signed by the presiding judge and the secretary of the court session. If the minutes were drawn up by a judge's assistant acting on instructions of the presiding judge, they are signed by the presiding judge and the judge's assistant. All amendments, supplements, corrections made to the minutes must be discussed and certified by the signatures of the presiding judge and the court session secretary or of the presiding judge and the judge's assistant.

3. Minutes of the court session must be drawn up and signed no later than three days after the end of the court session, minutes of a separate procedural action performed out of the court session – no later than on the working day following the performance of that action.

Article 207. Remarks regarding the Minutes

1. Persons participating in the case, their representatives may inspect the minutes and the audio recording of the court session or of a separate procedural action, the records on storage devices. Copies of the minutes, of records on storage devices may be made upon written motions and at the expense of persons participating in the case, their representatives.

2. Within three days after the signing of the minutes, persons participating in the case, their representatives may submit to court written remarks regarding the minutes and the audio recording of the court session or of a separate procedural action, indicating the discrepancies therein and (or) their incompleteness.

3. Remarks regarding the minutes and audio recording of the court session or of a separate procedural action, submitted after the expiration of the aforementioned period, are not considered by the court and returned to the person that submitted them.

4. Remarks regarding the minutes and the audio recording of the court session or of a separate procedural action are considered by the judge that signed the minutes, within three days since the submission of such remarks, without notification of the persons participating in the case.

5. A court decree is issued on the acceptance or on full or partial dismissal of remarks regarding the minutes and audio recording of the court session or of a separate procedural action. Remarks regarding the minutes and the audio recording of the court session or of a separate procedural action are attached to the minutes of the court session or of the separate procedural action together with the court decree in regard of those remarks.

SECTION IV

SPECIAL RULES OF PROCEDURE IN CERTAIN CATEGORIES OF ADMINISTRATIVE CASES

Chapter 21. Proceedings in Administrative Cases on Challenge of Normative Legal Acts and Acts That Contain Legislation Clarifications and Have Normative Features

Article 208. Submitting an Administrative Statement of Claim on Recognition of a Normative Legal Act as Inoperative

1. Persons, in whose regard a normative legal act is applied, as well as persons, who are subjects of relations regulated by that act, may submit an administrative statement of claim on recognition of that act as inoperative in full or in part, if they think that the act infringes or violates their rights, freedoms and lawful interests.

2. Where so stipulated in federal law, a public association may apply to court with an administrative statement of claim on recognition of a normative legal act as inoperative in full or in part in order to protect the rights, freedoms and lawful interests of all its members.

3. An administrative statement of claim on recognition of a normative legal act as inoperative in full or in part, including an act adopted by a referendum of a constituent entity of the Russian Federation or by a local referendum, may be submitted by a prosecutor (within his competence), by the President of the Russian Federation, the Government of the Russian Federation, a legislative (representative) public authority of a constituent entity of the Russian Federation, the highest official of a constituent entity of the Russian Federation (head of the highest executive public authority of a constituent entity of the Russian Federation), a local self-government body, the head of a municipal entity, as well as other persons, where so stipulated in federal law, if they think that the normative legal act is inconsistent with a different normative legal act of greater legal force, violates their competence or rights, freedoms and lawful interests of citizens.

4. An administrative statement of claim on recognition of a normative legal act regarding the issues of realisation of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum as inoperative in full or in part may also be submitted by the Central Election Commission of the Russian Federation, an election commission of a constituent entity of the Russian Federation, an election commission of a municipal entity, if they think that the normative legal act is inconsistent with a different normative legal act of greater legal force, violates the electoral rights of citizens of the Russian Federation or of their right to participate in a referendum, or the competence of the election commission.

5. An administrative statement of claim on recognition of a normative legal act as inoperative is not subject to consideration in court in the manner stipulated in this Code, if the Constitutional Court of the Russian Federation is competent to check the constitutionality of such a legal act in accordance with the Constitution of the Russian Federation, federal constitutional laws and federal laws.

6. An administrative statement of claim on recognition of a normative legal act as inoperative may be submitted to court during the whole time of operation of that normative legal act.

7. An administrative statement of claim on recognition of a law of a constituent entity of the Russian Federation on dissolution of a representative body of a municipal entity as inoperative may be submitted to court within ten days since the day of adoption of the corresponding normative legal act.

8. Administrative counterclaims cannot be accepted in cases on challenge of normative legal acts.

9. When administrative cases on challenge of normative legal acts are considered by the supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, general jurisdiction court of appeal, general jurisdiction court of cassation, by the Supreme Court of the Russian Federation, citizens participating in the case, who do not have a law degree, conduct the cases through representatives that meet the requirements stipulated in Article 55 of this Code.

Article 209. Requirements to an Administrative Statement of Claim on Challenge of a Normative Legal Act and on Recognition of a Normative Legal Act as Inoperative

1. The form of the administrative statement of claim must meet the requirements stipulated in Parts 1, 8 and 9 of Article 125 of this Code.

2. The administrative statement of claim on challenge of a normative legal act must indicate:

1) information stipulated in Items 1, 2, 9 of Part 2 and in Part 6 of Article 125 of this Code;

2) the name of the public authority, local self-government authority, other body, authorized organisation, official that adopted the challenged normative legal act;

3) the name, number, date of adoption of the challenged normative legal act, the source and date of its publication;

4) information about the application of the challenged normative legal act in regard of the administrative plaintiff or information that the administrative plaintiff is a subject of relations regulated by this act;

5) what rights, freedoms and lawful interests of the applicant are violated; if the statement of claim is submitted by organisations or persons referred to in Parts 2, 3 and 4 of Article 208 of this Code – what rights, freedoms and lawful interests of persons, in whose interests the administrative statement of claim is submitted, are violated or information about the real threat of such a violation;

6) the name and certain provisions of the normative legal act of greater legal force, for conformity with which the challenged normative legal act is to be checked in full or in part;

7) motions filed due to inability to attach some of the documents referred to in Part 3 of this Article;

8) request to recognise the challenged normative legal act as inoperative, with a reference to the inconsistency of the whole act or of some of its provisions with the legislation of the Russian Federation.

3. Documents referred to in Items 1, 2, 4 and 5 of Part 1 of Article 126 of this Code, documents confirming the information referred to in Item 4 of Part 2 of this Article are attached to the administrative statement of claim on challenge of a normative legal act along with a copy of the challenged act.

Article 210. Resolving the Issue of Accepting for Proceedings the Administrative Statement of Claim on Recognition of a Normative Legal Act as Inoperative

1. The judge refuses to accept for proceedings the administrative statement of claim on recognition of a normative legal act as inoperative on the grounds stipulated in Part 1 of

Article 128 of this Code, and also if at the time of submission of such a statement of claim the challenged normative legal act or its challenged provisions have become inoperative.

2. The judge returns the administrative statement of claim on recognition of a normative legal act as inoperative on the grounds stipulated in Items 2-7 of Part 1 of Article 129 of this Code and also if at the time of submission of such a statement of claim the challenged normative legal act or its challenged provisions have not yet come into effect.

3. The judge leaves without action the administrative statement of claim on recognition of a normative legal act as inoperative based on Part 1 of Article 130 of this Code, if the aforementioned statement of claim does not meet the requirements stipulated in Article 209 of this Code.

Article 211. Provisional Measures regarding an Administrative Claim on Challenge of a Normative Legal Act

As a provisional measure regarding an administrative claim on challenge of a normative legal act, the court may issue an injunction, barring the application of the challenged normative legal act or of its challenged provisions in regard of the administrative plaintiff. No other provisional measures are allowed in administrative cases on challenge of normative legal acts.

Article 212. Joinder of Administrative Cases on Challenge of Normative Legal Acts

The court may join several administrative cases on challenge of one and the same normative legal act or on challenge of different provisions of that act for joint consideration and adjudication in the manner stipulated in Article 136 of this Code.

Article 213. Trial in Administrative Cases on Challenge of Normative Legal Acts

1. Administrative cases on challenge of normative legal acts are considered by courts within a period not exceeding two months since the day of submission of the administrative statement of claim, and by the Supreme Court of the Russian Federation – within three months since the day of its submission.

2. During an election campaign, a referendum campaign, administrative cases on challenge of normative legal acts adopted by election commissions or of normative legal acts on issues of realisation of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, regulating relations pertaining to that election campaign, referendum campaign are considered by a court within the period stipulated in Part 1 of Article 241 of this Code.

3. An administrative case on challenge of a law of a constituent entity of the Russian Federation on dissolution of a representative body of a municipal entity is considered by the court within ten days since the day of receipt of the administrative statement of claim by the court.

4. An administrative case on challenge of a normative legal act is considered with the participation of a prosecutor. If that administrative case on challenge of a normative legal act was initiated by a prosecutor's administrative statement of claim, the prosecutor does not give a conclusion on the administrative case. If the administrative case on challenge of a normative legal act was not initiated by a prosecutor's administrative statement of claim, the prosecutor that enters the court proceedings gives a conclusion on the administrative case.

5. Persons participating in a case on challenge of a normative legal act, their representatives, as well as other trial participants are notified of the time and place of the court session. Failure of the person that applied to court, of a prosecutor participating in the trial in order to give a conclusion on the administrative case, as well as failure of representatives of the public authority, other state body, local self-government body, other body, authorised organisation or official that adopted the challenged normative legal act to appear in the court session does not preclude the consideration of the administrative case, unless the court deems the appearance of such persons obligatory.

6. The court may deem obligatory the appearance of representatives of the public authority, other state body, local self-government body, other body, authorised organisation or official that adopted the challenged normative legal act, and in the event of non-appearance of such representatives may impose a court fine on them, in the manner and amount stipulated in Articles 122 and 123 of this Code.

7. When considering an administrative case on challenge of a normative legal act, the court checks the lawfulness of the disputed provisions of that act. When performing this check, the court is not bound by the grounds and arguments stated in the administrative statement of claim on recognition of the normative legal act as inoperative and ascertains the facts referred to in Part 8 of this Article in full volume.

8. When considering an administrative case on challenge of a normative legal act, the court ascertains:

1) whether the rights, freedoms and lawful interests of the administrative plaintiff or of persons, in whose interests the administrative statement of claim is submitted, were violated;

2) whether the requirements of the following normative legal acts were met:

a) acts stipulating the powers of a body, organisation, official to adopt normative legal acts;

b) acts stipulating the type and form of normative legal acts that may be adopted by the body, organisation, official;

c) acts stipulating the procedure of adoption of the challenged normative legal act;

d) acts stipulating the enactment of normative legal acts, including the manner of their publication, state registration (if such is stipulated for these normative legal acts in the legislation of the Russian Federation) and their coming into effect;

3) whether the challenged normative legal act or its part is consistent with normative legal acts of greater legal force.

9. The burden of proof as regards the facts referred to in Items 2 and 3 of Part 8 of this Article lies on the body, organisation, official that adopted the challenged normative legal act.

10. If the person that applied to court renounces its claim, or if the public authority, local self-government body, authorised organisation or official that adopted the challenged normative legal act acknowledges the claim, the court is not obliged to terminate proceedings in the administrative case on challenge of a normative legal act.

11. The loss of effect by a normative legal act or its cancellation during the consideration of the administrative case on challenge of that normative legal act cannot serve as grounds for termination of proceedings in the given administrative case, if during the consideration of the case it was established that the normative legal act was applied in regard of the administrative plaintiff, and its rights, freedoms and lawful interests were violated.

12. A conciliation agreement cannot be approved in a case on challenge of a normative legal act.

Article 214. Termination of Proceedings in an Administrative Case on Challenge of a Normative Legal Act

1. The court terminates proceedings in the administrative case on challenge of a normative legal act if it finds that there are grounds stipulated in Part 6 of Article 39, Part 7 of Article 40, Items 1-3, 5 and 6 of Part 1 of Article 194 of this Code.

2. The court may also terminate proceedings in the administrative case on challenge of a normative legal act, if:

1) the challenged normative legal act lost effect, was cancelled or amended and ceased to affect the rights, freedoms and lawful interests of the administrative plaintiff;

2) the person that applied to court renounced its claims, and no public interests prevent the court from accepting that renunciation.

3. If proceedings in an administrative case on challenge of a normative legal act are terminated on grounds stipulated in Items 3, 5 and 6 of Part 1 of Article 194 of this Code and Item 2 of Part 2 of this Article, this does not preclude other persons, who think that the challenged normative legal act affects or violates their rights, freedoms and lawful interests, from applying to court.

Article 215. Court Decision in an Administrative Case on Challenge of a Normative Legal Act

1. A court decision in an administrative case on challenge of a normative legal act is adopted in accordance with the rules stipulated in Chapter 15 of this Code.

2. After considering an administrative case on challenge of a normative legal act, the court adopts one of the following decisions:

1) to satisfy the stated claims in full or in part, if the challenged normative legal act is found inconsistent with another normative legal act of greater legal force in full or in part; the challenged normative legal act is recognised inoperative in full or in part from the day of its adoption of from another date stipulated by the court;

2) to refuse to satisfy the stated claims, if the normative legal act, challenged in full or in part, is found consistent with another normative legal act of greater legal force.

3. If, during the consideration of the administrative case on challenge of a normative legal act, the court finds that the practical application of the challenged normative legal act or of its provisions does not comply with the interpretation of that normative legal act or its provisions, established by the court with regard to the place of that act in the system of normative legal acts, the court points this out in the statement of reasons and in the operative part of the decision in the administrative case on challenge of a normative legal act.

4. The operative part of a court decision in an administrative case on challenge of a normative legal act must contain:

1) an indication regarding the satisfaction of the administrative claim in full or in part and the recognition of the challenged normative legal act as inoperative in full or in part from the day of coming of the court decision into effect of from another date stipulated by the court or an indication regarding the refusal to satisfy the administrative claim; these indications must include the full name of the challenged normative legal act, its number, date of adoption and the name of the body or official that or adopted it;

2) instructions regarding the publication of the court decision or the publication of information about its adoption in the official printed publication of the public authority, local self-government body, other body, authorised organisation or official, in which the challenged normative legal act or its provisions were published or must have been published, within a month from the coming of the court decision into effect. If it is impossible to publish the court decision or the information about its adoption within the stipulated time because of the periodicity of the official printed publication, the court decision must be published in the earliest issue of such a printed publication following the expiration of the stipulated period. If the official printed publication ceased its activities, the court decision or information about its adoption is published in another printed publication, in which normative legal acts of the corresponding public authority, local self-government body, other body, authorised organisation or official are published;

3) information referred to in Items 4 and 5 of Part 6 of Article 180 of this Code;

4) other information regarding the issues resolved by the court based on concrete facts of the administrative case, including the actual meaning of the normative legal act or of its provisions, established by the court.

5. A court decision on recognition of a normative legal act as inoperative in full or in part comes into effect in accordance with the rules stipulated in Article 186 of this Code.

Article 216. Consequences of Recognising a Normative Legal Act as Inoperative in Full or in Part

1. If the court recognises a normative legal act as inoperative in full or in part, this act or some of its provisions cannot be applied from the date stipulated by the court.

2. If a normative legal act is recognised as inoperative in full or in part, normative legal acts of lesser legal force that reproduce the contents of the fully or partially inoperative normative legal act or are based on it and result from it also cannot be applied.

3. The court decision to recognise a normative legal act as inoperative in full or in part cannot be overruled by a repeated adoption of the same act.

4. If, due to the recognition of a normative legal act as inoperative in full or in part, it is found that administrative and other public legal relations are regulated insufficiently, which may lead to the violation of rights, freedoms and lawful interests of the general public, the court may oblige the public authority, local self-government body, other body, authorised organisation or official that adopted the challenged normative legal act to adopt a new normative legal act, replacing the normative legal act recognised as inoperative in full or in part.

5. The court may consider claims regarding the challenge of normative legal acts, referred to in Part 2 of this Article, in simplified (written) proceedings without checking the lawfulness of the repeated normative legal act, referred to in Part 3 of this Article, if at the moment of repeated adoption of the normative legal act there were no changes in the legislation, with which the normative legal act recognised as inoperative in full or in part was inconsistent. If the case is considered in simplified (written) proceedings, the statement of reasons of a court decision to recognise a normative legal act as inoperative in full or in part must substantiate the identical nature of the repeatedly adopted normative legal act and of the normative legal act, earlier recognised as inoperative by the court; indications must be made regarding the absence of changes in the corresponding legislation, and regarding the court decision, by which the identical normative legal act was recognised as inoperative. If the administrative plaintiff objects against simplified (written) proceedings, the trial is held orally.

Article 217. Appeal against an Effective Court Decision in an Administrative Case on Challenge of a Normative Legal Act

An effective court decision in an administrative case on challenge of a normative legal act may be appealed against by persons participating in the case, their representatives and other persons, whose rights, freedoms and lawful interests are affected by the court decision.

Article 217.1. Consideration of Administrative Cases on Challenge of Acts That Contain Legislation Clarifications and Have Normative Features

1. Administrative cases on challenge of acts that contain legislation clarifications and have normative features (hereinafter referred to as “acts that have normative features”) are considered and adjudicated by the court in the manner stipulated in this Chapter with due regard to the special rules stipulated in this Article.

2. Persons referred to in Parts 1-4 of Article 208 of this Code, who think that the corresponding act has normative features, and that its contents do not correspond to the actual meaning of normative provisions interpreted in it, may apply to court with an administrative statement of claim to recognise the act that has normative features as inoperative.

3. When considering an administrative case on challenge of an act that has normative features, the court ascertains:

1) whether the rights, freedoms and lawful interests of the administrative plaintiff or of persons, in whose interests the administrative statement of claim is submitted, were violated;

2) whether the challenged act has normative features that allow to use it multiple times as a universally binding rule, applicable to the general public;

3) whether the provisions of the challenged act correspond to the actual meaning of the normative provisions interpreted in it.

4. The burden of proof, as regards the facts referred to in Item 3 of Part 3 of this Article, lies on the body, organisation or official that adopted the act that has normative features.

5. After considering an administrative case on challenge of an act that has normative features, the court adopts one of the following decisions:

1) to satisfy the stated claims in full or in part and to recognise the challenged act as inoperative in full or in part from the day of its adoption of from another date stipulated by the court, if the act is inconsistent, in full or in part, with the actual meaning of provisions interpreted in it, stipulates universally binding rules that apply to the general public and are intended for multiple use, but are not contained in the interpreted normative provisions;

2) to refuse to satisfy the stated claims, if the challenged act does not have normative features in full or in part and is consistent with the meaning of normative provisions interpreted in it.

Chapter 22. Proceedings in Administrative Cases on Challenge of Decisions, Actions (Failure to Act) of Public Authorities, Local Self-Government Bodies, Other Bodies, Organisations Vested with Certain State or Other Public Powers, Officials, State and Municipal Servants

Article 218. Submission of an Administrative Statement of Claim on Challenge of Decisions, Actions (Failure to Act) of a Public Authority, Local Self-Government Body, Another Body, Organisation Vested with Certain State or Other Public Powers, an Official, State or Municipal Servant and Consideration of the Administrative Case in Accordance with the Administrative Statement of Claim

1. A citizen, an organisation, other persons may apply to court with claims on challenge of decisions, actions (failure to act) of a public authority, local self-government body, another body, organisation vested with certain state or other public powers (including decisions, actions (failure to act) of a qualification board of judges, an examination commission), an official, a state or municipal servant (hereinafter referred to as "body, organisation, person vested with state or other public powers") if they think that their rights, freedoms and lawful interests are violated or challenged, that there are obstacles to the realisation of their rights, freedoms and lawful interests, or that obligations are imposed upon them unlawfully. A citizen, organisation, other persons may apply directly to the court or may challenge the decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers before a higher body, organisation, person or use other non-judicial procedures of dispute resolution.

2. Where stipulated in federal law, a public association may apply to court with claims on challenge of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers, if it thinks that rights, freedoms and lawful interests of all its members are violated or challenged, that there are obstacles to the realisation of their rights, freedoms and lawful interests, or that obligations are imposed upon them unlawfully.

3. If federal law stipulates obligatory pre-trial administrative dispute resolution procedures, it is only possible to apply to court after these procedures have been performed.

4. Where stipulated in this Code, public authorities, the Commissioner for Human Rights in the Russian Federation, the commissioner for human rights in a constituent entity of the Russian Federation, the Commissioner for Children's Rights in the Russian Federation, the commissioner for children's rights in a constituent entity of the Russian Federation, other bodies, organisations and persons, as well as a prosecutor may, within the framework of their competence, apply to court with administrative statements of claim on recognition of decisions, actions (failure to act) of bodies, organisations, persons vested with state or other public powers as unlawful in order to protect the rights, freedoms and lawful interests of other persons, if they think that the challenged decisions, actions (failure to act) do not conform to a normative legal act, violate the rights, freedoms and lawful interests of citizens, organisations, other persons, create obstacles to the realisation of their rights, freedoms and lawful interests, or unlawfully impose obligations upon them.

5. Administrative statements of claim are submitted to court in accordance with the rules of jurisdiction, stipulated in Chapter 2 of this Code.

6. Administrative statements of claim on recognition of decisions, actions (failure to act) of bodies, organisations, persons vested with state or other public powers as unlawful are not subject to consideration in the manner stipulated in this Code, if the lawfulness of such decisions, actions (failure to act) is checked in another judicial manner.

Article 219. Period for Application to Court with an Administrative Statement of Claim

1. Unless another period for application to court with an administrative statement of claim is stipulated in this Code, the administrative statement of claim may be submitted to court within three months from the day on which the citizen, organisation, another person learned about the violation of their rights, freedoms and lawful interests.

1.1. Unless otherwise stipulated in this Code or other federal law, and administrative statement of claim challenging the failure to act on the part of a public authority, local self-government body, other body or organisation vested with certain state or other public powers, of an official, state or municipal servant may be submitted to court within the period, during which said persons have the duty to perform the corresponding actions, as well as within three months from the day on which such a duty ceases to exist.

2. An administrative statement of claim challenging a legal act of the highest official of a constituent entity of the Russian Federation (head of the highest executive public authority of a constituent entity of the Russian Federation) regarding the impeachment of the head of a municipal entity, challenging the decision of a representative body of a municipal entity regarding its voluntary dissolution or challenging the decision of a representative body of a municipal entity regarding the removal of the head of the municipal entity may be submitted to court within ten days from the day of adoption of the corresponding decision.

3. An administrative statement of claim on the recognition of decisions of the Federal Bailiffs Service of the Russian Federation, as well as of decisions, actions (failure to act) of a bailiff as unlawful may be submitted to court within ten days since the day on which the citizen, organisation, another person learned about the violation of their rights, freedoms and lawful interests.

4. An administrative statement of claim on challenge of decisions, actions (failure to act) of an executive body of a constituent entity of the Russian Federation, of a local self-government body on issues pertaining to the approval of time and place of conduction of a public event (meeting, rally, demonstration, march, picketing) and also pertaining to a warning regarding the aims of such a public event and the form of its conduction, issued by those bodies, may be submitted to court within ten days since the day on which the citizen, organisation, other person learned about the violation of their rights, freedoms and lawful interests.

5. A missed period for application to court does not constitute grounds for refusal to accept the administrative statement of claim for proceedings. The reasons for missing the application period are ascertained during the preliminary court session or during the court session.

6. Untimely consideration or non-consideration of a complaint by a higher body or official constitutes a good reason for missing the application period.

7. The period for the submission of an administrative statement of claim, missed for the reason stated in Part 6 of this Article or for other good reasons, may be restored by the court, unless such restoration is not stipulated in this Code.

8. If the application period was missed without a good reason, and also if it is impossible to restore the missed period (including when it was missed for a good reason), this constitutes grounds for refusal to satisfy the administrative claim.

Article 220. Requirements to an Administrative Statement of Claim on Recognition of Decisions, Actions (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers as Unlawful

1. The form of the administrative statement of claim must meet the requirements stipulated in Parts 1, 8 and 9 of Article 125 of this Code.

2. The administrative statement of claim on recognition of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers as unlawful must indicate:

1) information stipulated in Items 1, 2, 8 and 9 of Part 2 and in Part 6 of Article 125 of this Code;

2) the body, organisation, official vested with state or other public powers that adopted the challenged decision or performed the challenged action (failed to act);

3) the name, number, date of adoption of the challenged decision, the date and place of performance of the challenged action (failure to act);

4) information about the challenged failure to act (what decisions or what actions the body, organisation, official vested with state or other public powers are evading in violation of duties, imposed upon them in the manner stipulated in law);

5) other known information regarding the challenged decision, action (failure to act). If a decision of the Federal Bailiffs Service of the Russian Federation, as well as a decision, action (failure to act) of a bailiff is challenged, this information should include the known facts about the enforcement document, due to the execution of which the decision, action (failure to act) is challenged, as well as information about the enforcement proceedings;

6) information about the rights, freedoms and lawful interests of the administrative plaintiff that, in its opinion, are violated by the challenged decision, action (failure to act); if the statement of claim is submitted by a prosecutor or by persons referred to in Article 40 of this Code – information about the rights, freedoms and lawful interests of other persons;

7) normative legal acts and their provisions, for the conformity with which the challenged decision, action (failure to act) is to be checked;

8) information regarding the inability to attach some of the documents referred to in Part 3 of this Article to the administrative statement of claim and the corresponding motions;

9) whether a complaint regarding the same subject matter as mentioned in the administrative statement of claim was filed to a higher body or official. If such a complaint was filed, the date of filing and the result of its consideration are indicated;

10) the claim to recognise a decision, action (failure to act) of a body, organisation, person vested with state or other public powers as unlawful.

3. Documents referred to in Part 1 of Article 126 of this Code, as well as a copy of an answer of a higher body or official, if that body or official considered a complaint regarding the same subject matter as indicated in the administrative statement of claim, are attached to the administrative statement of claim on recognition of a decision, action (failure to act) of a body, organisation, official vested with state or other public powers as unlawful.

Article 221. Persons Participating in a Case on Challenge of a Decision, Action (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers

1. The composition of persons participating in a case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers is determined in accordance with the rules of Chapter 4 of this Code with due regard to the provisions of Part 2 of this Article.

2. In an administrative case on challenge of a decision, action (failure to act) of an official, a state or municipal servant, the corresponding body, in which that official, state or municipal servant performs his duties, is drawn to participation as the second administrative defendant.

Article 222. Resolving the Issue of Accepting for Proceedings the Administrative Statement of Claim on Recognition of Decisions, Actions (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers as Unlawful

1. The judge refuses to accept for proceedings the administrative statement of claim on recognition of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers as unlawful based on grounds stipulated in Part 1 of Article 128 of this Code.

2. The judge returns the administrative statement of claim on recognition of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers as unlawful based on grounds stipulated in Part 1 of Article 129 of this Code.

3. The judge leaves without action the administrative statement of claim on recognition of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers as unlawful based on Part 1 of Article 130 of this Code, if the aforementioned statement of claim does not meet the requirements stipulated in Article 220 of this Code.

4. If the administrative statement of claim on recognition of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers as unlawful is accepted for proceedings, the court forwards copies of the corresponding decree to persons participating in the case no later than on the working day following the day of issuance of the decree. Copies of the decree to accept for proceedings an administrative statement of claim on recognition of a decision, action (failure to act) of an executive body of a constituent entity of the Russian Federation, of a local self-government body on issues pertaining to the approval of time and place of conduction of a public event (meeting, rally, demonstration, march, picketing) and also pertaining to the warning issued by those bodies regarding the aims of such a public event and the form of its conduction are forwarded by the court to persons participating in the case on the day of issuance of the decree, via means that ensure the fastest delivery of copies. Copies of the administrative statement of claim and of documents attached thereto are forwarded to the administrative plaintiff along with a copy of the decree, unless copies of the statement and documents were transferred in accordance with Part 7 of Article 125 of this Code.

Article 223. Provisional Measures regarding an Administrative Claim on Recognition of Decisions, Actions (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers as Unlawful

In administrative cases on challenge of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers, the court may suspend the effect of a challenged decision in the part pertaining to the administrative plaintiff or suspend the performance of a challenged action in regard of the administrative plaintiff in the manner stipulated in Chapter 7 of this Code.

Article 224. Joinder of Administrative Cases on Challenge of Decisions, Actions (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers

The court may join several administrative cases on challenge of the same decision, action (failure to act) of a body, organisation, person vested with state or other public powers, pending before it, for joint consideration and adjudication in the manner stipulated in Article 136 of this Code. This provision also applies when such a decision, action (failure to act) is challenged in different parts and (or) by several administrative plaintiffs.

Article 225. Termination of Proceedings in an Administrative Case on Challenge of Decisions, Actions (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers

1. The court terminates proceedings in the administrative case on challenge of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers if it finds that there are grounds stipulated in Part 6 of Article 39, Part 7 of Article 40, Parts 1 and 2 of Article 194 of this Code.

2. The court may also terminate proceedings in the administrative case on challenge of decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers, if the challenged decision was cancelled or reviewed and ceased to affect the rights, freedoms and lawful interests of the administrative plaintiff.

Article 226. Trial in Administrative Cases on Challenge of Decisions, Actions (Failure to Act) of Bodies, Organisations, Persons Vested with State or Other Public Powers

1. Unless otherwise stipulated in this Code, administrative cases on challenge of decisions, actions (failure to act) of bodies, organisations, persons vested with state or other public powers are considered by the court within one month, and by the Supreme Court of the Russian Federation – within two months since the day of receipt of the administrative statement of claim by the court.

2. Administrative cases on challenge of a legal act of the highest official of a constituent entity of the Russian Federation (head of the highest executive public authority of a constituent entity of the Russian Federation) regarding the impeachment of the head of a municipal entity, on challenge of a decision of a representative body of a municipal entity regarding its voluntary dissolution or challenge of a decision of a representative body of a municipal entity regarding the removal of the head of the municipal entity are considered by the court within ten days since the day of receipt of the administrative statement of claim by the court.

3. *Abrogated*.

4. Administrative cases on challenge of decisions, actions (failure to act) of executive bodies of constituent entities of the Russian Federation, of local self-government bodies on issues pertaining to the approval of time and place of conduction of a public event (meeting, rally, demonstration, march, picketing) and also pertaining to the warning issued by those bodies regarding the aims of such a public event and the form of its conduction are considered by the court within ten days since the day of receipt of the corresponding administrative statement of claim. Administrative cases initiated before the day of conduction of such a public event are considered by the court within the stipulated period, but no later than on the day preceding the day of such an event. Administrative cases initiated on the day of such a public event are subject to consideration on the same day. The court considers the administrative cases mentioned in this Part on a week-end or a public holiday, if the last day of the period for consideration of the administrative case is that day, and the administrative case was not or could not be considered earlier.

5. Periods for the consideration of administrative cases on challenge of decisions, actions (failure to act) of bodies, organisations, persons vested with state or other public powers, stipulated in Part 1 of this Article, may be prolonged in the manner stipulated in Part 2 of Article 141 of this Code.

6. Persons participating in the case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers, their representatives, as well as other trial participants are notified of the time and place of the court session. Non-appearance of

persons participating in the case and of their representatives, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case, unless the court deems their appearance obligatory.

7. The court may deem obligatory the appearance of representatives of a body, organisation, person vested with state or other public powers, that adopted the challenged decision or performed the challenged action (failed to act) and, in case of their non-appearance, impose a court fine in the manner and amount stipulated in Articles 122 and 123 of this Code.

8. During the consideration of an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers, the court checks the lawfulness of the decision, action (failure to act) in the challenged part and in regard of the person, who is the administrative plaintiff, or of the persons, for the protection of whose rights, freedoms and lawful interests the corresponding administrative statement of claim is submitted. When performing this check, the court is not bound by the grounds and arguments contained in the administrative statement of claim on recognition of the decision, action (failure to act) of a body, organisation, person vested with state or other public powers as unlawful. The court ascertains the facts referred to in Parts 9 and 10 of this Article in full volume.

9. Unless otherwise stipulated in this Code, during the consideration of an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers, the court ascertains:

1) whether the rights, freedoms and lawful interests of the administrative plaintiff or of persons, for the protection of whose rights, freedoms and lawful interests the administrative statement of claim was submitted, were violated;

2) whether the period for applying to court was missed;

3) whether the requirements of the following normative legal acts were met:

a) acts stipulating the powers of a body, organisation, person vested with state or other public powers to adopt the challenged decision, perform the challenged action (failure to act);

b) acts stipulating the manner of adoption of the challenged decision, of performance of the challenged action (failure to act), if such a manner is stipulated;

c) acts stipulating the grounds for adopting the challenged decision, performing the challenged action (failing to act), if such grounds are stipulated in normative legal acts;

4) whether the actual meaning of the challenged decision, performed challenged action (failure to act) conforms to the normative legal acts regulating the relations in dispute.

10. If in administrative cases on challenge of decisions, actions (failure to act) of bodies, organisations, persons vested with state or other public powers the grounds for appeal against such decisions, actions (failure to act) are limited by federal laws (in particular, as regards certain decisions, actions (failure to act) of qualification boards of judges and examination

commissions), the court ascertains the facts referred to in Items 1 and 2, Subitems a) and b) of Item 3 of Part 9 of this Article. If federal laws stipulate other grounds for appeal against decisions, actions (failure to act) of a body, organisation, person vested with state or other public powers, that are not among the aforementioned facts, the court checks those grounds.

11. The burden of proof, as regards the facts referred to in Items 1 and 2 of Part 9 of this Article, lies on the person applying to court. The burden of proof, as regards the facts referred to in Items 3 and 4 of Part 9 and in Part 10 of this Article, lies on the body, organisation, person vested with state or other public powers that adopted the challenged decisions or performed the challenged actions (failed to act).

12. If the body, organisation, person vested with state or other public powers that adopted the challenged decisions or performed the challenged actions (failed to act) fails to provide the necessary evidence, the court may order to present evidence on its own initiative. If the aforementioned body, organisation, person does not present the requested evidence and does not inform the court that it is impossible to present it, a court fine may be imposed upon that body, organisation, person, in the manner and amount stipulated in Articles 122 and 123 of this Code.

13. The court may deem it necessary that the court decision in an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers is published.

Article 227. Court Decision in an Administrative Case on Challenge of a Decision, Action (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers

1. A court decision in an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers (hereinafter in this Article referred to as “decision in an administrative case on challenge of a decision, action (failure to act)”) is adopted in accordance with the rules stipulated in Chapter 15 of this Code.

2. After considering an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers, the court adopts one of the following decisions:

1) to satisfy, in full or in part, the stated claims on recognition of the challenged action, decision (failure to act) as unlawful, if the court finds them inconsistent with normative legal acts and violating the rights, freedoms and lawful interests of the administrative plaintiff, and to oblige the administrative defendant to remedy the violations of rights, freedoms and lawful interests of the administrative plaintiff or to eliminate the obstacles for the realisation of rights, freedoms and lawful interests of persons, in whose interests the corresponding administrative statement of claim was submitted;

2) to refuse to satisfy the stated claims on recognition of the challenged decision, action (failure to act) as unlawful.

3. The operative part of a decision in an administrative case on challenge of a decision, action (failure to act) must contain:

1) an indication regarding the recognition of the challenged decision, action (failure to act) as inconsistent with normative legal acts and violating the rights, freedoms and lawful interests of the administrative plaintiff, regarding the satisfaction of the stated claim in full or in part, including the name of the body, organisation, person vested with state or other public powers that adopted the challenged decision or performed the challenged action (failed to act), and regarding the nature of the challenged decision, action (failure to act). If an administrative claim on challenge of a decision, action (failure to act) is satisfied, and it is necessary for the administrative defendant to adopt certain decisions, perform certain actions in order to remedy the violations of rights, freedoms and lawful interests of the administrative plaintiff or to eliminate the obstacles for their realisation, the court indicates that it is necessary to adopt a decision regarding a certain issue, to perform a certain action or to otherwise remedy the violation of rights, freedoms and lawful interests of the administrative plaintiff, and the period for remedying such violations. The court also indicates that it is necessary to inform the court and the person that was the administrative plaintiff in that administrative case about the execution of the decision in the case within one month since the day on which the court decision comes into effect, unless another period is stipulated by the court;

2) information referred to in Items 4 and 5 of Part 6 of Article 180 of this Code;

3) information about the issues resolved by the court based on concrete facts of the administrative case, including the cancellation or preservation of provisional measures;

4) instructions to publish the court decision in a certain official printed publication within the stipulated period.

4. A reasoned court decision is drawn up in accordance with the rules stipulated in Article 177 of this Code. If after the end of trial in an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers pertaining to the conduction of a public event (meeting, rally, demonstration, march, picketing) only the operative part is announced in the court session, the reasoned court decision regarding the refusal to satisfy the corresponding administrative claim must be drawn up by the court on the day of adoption of such a court decision, as soon as possible after the end of the court session.

5. A decision in an administrative case on challenge of a decision, action (failure to act) comes into effect in accordance with the rules, stipulated in Article 186 of this Code.

6. Copies of the court decision in an administrative case on challenge of a decision, action (failure to act) are handed against acknowledgement of receipt to persons participating in the case, their representatives or are forwarded to them within three days since the day of adoption of the court decision in final form. In an administrative case pertaining to the conduction of a public event (meeting, rally, demonstration, march, picketing), considered before the day of the public event or on the day of such an event, they are handed or forwarded to the aforementioned persons immediately after the decision is drawn up, via means that ensure the fastest delivery of copies.

7. On the day the court decision satisfying the stated claims comes into effect or on the day when the court orders the immediate execution of the decision, copies of the decision are forwarded, via means that ensure the fastest delivery, to the heads of the public authority, local self-government body, other body, organisation vested with state or other public powers, to the president of a qualification board of judges, judicial examination commission, to the official, state or municipal servant, whose decision, action (failure to act) were challenged. The court may also forward copies of that decision to a higher body, organisation, a higher official, a prosecutor or other persons.

8. A decision in an administrative case on challenge of a decision, action (failure to act) is executed in accordance with the rules, stipulated in Article 187 of this Code. Court decisions, recognising as unlawful the decisions, actions (failure to act) of an executive body of a constituent entity of the Russian Federation, of a local self-government body on issues pertaining to the approval of time and place of conduction of a public event (meeting, rally, demonstration, march, picketing), and also pertaining to the warning issued by those bodies regarding the aims of such a public event and the form of its conduction, are subject to immediate execution.

9. If a decision, action (failure to act) is recognised as unlawful, the body, organisation, person vested with state or other public powers that adopted the challenged decision or performed the challenged action (failure to act) must remedy the violations or eliminate the obstacles to the realisation of rights, freedoms and lawful interests of persons, in whose interests the corresponding administrative statement of claim was submitted, and restore those rights, freedoms and lawful interests in the manner stipulated by the court and within the stipulated period, and must accordingly inform the court, the citizen, the organisation or another person, in whose regard those violations occurred or obstacles were created, within one month since the coming of the decision in an administrative case on challenge of a decision, action (failure to act) into effect.

10. If it is indicated in a decision in an administrative case on challenge of a decision, action (failure to act) that the decision must be published, it must be published in the indicated official printed publication within the period stipulated by the court. If no exact printed publication is indicated, the decision must be published in the official printed publication of the body, organisation, official. If it is impossible to publish the court decision within the stipulated period due to the periodicity of the official printed publication, it must be published in the earliest issue of such a printed publication following the expiration of the stipulated period. If the official printed publication ceased its activities, the court decision or information about its adoption is published in another printed publication, in which normative legal acts of the corresponding public authority, local self-government body, other body, authorised organisation or official are published.

Article 227.1. Special Rules of Submission and Consideration of a Compensation Claim for Violation of Conditions of Remand in Custody, Detention in a Correction Facility

1. A person believing that the conditions of his remand in custody, detention in a correction facility were violated may, simultaneously with stating, in the manner stipulated in this Chapter, a claim on challenge of the decision, action (failure to act) of a public authority, institution, their

officials, state servants pertaining to the conditions of remand in custody, detention in a correction facility, state a claim for the award of compensation for violation of the conditions of remand in custody, detention in a correction facility, stipulated in the legislation of the Russian Federation and international treaties of the Russian Federation.

2. An administrative statement of claim submitted in accordance with Part 1 of this Article must contain the information stipulated in Article 220 of this Code, a compensation claim for violation of conditions of remand in custody, detention in a correction facility, as well as the bank account details of the person submitting such a statement, to which the recoverable funds are to be transferred.

3. A compensation claim for violation of conditions of remand in custody, detention in a correction facility is considered by the court simultaneously with the claim on challenge of a decision, action (failure to act) of a public authority, institution, their officials, state servants under the rules stipulated in this Chapter with due regard to the special rules stipulated in this Article.

4. During court consideration of a compensation claim for violation of conditions of remand in custody, detention in a correction facility, the interests of the Russian Federation are represented by the principal manager of funds of the federal budget, depending on what agency the body (institution) ensuring the conditions of remand in custody, detention in a correction facility belongs to.

5. When considering an administrative statement of claim submitted in accordance with Part 1 of this Article, the court finds whether the violation of conditions of remand in custody, detention in a correction facility, stipulated in legislation of the Russian Federation and international treaties of the Russian Federation took place, as well as the nature and duration of the violation, the circumstances in which the violation occurred, its consequences.

6. If the administrative statement of claim contains a claim for restitution of damages, caused by the violation of conditions of remand in custody, detention in a correction facility, to the property and (or) health of the administrative plaintiff, the court adopts a decision to transfer to the consideration of this claim under the rules of civil judicial procedure in accordance with Article 16.1 of this Code.

7. A court decision in an administrative case on challenge of a decision, action (failure to act) of a public authority, institution, their officials, state servants and on award of compensation for violation of conditions of remand in custody, detention in a correction facility must meet the requirements stipulated in Article 227 of this Code and must additionally contain:

1) in the statement of reasons:

a) information about the conditions of remand in custody, detention in a correction facility, the nature and duration of the violation, the circumstances in which the violation occurred, its consequences;

b) substantiation of the amount of compensation and the name of the body (institution) that let the violation of conditions of remand in custody, detention in a correction facility occur;

c) the reasons, for which compensation is awarded or denied;

2) in the operative part:

a) if compensation is denied – an indication in this regard;

b) if compensation is awarded – an indication in this regard and information about the amount of compensation, the name of the body performing the functions of the principal manager of funds of the federal budget in accordance with the budgetary legislation of the Russian Federation and representing the interests of the Russian Federation in the case on award of compensation.

8. Within three days from the day of adoption of the decision in its final form, copies of the court decision are forwarded to the administrative plaintiff, administrative defendant, to the body obliged, in accordance with federal law, to execute judicial acts on award of compensation, as well as to other interested persons.

9. In the part pertaining to the satisfaction of the compensation claim for violation of conditions of remand in custody, detention in a correction facility, the court decision is subject to immediate execution in the manner stipulated in the budgetary legislation of the Russian Federation.

Article 228. Appeal against a Judicial Act in an Administrative Case on Challenge of a Decision, Action (Failure to Act) of a Body, Organisation, Person Vested with State or Other Public Powers

A court decision in an administrative case on challenge of a decision, action (failure to act) of a body, organisation, person vested with state or other public powers may be appealed against in accordance with the general rules stipulated in this Code.

Chapter 23. Proceedings in Administrative Cases Considered by the Disciplinary Chamber of the Supreme Court of the Russian Federation

Article 229. Application of Rules of This Chapter

1. Proceedings in the Disciplinary Chamber of the Supreme Court of the Russian Federation (hereinafter also referred to as “the Disciplinary Chamber”) are carried out in the manner stipulated in Chapter 22 of this Code, with due regard to the special rules stipulated in this Chapter.

2. For purposes of this Chapter, the administrative plaintiff is a person that submits an appeal (address) to the Disciplinary Chamber.

Article 230. Right to Address the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. A person, whose judicial powers were prematurely terminated by virtue of a decision of the High Qualification Board of Judges of the Russian Federation (hereinafter referred to as "the High Qualification Board of Judges") or of a qualification board of judges of a constituent entity of the Russian Federation for committing a disciplinary offense, may appeal against those decisions of qualification boards of judges before the Disciplinary Chamber.

2. The Chief Justice of the Supreme Court of the Russian Federation may address the Disciplinary Chamber regarding the premature termination of judicial powers of a judge for a disciplinary offense committed by that judge, if the High Qualification Board of Judges or a qualification board of judges of a constituent entity of the Russian Federation refuses to satisfy a proposal regarding the termination of judicial powers for a disciplinary offence.

3. Decisions of the High Qualification Board of Judges regarding the imposition of a disciplinary punishment upon a judge and regarding the results of qualification attestation of a judge may be appealed against before the Disciplinary Chamber.

4. The decision of the High Qualification Board of Judges of the Russian Federation, of a qualification board of judges of a constituent entity of the Russian Federation may be challenged by the administrative plaintiff within ten days from receipt of a copy of the corresponding decision.

Article 231. Requirements to an Appeal (Address) Submitted to the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. An appeal (address) submitted to the Disciplinary Chamber must indicate:

1) the Disciplinary Chamber as the body, to which the appeal (address) is submitted;

2) the person submitting the appeal (address), that person's postal address, e-mail address (if any) for forwarding of postal correspondence, telephone number;

3) the decision, with which the administrative plaintiff disagrees, as well as the name of the qualification board of judges that adopted that decision;

4) the claim, addressed to the Disciplinary Chamber;

5) facts on which the administrative plaintiff's claims are based and evidence confirming those facts;

6) information about the representative;

7) list of documents attached to the application.

2. The appeal (address) may also contain other information that may be used for forwarding of correspondence.

Article 232. Accepting an Appeal (Address) for Proceedings of the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. Within ten days since the receipt of the appeal (address) by the Disciplinary Chamber, a member of the Disciplinary Chamber resolves the issue of accepting it for proceedings.

2. If the appeal (address) meets the stipulated requirements, a member of the Disciplinary Chamber, to whom the appeal (address) is referred, issues a decree to accept the appeal (address) for proceedings. If the Disciplinary Chamber is not competent to consider the appeal (address), or if the administrative plaintiff did not comply with the requirements to the appeal (address), the member of the Disciplinary Chamber issues a reasoned decree to return the appeal (address).

3. The decree to accept the appeal (address) for proceedings indicates the time and place of the court session, the list of persons to be summoned to the court session of the Disciplinary Chamber and the actions that need to be performed during the preparation of the administrative case for consideration.

4. The qualification board of judges that adopted the decision, with which the administrative plaintiff disagrees, forwards a statement of defence regarding the appeal (address) accepted for proceedings of the Disciplinary Chamber, within ten days since the receipt of the decree referred to in Part 3 of this Article, including receipt via e-mail.

5. Materials and information requested by the Disciplinary Chamber are to be presented (in particular, via e-mail) within the period stipulated in the request.

Article 233. Grounds for Recusal (Self-Recusal) of a Member of the Disciplinary Chamber of the Supreme Court of the Russian Federation

In addition to the provisions of Articles 31 and 32 of this Code, a member of the Disciplinary Chamber has no right to consider an administrative case regarding an appeal (address) received by the Disciplinary Chamber, if he participated in the consideration of this administrative case as a member of a qualification board of judges.

Article 234. Consideration of an Administrative Case by the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. Administrative cases are collectively considered in a court session of the Disciplinary Chamber in the composition of three of its members.

2. The Chairman of the Disciplinary Chamber or one of the members of the Chamber presides over the court session of the Disciplinary Chamber. The manner and the order of performance of procedural actions are established by the presiding judge.

3. An administrative case may be considered by the Disciplinary Chamber *in camera* where so stipulated and in the manner stipulated in Article 11 of this Code, as well as where so stipulated in federal law.

4. Non-appearance of persons participating in the case, of their representatives, duly notified of the time and place of the court session, does not preclude the consideration of the administrative case, unless the aforementioned persons submitted motions to postpone the court session due to inability to appear in it for good reasons.

Article 235. Distribution of Burden of Proof in Administrative Cases Considered by the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. If the administrative plaintiff is a citizen, the burden of proof, as regards the facts that served as grounds for the adoption of the decision with which the administrative plaintiff disagrees and as regards the lawfulness of that decision, lies on the qualification board of judges that adopted such a decision.

2. The Chief Justice of the Supreme Court of the Russian Federation, addressing the Disciplinary Chamber, must prove that the decision of a qualification board of judges with which he disagrees is unlawful and unsubstantiated.

Article 236. Limits of Checks Performed by the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. When considering an administrative case based on an appeal of the administrative plaintiff, the Disciplinary Chamber is not bound by the grounds and arguments stated in the appeal.

2. When considering an administrative case based on the address of the Chief Justice of the Supreme Court of the Russian Federation, the Disciplinary Chamber checks the decision of the qualification board of judges, with which the administrative plaintiff disagrees, within the limits of the grounds and arguments stated in the address.

3. When considering an appeal (address), the Disciplinary Chamber may on its own initiative order to present evidence to correctly adjudicate the administrative case.

Article 237. Grounds for Staying Proceedings in an Administrative Case

The consideration of appeals (addresses) accepted for proceedings by the Disciplinary Chamber may be stayed for up to six months if it is necessary to check the materials and information contained therein, as well as if there are other circumstances that preclude the consideration of the administrative case for a long time.

Article 238. Decision of the Disciplinary Chamber of the Supreme Court of the Russian Federation

1. After considering the appeal (address), the Disciplinary Chamber adopts one of the following decisions:

1) to satisfy the appeal and cancel the decision of the corresponding qualification board of judges in full or in part;

2) to satisfy the address and terminate the powers of the judge;

3) to refuse to satisfy the appeal or address.

2. A copy of the operative part of the decision of the Disciplinary Chamber may be issued to a person participating in the case upon its motion, on the day of adoption of the decision.

3. Copies of the decision of the Disciplinary Chamber are handed against acknowledgement of receipt to persons participating in the case or to their representatives, or are forwarded to them within five working days since the day on which the reasoned decision is drawn up.

4. The decision of the Disciplinary Chamber may be appealed against by the parties in appellate or supervisory proceedings and may also be reviewed due to new or newly discovered facts.

Chapter 24. Proceedings in Administrative Cases regarding the Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum

Article 239. Applying to Court with an Administrative Statement of Claim regarding the Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum

1. Voters, participants of a referendum have a right to challenge in court the decisions, actions (failure to act) of a public authority, local self-government body, another body, of an election commission, referendum commission, an official that violate electoral rights of those citizens or their right to participate in a referendum.

2. Candidates and their authorised persons, election associations and their authorised persons, political parties, their regional offices and other structural divisions, other public associations, referendum initiative groups and their authorised representatives, other groups of referendum participants and their authorised representatives have a right to challenge in court the decisions, actions (failure to act) of a public authority, local self-government body, another body, public association, election commission, referendum commission, official that violate their rights, freedoms and lawful interests.

3. Observers have a right to challenge in court the decisions, actions (failure to act) of a public authority, local self-government body, public association, election commission, referendum commission, official that violate the rights of observers pertaining to the exercise of their powers.

4. Members of an election commission, referendum commission have a right to challenge in court the decisions, actions (failure to act) of a public authority, local self-government body, public association, election commission, referendum commission, official that violate the rights of members of such commissions pertaining to the exercise of their powers.

5. An election commission, referendum commission has a right, within the framework of its competence, to apply to court with an administrative statement of claim regarding the violation of legislation on elections and referendums by a public authority, local self-government body, by an official, candidate, election association, political party, its regional office or another structural division, another public association, a referendum initiative group, another group of referendum participants, as well as by an election commission, referendum commission. An election commission, referendum commission may apply to court with an administrative statement of claim regarding the suspension of a member of a district election commission, referendum commission from the work of the commission, regarding the removal of an observer or another person from the voting premises if they violate the legislation of the Russian Federation on elections and referendums.

6. A prosecutor has a right to apply to court in the manner stipulated in this Chapter, where so stipulated in this Article and in Part 1 of Article 39 of this Code, for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum.

7. An administrative statement of claim for the establishment of a time period, within which the authorised body, official or election commission must appoint elections (except for elections of the President of the Russian Federation and elections of deputies of the State Duma of the Federal Assembly of the Russian Federation), may be submitted to court by voters, election associations, public authorities, local self-government bodies, by a prosecutor.

8. An administrative statement of claim for the appointment of a local referendum may be submitted to court by citizens, election associations, a head of a municipal entity, public authorities of a constituent entity of the Russian Federation, an election commission of a constituent entity of the Russian Federation, a prosecutor.

9. An administrative statement of claim challenging the decision to conduct a local referendum, challenging a decision adopted at a local referendum may be submitted to court by citizens, local self-government bodies, a prosecutor, authorised public authorities.

10. An administrative statement of claim challenging the decision of an election commission to certify a list of candidates, to deny certification of a list of candidates, to register a candidate, a list of candidates, to deny registration of a candidate, list of candidates may be submitted to court by an election commission that registered a candidate, a list of candidates; by a candidate, an election association in whose regard such a decision was adopted; by a candidate registered in the same election circuit; by an election association whose list of candidates is certified or registered in the same election circuit.

11. An administrative statement of claim for the deregistration of a candidate, a list of candidates may be submitted to court by the election commission that registered the candidate, list of candidates; by a candidate registered in the same election circuit; by an election association,

whose list of candidates is registered in the same election circuit; and also by a prosecutor, where so stipulated in law.

12. An administrative statement of claim for deregistration of a referendum initiative group, of another group of referendum participants may be submitted to court by:

1) the Central Election Commission of the Russian Federation – if a Russian Federation referendum is to be conducted;

2) an election commission of a constituent entity of the Russian Federation – if a referendum of a constituent entity of the Russian Federation is to be conducted;

3) an election commission of a municipal entity – if a local referendum is to be conducted.

13. An administrative statement of claim for the termination of activities of a Russian Federation referendum initiative group, initiative campaign group may be submitted to court by the Central Election Commission of the Russian Federation.

14. An administrative statement of claim for the dissolution of an election commission, referendum commission may be submitted to court:

1) for the dissolution of the Central Election Commission of the Russian Federation – by a group of at least a third of all the senators of the Russian Federation or of all the deputies of the State Duma of the Federal Assembly of the Russian Federation;

2) for the dissolution of an election commission of a constituent entity of the Russian Federation, a circuit election commission during the elections of deputies of the State Duma of the Federal Assembly of the Russian Federation – by a group of at least a third of all the senators of the Russian Federation or of all the deputies of the State Duma of the Federal Assembly of the Russian Federation, or a group of at least a third of deputies of the legislative (representative) public authority of a constituent entity of the Russian Federation, or a group of at least a third of deputies of one of the elective houses of that public authority, or by the Central Election Commission of the Russian Federation;

3) for the dissolution of a circuit election commission during the elections to the legislative (representative) public authority of a constituent entity of the Russian Federation – by a group of at least a third of deputies of the legislative (representative) public authority of a constituent entity of the Russian Federation or a group of at least a third of deputies of one of the elective houses of that public authority, or by the Central Election Commission of the Russian Federation, or by the election commission of a constituent entity of the Russian Federation;

4) for the dissolution of an election commission of a municipal entity, a circuit election commission during elections to the representative body of the municipal entity, the dissolution of a territorial or district commission – by a group of at least a third of deputies of the legislative (representative) public authority of a constituent entity of the Russian Federation or a group of at least a third of deputies of one of the elective houses of that public authority, or by a group of at least a third of deputies of the representative

body of a municipal entity, or by the Central Election Commission of the Russian Federation, or by the election commission of a constituent entity of the Russian Federation;

5) for the dissolution of an election commission of a settlement – by groups of deputies and election commissions referred to in Part 4 of this Article, as well as by the corresponding election commission of a municipal district.

15. An administrative statement of claim for the cancellation of a decision of an election commission, referendum commission regarding the voting results, election results, results of a referendum may be submitted to court by a duly registered citizen, who participated in the elections as a candidate, by an election association that participated in the elections and proposed a candidate or a list of candidates for the elective positions, by a referendum initiative group and (or) its authorised representatives, and by a prosecutor, where so stipulated in law.

16. A voter, a referendum participant may apply to court with an application challenging the decision, action (failure to act) of a district election commission, referendum commission regarding the establishment of voting results in the election district, referendum district in which that citizen participated in the corresponding elections, referendum.

17. It is not obligatory to first apply to a higher commission, including the election commission of a constituent entity of the Russian Federation, the Central Election Commission of the Russian Federation in order to apply to court with an administrative statement of claim challenging the decision of an election commission.

Article 240. Period for Submission of Administrative Statement of Claim for Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum

1. Unless otherwise stipulated in this Code, an administrative statement of claim for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum may be submitted within three months since the day on which the administrative plaintiff learned or must have learned about the violation of his electoral rights or of the right to participate in a referendum, of the violation of legislation on elections and referendums.

2. An administrative statement of claim for the cancellation of a decision of an election commission, referendum commission regarding the voting results may be submitted to court within ten days since the adoption of the decision regarding the voting results.

3. After the publication of election results, results of a referendum, an administrative statement of claim for the cancellation of a decision of an election commission, referendum commission regarding the election results, results of a referendum may be submitted to court within three months since the day of official publication of results of the corresponding elections, referendum.

4. An administrative statement of claim regarding the decision of an election commission, referendum commission on the registration of a candidate, list of candidates, referendum

initiative group, another group of referendum participants, on denial of such registration, on certification of a list of candidates, list of candidates in single-mandate (multi-mandate) election circuits, on denial of such certification may be submitted to court within ten days since the day of adoption of the challenged decision by the election commission, referendum commission. If the decision of the election commission, referendum commission to deny registration of a candidate, list of candidates, referendum initiative group, another group of referendum participants, deny the certification of a list of candidates, list of candidates in single-mandate (multi-mandate) election circuits was first challenged before another election commission, referendum commission in the manner stipulated in federal law, the administrative statement of claim may be submitted within five days from the day on which the corresponding commission decides to leave that complaint without satisfaction

5. An administrative statement of claim for the deregistration of a candidate, list of candidates may be submitted to court no later than eight days before the voting day (if voting takes place over the course of several consecutive days – no later than eight days before the first voting day).

6. An administrative statement of claim for the dissolution of an election commission, referendum commission may be submitted to court within the following periods:

1) for the dissolution of a commission organising the elections, referendum – after the end of the election campaign, referendum campaign, but no later than three months after the ending day of the election campaign, referendum campaign;

2) for the dissolution of another commission – no later than thirty days before the voting day (if voting takes place over the course of several consecutive days – no later than thirty days before the first voting day) or after the end of the election campaign, referendum campaign, but no later than three months after the grounds appeared for the dissolution of the commission;

3) for the dissolution of a district commission, where repeated voting is conducted – after the voting results are established in that district, but no later than seven days before the day of repeated voting (if voting takes place over the course of several consecutive days – no later than seven days before the first day of repeated voting).

7. Periods stipulated in Parts 2 – 6 of this Article are not subject to restoration, independent of the reasons for which they were missed.

8. If the stipulated period for the submission of an administrative statement of claim for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum is missed, that does not give the court grounds to refuse to accept the statement of claim. The reasons for missing the stipulated period are ascertained during the preliminary court session or during the court session.

9. If missed for a good reason, the period for submission of the administrative statement of claim for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum may be restored by the court, except for the periods stipulated in Parts 2 – 6 of this Article, the restoration of which is impossible.

10. If the period for submission of the administrative statement of claim for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum was missed without a good reason, and also if it is impossible to restore the missed period, this constitutes grounds for refusal to satisfy the aforementioned statement of claim.

Article 241. Periods for Consideration of Administrative Cases on Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum

1. Unless otherwise stipulated in this Code, an administrative statement of claim for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, submitted to court during an election campaign, referendum campaign before the voting day, must be considered and adjudicated within five days since the day of its receipt, but no later than on the day preceding the voting day. If such a statement of claim is submitted on the day preceding the voting day, on the voting day or on the day following the voting day, it is to be considered and adjudicated immediately (if voting takes place over the course of several consecutive days, the aforementioned administrative statement of claim, received by the court during the election campaign, referendum campaign before the first voting day must be considered and adjudicated within five days since the day of its receipt, but no later than on the day preceding the first voting day, and a statement received on the day preceding the first voting day, during the voting days or on the day following the last voting day – immediately). If facts contained in the aforementioned administrative statement of claim require additional checks, it must be considered and adjudicated no later than ten days after its submission.

1.1. An administrative statement of claim regarding the immediate suspension of a member of a district election commission, referendum commission from the work of the commission, immediate removal of an observer or other person from the voting premises is considered no later than on the day following the day of its receipt.

2. An administrative statement of claim regarding errors and inaccuracies in lists of voters, lists of referendum participants must be considered and adjudicated within three days since its receipt by the court, but no later than on the day preceding the voting day. Such a statement of claim, received on the voting day, must be considered and adjudicated immediately. If voting takes place over the course of several consecutive days, the aforementioned administrative statement of claim must be considered and adjudicated within three days since its receipt by the court, but no later than on the day preceding the first voting day, and a statement received during the voting days – immediately.

3. An administrative statement of claim for the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, submitted to court after the voting day or after the end of the election campaign, and an administrative statement of claim regarding a decision of an election commission, referendum commission on election results, voting results, results of a referendum must be considered and adjudicated within one month from the day of its receipt by the court.

4. The decision to satisfy an administrative statement of claim for deregistration of a candidate, a list of candidates is adopted by a court of first instance no later than five days before the voting

day (if voting takes place over the course of several consecutive days – no later than five days before the first voting day).

5. The decision to satisfy an administrative statement of claim for deregistration of a referendum initiative group, another group of referendum participants is adopted by the court no later than three days before the voting day (if voting takes place over the course of several consecutive days – no later than three days before the first voting day).

6. The decision regarding an administrative statement of claim for the dissolution of an election commission, referendum commission is adopted by the court no later than fourteen days since the day of receipt of the statement of claim by the court; during an election campaign, referendum campaign – no later than three days since that day.

7. During an election campaign, referendum campaign the court considers cases on the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum on a week-end or a holiday, if that day is the last day of the period for the consideration of the administrative case, and the case was not or could not be considered before that day.

8. If the periods stipulated in Part 1 of this Article expire, this does not result in termination of proceedings in the case, initiated by an administrative statement of claim submitted in accordance with the requirements of Article 240 of this Code, and does not preclude the courts (including the courts of appeal, cassation and supervision) from adjudicating the case on its merits.

Article 242. Termination of Proceedings in an Administrative Case on Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum

1. The court terminates proceedings in an administrative case on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum if it finds that there are grounds stipulated in Part 6 of Article 39, Part 7 of Article 40, Items 1-4 and 6 of Part 1 and Part 2 of Article 194 of this Code, and in administrative cases regarding the denial of registration or deregistration of a candidate – also if there are grounds stipulated in Item 5 of Part 1 of Article 194 of this Code.

2. Proceedings in the administrative case are also to be terminated, if:

1) the election association excludes the candidate from the proposed list before the court adopts the decision, if that candidate performed the following actions that served as grounds for application to court:

a) the candidate called for actions that are determined by federal law as extremist activities, or otherwise instigated such actions, justified or defended extremism in his speeches at public events, in mass media or in materials distributed by him (including those placed in publicly accessible information-telecommunication networks, including the Internet);

b) the candidate performed actions aimed at instigating social, racial, national or religious hatred, humiliation of national dignity, propaganda of exceptionalism, superiority or inferiority of citizens based on their religious attitude, social status, race, nationality, religion or language;

c) the candidate engaged in propaganda or public demonstration of Nazi symbols or attributes, or symbols or attributes confusingly similar to Nazi symbols or attributes.

2) the court finds that the administrative plaintiff does not meet the requirements stipulated in Part 16 of Article 239 of this Code.

Article 243. Consideration of Administrative Cases on Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum

1. When the court accepts for proceedings an administrative statement of claim for the recognition of a decision, action (failure to act) of an election commission, referendum commission as unlawful, it informs a higher election commission about this.

2. Administrative cases regarding the dissolution of election commissions, referendum commissions, regarding the challenge of decisions of the Central Election Commission of the Russian Federation on the results of elections of the President of the Russian Federation, deputies of the State Duma of the Federal Assembly of the Russian Federation, results of a Russian Federation referendum are collectively considered by the court in the composition of three judges.

3. The court notifies the persons participating in the case and a prosecutor about the time and place of consideration of an administrative case on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum. Non-appearance of persons participating in the administrative case, who were duly notified of the time and place of the court session and whose presence is not deemed obligatory by the court, as well as the non-appearance of the prosecutor, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case.

4. An administrative case on challenge of a decision of a district election commission, referendum commission on the voting results by a voter, referendum participant is considered by the court with obligatory participation of a representative of the territorial commission, and during municipal elections, referendum – of a representative of the commission organising the corresponding municipal elections, referendum.

5. When considering and adjudicating administrative cases on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum during an election campaign, referendum campaign, the court cannot use the following provisional measures for the administrative statement of claim until the day of publication of election results, referendum results:

1) arrest or seizure of voting bulletins, referendum bulletins, lists of voters, lists of referendum participants, of other election documents, referendum documents;

2) suspension of activities of election commissions, referendum commissions;

3) injunction to election commissions, referendum commissions, barring them from performing actions stipulated by law, aimed at preparing and conducting the elections, referendum.

6. Rules of simplified (written) proceedings do not apply during the consideration and adjudication of administrative cases on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum.

7. The Central Election Commission of the Russian Federation, in the person of its representative, may be drawn to participation in an administrative case on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum in order to give a conclusion on the case, except when the Central Election Commission of the Russian Federation participates in the administrative case as an administrative defendant or an interested person.

Article 244. Court Decision in an Administrative Case on Protection of Electoral Rights of Citizens of the Russian Federation and of their Right to Participate in a Referendum and its Realisation

1. If the court finds that legislation on elections and referendums was violated during the adoption of the challenged decision, performance of the challenged action (failure to act) by a public authority, local self-government body, public association, election commission, referendum commission, official, it satisfies the administrative claim regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum in full or in part, recognises the aforementioned decision, action (failure to act) as unlawful, stipulates the manner and periods for remedying the violated rights, freedoms and realisation of lawful interests and (or) for the elimination of consequences of the violations. The court also indicates that it is necessary to inform the court and the person that submitted the administrative statement of claim about the execution of the decision within one month since the day on which it comes into effect.

2. If the period for application to court is missed and it is impossible to restore it, or if the court finds that the challenged decision, action (failure to act) are lawful, it refuses to satisfy the administrative claim regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum.

3. A reasoned court decision in an administrative case on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, adopted during an election campaign, referendum campaign before the voting day, must be drawn up as soon as possible, with regard to the periods for consideration of this category of administrative cases.

4. Copies of a court decision in an administrative case on protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum are handed against acknowledgement of receipt to persons participating in the case, including the persons who gave a conclusion on the case, their representatives, as well as to the representative of the election commission organising the elections, to the representative of the referendum commission organising the referendum, or are forwarded to them within three days since the adoption of such a decision in its final form. During an election campaign, referendum campaign (before the voting day), the copies are forwarded immediately after the court decision is drawn up, via means that ensure their fastest delivery.

5. A copy of an effective court decision satisfying the stated claim or of a decision subject to immediate execution is immediately forwarded to the head of the corresponding public authority, local self-government body, public association, to the president of an election commission, referendum commission, to an official. The court may also forward a copy of the effective court decision to the head of a higher body, president of a higher commission, to a higher official.

6. Court decisions on the inclusion of a citizen into the list of voters, referendum participants, on immediate suspension of a member of a district election commission, referendum commission from the work of the commission, immediate removal of an observer or other person from the voting premises are subject to immediate execution. A court of first instance cannot order the immediate execution of its decision regarding the deregistration of a candidate, list of candidates, the deregistration of a referendum initiative group, of another group of referendum participants.

Chapter 25. Proceedings in Administrative Cases on Challenge of Results of Cadastre Value Assessment

Article 245. Applying to Court with an Administrative Statement of Claim regarding the Challenge of Results of Cadastre Value Assessment

1. Legal persons and citizens have the right to apply to court with an administrative statement of claim regarding the challenge of results of cadastre value assessment, including the challenge of decisions of a cadastre value assessment dispute commission, as well as with and administrative statement of claim regarding the challenge of actions (failure to act) of such a commission, if the results of cadastre value assessment affect their rights and duties.

2. Public authorities, local self-government bodies have the right to apply to court with an administrative statement of claim regarding the challenge of results of cadastre value assessment, including the challenge of decisions of a cadastre value assessment dispute commission, as well as with an administrative statement of claim regarding the challenge of actions (failure to act) of such a commission, in regard of real property objects in state or municipal property of the corresponding constituent entity of the Russian Federation or of a municipal entity.

2.1. Where so stipulated in law, local self-government bodies, public authorities of federal cities – Moscow, Saint-Petersburg and Sevastopol – have the right to challenge decisions or actions (failure to act) of a cadastre value assessment dispute commission in regard of real property objects that are in the property of other persons.

3. An administrative statement of claim regarding the challenge of results of cadastre value assessment may be submitted to court no later than five years since the day of entry of the challenged results of cadastre value assessment into the state real property cadastre, if at the moment of application neither the results of cadastre value assessment acquired during a new state cadastre evaluation, nor information regarding the change of quality or quantity characteristics of the real property object were included into the state real property cadastre, resulting in the change of the object's cadastre value.

4. An administrative statement of claim regarding the challenge of results of cadastre value assessment, including the challenge of decisions of a cadastre value assessment dispute commission, as well as an administrative statement of claim regarding the challenge of actions (failure to act) of such a commission, is submitted to court in accordance with the rules of jurisdiction, stipulated in Article 20 of this Code. Where federal law stipulates obligatory application to a cadastre value assessment dispute commission as a pre-trial dispute resolution procedure, it is only possible to apply to court after this requirement has been met.

5. An administrative statement of claim on challenge of a decision of a cadastre value assessment dispute commission, as well as an administrative statement of claim regarding the challenge of actions (failure to act) of such a commission is considered in accordance with the rules of Chapter 22 of this Code with due regard to the features stipulated in this Chapter.

Article 246. Contents of an Administrative Statement of Claim regarding the Challenge of Results of Cadastre Value Assessment

1. An administrative statement of claim regarding the challenge of results of cadastre value assessment must meet the requirements of Article 125 of this Code.

2. Apart from the documents, referred to in Article 126 of this Code, the following is attached to the administrative statement of claim:

1) an excerpt from the Unified State Register of Property Rights regarding the cadastre value of the real property object, containing information about the challenged results of cadastre value assessment;

2) a copy of a document establishing or confirming the real property title, if the statement of claim is submitted by the person entitled to the real property object;

3) documents confirming the unreliability of information about the real property object 0used during its cadastre value assessment, if the statement of claim is submitted based on the unreliability of that information;

4) a report drawn up on paper and in the form of an electronic document, if the statement of claim is submitted based on evaluation of the market price of the real property object;

5) *abrogated*;

6) where so stipulated in federal law, documents and materials confirming the performance of pre-trial dispute resolution procedures.

3. Other documents and materials confirming the claims of the administrative plaintiff may be attached to the administrative statement of claim.

4. If the requirements of Parts 1 and 2 of this Article are not met, the judge issues a decree on leaving the administrative statement of claim without action in accordance with Article 130 of this Code, of which the administrative plaintiff is notified, and provides reasonable time to correct the defects.

5. If the defects that served as grounds for leaving the administrative statement of claim without action are not corrected within a reasonable time, the judge issues a decree to return the administrative statement of claim with all the attached documents by virtue of Article 129 of this Code.

Article 247. Consideration of an Administrative Case on Challenge of Results of Cadastre Value Assessment

1. The administrative statement of claim regarding the challenge of results of cadastre value assessment is accepted for proceedings and considered in the manner and within the periods stipulated in Article 141 of this Code.

2. Persons participating in the case are notified by the court of the time and place of the court session. The state body or local self-government body that adopted the results of cadastre value assessment, as well as the state body performing the functions of state cadastre assessment are drawn to participation in the case on challenge of results of cadastre value assessment.

3. The court may consider drawing other persons, whose rights may be affected by the adopted decision, to participation in the administrative case.

4. Non-appearance of persons participating in the case, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case on challenge of results of cadastre value assessment, unless their appearance is deemed obligatory by the court.

5. Parties to the administrative case must prove the facts to which they refer in substantiation of their claims and objections, except when relieved from the burden of proof in accordance with Article 64 of this Code. The burden of proof, as regards the grounds referred to in Article 248 of this Code, lies on the administrative plaintiff.

6. In order to correctly adjudicate the administrative case, the court may issue an order to present evidence in accordance with Article 63 of this Code on its own initiative or upon the motion of the parties, if they have no opportunity to present the evidence for objective reasons.

Article 248. Grounds for Review of Results of Cadastre Value Assessment

1. The grounds for review of results of cadastre value assessment are:

1) unreliability of information about the real property object, used during the assessment of its cadastre value;

2) establishment of the market price of the real property object for the date, on which its cadastre value was established.

2. If it is found during the court session that the subject matter of the administrative statement of claim does not in fact conform to Part 1 of this Article, the court suggests it to the administrative plaintiff to specify the stated claims. Otherwise, the court leaves the statement of claim without consideration in accordance with Part 2 of Article 196 of this Code.

Article 249. Court Decision in an Administrative Case on Challenge of Results of Cadastre Value Assessment

1. The court decision is adopted in accordance with the rules stipulated in Chapter 15 of this Code.

2. The contents of the court decision must meet the requirements stipulated in Article 180 of this Code and Part 3 of this Article.

3. The operative part of the decision must also indicate the newly established cadastre value.

4. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are forwarded to them after the decision is drawn up.

5. *Abrogated.*

6. A court decree issued in an administrative case on challenge of results of cadastre value assessment, in particular in an administrative case on challenge of decisions of a cadastre value assessment dispute commission, an administrative case on challenge of actions (failure to act) of such a commission, may be appealed against before a court of appeal separately from the court decision by persons participating in the case (procedural appeal). The prosecutor may submit a prosecutor’s procedural appeal.

7. *Abrogated.*

Chapter 26. Proceedings in Administrative Cases regarding the Award of Compensation for the Violation of Right to Trial within a Reasonable Time or of Right to Execution of a Judicial Act within a Reasonable Time

Article 250. Right to Apply to Court with an Administrative Statement of Claim regarding the Award of Compensation for the Violation of Right to Trial within a Reasonable Time or of Right to Execution of a Judicial Act within a Reasonable Time

1. If a person believes that a state body, a local self-government body, another body, organisation, official violated its right to trial within a reasonable time, including pre-trial

proceedings in a criminal case and the application of a measure of procedural compulsion in the form of arrest of property, or the right to execution of a judicial act within a reasonable time, such a person may apply to court with an administrative statement of claim regarding the award of a compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time (hereinafter also referred to as "an administrative statement of claim for the award of compensation").

2. An administrative statement of claim for the award of compensation for the violation of right to trial within a reasonable time may be submitted to court within six months since the day on which the last judicial act adopted in the administrative case, in which a violation occurred, comes into effect.

3. An administrative statement of claim for the award of compensation for the violation of right to trial within a reasonable time may be submitted before the end of proceedings in the case, if the time of consideration of the case has exceeded three years, and the person referred to in Part 1 of this Article has earlier, in the stipulated manner, submitted an application to speed up the consideration of the case.

4. An administrative statement of claim for the award of compensation for the violation of right to execution of a judicial act within a reasonable time may be submitted to court during the execution of the judicial act, but no earlier than six months since the expiration of the period, stipulated in federal law for the execution of a judicial act, and no later than six months since the day of finalisation of enforcement proceedings.

5. An administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time may be submitted to court within six months since the day on which the court sentence adopted in the case comes into effect, or from the day on which another decision, decree, act that was adopted by an inquiry officer, head of an inquiry department, head of an inquiry body, an inquiry body, investigator, prosecutor, head of an investigative body, the court and terminated the criminal judicial proceedings comes into effect. If the person subject to being drawn as the accused is established, the administrative statement of claim for the award of compensation may also be submitted before the end of proceedings in the criminal case, if the time of proceedings in the case has exceeded four years, and the interested person has earlier, in the manner stipulated in the criminal procedure legislation of the Russian Federation, submitted an application to speed up the consideration of the criminal case. If after consideration of such a compensation application for the violation of right to criminal trial within a reasonable time a decision is adopted, the applicant may apply to court with a new compensation application for the violation of right to criminal trial within a reasonable time after one year from the day on which it becomes effective; if a decree on termination of the criminal case or of criminal prosecution was reversed, the criminal case was returned by the prosecutor for additional inquiry or for rewriting the indictment act, or was returned by the judge to the prosecutor for elimination of obstacles for its court consideration, this new application may be submitted independent of expiration of said period. The application should describe the facts that occurred during the period that was not subject matter of court consideration under the original application, indicating that the right to criminal trial within a reasonable time was violated. The applicant may also refer to the facts earlier considered by the court. In this situation, it is not

necessary to repeatedly file an application to speed up the consideration of the criminal case in the manner stipulated in the criminal procedure legislation of the Russian Federation.

6. An administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time may also be submitted to court before the end of proceedings in the criminal case by the victim or another interested person, harmed by an action prohibited by criminal law, within six months since the day of adoption of a decree to stay the preliminary investigation in the criminal case due to non-establishment of the person subject to being drawn as the accused by an inquiry officer, head of an inquiry department, head of an inquiry body, an inquiry body, investigator, head of an investigative body, if the time of preliminary investigation in the criminal case, starting from the day of submission of an application, notification about a crime and ending on the day of adoption of the decision to stay the preliminary investigation in the criminal case based on the aforementioned reason has exceeded four years, and there is information indicating that the prosecutor, head of the investigative body, investigator, inquiry body, head of an inquiry body, head of an inquiry department, inquiry officer failed to take measures stipulated in the criminal procedure legislation of the Russian Federation and necessary to timely initiate a criminal case, conduct a preliminary investigation in the criminal case and establish the person subject to being drawn as the suspect or accused.

7. An administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time in the part of protracted application of a measure of procedural compulsion in the form of arrest of property of a person that is not a suspect, accused or a person materially responsible for their actions in accordance with the law, may be submitted to court by the aforementioned person within six months from the day on which the court sentence or the court ruling or decree regarding the termination of the criminal judicial procedure in the case comes into effect, or from the day on which an inquiry officer, head of an inquiry department, head of an inquiry body, an inquiry body, an investigator, head of an investigative body, a prosecutor adopts a decree to terminate criminal proceedings, as well as before the termination of criminal prosecution or before the court sentence comes into effect, if the duration of arrest of property in a criminal case has exceeded four years.

8. An administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time may be submitted to court by the victim or another interested person, harmed by an action prohibited by criminal law, within six months since the day of adoption of a decree to terminate the criminal case or to refuse to initiate the criminal case due to the expiry of the prescription period for criminal prosecution by an inquiry officer, head of an inquiry department, head of an inquiry body, by an inquiry body, an investigator, head of an investigative body, if the time of preliminary investigation in the criminal case, starting from the day of submission of an application, notification about a crime and ending on the day of adoption of the decision to refuse to initiate the criminal case exceeds six months; or, ending on the day of adoption of the decision to terminate the criminal case exceeds, one year and eleven months, and there is information confirming that the notification about a crime was submitted timely, and that the inquiry officer, head of an inquiry department, head of an inquiry body, an inquiry body, investigator, head of an investigative body, a prosecutor failed to take measures stipulated in the criminal procedure legislation of the Russian Federation, necessary to timely initiate a criminal case, establish the person subject to being drawn as the suspect or accused, and

(or) that the prosecutor, head of an investigative body or the court have repeatedly cancelled unlawful decisions on refusal to initiate a criminal case, decisions to stay proceedings in the criminal case, to terminate the criminal case in the manner stipulated in federal law.

Article 251. Submission of the Administrative Statement of Claim for the Award of Compensation for the Violation of Right to Trial within a Reasonable Time or of Right to Execution of a Judicial Act within a Reasonable Time

1. An administrative statement of claim for the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time is submitted to the court, competent to consider such a statement, through the court that adopted the decision (decree, ruling) in first instance, pronounced the sentence or through the court considering the case in first instance.

2. Where stipulated in federal law, an administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time may be submitted before the termination of criminal prosecution or before the convicting sentence comes into effect, or before the end of proceedings in the criminal case.

3. An administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time is submitted, in accordance with Parts 5 - 8 of Article 250 of this Code, to the supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, to a circuit (fleet) military court at the place of conduction of preliminary investigation.

4. The court that adopted the decision must forward the administrative statement of claim for the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time along with the case to the corresponding court within three days since receipt of the statement of claim by the court.

Article 252. Requirements to an Administrative Statement of Claim for the Award of Compensation for the Violation of Right to Trial within a Reasonable Time or of Right to Execution of a Judicial Act within a Reasonable Time

1. The form of the administrative statement of claim regarding the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time must meet the requirements stipulated in Parts 1, 8 and 9 of Article 125 of this Code.

2. The administrative statement of claim for the award of compensation must indicate:

1) the name of the court to which the administrative statement of claim for the award of compensation is submitted;

2) the name, or family name, first name, patronymic (if any) of the person submitting the administrative statement of claim for the award of compensation, indicating its

procedural status, address or place of residence, the name, or family name, first name, patronymic (if any) of the defendant and other persons participating in the case, their addresses or places of residence;

3) information about judicial acts adopted in the case, names of courts that considered the case, subject matter of the dispute or information that caused the initiation of a criminal case, information about the acts and actions of a body, organisation or official, charged with the execution of judicial acts;

4) overall duration of judicial proceedings in the case considered by the court, calculated starting from the day of receipt of an application, statement of claim or administrative statement of claim by the court of first instance and ending on the day of adoption of the last judicial act in a civil or administrative case, or from the day of initiation of criminal prosecution to the moment of termination of criminal prosecution or adoption of a convicting sentence by the court; overall duration of application of a procedural compulsion measure in the form of arrest of property in the course of criminal judicial proceedings or the overall duration of proceedings for the execution of the judicial act;

5) overall duration of criminal proceedings, calculated from the day on which an application, notification about a crime was filed to the day of adoption of a decision to stay the preliminary investigation due to non-establishment of the person subject to being drawn as the accused, or to the day of adoption of the decision to refuse to initiate a criminal case due to expiry of a prescription period for criminal prosecution, or to the day of termination of criminal prosecution or adoption of a judgment of conviction – for the victim or other interested person injured by an act prohibited by criminal law;

5.1) *abrogated*;

6) information, known to the person submitting the administrative statement of claim for the award of compensation, that influenced the duration of judicial proceedings in the case or the duration of execution of the judicial acts;

7) arguments of the person submitting the administrative statement of claim for the award of compensation, indicating the grounds for the award of compensation and the amount of compensation;

8) facts known to the person submitting the administrative statement of claim for the award of compensation, confirming that the prosecutor, head of the investigative body, investigator, inquiry body, head of the inquiry department, inquiry officer failed to act by breaching the manner of consideration of an application, notification about a crime, stipulated in the criminal procedure legislation of the Russian Federation, in particular due to a repeated or non-timely cancellation of a decision to refuse to initiate a criminal case or a decision to initiate a criminal case, to the stay of the preliminary investigation due to the non-establishment of the person subject to being drawn as the accused, to the termination of the criminal case or criminal prosecution; or confirming the insufficiency, non-timely nature or ineffectiveness of measures taken by the body conducting the preliminary investigation in the criminal case, aimed at establishing the person subject to being drawn as the suspect, accused of the crime;

9) consequences of the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time and their significance for the person submitting the administrative statement of claim;

10) bank account details of the person submitting the administrative statement of claim, to which the funds subject to recovery are to be transferred;

11) a list of documents attached to the administrative statement of claim.

3. Documents referred to in Items 2 and 5 of Part 1 of Article 126 of this Code are attached to the administrative statement of claim for the award of compensation.

Article 253. Accepting an Administrative Statement of Claim for the Award of Compensation

1. The issue of accepting for proceedings an administrative statement of claim for the award of compensation is resolved by a single judge within three days since the day of receipt of the statement of claim by the court.

2. The administrative statement of claim for the award of compensation is accepted for proceedings, unless there are grounds for leaving it without action or returning it.

3. If the period for application to court is missed, this does not constitute grounds for refusing to accept the administrative statement of claim for the award of compensation, for leaving it without action or returning it.

4. A decree to accept the administrative statement of claim for the award of compensation for proceedings must indicate information referred to in Part 2 of Article 127 of this Code, as well as the time and place of the court session for the consideration of that statement.

5. Copies of the decree to accept the administrative statement of claim for the award of compensation are forwarded to the administrative plaintiff, to the body, organisation or official charged with execution of judicial acts, as well as to interested persons, no later than on the working day following the day of issuance of the decree.

Article 254. Returning an Administrative Statement of Claim for the Award of Compensation

1. The judge returns an administrative statement of claim for the award of compensation, if, when resolving the issue of its acceptance, he finds that:

1) there are grounds stipulated in Items 2-7 of Part 1 of Article 129 of this Code;

2) the administrative statement of claim is submitted in violation of the manner and periods, stipulated in Articles 250 and 251 of this Code;

3) the duration of the judicial proceedings in the case, the duration of application of a procedural compulsion measure in the form of arrest of property or the duration of execution of the judicial act clearly demonstrates the absence of violation of the right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time;

4) the administrative statement of claim for the award of compensation is submitted by a person that has no right to do so.

2. The judge issues a decree regarding the return of the administrative statement of claim for the award of compensation.

3. A copy of the judge's decree to return the administrative statement of claim for the award of compensation is forwarded to the person that submitted it along with the administrative statement of claim and the documents attached thereto, no later than on the working day following the day of issuance of the decree.

4. If the administrative statement of claim for the award of compensation is returned, this does not preclude repeated application to court with that statement in the general manner, after the obstacles that caused the return of the statement of claim are eliminated.

5. The decree to return the administrative statement of claim for the award of compensation may be appealed before a court of appeal within the period stipulated in Part 1 of Article 314 of this Code and in the manner stipulated in Article 315 of this Code.

6. If the decree is reversed, the administrative statement of claim for the award of compensation is regarded as submitted on the day of its initial receipt by the court.

Article 255. Leaving the Administrative Statement of Claim for the Award of Compensation without Action

1. If the administrative statement of claim for the award of compensation is submitted in violation of requirements to the form and contents of an administrative statement of claim for the award of compensation and of documents attached thereto, stipulated in Article 252 of this Code, the judge issues a decree to leave the administrative statement of claim for the award of compensation without action.

2. Information referred to in Part 1 of Article 130 of this Code is indicated in the decree to leave the administrative statement of claim for the award of compensation without action.

3. A copy of the decree to leave the administrative statement of claim for the award of compensation without action is forwarded to the person that submitted the administrative statement of claim for the award of compensation no later than on the working day following the day of issuance of the decree.

4. If obstacles that caused the administrative statement of claim for the award of compensation to be left without action are eliminated within the period stipulated in the judge's decree, the administrative statement of claim for the award of compensation is regarded as submitted on the

day of its initial submission to the court. Otherwise, the administrative statement of claim for the award of compensation is regarded as not submitted and is returned along with the attached documents in the manner stipulated in Article 129 of this Code.

5. The decree to leave the administrative statement of claim for the award of compensation without action may be appealed against before a court of appeal within the period stipulated in Part 1 of Article 314 of this Code and in the manner stipulated in Article 315 of this Code.

6. If the decree is reversed, the administrative statement of claim for the award of compensation is regarded as submitted on the day of its initial receipt by the court.

Article 256. Period for Consideration of an Administrative Statement of Claim for the Award of Compensation

An administrative statement of claim for the award of compensation is considered by the court within two months since the day of receipt of the statement of claim with the case by the court, including the time for preparation of the administrative case for trial and for the adoption of the judicial act.

Article 257. Preparations for Consideration of an Administrative Case regarding the Award of Compensation for the Violation of Right to Trial within a Reasonable Time or of Right to Execution of a Judicial Act within a Reasonable Time

1. During the preparation of an administrative case regarding the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time (hereinafter referred to as “administrative case regarding the award of compensation”) for trial, the court establishes the list of persons participating in the case, including the body, organisation or official charged with execution of judicial acts, and establishes a period for presentation of explanations, objections and (or) arguments by those persons, regarding the administrative statement of claim for the award of compensation. Persons drawn to participation in the administrative case regarding the award of compensation are obliged to present explanations, objections and (or) arguments regarding the administrative statement of claim for the award of compensation within the period stipulated by the court. Failure to present explanations, objections and (or) arguments or failure to present them timely constitutes grounds for the imposition of a court fine in the manner and amount, stipulated in Articles 122 and 123 of this Code.

2. In a preliminary court session the court may ascertain, for what reasons the administrative plaintiff missed the period for application to court, stipulated in this Code. If the court finds that the period was missed without a good reason, it adopts a decision on refusal to satisfy the administrative statement of claim for the award of compensation without considering other facts of the administrative case. The court decision may be appealed against in the manner stipulated in this Code.

Article 258. Consideration of an Administrative Case regarding the Award of Compensation

1. The court considers the administrative statement of claim for the award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time in a court session, in accordance with the general rules stipulated in this Code, with due regard to the special rules stipulated in this Chapter.

2. The administrative plaintiff, the body, organisation or official, charged with execution of judicial acts, as well as other persons participating in the case regarding the award of compensation, are notified of the time and place of the court session in the case.

3. When considering an administrative statement of claim for the award of compensation, the court establishes the fact of violation of the administrative plaintiff's right to trial within a reasonable time or of its right to execution of a judicial act within a reasonable time based on the arguments stated in the administrative statement of claim, on the contents of judicial acts adopted in the case, on the materials of the case and with due regard to the following:

1) the legal and actual complexity of the case;

2) the behaviour of the administrative plaintiff and of other participants of court proceedings;

3) the sufficiency and effectiveness of actions, performed by the court or the judge in order to timely consider the case;

4) the sufficiency and effectiveness of actions, performed by bodies, organisations or officials charged with execution of judicial acts in order to timely execute the judicial act;

5) the overall duration of trial in the case and of non-execution of the judicial act.

4. When considering an administrative statement of claim for the award of compensation for the violation of right to criminal trial within a reasonable time, the court establishes the fact of violation of the administrative plaintiff's right to criminal trial within a reasonable time based on the arguments stated in the administrative statement of claim, on the contents of judicial acts adopted in the criminal case, on the materials of the case and with due regard to the following:

1) the legal and actual complexity of the case;

2) the behaviour of the administrative plaintiff and of other participants of criminal judicial proceedings;

3) the sufficiency and effectiveness of actions, performed by the court, prosecutor, head of an investigative body, investigator, head of an inquiry department, inquiry body, inquiry officer in order to timely conduct the criminal prosecution or consider the criminal case;

4) the overall duration of the criminal judicial proceedings or of application of a procedural compulsion measure in the form of arrest of property in the course of criminal judicial proceedings.

Article 259. Court Decision in an Administrative Case for the Award of Compensation

1. After considering the administrative statement of claim for the award of compensation, the court adopts a decision that must meet the requirements stipulated in Chapter 15 of this Code and, in addition to meeting the requirements stipulated in Article 180 of this Code, must contain:

1) in the statement of reasons:

a) information about the judicial acts adopted in the case, about the subject matter of the dispute, names of courts that considered the case, information about the overall duration of judicial proceedings in the case, the overall duration of application of a procedural compulsion measure in the form of arrest of property in the course of criminal judicial proceedings or the overall duration of execution of the judicial act;

b) substantiation of the amount of compensation and the name of the body, organisation or official charged, in accordance with federal law, with execution of judicial acts regarding compensation;

c) the reasons, for which compensation is awarded or denied;

2) in the operative part:

a) if compensation is denied – an indication in this regard;

b) if compensation is awarded – an indication in this regard; the name of the body, organisation or official charged, in accordance with federal law, with execution of judicial acts regarding compensation;

c) an indication in regard of distribution of court costs.

2. Within three days since the day of adoption of the court decision in final form, its copies are forwarded to the administrative plaintiff, the body, organisation or official charged, in accordance with federal law, with execution of judicial acts regarding compensation, as well as to interested persons.

3. The court decision in an administrative case regarding the award of compensation is subject to immediate execution in the manner stipulated in the budgetary legislation of the Russian Federation.

Article 260. Appealing against a Court Decision in an Administrative Case regarding the Award of Compensation

1. A decision of the Supreme Court of the Russian Federation in an administrative case regarding the award of compensation may be appealed against in appellate and supervisory proceedings.

2. A decision of a court of general jurisdiction in an administrative case regarding the award of compensation may be appealed against in appellate, cassation and supervisory proceedings.

3. An appeal, prosecutor's appeal is considered:

1) against decisions of a supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, a circuit (fleet) military court – by a general jurisdiction court of appeal;

2) against a decision of the Supreme Court of the Russian Federation – by the Appellate Chamber of the Supreme Court of the Russian Federation.

Article 261. Appealing against Decrees of a Court of First Instance

1. A court decree issued in an administrative case regarding the award of compensation may be appealed against before a court of appeal separately from the court decision by persons participating in the case (procedural appeal). The prosecutor may submit a prosecutor's procedural appeal.

2. A procedural appeal, prosecutor's procedural appeal against a decree referred to in Part 1 of this Article is considered by a general jurisdiction court of appeal. A procedural appeal, prosecutor's procedural appeal against a decree of the Supreme Court of the Russian Federation is considered by the Appellate Chamber of the Supreme Court of the Russian Federation.

Chapter 27. Proceedings in Administrative Cases regarding the Suspension of Activities or Dissolution of a Political Party, of Its Regional Office or Another Structural Division, of Another Public Association, Religious or Another Non-Commercial Organisation, or regarding the Prohibition of Activities of a Public Association or a Religious Organisation That Are Not Legal Persons, or regarding the Termination of Activities of Mass Media, or regarding the Restriction of Access to an Audiovisual Service or Restriction of Access to Information Systems and (or) Computer Software Designed and (or) Used for Receipt, Transfer, Delivery and (or) Processing of Electronic Messages of Internet Users, the Functioning of Which is Ensured by an Organiser of Information Distribution in the Internet

Article 262. Statement of Claims regarding the Suspension of Activities or Liquidation of a Political Party, of Its Regional Office or Another Structural Division, of Another Public Association, Religious or Another Non-Commercial Organisation, or regarding the Prohibition of Activities of a Public Association or a Religious Organisation That Are Not Legal Persons, or regarding the Termination of Activities of Mass Media, or regarding the Restriction of Access to an Audiovisual Service or Restriction of Access to Information Systems and (or) Computer Software Designed and (or) Used for Receipt, Transfer, Delivery and (or) Processing of Electronic Messages of Internet Users, the Functioning of Which is Ensured by an Organiser of Information Distribution in the Internet

1. An administrative statement of claim for the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or another non-commercial organisation, or regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, or regarding the termination of activities of mass media, or regarding the restriction of access to an audiovisual service or restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet (hereinafter referred to as "administrative statement of claim regarding the termination of activities") may be submitted by bodies and officials, authorised by federal law.

2. An administrative statement of claim for the termination of activities is submitted to the competent court in accordance with the rules of jurisdiction, stipulated in Chapter 2 of this Code.

3. An administrative statement of claim for the termination of activities must indicate:

1) information referred to in Items 1-3, 5, 9 of Part 2 of Article 125 of this Code;

2) grounds stipulated in federal law for the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or another non-commercial organisation, or for the prohibition of activities of a public association or a religious organisation that are not legal persons, or for the termination of activities of mass media, or for the restriction of access to an audiovisual service or the restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet and references to factual data, based on which the body or official applying to court concluded that such grounds exist;

3) information about the territory of activities of local religious organisations, that a centralised religious organisation has, or about the territory of primary distribution of a mass medium.

4. An administrative statement of claim for the termination of activities, submitted on behalf of the corresponding body, must be signed by its head; a statement submitted on behalf of an official must be signed by that official.

5. Documents confirming the facts stated in the administrative statement of claim for the termination of activities, as well as documents referred to in Article 126 of this Code, are attached to the statement.

Article 263. Consideration of Administrative Cases regarding the Suspension of Activities or Liquidation of a Political Party, of Its Regional Office or Another Structural Division, of Another Public Association, Religious or Another Non-Commercial Organisation, or regarding the Prohibition of Activities of a Public Association or a Religious Organisation That Are Not Legal Persons, or regarding the Termination of Activities of Mass Media, or regarding the Restriction of Access to an Audiovisual Service or Restriction of Access to Information Systems and (or) Computer Software Designed and (or) Used for Receipt, Transfer, Delivery and (or) Processing of Electronic Messages of Internet Users, the Functioning of Which is Ensured by an Organiser of Information Distribution in the Internet

1. An administrative case regarding the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or another non-commercial organisation, or regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, or regarding the termination of activities of mass media, or regarding the restriction of access to an audiovisual service or restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet is subject to consideration within two months since the day on which the administrative statement of claim for the termination of activities is accepted for proceedings.

2. In cases regarding the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or another non-commercial organisation, or regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, or regarding the termination of activities of mass media, regarding restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet, the court, based on the corresponding application (motion) and in the manner stipulated in Chapter 7 of this Code, may take provisional measures regarding the administrative claim for the termination of activities in the following forms:

1) suspension of activities of the corresponding organisation, association, mass medium;

2) suspension of issue and (or) realisation of the corresponding printed publication, suspension of distribution of materials;

3) arrest of property of the corresponding organisation, association;

4) injunctions, barring certain actions pertaining to the activities of the corresponding organisation, association, mass medium, audiovisual service, organiser of information distribution in the Internet.

3. The authorised body or official that applied to court; the governing body of a political party or of another public association, the head of a non-commercial organisation, in whose regard the issue of suspension of activities or liquidation is being resolved; a representative of a public association or a religious organisation that are not legal persons, in whose regard the issue of prohibition of activities is being resolved; the founder and the chief editor of a mass medium, the

owner of an audiovisual service, the organiser of information distribution in the Internet as well as interested persons are notified of the time and place of consideration of the administrative case regarding the suspension of activities. If the location of the aforementioned governing body, head, representative, founder, chief editor, owner of an audiovisual service, organiser of information distribution is unknown, the notification about the time and place of consideration of the administrative case is placed on the official website of the federal executive body performing functions in the sphere of registration of non-commercial organisations or of mass media and is published in official periodic publications designated by the Government of the Russian Federation no later than ten days before the court session.

4. Non-appearance of persons participating in the case, duly notified of the time and place of consideration of the administrative case, does not preclude its consideration.

5. If there are sufficient grounds, the court may consider the administrative case *in camera* in the manner stipulated in Article 11 of this Code.

Article 264. Court Decision in an Administrative Case regarding the Suspension of Activities or Liquidation of a Political Party, of Its Regional Office or Another Structural Division, of Another Public Association, Religious or Another Non-Commercial Organisation, or regarding the Prohibition of Activities of a Public Association or a Religious Organisation That Are Not Legal Persons, or regarding the Termination of Activities of Mass Media, or regarding the Restriction of Access to an Audiovisual Service or Restriction of Access to Information Systems and (or) Computer Software Designed and (or) Used for Receipt, Transfer, Delivery and (or) Processing of Electronic Messages of Internet Users, the Functioning of Which is Ensured by an Organiser of Information Distribution in the Internet

1. A court decision in an administrative case regarding the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or another non-commercial organisation, or regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, or regarding the termination of activities of mass media, or regarding the restriction of access to an audiovisual service or restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet is adopted in accordance with the rules, stipulated in Chapter 15 of this Code.

2. Simultaneously with the court decision in an administrative case regarding the liquidation of a public association, a religious or another non-commercial organisation on the grounds, stipulated in the federal law regulating relations in the sphere of countering of extremist activities, the court issues a decree on the appropriation of property of the liquidated public association, religious or other non-commercial organisation by the Russian Federation, if such property is left after the creditors' demands are satisfied. A copy of the decision is handed to persons participating in the case or forwarded to them no later than three days after it is drawn up.

3. The court decision to satisfy an administrative claim to liquidate a public association, a religious or another non-commercial organisation, to prohibit the activities of a public

association or a religious organisation that are not legal persons, to terminate the activities of mass media on the grounds, stipulated in the federal law regulating relations in the sphere of countering of extremist activities, is subject to immediate execution in the part of termination of activities of the public association, religious or other non-commercial organisation or in the part of termination of search, receipt, production and distribution of mass information by the mass medium.

Article 265. Right to Appeal against a Court Decision in an Administrative Case regarding the Suspension of Activities or Liquidation of a Political Party, of Its Regional Office or Another Structural Division, of Another Public Association, Religious or Another Non-Commercial Organisation, or regarding the Prohibition of Activities of a Public Association or a Religious Organisation That Are Not Legal Persons, or regarding the Termination of Activities of Mass Media, or regarding the Restriction of Access to an Audiovisual Service or Restriction of Access to Information Systems and (or) Computer Software Designed and (or) Used for Receipt, Transfer, Delivery and (or) Processing of Electronic Messages of Internet Users, the Functioning of Which is Ensured by an Organiser of Information Distribution in the Internet

1. A court decision in an administrative case regarding the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or other non-commercial organisation, or regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, or regarding the termination of activities of a mass medium, or regarding the restriction of access to an audiovisual service or restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet may be appealed against in the manner stipulated in this Code.

2. A decision in an administrative case regarding the suspension of activities or liquidation of a political party, of its regional office or another structural division, of another public association, religious or another non-commercial organisation, or regarding the prohibition of activities of a public association or a religious organisation that are not legal persons, or regarding the termination of activities of mass media, or regarding the restriction of access to an audiovisual service or restriction of access to information systems and (or) computer software designed and (or) used for receipt, transfer, delivery and (or) processing of electronic messages of internet users, the functioning of which is ensured by an organiser of information distribution in the Internet does not in itself preclude the person, authorised to represent the corresponding organisation, association or to act on issues of activities of the corresponding mass medium, audiovisual service, as well as of an organiser of information distribution in the Internet, from appealing against that decision in appeal, cassation and supervision, as stipulated in this Code.

Chapter 27.1. Proceedings in Administrative Cases regarding Recognition of Information Placed in Information-Telecommunication Networks, Including the Internet, as Information, the Dissemination of Which is Prohibited in the Russian Federation

Article 265.1. Submitting an Administrative Statement of Claim for Recognition of Information Placed in Information-Telecommunication Networks, Including the Internet, as Information, the Dissemination of Which is Prohibited in the Russian Federation

1. An administrative statement of claim for recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation (hereinafter also referred to as "administrative statement of claim for recognition of information as prohibited") may be submitted by a prosecutor, other persons granted such a right in accordance with the legislation of the Russian Federation on information, information technologies and protection of information, as well as the Central Bank of the Russian Federation in regard of information referred to in Article 6.1 of Federal Law No. 86 of 10 July 2002 "On the Central Bank of the Russian Federation (Bank of Russia)".

2. An administrative statement of claim for recognition of information as prohibited is submitted to the district court at the address of the administrative plaintiff or at the address or place of residence of the administrative defendant.

Article 265.2. Requirements to an Administrative Statement of Claim for Recognition of Information as Prohibited and Documents Attached to the Statement of Claim

1. The form of an administrative statement of claim for recognition of information as prohibited must meet the requirements stipulated in Parts 1, 8 and 9 of Article 125 of this Code.

2. The administrative statement of claim for recognition of information as prohibited must indicate the information stipulated in Items 1, 2, 9 of Part 2 of Article 125 of this Code, and also:

1) if the person whose actions served as grounds for submission of the aforementioned administrative statement of claim – the administrative defendant – has been established, – information stipulated in Item 3 of Part 2 of Article 125 of this Code;

2) domain names and (or) uniform resource locators of pages in information-telecommunication networks, including the Internet, containing information, the dissemination of which is prohibited in the Russian Federation;

3) substantiation of arguments on recognising the information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, with reference to the corresponding law norms;

4) where the access to information placed in information-telecommunication networks, including the Internet, is restricted – information necessary for the court's access to such information;

5) information about compliance with the pre-trial manner of recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, if such a manner is established in law.

3. Documents referred to in Items 1, 3, 5, 6 of Part 1 of Article 126 of this Code are attached to an administrative statement of claim for recognition of information as prohibited. Documents attached to an administrative statement of claim for recognition of information as prohibited may be presented to the court in electronic form.

4. A judge returns an administrative statement of claim for recognition of information as prohibited, if the administrative plaintiff has not complied with the legally established pre-trial manner of recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation.

5. A judge refuses to accept an administrative statement of claim for recognition of information as prohibited for proceedings, if the domain name, uniform resource locator indicated therein have been included into the single automated information system "Unified register of domain names, uniform resource locators and network addresses that allow to identify websites containing information, the dissemination of which is prohibited in the Russian Federation".

Article 265.3. Preparation for Trial of an Administrative Cases regarding Recognition of Information Placed in Information-Telecommunication Networks, Including the Internet, as Information, the Dissemination of Which is Prohibited in the Russian Federation

1. When preparing the administrative case for trial, the judge determines the persons participating in the case, whose rights and lawful interests may be affected by the court decision. If such persons are discovered, the court draws them to participation in the case, notifies them about the time and place of the court session. If the person whose actions served as grounds for submission of the administrative statement of claim for recognition of information as prohibited has been established, the court draws it to participation in the case as the administrative defendant.

2. The federal executive body performing functions of control and oversight in the sphere of mass media, mass communications, information technologies and communications is drawn to participation in the consideration of the administrative case on recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, in the capacity of an interested person.

3. The notification about the time and place of consideration of an administrative case on recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation is placed in the Internet in the stipulated manner, no later than ten days before the court session.

4. After proceedings are initiated in an administrative case on recognition of information placed

in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, the judge may take provisional measures in the form of restriction of access to that information. The aforementioned measures and other measures stipulated in federal law may be taken by the judge upon the application of a person participating in the case or at the judge's own initiative.

5. The judge leaves the administrative statement of claim for recognition of information as prohibited without consideration, if the administrative plaintiff failed to comply with the legally established pre-trial manner of recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation.

6. The judge terminates proceedings in the administrative case, if the domain name, uniform resource locator are included into the single automated information system "Unified register of domain names, uniform resource locators and network addresses that allow identifying websites containing information, the dissemination of which is prohibited in the Russian Federation".

Article 265.4. Court Costs in Administrative Cases regarding Recognition of Information Placed in Information-Telecommunication Networks, Including the Internet, as Information, the Dissemination of Which is Prohibited in the Russian Federation

If the person whose actions served as grounds for submission of the administrative statement of claim for recognition of information as prohibited has not been established, the court costs incurred due to the consideration of the administrative case regarding the recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, are imposed upon the persons incurring them and are not subject to distribution by the court.

Article 265.5. Court Decision in an Administrative Case regarding Recognition of Information Placed in Information-Telecommunication Networks, Including the Internet, as Information, the Dissemination of Which is Prohibited in the Russian Federation

1. A court decision in an administrative case regarding the recognition of information placed in information-telecommunication networks, including the Internet, as information, the dissemination of which is prohibited in the Russian Federation, must meet the requirements stipulated in Article 180 of this Code.

2. In the operative part of a court decision satisfying an administrative statement of claim for recognition of information as prohibited, the domain names and (or) uniform resource locators of pages in information-telecommunication networks, including the Internet, containing information, the dissemination of which is prohibited in the Russian Federation, are indicated.

3. Copies of the court decision are forwarded to the federal executive body performing functions of control and oversight in the sphere of mass media, mass communications, information technologies and communications, and to other person participating in the case in the manner

stipulated in Article 182 of this Code.

4. The court decision satisfying an administrative statement of claim for recognition of information as prohibited is subject to immediate execution.

Chapter 27.2. Proceedings in Administrative Cases on Recognition of Information Materials as Extremist

Article 265.6. Jurisdiction over an Administrative Case on Recognition of Information Materials as Extremist

An administrative statement of claim on recognition of information materials as extremist may be submitted to a district court at the place of discovery, dissemination of the materials or at the address of the organisation producing them.

Article 265.7. Requirements to an Administrative Statement of Claim on Recognition of Information Materials as Extremist

1. The form and contents of an administrative statement of claim on recognition of information materials as extremist, submitted in regard of materials posted in the Internet, must meet the requirements stipulated in Article 265.2 of this Code.

2. The form and contents of a different administrative statement of claim on recognition of information materials as extremist must meet the requirements stipulated in Part 1, Items 1, 3-5 of Part 2, Part 3 of Article 265.2 of this Code. Written evidence, including documents and materials in the form of digital and graphic records, obtained through fax, electronic or other communications and containing the corresponding information, or their copies, is attached to such an administrative statement of claim.

Article 265.8. Special Rules of Preparing an Administrative Case on Recognition of Information Materials as Extremist for Trial

1. When preparing the administrative case for trial, the judge determines the persons participating in the case, whose rights and lawful interests may be affected by the court decision. If such persons are discovered, the court draws them to participation in the case, notifies them about the time and place of the court session. If the person whose actions served as grounds for submission of the administrative statement of claim on recognition of information materials as extremist has been established, the court draws it to participation in the case as the administrative defendant.

2. The notification about the time and place of consideration of an administrative case on recognition of information materials as extremist is placed in the Internet in the stipulated manner no later than ten days before the court session.

3. If the person whose actions served as grounds for submission of the administrative statement

of claim on recognition of information materials as extremist has not been established, the Commissioner for Human Rights in the Russian Federation, the commissioner for human rights in a constituent entity of the Russian Federation is drawn to participation in the consideration of the administrative case in order to give a conclusion on the administrative case.

4. After proceedings are initiated in an administrative case on recognition of information materials as extremist, the judge may take provisional measures in the form of restriction of access to said materials. The aforementioned measures and other measures stipulated in federal law may be taken by the judge upon the application of a person participating in the case or at the judge's own initiative.

Article 265.9. Court Costs in Administrative Cases on Recognition of Information Materials as Extremist

If the person whose actions served as grounds for submission of the administrative statement of claim on recognition of information materials as extremist has not been established, the court costs incurred due to the consideration of the administrative case on recognition of information materials as extremist are imposed upon the persons incurring them and are not subject to distribution by the court.

Article 265.10. Court Decision in an Administrative Case on Recognition of Information Materials as Extremist

1. A court decision in an administrative case on recognition of information materials as extremist must meet the requirements stipulated in Article 180 of this Code.

2. The operative part of a court decision in an administrative case on recognition of information materials placed in information-telecommunication networks, including the Internet, as extremist, must contain the information stipulated in Article 265.5 of this Code.

3. Copies of the court decision are forwarded to the federal executive body performing functions in the sphere of state registration of non-commercial organisations, public associations and religious organisations, to the federal executive body performing functions of control and oversight in the sphere of mass media, mass communications, information technologies and communications and to other person participating in the case in the manner stipulated in Article 182 of this Code. Information materials recognised by the court as extremist are also forwarded to the federal executive body performing functions in the sphere of state registration of non-commercial organisations, public associations and religious organisations.

4. The court decision to satisfy an administrative statement of claim for recognition of information as prohibited is subject to immediate execution.

Chapter 28. Proceedings in Administrative Cases regarding the Placement of a Foreign Citizen, subject to Deportation or Readmission, into a Special Institution or regarding the Prolongation of Stay of a Foreign Citizen, subject to Deportation or Readmission, in a Special Institution

Article 266. Submission of an Administrative Statement of Claim for the Placement of a Foreign Citizen, subject to Deportation or Readmission, into a Special Institution or the Prolongation of Stay of a Foreign Citizen, subject to Deportation or Readmission, in a Special Institution

1. An administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution is submitted by a territorial body of the federal executive body, performing law enforcement functions, control (supervision) functions and rendering state services in the sphere of migration (hereinafter referred to as "territorial body of the federal executive body in the sphere of migration").

2. An administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution is submitted to the court at the location of the special institution, in which the foreign citizen, subject to deportation or readmission, is placed.

3. An administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution must indicate:

1) information referred to in Items 1-3, 5 and 9 of Part 2 of Article 125 of this Code;

2) information about the adopted decision on deportation or readmission, including the grounds stipulated in federal law for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution;

3) the time, for which it is reasonable to place the foreign citizen, subject to deportation or readmission, into a special institution or to prolong that citizen's stay in that institution.

4. The administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution is signed by the head of the territorial body of the federal executive body in the sphere of migration.

5. Documents confirming the facts stated in the statement of claim, as well as documents referred to in Items 1, 5 of Part 1 of Article 126 of this Code are attached to the administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution. If there is no document confirming the identity of the foreign citizen, subject to deportation or readmission, a conclusion regarding the establishment

of identity, made in accordance with federal law by the territorial body of the federal executive body in the sphere of migration, is attached to the administrative statement of claim.

Article 267. Submission of the Administrative Statement of Claim for the Placement of a Foreign Citizen, subject to Deportation or Readmission, into a Special Institution or the Prolongation of Stay of a Foreign Citizen, subject to Deportation or Readmission, in a Special Institution and Acceptance of the Statement by the Court

1. An administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution is submitted to court within forty eight hours since the placement of the citizen, subject to deportation or readmission, into a special institution by virtue of a decision of the head of the federal executive body exercising control (supervision) functions and rendering state services in the sphere of migration, or of the deputy head of that body, or of the head of the corresponding territorial body of the federal executive body in the sphere of migration, or his deputy, adopted in accordance with federal law.

2. An administrative statement of claim for the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution is submitted to court no later than forty eight hours before the expiration of the period, stipulated by a court decision for the stay of the foreign citizen, subject to deportation or readmission, in the special institution.

3. Upon receipt of an administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution, the judge immediately resolves the issue of accepting the administrative statement of claim for proceedings, and if the statement is accepted – also immediately resolves the issue of prolonging the stay of the foreign citizen, subject to deportation or readmission, in the special institution for the time necessary for the consideration of the administrative case.

4. After accepting the administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution, the court may order, in the manner stipulated in Article 63 of this Code, the persons participating in the case to present the materials necessary to ensure the correct and timely consideration and adjudication of the administrative case. The court also obliges the territorial body of the federal executive body in the sphere of migration that submitted the administrative statement of claim, to ensure the participation of those persons in the court session.

Article 268. Consideration of an Administrative Case regarding the Placement of a Foreign Citizen, subject to Deportation or Readmission, into a Special Institution or the Prolongation of Stay of a Foreign Citizen, subject to Deportation or Readmission, in a Special Institution

1. The court considers the administrative case regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or regarding the prolongation of

stay of a foreign citizen, subject to deportation or readmission, in a special institution within five days since the day of initiation of the case.

2. The court session is conducted on the court premises.

3. The administrative case regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution is considered with the participation of a representative of the territorial body of the federal executive body in the sphere of migration, that submitted the administrative statement of claim to the court, of the foreign citizen, subject to deportation or readmission, in whose regard the administrative case on placement into a special institution or prolongation of stay in a special institution is considered, and of the prosecutor. Non-appearance of a duly notified prosecutor does not preclude the consideration and adjudication of the administrative case.

Article 269. Court Decision in an Administrative Case regarding the Placement of a Foreign Citizen, subject to Deportation or Readmission, into a Special Institution or the Prolongation of Stay of a Foreign Citizen, subject to Deportation or Readmission, in a Special Institution

1. After considering the administrative statement of claim for the placement of a foreign citizen, subject to deportation or readmission, into a special institution or prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution on its merits, the court adopts a decision, satisfying or refusing to satisfy the administrative statement of claim.

2. The contents of the decision must meet the requirements stipulated in Article 180 of this Code. Moreover, the statement of reasons of the court decision satisfying the administrative statement of claim must substantiate the concrete period of stay of the foreign citizen, subject to deportation or readmission, in a special institution, and the operative part of the court decision must contain an indication of this period.

3. In an administrative case regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution, a reasoned decision must be drawn up on the day of adoption of the decision.

4. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case, to their representatives, or are forwarded to them immediately after the decision is drawn up, via means that ensure the fastest delivery of copies.

Chapter 29. Proceedings in Administrative Cases regarding the Administrative Supervision of Persons Released from Confinement

Article 270. Submission of Administrative Statements of Claim regarding Administrative Supervision

1. An administrative statement of claim for the institution of administrative supervision is submitted to court:

1) by a correction facility – regarding a person released from confinement;

2) by an internal affairs body – regarding a person released from confinement, as well as regarding a person serving a sentence in the form of restriction of liberty, chosen as an additional type of punishment, or for whom the remaining period of deprivation of liberty was replaced by restriction of liberty.

2. An administrative statement of claim for the prolongation of administrative supervision and an administrative statement of claim for the supplementation of earlier imposed administrative limitations are submitted to court by an internal affairs body.

3. An administrative statement of claim for the early termination of administrative supervision and an administrative statement of claim for the partial removal of administrative limitations may be submitted to court by an internal affairs body or by the person under supervision or by his representative.

4. A prosecutor may, in the manner stipulated in Part 1 of Article 39 of this Code, apply to court with an administrative statement of claim for the early termination of administrative supervision and an administrative statement of claim for the partial removal of administrative limitations for the protection of rights and freedoms of the person under supervision, if that person cannot himself apply to court due to health conditions or for other good reasons.

5. An administrative statement of claim for the institution of administrative supervision is submitted to the court at the location of the correction facility. An administrative statement of claim for the institution of administrative supervision over a person released from confinement is submitted to the court at the place of residence, stay or actual presence of that person.

6. Administrative statements of claim for the prolongation of administrative supervision, supplementation of earlier imposed administrative limitations, partial removal of administrative limitations, early termination of administrative supervision are submitted to the court at the place of administrative supervision. If the court denies early termination of administrative supervision, a repeated administrative statement of claim may be submitted to court no earlier than six months since the day of adoption of that court decision.

7. An administrative statement of claim for the institution of administrative supervision over persons released from confinement, based on grounds stipulated in federal law, is submitted by the administration of the correction facility no later than two months before the expiration of the period of deprivation of liberty of the convicted person, stipulated by a court sentence.

8. An administrative statement of claim for the institution of administrative supervision, on grounds stipulated in federal law, over persons serving their sentence in the form of restriction of

liberty, appointed as an additional type of punishment, or for whom the remaining period of deprivation of liberty was replaced by restriction of liberty, is submitted by an internal affairs body no later than one month before the expiration of the period of restriction of liberty.

9. Failure to observe the periods referred to in Parts 7 and 8 of this Article does not result in return or refusal to accept the administrative statement of claim for the institution of administrative supervision and does not constitute grounds for refusal to satisfy it. Under such circumstances, the court shall ensure the consideration of the administrative case before the expiration of the period of deprivation of liberty or restriction of liberty, stipulated by a court sentence. Failure to observe the periods referred to in Parts 7 and 8 of this Article is a sign of violation of lawfulness and constitutes grounds for the issuance of a special court decree in the manner stipulated in Article 200 of this Code.

Article 271. Contents of an Administrative Statement of Claim pertaining to Administrative Supervision and Documents Attached Thereto

1. An administrative statement of claim for the institution, prolongation, early termination of administrative supervision, supplementation or partial removal of administrative limitations must indicate:

1) information referred to in Items 1-3, 5 and 9 of Part 2 of Article 125 of this Code;

2) grounds for the submission of the corresponding administrative statement of claim;

3) information referred to, accordingly, in Parts 4-9 of this Article;

4) information about other facts that have significance for the consideration of the administrative case.

2. An administrative statement of claim of a correction facility must be signed by its head, an administrative statement of claim of an internal affairs body – by its head, an administrative statement of claim of a person under administrative supervision, regarding the early termination of administrative supervision or partial removal of administrative limitations – by the person under supervision or by his representative, if he has the corresponding powers.

3. Documents and materials, referred to in, accordingly, Parts 4-9 of this Article, other necessary documents and materials confirming the facts stated in the administrative statement of claim, as well as documents referred to in Items 1, 5 of Part 1 of Article 126 of this Code are attached to the administrative statement of claim.

4. An administrative statement of claim of a correction facility contains information about the behaviour of the person, over whom it is suggested to institute administrative supervision, during the serving of his sentence in the correction facility, suggested types of administrative limitations and the period of administrative supervision. A copy of the court sentence, as well as a copy of a decree of the head of the correction facility to recognise the sentenced person as a persistent violator of the stipulated manner of serving the sentence, is attached to the administrative statement of claim for the institution of administrative supervision.

5. An administrative statement of claim of an internal affairs body contains information about the way of life and behaviour of the person, in whose regard the issue of institution of administrative supervision is resolved, suggested types of administrative limitations and the period of administrative supervision. A copy of the court sentence and materials evidencing the commission of administrative offences by that person are attached to the administrative statement of claim for the institution of administrative supervision.

6. An administrative statement of claim for the prolongation of administrative supervision contains information about the way of life of the person under supervision, the suggested period of prolongation of administrative supervision and types of administrative limitations. Materials evidencing the commission of administrative offences by that person and materials describing his personality are attached to the administrative statement of claim for the prolongation of administrative supervision.

7. An administrative statement of claim for the supplementation of administrative limitations contains information about the way of life and behaviour of the person under supervision and the types of administrative limitations suggested for supplementation. Materials evidencing the commission of administrative offences by that person and materials describing his personality are attached to the administrative statement of claim for the supplementation of administrative limitations.

8. An administrative statement of claim for the partial removal of administrative limitations contains information about the way of life and behaviour of the person under supervision and the types of administrative limitations suggested for removal. Materials describing the aforementioned person are attached to the administrative statement of claim for the partial removal of administrative limitations.

9. An administrative statement of claim for the early termination of administrative supervision contains information describing the person under supervision. Materials describing the aforementioned person are attached to the administrative statement of claim for the early termination of administrative supervision.

Article 272. Consideration of an Administrative Case regarding Administrative Supervision

1. The issue of accepting an administrative statement of claim regarding administrative supervision for proceedings is resolved by the judge immediately. After accepting the administrative statement of claim, the court inspects the necessary documents and materials, and if it deems obligatory the participation of the person, in whose regard the issue of institution, prolongation of administrative supervision or of supplementation of administrative limitations is resolved, it obliges the correction facility or the internal affairs body that submitted the administrative statement of claim to ensure the participation of that person in the court session.

2. The burden of proof, as regards the facts stated in the administrative statement of claim regarding administrative supervision, lies on the person that submitted that statement.

3. The court notifies the person, in whose regard the issue of administrative supervision is resolved, the corresponding correction facility or internal affairs body, as well as a prosecutor about the time and place of consideration of the administrative case.

4. Non-appearance of a duly notified prosecutor, as well as of a duly notified representative of the corresponding correction facility or internal affairs body, unless the appearance of such a representative is deemed obligatory by the court, does not preclude the consideration and adjudication of the administrative case regarding the institution, prolongation of administrative supervision or supplementation of administrative limitations.

5. Non-appearance of a duly notified prosecutor, a duly notified person under supervision or a representative of the corresponding correction facility or internal affairs body does not preclude the consideration and adjudication of the administrative case regarding the early termination of administrative supervision or partial removal of administrative limitations, unless the appearance of such a person and (or) representative is deemed obligatory by the court.

6. If a representative of the corresponding correction facility or internal affairs body, whose appearance is deemed obligatory by the court, fails to appear in the court session for no good reason, a court fine may be imposed upon that person in the manner and amount, stipulated in Articles 122 and 123 of this Code.

7. Administrative cases regarding administrative supervision are subject to consideration within twenty days since the day of receipt of the administrative statement of claim by the court. Administrative cases regarding the institution of administrative supervision over persons serving a sentence must be adjudicated no later than on the day preceding the day of expiration of the period of deprivation of liberty or restriction of liberty, appointed as an additional punishment or due to the replacement of the remaining period of deprivation of liberty by restriction of liberty.

8. When adjudicating an administrative case regarding the institution, prolongation of administrative supervision or the supplementation of administrative limitations, the court is not bound by the opinion stated in the administrative statement of claim regarding the period of institution of administrative supervision and (or) the types of suggested administrative limitations and may choose other types of limitations, stipulated in federal law, as well as other periods within the limits, stipulated in federal law, taking into account the concrete facts of the administrative case.

Article 273. Court Decision in an Administrative Case regarding Administrative Supervision

1. A court decision in an administrative case regarding administrative supervision is adopted in accordance with the rules stipulated in Chapter 15 of this Code.

2. The contents of the court decision in an administrative case regarding administrative supervision must meet the requirements stipulated in Article 180 of this Code and Part 3 of this Article.

3. The operative part of a court decision in an administrative case regarding administrative supervision must also contain the following information:

1) in an administrative case regarding the institution or prolongation of administrative supervision – the period of administrative supervision, concrete administrative limitations stipulated by the court;

2) in an administrative case regarding the supplementation of administrative limitations – concrete supplementary administrative limitations, stipulated by the court;

3) in an administrative case regarding the partial removal of administrative limitations – concrete administrative limitations removed by the court.

4. In administrative cases regarding administrative supervision, the reasoned decision must be drawn up on the day of adoption.

5. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case, their representatives or are forwarded to them immediately after the decision is drawn up, via means that ensure the fastest delivery of copies.

Chapter 30. Proceedings in Administrative Cases regarding the Involuntary Hospitalisation of a Citizen to a Medical Organisation Rendering Inpatient Psychiatric Care, the Prolongation of a Citizen's Involuntary Hospitalisation or the Involuntary Psychiatric Examination of a Citizen

Article 274. Issues of Application of Rules of Procedure in Administrative Cases regarding the Involuntary Hospitalisation of a Citizen to a Medical Organisation Rendering Inpatient Psychiatric Care, the Prolongation of a Citizen's Involuntary Hospitalisation or the Involuntary Psychiatric Examination of a Citizen

1. The following administrative cases are subject to consideration in accordance with the rules of this Chapter:

1) regarding the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care or regarding the prolongation of a citizen's involuntary hospitalisation;

2) regarding the involuntary psychiatric examination of a citizen;

3) other administrative cases regarding the involuntary hospitalisation of a citizen to a non-psychiatric medical organisation, rendering inpatient medical care, if federal law stipulates the judicial manner of consideration of the corresponding claims;

2. The following claims cannot be considered in accordance with the rules stipulated in this Chapter:

1) claims regarding the application of compulsory medical measures to persons suffering from psychiatric disorders, who committed socially dangerous acts, and the prolongation of application of those measures;

2) claims regarding the performance of forensic psychiatric examinations, in particular those including the placement of a citizen into a medical organisation rendering inpatient psychiatric care for performing the examination, and also including the involuntary forensic psychiatric examination of a citizen.

Article 275. Submitting an Administrative Statement of Claim regarding the Involuntary Hospitalisation of a Citizen to a Medical Organisation Rendering Inpatient Psychiatric Care or the Prolongation of Involuntary Hospitalisation of a Citizen Suffering from a Psychiatric Disorder

1. An administrative statement of claim for the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care or the prolongation of involuntary hospitalisation of a citizen suffering from a psychiatric disorder (hereinafter referred to as "administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation") is submitted by the medical organisation, into which a citizen is placed, or by a prosecutor.

2. An administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation is submitted to the court at the location of the medical organisation rendering inpatient psychiatric care, into which a citizen is placed.

3. An administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation must indicate information referred to in Items 1-3, 5 and 9 of Part 2 of Article 125 of this Code and the grounds for involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care, stipulated in federal law. The statement must also include references to a conclusion of a commission of doctors and other data substantiating the aforementioned information. The administrative statement of claim is signed by the head of the medical organisation rendering inpatient psychiatric care, by his deputies or by a prosecutor.

4. The following documents must be attached to an administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation:

1) a reasoned and duly drawn conclusion of a commission of clinical psychiatrists regarding the need of hospitalisation of the citizen to a medical organisation rendering inpatient psychiatric care, indicating the diagnosis, the severity of the psychiatric disorder and the criteria for its establishment, the description of the citizen's overall condition and behaviour and other materials, with regard to which the decision was adopted to place the citizen into a medical organisation rendering inpatient psychiatric care, on an involuntary basis;

2) documents, based on which the commission of clinical psychiatrists made the conclusion to place the citizen into a medical organisation rendering inpatient psychiatric care on an involuntary basis, as well as documents evidencing the refusal of the citizen to be voluntarily hospitalised to a medical organisation rendering inpatient psychiatric care;

3) a reasoned and duly drawn conclusion of a commission of clinical psychiatrists as to whether the mental state of the citizen allows him to personally participate in the court session, in particular on court premises;

4) documents referred to in Items 1, 5 of Part 1 of Article 126 of this Code.

Article 276. Period for Submitting an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen or the Prolongation of Involuntary Hospitalisation

1. An administrative statement of claim for the involuntary hospitalisation of a citizen is submitted within forty eight hours since the moment of placement of that citizen into a medical organisation rendering inpatient psychiatric care.

2. An administrative statement of claim for the prolongation of involuntary hospitalisation of a citizen in a medical organisation rendering inpatient psychiatric care is submitted to court no later than forty eight hours since the signs appear that it is necessary to prolong the involuntary hospitalisation of the citizen.

3. The judge immediately resolves the issue of accepting the administrative statement of claim for the involuntary hospitalisation of a citizen or prolongation of involuntary hospitalisation of a citizen for proceedings, and if the statement is accepted also immediately resolves the issue of prolonging the stay of the citizen in the medical organisation rendering inpatient psychiatric care for the time necessary for the consideration of the administrative case. If it is possible for the citizen to participate in the court session on court premises, the court obliges the medical organisation into which the citizen is placed to ensure the participation of that citizen in the court session.

4. After accepting the administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation, the court may order to present the documents and materials necessary for the correct and timely consideration and adjudication of the administrative case.

Article 277. Consideration of an Administrative Case Based on an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen or the Prolongation of Involuntary Hospitalisation

1. An administrative case based on an administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation is subject to consideration within five days since the day on which the administrative statement of claim is accepted for proceedings.

2. An administrative case may be considered *in camera* in the manner stipulated in Article 11 of this Code.

3. The citizen, in whose regard the administrative statement of claim for involuntary hospitalisation or prolongation of involuntary hospitalisation is submitted, his representative, the

medical organisation rendering inpatient psychiatric care, a prosecutor are notified of the time and place of consideration of the administrative case.

4. The citizen has a right to personally participate in the court session and to state his position on the administrative case regarding his involuntary hospitalisation or the prolongation of his involuntary hospitalisation, if the mental state of that citizen allows him to adequately understand everything that is happening in the court session, and his presence in the court session does not put his life or the health or life of other persons at risk.

5. An administrative case regarding the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation of a citizen is considered with the participation of a prosecutor, of the medical organisation rendering inpatient psychiatric care and the representative of the citizen, the issue of whose involuntary hospitalisation or prolongation of whose involuntary hospitalisation is being resolved. If necessary, the court may summon other persons to appear in the court session. If the administrative case regarding the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation of a citizen was not initiated on the basis of a prosecutor's administrative statement of claim, the prosecutor entering the proceedings gives a conclusion on this administrative case. Non-appearance of a duly notified prosecutor does not preclude the consideration of the administrative case.

6. If the citizen, the issue of whose involuntary hospitalisation or prolongation of whose involuntary hospitalisation is being resolved, does not have a representative, the court appoints an advocate as a representative for that citizen, in the manner stipulated in Part 4 of Article 54 of this Code.

7. The court session may be conducted on the court premises or on the premises of the medical organisation rendering inpatient psychiatric care. The court session is conducted on the premises of the medical organisation rendering inpatient psychiatric care if the court finds that the mental state of the citizen allows him to personally participate in the court session, but his presence on the court premises is impossible. Otherwise, the court session is conducted on the court premises.

Article 278. Facts Subject to Ascertainment

1. During the consideration of an administrative case regarding the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation, the court must ascertain:

1) whether the citizen has a severe psychiatric disorder;

2) whether the citizen's severe psychiatric disorder has consequences in the form of immediate danger for the citizen or other persons, the citizen's helplessness and (or) the possibility of serious harm to his health due to deterioration of his mental state, if the citizen is left without psychiatric help;

3) whether examination and treatment are only possible in a medical organisation rendering inpatient psychiatric care;

4) whether the citizen refused or evaded voluntary hospitalisation to a medical organisation rendering inpatient psychiatric care or the prolongation of such hospitalisation.

2. The burden of proof, as regards the facts in an administrative case regarding the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation, lies on the person that submitted the corresponding statement of claim to the court.

3. If necessary, the court may order to present evidence on its own initiative.

Article 279. Court Decision regarding an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen or the Prolongation of Involuntary Hospitalisation

1. After considering an administrative case based on an administrative statement of claim for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation on its merits, the court adopts a decision.

2. If the court finds that there are grounds for the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation, the administrative claim is satisfied. If the claims are not substantiated, the court refuses to satisfy the administrative claim.

3. The contents of the court decision must meet the requirements stipulated in Article 180 of this Code; the introductory part of the decision must also indicate where the court session was held.

4. In an administrative case regarding the involuntary hospitalisation of a citizen or the prolongation of involuntary hospitalisation, a reasoned decision must be drawn up on the day of its adoption.

5. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are forwarded to them immediately after the decision is drawn up, via means that ensure the fastest delivery of copies.

6. The court decision in an administrative case on involuntary hospitalisation of a citizen or prolongation of involuntary hospitalisation of a citizen is subject to immediate execution.

Article 280. Involuntary Psychiatric Examination

1. An administrative statement of claim for the involuntary psychiatric examination of a citizen is submitted to court by a clinical psychiatrist rendering psychiatric help.

2. A reasoned conclusion of the clinical psychiatrist regarding the necessity of the examination, other materials, based on which the psychiatrist made that conclusion, as well as documents referred to in Items 1, 5 of Part 1 of Article 126 of this Code are attached to an administrative statement of claim for the involuntary psychiatric examination of a citizen.

3. An administrative case based on an administrative statement of claim for the involuntary psychiatric examination of a citizen is considered by the court within three days from the day on which the administrative statement of claim is accepted for proceedings.

4. The citizen, his representative, the clinical psychiatrist that submitted the administrative statement of claim and a prosecutor are notified of the time and place of the court session in the administrative case regarding the involuntary psychiatric examination of a citizen. Non-appearance of the prosecutor and of the psychiatrist does not preclude the consideration and adjudication of the administrative case.

5. Other persons may be summoned to court if necessary.

6. When considering an administrative case regarding the involuntary psychiatric examination of a citizen, the court must ascertain:

1) whether there is information regarding the commission by the citizen of such actions that suggest that he has a severe psychiatric disorder;

2) whether the severe psychiatric disorder will have consequences in the form of the citizen's helplessness and (or) the possibility of serious harm to his health due to deterioration of his mental state, if the citizen is left without psychiatric help;

3) whether the citizen refused or evaded voluntary psychiatric examination.

7. If the court finds the administrative claim for the involuntary psychiatric examination of a citizen substantiated, it adopts a decision to satisfy the claim. If there are no grounds to perform the involuntary psychiatric examination of the citizen, the court refuses to satisfy the administrative claim and to enforce the involuntary psychiatric examination.

8. In an administrative case regarding the involuntary psychiatric examination of a citizen, the reasoned decision must be drawn up on the day of adoption of the decision.

9. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are forwarded to them immediately after the decision is drawn up, via means that ensure the fastest delivery of copies.

10. The court decision in an administrative case regarding the involuntary psychiatric examination of a citizen is subject to immediate execution

Chapter 31. Proceedings in Administrative Cases regarding the Involuntary Hospitalisation of a Citizen to a Medical Antituberculous Organisation

Article 281. Submitting an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen to a Medical Antituberculous Organisation

1. An administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation may be submitted in regard of a citizen infected with a contagious form of tuberculosis, who has repeatedly violated the sanitary-anti-epidemic regime,

or in regard of a citizen, who intentionally evades examination aimed at detection of tuberculosis or tuberculosis treatment.

2. An administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation is submitted by the head of the medical antituberculous organisation, in which the citizen is under dispensary observation.

3. The administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation must indicate information referred to in Items 1-3, 5 and 9 of Part 2 of Article 125 of this Code and grounds for involuntary hospitalisation of a citizen to a medical antituberculous organisation, stipulated in federal law. The statement must also include references to a conclusion of a commission of doctors and other data, substantiating the administrative plaintiff's claims.

4. The following is attached to an administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation:

1) the citizen's medical history;

2) a conclusion of a commission of doctors of the medical antituberculous organisation, indicating the diagnosis, the severity of illness, the obligatory nature of dispensary observation, as well as other materials confirming the need of involuntary hospitalisation of the citizen to a medical antituberculous organisation;

3) documents, based on which the commission of doctors of the medical antituberculous organisation made its conclusion regarding the involuntary hospitalisation of the citizen to a medical antituberculous organisation;

4) documents confirming that the citizen, in whose regard the administrative statement of claim for the involuntary hospitalisation to a medical antituberculous organisation is submitted, has repeatedly violated the sanitary-anti-epidemic regime or intentionally evaded examination aimed at detection of tuberculosis or tuberculosis treatment;

5) documents referred to in Part 1 of Article 126 of this Code.

Article 282. Accepting an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen to a Medical Antituberculous Organisation

1. The judge immediately resolves the issue of accepting an administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation for proceedings.

2. After the administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation is accepted, the court may order to present the documents and materials necessary to ensure the correct and timely consideration and adjudication of the administrative case.

Article 283. Consideration of an Administrative Case Based on an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen to a Medical Antituberculous Organisation

1. Unless otherwise stipulated in this Code or another federal law, rules stipulated in Chapter 30 of this Code apply to an administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation.

2. An administrative case regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation is subject to consideration within five days since the day on which the administrative statement of claim is accepted for proceedings.

3. The administrative case may be considered *in camera* in the manner stipulated in Article 11 of this Code.

4. The citizen, in whose regard the administrative statement of claim for the involuntary hospitalisation to a medical antituberculous organisation is submitted, his representative, the medical antituberculous organisation, in which the citizen is under dispensary observation, a prosecutor are notified of the time and place of consideration of the administrative case.

5. Non-appearance of the persons participating in the case, of their representatives, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case, unless their appearance is deemed obligatory by the court.

6. If necessary, the court may summon other persons to appear in the court session.

Article 284. Facts Subject to Ascertainment

1. During the consideration of an administrative case regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation, the court must ascertain:

1) whether the citizen, in whose regard the issue of involuntary hospitalisation to a medical antituberculous organisation is being resolved, has a contagious form of tuberculosis;

2) whether there are facts of repeated violation of sanitary-anti-epidemic regime or intentional evasion of examination aimed at detection of tuberculosis or of tuberculosis treatment by the citizen, in whose regard the issue of involuntary hospitalisation to a medical antituberculous organisation is being resolved.

2. In an administrative case regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation, the burden of proof lies on the administrative plaintiff.

3. If necessary, the court may order to present evidence on its own initiative.

Article 285. Court Decision regarding an Administrative Statement of Claim for the Involuntary Hospitalisation of a Citizen to a Medical Antituberculous Organisation

1. After considering an administrative case, based on an administrative statement of claim for the involuntary hospitalisation of a citizen to a medical antituberculous organisation, on its merits, the court adopts a decision.

2. If the court finds that there are grounds for the involuntary hospitalisation of a citizen to a medical antituberculous organisation, it adopts the decision to satisfy the administrative claim. If the claims are unsubstantiated, the court refuses to satisfy the administrative claim.

3. The contents of the court decision must meet the requirements stipulated in Article 180 of this Code; the introductory part of the decision must also indicate where the court session was held.

4. In administrative cases regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation, the reasoned decision must be drawn up on the day of its adoption.

5. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are forwarded to them immediately after the decision is drawn up, via means that ensure the fastest delivery of copies.

6. The court decision in an administrative case regarding the involuntary hospitalisation of a citizen to a medical antituberculous organisation is subject to immediate execution.

Chapter 31.1. Proceedings in Administrative Cases regarding the Protection of Interests of an Underage Person or a Person Recognised in the Stipulated Manner as Legally Incapable, Where His Statutory Representative Refuses to Consent to Medical Intervention Necessary to Save That Person's Life

Article 285.1. Submitting an Administrative Statement of Claim for the Protection of Interests of an Underage Person or a Person Recognised in the Stipulated Manner as Legally Incapable, Where His Legal Statutory Refuses to Consent to Medical Intervention Necessary to Save That Person's Life

1. An administrative statement of claim for the protection of interests of an underage person or of a person recognised in the stipulated manner as legally incapable (hereinafter referred to as "the administrative statement of claim") may be submitted to court if one of the parents or another statutory representative of an underage person, who has not reached the age at which the patient independently gives informed voluntary consent for medical intervention in accordance with healthcare legislation, or a statutory representative of a person recognised in the stipulated manner as legally incapable refuses to consent to medical intervention necessary to save the life of the represented person. The administrative statement of claim is submitted against the administrative defendant – the person who refuses to consent to the medical intervention necessary to save the life of the represented person.

2. The administrative statement of claim must indicate information referred to in Items 1-5, 8 and 9 of Part 2 of Article 125 of this Code, as well as the grounds stipulated in federal law for the protection of interests of an underage person or a person recognised in the stipulated manner as

legally incapable, where one of the parents or another statutory representative of an underage person, who has not reached the age at which the patient independently gives informed voluntary consent for medical intervention in accordance with healthcare legislation, or a statutory representative of a person recognised in the stipulated manner as legally incapable refuses to consent to medical intervention necessary to save the life of the represented person. The administrative statement of claim must also refer to the conclusion of a commission of doctors of a medical organisation and other information substantiating the claims of the administrative plaintiff.

3. The following documents are also attached to the administrative statement of claim:

1) medical documents of the citizen, in whose interests the administrative statement of claim is submitted;

2) a conclusion of a commission of doctors of a medical organisation, indicating the diagnosis, the severity of illness, the description of conditions requiring the salvage of the patient's life, as well as other materials confirming that it is necessary to conduct a medical intervention in order to save the patient's life and whether the patient's health conditions allow him to appear in the court session;

3) documents confirming the refusal of the statutory representative of the underage person or of the person recognised in the stipulated manner as legally incapable to consent to the medical intervention necessary to save the life of the represented person;

4) documents confirming that the custodianship and guardianship body was informed about the submission of an administrative statement of claim for the protection of interests of an underage person or of a person recognised in the stipulated manner as legally incapable, due to refusal of the statutory representative to consent to medical intervention necessary to save that person's life;

5) documents referred to in Item 1 of Part 1 of Article 126 of this Code.

Article 285.2. Accepting the Administrative Statement of Claim

1. When the administrative statement of claim is received by the court, a judge immediately resolves the issue of accepting it for proceedings.

2. After the administrative statement of claim is accepted, the court may order to present other documents and materials necessary to ensure the correct and timely consideration and adjudication of the administrative case.

Article 285.3. Consideration of the Administrative Case Based on the Administrative Statement of Claim

1. An administrative case based on the administrative statement of claim is considered by the court within five days since the day on which the administrative statement of claim is accepted

for proceedings. If the medical organisation motions for urgent medical intervention, the case is considered on the day of receipt of the administrative statement of claim.

2. The administrative case may be considered *in camera* in the manner stipulated in Article 11 of this Code.

3. The person that refused to consent to medical intervention in regard of an underage person or a person recognized in the stipulated manner as legally incapable, the medical organisation that submitted the administrative statement of claim, the custodianship and guardianship body, a prosecutor are notified of the time and place of consideration of the administrative case.

4. Non-appearance of persons referred to in Part 3 of this Article, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case, unless their appearance is deemed obligatory by the court.

5. The court may draw other interested persons to participation in the case, as well as the person, in whose regard the issue of medical intervention is being resolved, unless his health conditions preclude this.

Article 285.4. Facts Subject to Ascertainment

1. During the consideration of the administrative case, the court must ascertain:

1) whether the citizen, in whose interests the administrative statement of claim was submitted, requires medical intervention in order for his life to be saved;

2) whether the statutory representative of the person, in whose interests the administrative statement of claim was submitted, actually refused to consent to medical intervention necessary to save the life of the represented person.

2. The burden of proof in the administrative case lies on the administrative plaintiff.

3. If necessary, the court may order to present other evidence on its own initiative.

Article 285.5. Court Decision regarding the Administrative Statement of Claim

1. If the court finds that there are grounds for medical intervention necessary to save the patient's life, it adopts a decision to satisfy the administrative statement of claim. If the claims are unsubstantiated, the court refuses to satisfy the administrative statement of claim.

2. The contents of the court decision must meet the requirements stipulated in Article 180 of this Code.

3. The court decision to satisfy the administrative statement of claim gives grounds for medical intervention in regard of an underage person or a person recognised in the stipulated manner as legally incapable.

4. The court may order immediate execution of the decision to satisfy the administrative statement of claim, indicating this in the operative part of the decision. In this situation, a certified copy of the operative part of the decision may be handed to the administrative plaintiff until the reasoned court decision is drawn up.

5. The reasoned court decision must be drawn up in full volume on the day of its adoption.

6. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are immediately forwarded to them after the decision is drawn up, via means that ensure the fastest delivery of copies.

Chapter 31.2. Proceedings in Administrative Cases Pertaining to the Stay of an Underage at a Temporary Detention Centre for Underage Offenders of an Internal Affairs Body

Article 285.6. Submitting an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Temporary Detention Centre

1. An administrative statement of claim for the placement of an underage into a temporary detention centre is submitted to the court by an internal affairs body at the place of detention of the underage or at the location of the temporary detention centre no later than twenty-four hours before the expiration of the period of the underage's stay at the temporary detention centre.

2. If detention was not used against the underage, the administrative statement of claim is submitted to the court by an internal affairs body at the place where the underage, who has not reached the age of criminal liability at the moment of perpetration, perpetrated a publicly dangerous act, within one month from the day on which a decree on termination of a criminal case in regard of the aforementioned underage or on refusal to initiate that case was issued, or from the moment when other circumstances arose, constituting grounds for placement of an underage into a temporary detention centre in accordance with federal law.

3. An administrative statement of claim for the prolongation of the court-determined period of stay of an underage at a temporary detention centre is submitted by the internal affairs body to the court at the location of the corresponding centre, no later than twenty-four hours before the expiration of the underage's stay at the centre.

4. Failure to comply with the periods stipulated in Parts 1 and 3 of this Article does not result in return of the administrative statement of claim or refusal to accept it and neither constitutes grounds for refusal to satisfy it.

Article 285.7. Contents of an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Temporary Detention Centre, and Documents Attached Thereto

1. In addition to the information stipulated in Items 1–3, 5 and 9 of Part 2 of Article 125 of this Code, an administrative statement of claim pertaining to the stay of an underage at a temporary detention centre must include the circumstances stipulated in federal law, indicating that it is necessary to place the underage into a temporary detention centre, the aims of placing the

underage into the temporary detention centre or the substantiation of the need to prolong the period of stay of the underage at the temporary detention centre after the expiration of the court-determined period.

2. The following must be attached to an administrative statement of claim pertaining to the stay of an underage at a temporary detention centre:

1) evidence confirming the facts stated in the administrative statement of claim;

2) documents containing information about the measures taken to allow the underage, his statutory representatives or a representative of a custodianship and guardianship body to inspect the documents referred to in Item 1 of this Part.

3) documents referred to in Item 5 of Part 1 of Article 126 of this Code.

3. Other evidence that has significance for the correct consideration and adjudication of the administrative case may be attached to the administrative statement of claim.

Article 285.8. Accepting an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Temporary Detention Centre

1. The issue of accepting an administrative statement of claim pertaining to the stay of an underage at a temporary detention centre is resolved by the judge immediately.

2. The court informs the commissioner for children's rights in the constituent entity of the Russian Federation about the initiation of proceedings. The commissioner has the right to participate in the consideration of the administrative case and to give a conclusion on the case.

Article 285.9. Consideration of an Administrative Case Pertaining to the Stay of an Underage at a Temporary Detention Centre

1. If an administrative statement of claim, meeting the requirements stipulated in Article 285.7 of this Code, is submitted within the period stipulated in Parts 1 and 3 of Article 285.6 of this Code, the administrative case pertaining to the stay of an underage at a temporary detention centre is considered before the expiration of the underage's stay at the temporary detention centre. Otherwise the administrative case is considered within ten days from the day on which the administrative statement of claim is accepted for court proceedings.

2. The administrative case is considered *in camera*. Upon the motion of the underage, his statutory representative or of the underage's representative, the case may be considered in an open court session, unless this violates the rights and lawful interests of the underage or of a different person who is not a participant of proceedings.

3. An advocate is appointed as a representative of an underage, in whose regard the administrative statement of claim was submitted, unless the court has information that the underage has a representative meeting the requirements of Article 55 of this Code.

4. Where necessary, the court may draw the commission for the affairs of the underage and protection of their rights, a custodianship and guardianship body to participation in the case as interested persons.

5. The underage in whose regard the administrative statement of claim was submitted (the administrative defendant), his statutory representatives, the underage's representative, a prosecutor, the administrative plaintiff, other persons participating in the case are notified of the time and place of the court session.

6. The participation of the underage's representative and of a prosecutor in the consideration of the administrative case is obligatory. Non-appearance of other persons referred to in Part 5 of this Article, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case, unless their appearance is deemed obligatory by the court.

7. The underage in whose regard the administrative statement of claim was submitted has the right to personally participate in the court session and state his position on the administrative case.

8. Proceedings in an administrative case pertaining to the stay of an underage at a temporary detention centre may be terminated if the court accepts the renunciation of the administrative claim, provided that this does not contradict the law and corresponds to the interests of the underage.

Article 285.10. Facts Subject to Ascertainment

1. During the consideration of an administrative case pertaining to the stay of an underage at a temporary detention centre, the court, in order to ensure the most favourable interests of the underage, must ascertain:

1) whether the underage pertains to a category of persons placed into a temporary detention centre;

2) whether there are facts indicating the need to protect the life or preserve the health of the underage, or prevent him from perpetrating a repeated publicly dangerous act;

3) facts that characterise the personality of the underage, his psychophysiologic features, the conditions of living and upbringing of the underage;

4) whether there exist necessary conditions allowing to reach the goals indicated in the first paragraph of this Part without placing the underage into a temporary detention centre;

5) whether there are facts confirming the existence of grounds for prolonging the court-determined period of the underage's stay at the temporary detention centre;

6) other facts that have significance for the correct consideration and adjudication of the administrative case.

2. The court is also obliged to put up for discussion the issue of the period during which the underage may be detained in the temporary detention centre or for which his detention in the temporary detention centre is prolonged, based on the minimum amount of time necessary to reach the goals of placing the underage into the temporary detention centre.

Article 285.11. Court Decision in an Administrative Case Pertaining to the Stay of an Underage at a Temporary Detention Centre

1. The court decision in an administrative case pertaining to the stay of an underage at a temporary detention centre must meet the requirements stipulated in Article 180 of this Code.

2. The operative part of the court decision in an administrative case pertaining to the stay of an underage at a temporary detention centre must contain the following information:

1) on satisfaction of administrative claims, and on the period of detention of the underage in a temporary detention centre or on the period for which the underage's detention in the temporary detention centre is prolonged; information about the date from which the corresponding period is calculated;

2) on refusal to satisfy the administrative claims.

3. The reasoned court decision in an administrative case pertaining to the stay of an underage at a temporary detention centre must be drawn up in full volume on the day of its adoption.

4. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are immediately forwarded to them after the decision is drawn up, via means that ensure the fastest delivery of copies.

5. If an underage is already staying at a detention centre, the court decision in the administrative case pertaining to the stay of the underage at the temporary detention centre is subject to immediate execution. Where detention was not used against the underage, the issue of whether it is possible to order immediate execution of the court decision in the administrative case is resolved by the court in accordance with the rules stipulated in Article 188 of this Code.

Article 285.12. Appeal against a Court Decision in an Administrative Case Pertaining to the Stay of an Underage at a Temporary Detention Centre

A court decision in an administrative case pertaining to the stay of an underage at a temporary detention centre may be appealed against by persons participating in the case, in particular by the underage who has reached the age of fourteen, by their representatives in accordance with the general rules stipulated in this Code.

Chapter 31.3. Proceedings in Administrative Cases Pertaining to the Stay of an Underage at a Special Custodial Educational Institution

Article 285.13. Submitting an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Custodial Educational Institution

1. An administrative statement of claim pertaining to the stay of an underage at a custodial educational institution is submitted to the court at the place of residence (stay) of the underage, and if there is none – at the place of actual presence of the underage.

2. An administrative statement of claim for the placement of an underage into a custodial educational institution is submitted to the court by an internal affairs body or a prosecutor within one month from the day on which a decree on termination of a criminal case in regard of the aforementioned underage or on refusal to initiate that case was issued, unless otherwise stipulated in federal law.

3. An administrative statement of claim for the prolongation of stay of an underage at a custodial educational institution after the expiration of the court-determined period of stay is submitted to the court by the aforementioned educational institution no later than one month before the expiration of the court-determined period of stay of the underage at a custodial educational institution.

4. The underage, his statutory representatives may submit an administrative statement of claim for the prolongation of stay of the underage at a custodial educational institution after the expiration of the court-determined period of stay or after the underage reaches the age of eighteen, if it is necessary to complete the corresponding educational programs or professional training.

5. Failure to comply with the periods stipulated in Parts 2 and 3 of this Article does not result in return of the administrative statement of claim or refusal to accept it and neither constitutes grounds for refusal to satisfy it.

6. An administrative statement of claim for early termination of stay of an underage at a custodial educational institution or on transfer of the underage to a different custodial educational institution is submitted to the court by the custodial educational institution, the underage, his statutory representatives, a prosecutor.

7. A custodial educational institution may apply to court with an administrative statement of claim for restoration of the period of the underage's stay at the custodial educational institution if the underage arbitrarily leaves the custodial educational institution, fails to return to the custodial educational institution from vacation, as well as in other situations where the underage evades the stay at the aforementioned institution.

8. An administrative statement of claim for involuntary medical examination of an underage in order to determine the possibility of placing him into a custodial educational institution (hereinafter – "administrative statement of claim for involuntary medical examination of an underage") is submitted to the court by an internal affairs body or a prosecutor.

Article 285.14. Contents of an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Custodial Educational Institution, and Documents Attached Thereto

1. An administrative statement of claim for the placement of an underage into a custodial educational institution must contain information stipulated in Items 1–3, 5 and 9 of Part 2 of Article 125 of this Code and must also state the grounds for placing the underage in said institution, stipulated in federal law.

2. The following must be attached to an administrative statement of claim for the placement of an underage into a custodial educational institution:

1) materials of a terminated criminal case or materials on refusal to initiate a criminal case in regard of the underage, or copies of such materials, certified in the stipulated manner;

2) a decree of a commission for the affairs of the underage and protection of their rights, containing a motion for placement of the underage into a custodial educational institution;

3) a reference letter from the underage's place of studies (work);

4) an inspection report describing the family and domestic living conditions of the underage;

5) a reference note of an internal affairs body containing information about the offences earlier perpetrated by the underage and the enforcement actions taken in this regard;

6) a conclusion of a medical organisation regarding the state of health of the underage and the possibility of placing him into a custodial educational institution;

7) a conclusion of a psychological-medical-pedagogical commission on the results of a complex study of the underage, containing recommendations on rendering psychological-medical-pedagogical assistance to him and on determining the forms of his further education and upbringing;

8) evidence confirming the existence (absence) of circumstances precluding the participation of the underage in the court session;

9) documents containing information about the measures taken to allow the underage, his statutory representatives to inspect the documents and materials referred to in Items 1–8 of this Part;

10) documents confirming that copies of the administrative statement of claim and of documents attached thereto were sent to the other persons participating in the case;

11) documents referred to in Item 5 of Part 1 of Article 126 of this Code.

3. Other evidence that has significance for the correct consideration and adjudication of the administrative case may be attached to the administrative statement of claim.

4. An administrative statement of claim for prolongation of the court-determined period of stay

of an underage at a custodial educational institution, for early termination of the underage's stay at a custodial educational institution or for the transfer of the underage into a different custodial educational institution must indicate the information stipulated in Items 1–3, 5 and 9 of Part 2 of Article 125 of this Code and must also state the reasons substantiating the need for further stay of the underage at the custodial educational institution, the lack of such need or the need to transfer the underage into a different custodial educational institution due to age, state of health or in order to create the most favourable conditions for his social adaptation and social rehabilitation.

5. The following must be attached to an administrative statement of claim for prolongation of the court-determined period of stay of an underage at a custodial educational institution, for early termination of the underage's stay at a custodial educational institution or for the transfer of the underage into a different a custodial educational institution:

1) evidence confirming the facts stated in the administrative statement of claim;

2) a decree of a commission for the affairs of the underage and protection of their rights regarding the approval of prolongation of the underage's stay at the custodial educational institution, the possibility of early termination of the underage's stay at the custodial educational institution, or regarding the transfer of the underage into a different custodial educational institution;

3) a conclusion of the custodial educational institution (unless it is an administrative plaintiff) regarding the need for the further stay of the underage at the custodial educational institution, the possibility of termination of the underage's stay at that institution before the expiration of the court-determined period or regarding the need to transfer the underage into a different custodial educational institution;

4) a conclusion of a psychological-medical-pedagogical commission of the custodial educational institution, containing recommendations regarding the possibility of prolonging the underage's stay at the custodial educational institution, the existence of grounds for early termination of stay at that institution or for the transfer to a different custodial educational institution;

5) documents confirming that copies of the administrative statement of claim and of documents attached thereto were sent to the other persons participating in the case;

6) documents referred to in Item 5 of Part 1 of Article 126 of this Code.

6. Other evidence that has significance for the correct consideration and adjudication of the administrative case may be attached to the administrative statement of claim.

7. The requirements stipulated in Items 2–5 of Part 5 of this Article do not apply where the administrative statements of claim are submitted by the underage, his statutory representatives.

8. An administrative statement of claim for restoration of the period of the underage's stay at the custodial educational institution must contain the information stipulated in Items 1–3, 5 and 9 of Part 2 of Article 125 of this Code, as well as information indicating that the underage evaded the stay at the custodial educational institution.

9. The following must be attached to an administrative statement of claim for restoration of the

period of the underage's stay at the custodial educational institution:

1) evidence confirming the facts stated in the administrative statement of claim;

2) a decree of a commission for the affairs of the underage and protection of their rights regarding the approval of restoration of the period of the underage's stay at the custodial educational institution;

3) documents confirming that copies of the administrative statement of claim and of documents attached thereto were sent to the other persons participating in the case;

4) documents referred to in Item 5 of Part 1 of Article 126 of this Code.

10. Other evidence that has significance for the correct consideration and adjudication of the administrative case may be attached to the administrative statement of claim.

11. An administrative statement of claim for involuntary medical examination of an underage must contain the information stipulated in Items 1–3, 5 and 9 of Part 2 of Article 125 of this Code, information about the refusal or evasion of the underage, his statutory representatives from the medical examination of the underage, as well as information about the medical organisation authorized to conduct the medical examination of the underage.

12. The following must be attached to an administrative statement of claim for involuntary medical examination of an underage:

1) materials of a terminated criminal case or materials on refusal to initiate a criminal case in regard of the underage, or copies of such materials, certified in the stipulated manner;

2) a decree of a commission for the affairs of the underage and protection of their rights, containing a motion for placement of the underage into a custodial educational institution;

3) evidence confirming that the underage or his statutory representatives refused or evaded medical examination of the underage;

4) documents confirming that copies of the administrative statement of claim and of documents attached thereto were sent to the other persons participating in the case;

5) documents referred to in Item 5 of Part 1 of Article 126 of this Code.

13. Other evidence that has significance for the correct consideration and adjudication of the administrative case may be attached to the administrative statement of claim.

Article 285.15. Accepting an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Custodial Educational Institution

1. The issue of accepting an administrative statement of claim pertaining to the stay of an underage at a custodial educational institution is resolved by the judge immediately.

2. The court informs the commissioner for children's rights in the constituent entity of the Russian Federation about the initiation of proceedings. The commissioner has the right to participate in the consideration of the administrative case and to give a conclusion on the case.

Article 285.16. Consideration of an Administrative Case based on an Administrative Statement of Claim Pertaining to the Stay of an Underage at a Custodial Educational Institution

1. An administrative case based on an administrative statement of claim pertaining to the stay of an underage at a custodial educational institution is considered within one month from the day on which the administrative statement of claim is accepted for proceedings, except where Parts 3 and 4 of this Article apply.

2. If there are circumstances indicating that the life or health of the underage are in danger, the administrative case is subject to immediate consideration and adjudication.

3. An administrative case based on an administrative statement of claim for the involuntary medical examination of an underage is considered within three days from the day on which the administrative statement of claim is accepted for proceedings.

4. An administrative statement of claim for prolongation of the underage's stay at a custodial educational institution, submitted within the period stipulated in Part 3 of Article 285.13 of this Code and meeting the requirements stipulated in Parts 4 and 5 of Article 285.14 of this Code, must be considered by the court no later than on the day preceding the day of expiration of the court-determined period of the underage's stay at the custodial educational institution.

5. Administrative cases indicated in Parts 1–4 of this Article are considered *in camera*. Upon the motion of the underage, his statutory representative or of the underage's representative, the case may be considered in an open court session, unless this violates the rights and lawful interests of the underage or of a different person who is not a participant of proceedings.

6. An advocate is appointed as a representative of an underage, in whose regard the administrative statement of claim pertaining to the stay at a custodial educational institution was submitted, unless the court has information that the underage has a representative meeting the requirements of Article 55 of this Code.

7. The underage (administrative plaintiff, administrative defendant), his statutory representatives, the underage's representative, a prosecutor, the internal affairs body or custodial educational institution, as well as other persons participating in the case are notified about the time and place of consideration of the administrative case.

8. The participation of the underage's representative and of a prosecutor in the consideration of the administrative case is obligatory. Non-appearance of other persons referred to in Part 7 of this Article, duly notified of the time and place of the court session, does not preclude the consideration and adjudication of the administrative case, unless their appearance is deemed obligatory by the court.

9. The underage (administrative plaintiff, administrative defendant) has the right to personally participate in the court session and state his position on the administrative case.

10. Proceedings in an administrative case pertaining to the stay of an underage at a custodial educational institution may be terminated if the court accepts the renunciation of the administrative claim, provided that this does not contradict the law and corresponds to the interests of the underage.

11. During the trial in an administrative case pertaining to the stay of an underage at a custodial educational institution, the court may approve a conciliation agreement on the following issues:

1) regarding the manner (periods, place) of the medical examination necessary to determine the possibility of placing the underage into a custodial educational institution;

2) regarding other issues pertaining to control over the behaviour of the underage, provided that the terms of the agreement do not contradict the law and correspond to the most favourable interests of the underage.

Article 285.17. Facts Subject to Ascertainment

1. During the consideration of an administrative case pertaining to the stay of an underage at a custodial educational institution, the court, in order to ensure the most favourable interests of the underage, must ascertain:

1) whether the underage pertains to a category of persons placed into a custodial educational institution;

2) whether the underage has an illness or particular features of psychological and physical development that preclude his stay in a custodial educational institution;

3) facts that characterise the personality of the underage, his psychophysiologic features, the conditions of living and upbringing of the underage;

4) whether there are facts confirming that it is possible for the underage's behaviour to change without his placement into a custodial educational institution;

5) whether the consequences of the underage's stay in a custodial educational institution correspond to the interests of his psychological, physical and moral development;

6) whether the underage needs to stay at a custodial educational institution that provides adapted basic educational programmes;

7) other facts that have significance for the correct consideration and adjudication of the administrative case.

2. The court is also obliged to put up for discussion the issue of the period that will be sufficient to reach the goals of placing the underage in a custodial educational institution.

3. When considering an administrative case on involuntary medical examination, the facts referred to in Items 1 and 2 of Part 1 of this Article are subject to ascertainment, as well as the fact of refusal or evasion of the underage, his statutory representatives from medical examination necessary to determine the possibility of his stay in a custodial educational institution.

Article 285.18. Court Decision in an Administrative Case Pertaining to the Stay of an Underage at a Custodial Educational Institution

1. The court decision in an administrative case pertaining to the stay of an underage at a custodial educational institution must meet the requirements stipulated in Article 180 of this Code.

2. The operative part of the court decision in an administrative case regarding the placement of an underage into a custodial educational institution must contain the following information:

1) that the administrative claims are satisfied, and the underage is placed into a custodial educational institution, with indication of the period of stay in such an institution; that the underage is placed into a temporary detention centre for a period necessary to deliver him to a custodial educational institution, or information about the prolongation of the underage's stay in a temporary detention centre;

2) that the court refuses to satisfy the administrative claims; or that the court refuses to satisfy the administrative claims and forwards a copy of the court decision to a commission for the affairs of the underage and protection of their rights, so that enforcement actions are taken in regard of the underage – where the court finds the facts confirming that it is possible for the underage's behaviour to change without his placement into a custodial educational institution or discovers grounds precluding his placement into that institution.

3. If the claims for prolongation of the court-determined period of the underage's stay in a custodial educational institution are satisfied, the operative part of the court decision indicates the period for which the underage's stay in the custodial educational institution is prolonged.

4. The operative part of a court decision satisfying the claims for transfer of the underage into a different custodial educational institution must contain the name of the institution into which the underage is subject to transfer, as well as the period within which such a transfer must take place.

5. If the claims for restoration of the period of an underage's stay in a custodial educational institution are satisfied, the operative part of the court decision indicates the period of the underage's stay in the custodial educational institution.

6. The operative part of a court decision regarding the involuntary medical examination of an underage must contain information:

1) on conducting the medical examination of the underage, with indication of the medical organisation authorized to conduct it;

2) on refusal to satisfy the administrative claims.

7. A court decision satisfying the claims in an administrative case on early termination of an underage's stay in a custodial educational institution is ordered for immediate execution. The issue of whether it is possible to order immediate execution of court decisions in other categories of administrative cases pertaining to the stay of an underage in a custodial educational institution

is resolved by the court in accordance with the rules stipulated in Article 188 of this Code.

8. In administrative cases pertaining to the stay of an underage at a custodial educational institution, the reasoned court decision must be drawn up on the day of its adoption.

9. Copies of the court decision are handed against acknowledgement of receipt to persons participating in the case and their representatives or are immediately forwarded to them after the decision is drawn up, via means that ensure the fastest delivery of copies.

10. Copies of a court decision that becomes effective or is ordered for immediate execution are immediately forwarded to the body performing the execution of the court decision, as well as to the medical organisation entrusted with conducting the medical examination of the underage.

Article 285.19. Appeal against a Court Decision in an Administrative Case Pertaining to the Stay of an Underage at a Custodial Educational Institution

A court decision in an administrative case pertaining to the stay of an underage at a custodial educational institution may be appealed against by persons participating in the case, in particular by the underage who has reached the age of fourteen, by their representatives in accordance with the general rules stipulated in this Code.

Chapter 32. Proceedings in Administrative Cases regarding the Recovery of Compulsory Payments and Penalties

Article 286. Right to Apply to Court with an Administrative Statement of Claim for the Recovery of Compulsory Payments and Penalties

1. Public authorities, other state bodies, local self-government bodies, other bodies vested, in accordance with federal law, with control functions over the payment of compulsory payments (hereinafter referred to as “control bodies”) have a right to apply to court with administrative statements of claim for the recovery of monetary sums from natural persons towards payment of compulsory payments and penalties, stipulated by law, if those persons are in arrears regarding the compulsory payments, the request of a control body to voluntarily pay the recoverable amount was not fulfilled, or the period for the payment of the monetary sum stipulated in the request was missed, and federal law does not stipulate another manner for the recovery of compulsory payments and penalties.

2. An administrative statement of claim for the recovery of compulsory payments and penalties may be submitted to court within six months since the day of expiration of the period for the fulfilment of request for payment of compulsory payments and penalties, unless otherwise stipulated in a federal law. If the period for the submission of the administrative statement of claim for the recovery of compulsory payments and penalties was missed for a good reason, it may be restored by the court.

Article 287. Requirements to an Administrative Statement of Claim for the Recovery of Compulsory Payments and Penalties

1. An administrative statement of claim for the recovery of compulsory payments and penalties must be drawn in accordance with the requirements of Parts 1, 8 and 9 of Article 125 of this Code and signed by the head of the control body, on behalf of which the statement is submitted. The administrative statement of claim must indicate:

1) information referred to in Items 1-3, 5 and 9 of Part 2 of Article 125 of this Code;

2) the name of the compulsory payment subject to recovery, the amount of the monetary sum representing the payment and the calculation of that sum;

3) provisions of a federal law or of another normative legal act stipulating the compulsory payment;

4) information confirming that a request for voluntary payment was forwarded;

5) the amount and calculation of the monetary sum representing the penalty and the provisions of the normative legal act stipulating the penalty;

6) information about the cancellation of a court order regarding the claims for recovery of compulsory payments and penalties, issued in the manner stipulated in Chapter 11.1 of this Code.

2. Documents confirming the facts stated in the administrative statement of claim, including the copy of the request for the voluntary payment of the recoverable payment forwarded by the administrative plaintiff, the copy of a judge's decree to cancel a court order regarding the claims for recovery of compulsory payments and penalties, a power of attorney or other documents confirming the power to sign the administrative statement of claim, documents referred to in Item 1 of Part 1 of Article 126 of this Code are attached to the administrative statement of claim for the recovery of compulsory payments and penalties.

Article 288. Provisional Measures regarding an Administrative Statement of Claim for the Recovery of Compulsory Payments and Penalties

The court may arrest the property of the administrative defendant in the amount, not exceeding the amount of the stated claims, in the manner stipulated in Chapter 7 of this Code.

Article 289. Trial in Administrative Cases regarding the Recovery of Compulsory Payments and Penalties

1. Administrative cases regarding the recovery of compulsory payments and penalties are considered by the court within a period not exceeding three months since the day of receipt of the corresponding administrative statement of claim.

2. The court notifies the persons participating in the case of the time and place of the court session. Non-appearance of the aforementioned persons, duly notified of the time and place of the court session, does not preclude the consideration of the administrative case, unless the court deems their appearance obligatory.

3. If the persons, whose appearance is deemed obligatory by the court, and persons summoned to the court session fail to appear without a good reason, the court may impose a court fine on them in the manner and amount, stipulated in Articles 122 and 123 of this Code.

4. The burden of proof, as regards the facts that served as grounds for the recovery of compulsory payments and penalties, lies on the administrative plaintiff.

5. If necessary, the court may order to present evidence on its own initiative.

6. When considering administrative cases regarding the recovery of compulsory payments and penalties, the court checks the powers of the body that applied with the claim for the recovery of compulsory payments and penalties, ascertains whether the period for applying to court was complied with (if such a period is stipulated in a federal law or another normative legal act), whether there are grounds for the recovery of debt and the imposition of penalties and checks the correctness of the calculated amount of the recoverable monetary sum and of the calculations performed.

Article 290. Court Decision in an Administrative Case regarding the Recovery of Compulsory Payments and Penalties

1. A court decision in an administrative case regarding the recovery of compulsory payments and penalties is adopted in accordance with the rules stipulated in Chapter 15 of this Code.

2. If the claims for the recovery of compulsory payments and penalties are satisfied, the operative part of the court decision must indicate:

1) the family name, first name and patronymic (if any) of the person obliged to pay the monetary sum representing the debt, that person’s place of residence;

2) the total amount of the recoverable monetary sum, with separate indication of the general debt and of penalties.

SECTION V

SIMPLIFIED (WRITTEN) PROCEEDINGS IN ADMINISTRATIVE CASES

Chapter 33. Consideration of Administrative Cases in Simplified (Written) Proceedings

Article 291. Possibility of Consideration of Administrative Cases in Simplified (Written) Proceedings

1. An administrative case may be considered in simplified (written) proceedings:

1) if all the persons participating in the case file motions for the consideration of the administrative case in their absence, and their participation is not obligatory during the consideration of administrative cases of this category;

2) if the administrative plaintiff files a motion for the consideration of the administrative case in simplified (written) proceedings, and the administrative defendant does not object against this manner of consideration of the administrative case;

3) if the overall sum of debt regarding the compulsory payments and penalties indicated in the administrative statement of claim does not exceed twenty thousand rubles;

4) in other circumstances, where so stipulated in this Code.

2. Administrative cases stipulated in Chapters 24, 28–31.1 of this Code are not subject to consideration in simplified (written) proceedings.

Article 292. Special Rules for Simplified (Written) Proceedings in Administrative Cases

1. In simplified (written) proceedings, administrative cases are considered without an oral hearing. When an administrative case is considered in this manner, the court inspects only the written evidence (including the statement of defence, explanations and objections on the merits of the stated claims, as well as the written conclusion of a prosecutor, where this Code stipulates the entry of a prosecutor into court proceedings).

2. If the opinion of the administrative defendant regarding the consideration of the administrative case in simplified (written) proceedings must be ascertained for the use of that manner of proceedings, the court indicates the possibility of application of rules of simplified (written) proceedings in the decree on preparations for the consideration of the administrative case and establishes a ten-day period for presentation of objections against the use of that manner.

3. Where Part 2 of this Article applies, an administrative case may be considered in simplified (written) proceedings if the administrative defendant does not object against the consideration of the case in that manner.

4. If the court receives no objections from the administrative defendant before the expiration of the period referred to in Part 2 of this Article, the court issues a decree on the consideration of

the administrative case in simplified (written) proceedings and considers the administrative case in accordance with those rules.

5. If the court receives objections against the use of the manner of simplified (written) proceedings in the administrative case after the expiration of the period referred to in Part 2 of this Article, but before the adoption of a decision in simplified (written) proceedings, the court issues a decree on consideration of the case in accordance with the general rules of administrative judicial procedure.

5.1. In the decree on consideration of the administrative case in simplified (written) proceedings, the court stipulates a period for the parties to present to the court and forward to each other the evidence and objections regarding the stated claims. This period must be at least fifteen days from the day of issuance of the corresponding decree. In the decree on consideration of the administrative case in simplified (written) proceedings, the court also stipulates a period during which the parties may additionally present to the court and forward to each other the documents containing explanations on the merits of the stated claims and objections in substantiation of their positions. This period must be at least thirty days from the day of issuance of the corresponding decree. Such documents must not refer to evidence which was not submitted within the period indicated in this Part. The time between the expiration date of the period for presentation of evidence and objections and the expiration date of the period for presentation of other documents must be at least fifteen days.

6. In simplified (written) proceedings, administrative cases are considered by a single judge, unless collective consideration of the administrative case is required in accordance with this Code, within a period not exceeding ten days from the expiration of the periods indicated in Part 5.1 of this Article.

7. The court issues a decree on consideration of the case in accordance with the general rules of administrative judicial procedure, if it is established that the administrative case is not subject to consideration in simplified (written) proceedings, if during consideration of the case in simplified (written) proceedings an administrative counterclaim is accepted which cannot be considered under the rules stipulated in this Chapter, or if the court, in particular upon the motion of one of the parties, concludes that:

1) the use of the manner of simplified (written) proceedings may result in divulgence of the state secret;

2) it is necessary to ascertain other facts or study additional evidence, as well as to inspect and examine evidence at its location, appoint an expert examination or hear witness testimony;

3) the stated claim is connected to other claims, including those against other persons, or that a judicial act adopted in this case may violate the rights and lawful interests of other persons.

Article 293. Decision in an Administrative Case Considered in Simplified (Written) Proceedings

1. A decision in an administrative case considered in simplified (written) proceedings is adopted with due regard to the rules stipulated in Chapter 15 of this Code and corresponding to the nature of simplified (written) proceedings.

2. A copy of the decision is forwarded to persons participating in the case no later than on the working day following the day of adoption of the decision.

Article 294. Appeal against a Court Decision Adopted in Simplified (Written) Proceedings

A court decision adopted in simplified (written) proceedings may be appealed against in appellate proceedings within the period, not exceeding fifteen days since the receipt of a copy of the decision by persons participating in the case.

Article 294.1. Reversal of a Court Decision Adopted in a Case Considered in Simplified (Written) Proceedings by the Court that Adopted the Decision

Upon the motion of an interested person, the court issues a decree to reverse the court decision that it adopted in simplified (written) proceedings and on renewal of consideration of the administrative case in accordance with the general rules of administrative judicial procedure, if after the decision is adopted objections are received regarding the use of the manner of simplified (written) proceedings from a person that has a right to state such objections, or if new evidence is received in the administrative case, sent within the period stipulated in law, or if within two months after the adoption of the decision the court receives an application from a person not drawn to participation in the case and indicating that there are grounds for reversal of the court decision, as stipulated in Item 4 of Part 1 of Article 310 of this Code.

SECTION VI

PROCEEDINGS IN A COURT OF APPEAL

Chapter 34. Proceedings in a Court of Appeal

Article 295. Right of Appeal

1. Decisions of a court of first instance that have not come into effect may be appealed against in appellate proceedings in accordance with the rules stipulated in this Chapter.

2. The right of appeal belongs to persons participating in the case, as well as to persons, who were not drawn to the participation in the administrative case, and the issue of whose rights and obligations was resolved by the court. The prosecutor that participated in the administrative case has a right to present a prosecutor's appeal.

Article 296. Courts Considering Appeals, Prosecutor's Appeals

Unless otherwise stipulated in this Code, appeals, prosecutor's appeals are considered:

1) against the decisions of district courts, garrison military courts – by a supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, a circuit (fleet) military court;

2) against the decisions of supreme courts of republics, courts of territories, regions, federal cities, a court of an autonomous region, courts of autonomous circuits, adopted by them as courts of first instance – by a general jurisdiction court of appeal;

3) against the decisions of circuit (fleet) military courts, adopted by them as courts of first instance – by the Appellate Military Court;

4) against the decisions of the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation, the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation, the Disciplinary Chamber of the Supreme Court of the Russian Federation, adopted by them in administrative cases as courts of first instance – by the Appellate Chamber of the Supreme Court of the Russian Federation.

Article 297. Submitting an Appeal, Prosecutor's Appeal

1. An appeal, prosecutor's appeal is submitted through the court that adopted the decision. If an appeal, prosecutor's appeal is received directly by a court of appeal, it is to be forwarded to the court that adopted the decision, for further actions in accordance with Article 302 of this Code.

2. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, regarding the challenge of a normative legal act adopted by an election commission or on challenge of a normative legal act regarding the issues of realisation of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, adopted before the voting day or on the voting day, is submitted via means that ensure their fastest delivery to the court that adopted the decision.

Article 298. Period for Submission of an Appeal, Prosecutor's Appeal

1. An appeal, prosecutor's appeal may be submitted within one month since the day of adoption of the court decision in its final form, unless another period is stipulated in this Code.

2. An appeal, prosecutor's appeal against a court decision in an administrative case on challenge of a law of a constituent entity of the Russian Federation on dissolution of a representative body of a municipal entity, on challenge of a legal act of the highest official of a constituent entity of the Russian Federation (head of the highest executive public authority of a constituent entity of the Russian Federation) regarding the impeachment of the head of a municipal entity, on challenge of a decision of a representative body of a municipal entity regarding its voluntary dissolution or on challenge of a decision of a representative body of a municipal entity regarding the removal of the head of the municipal entity may be submitted within ten days since the adoption of the court decision in its final form.

3. An appeal, prosecutor's appeal against a court decision in a case on challenge of a normative legal act adopted by an election commission or on challenge of a normative legal act regarding the issues of realisation of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, regulating the relations pertaining to the given election campaign, referendum campaign, against a court decision in a case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum may be submitted within five days since the adoption of the decision by the court.

3.1. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the immediate suspension of a member of a district election commission, referendum commission from the work of the commission, immediate removal of an observer, other person from the voting premises may be submitted within five days since the adoption of the decision by the court.

4. An appeal, prosecutor's appeal against a court decision in a case regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or regarding the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution may be submitted within ten days since the adoption of the decision by the court.

5. An appeal, prosecutor's appeal against a court decision in an administrative case regarding administrative supervision may be submitted within ten days since the adoption of the decision by the court.

6. An appeal, prosecutor's appeal against a court decision in a case regarding the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care, the prolongation of a citizen's involuntary hospitalisation, the involuntary psychiatric examination of a citizen or the involuntary hospitalisation of a citizen to a medical antituberculous organisation may be submitted within ten days since the adoption of the decision by the court.

Article 299. Contents of an Appeal, Prosecutor's Appeal

1. An appeal, prosecutor's appeal must contain:

1) the name of the court, to which the appeal, prosecutor's appeal is submitted;

2) the name or family name, first name and patronymic (if any) of the person submitting the appeal, prosecutor's appeal, that person's address or place of residence;

3) the administrative case number assigned by the court of first instance, a reference to the court decision that is appealed against;

4) claims of the person submitting the appeal or claims of the prosecutor presenting the prosecutor's appeal, as well as reasons, for which they regard the decision as incorrect;

5) a list of documents attached to the appeal, prosecutor's appeal.

2. An appeal is signed by the person submitting it or by its representative. A document confirming the powers of the representative must be attached to the appeal submitted by a representative, along with other documents referred to in Part 3 of Article 55 of this Code, unless they are contained in the case.

3. A prosecutor's appeal is signed by a prosecutor.

4. If a state fee is stipulated for submitting the appeal, a document confirming the payment of the fee, or a document confirming the right to relief from payment of the state fee, or a motion to grant a postponement, decrease of the amount of the state fee, its payment in instalments or relief from payment of the state fee is attached to the appeal.

5. A person submitting an appeal, if it is not vested with state or other public powers, may forward copies of the appeal and copies of documents attached thereto to persons participating in the case (if they do not have them) by registered mail with return receipt or in another way that allows the court to ascertain that copies of the appeal and of documents were received by the addressee. If the aforementioned person did not forward those documents to other persons participating in the case, the appeal and the documents attached thereto, submitted in paper form, are presented with a number of copies corresponding to the number of persons participating in the case.

6. A person submitting an appeal, if it is vested with state or other public powers, must forward copies of the appeal and copies of documents attached thereto to persons participating in the case (if they do not have them) by registered mail with return receipt or transfer them in another way that allows the court to ascertain that copies of the appeal and of documents were received by the addressee.

7. An appeal, prosecutor's appeal and documents attached thereto may be submitted in paper form and also in electronic form, in particular in the form of an electronic document. If the appeal, prosecutor's appeal are submitted in electronic form, the person not vested with state or other public powers and submitting the appeal may forward copies of the appeal and of documents attached thereto to the persons participating in the case and vested with state or other public powers through the official website of the corresponding public authority, other state body, local self-government body, other body, organisation vested with certain state or other public powers.

Article 300. Leaving an Appeal, Prosecutor's Appeal without Action

1. If a submitted appeal, prosecutor's appeal does not meet the requirements stipulated in Items 2-4 of Part 1, Parts 2-6 of Article 299 of this Code, the judge, no later than within five days

since receipt of the appeal, issues a decree to leave the appeal, prosecutor's appeal without action and stipulates a reasonable time for the person that submitted the appeal, prosecutor's appeal to correct the defects of the appeal, prosecutor's appeal, taking into account the nature of such defects, as well as the location or place of residence of the person that submitted the appeal. If the appeal, prosecutor's appeal concerns a case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution, the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care, the prolongation of such an involuntary hospitalisation of a citizen, the involuntary psychiatric examination of a citizen or the involuntary hospitalisation of a citizen to a medical antituberculous organisation, the judge performs the aforementioned actions no later than within three days since the receipt of the appeal.

2. If the person that submitted the appeal, prosecutor's appeal performs the instructions stated in the judge's decree within the stipulated period, the appeal, prosecutor's appeal is regarded as submitted on the day of its initial receipt by the court.

3. A procedural appeal, prosecutor's procedural appeal may be submitted against the judge's decree to leave the appeal, prosecutor's appeal without action.

Article 301. Returning an Appeal, Prosecutor's Appeal

1. An appeal is returned to the person that submitted it, a prosecutor's appeal is returned to the prosecutor, if:

1) the appeal, prosecutor's appeal is submitted by a person that has no right to apply to a court of appeal;

2) instructions of the judge, stated in the decree to leave the appeal, prosecutor's appeal without action, are not carried out within the stipulated period;

3) the appeal period has expired, and the appeal, prosecutor's appeal does not contain a request to restore that period, or restoration is denied.

2. An appeal, prosecutor's appeal is returned at the request of the person that submitted it.

3. The appeal is returned to the person that submitted it, a prosecutor's appeal is returned to the prosecutor by virtue of a judge's decree. A procedural appeal, prosecutor's procedural appeal may be submitted against the judge's decree to return the appeal, prosecutor's appeal.

Article 302. Actions of the Court of First Instance after Receipt of an Appeal, Prosecutor's Appeal

1. After receiving an appeal of a person not vested with state or other public powers, submitted within the period stipulated in Article 298 of this Code and meeting the requirements of

Article 299 of this Code, the court of first instance forwards copies of the appeal and of documents attached thereto to the persons participating in the case, unless these actions were performed by the person that submitted the appeal. If the appeal and the documents attached thereto are submitted to the court in electronic form, the court of first instance forwards the copies of the appeal and documents attached thereto to the persons participating in the case (unless these actions were performed by the person submitting the appeal) by placing them in the Internet in the stipulated manner, in restricted access mode, and (or) the aforementioned persons are informed about the possibility to inspect such documents and make copies thereof at the court.

2. If the person that submitted the appeal, prosecutor's appeal missed the appeal period, in particular due to lack of information about the judicial act under appeal, that period may be restored by the court of first instance based on an application of the aforementioned person. An application for the restoration of the appeal period is considered by the court in the manner stipulated in Article 95 of this Code.

3. Persons participating in the case may present written objections against the appeal, prosecutor's appeal to the court of first instance, attaching documents confirming those objections and their copies in the number corresponding to the number of persons participating in the case. Persons participating in the case are entitled to inspect the materials of the case, the appeal, prosecutor's appeal and objections thereto.

4. After the appeal period, stipulated in Part 1 of Article 298 of this Code, expires, the court of first instance forwards the case along with the appeal, prosecutor's appeal and objections thereto to the court of appeal.

5. The administrative case cannot be forwarded to the court of appeal until the appeal period expires, except where shortened periods for the submission of an appeal, prosecutor's appeal are stipulated.

6. If a procedural appeal, prosecutor's procedural appeal is submitted against a court decree that does not finalise proceedings in the administrative case, a material formed on the basis of the corresponding appeal, prosecutor's appeal is forwarded to the court of appeal together with a list of all the documents in the case. This material consists of the original procedural appeal or prosecutor's procedural appeal and of the appealed court decree, as well as of copies of documents, necessary for their consideration and certified by the court.

Article 303. Renunciation of an Appeal, Prosecutor's Appeal

1. Renunciation of an appeal, prosecutor's appeal is possible until the court issues an appellate decree.

2. An application regarding the renunciation of an appeal, prosecutor's appeal is submitted in written form to the court of appeal.

3. The court of appeal issues a decree on the acceptance of renunciation of an appeal, prosecutor's appeal, thereby terminating proceedings regarding the corresponding appeal, prosecutor's appeal.

4. Termination of proceedings regarding an appeal, prosecutor's appeal due to its renunciation does not preclude the consideration of other appeals, prosecutor's appeals, if the corresponding decision of a court of first instance is appealed against by other persons.

Article 304. Renunciation of Claim by the Administrative Plaintiff, Acknowledgement of Claim by the Administrative Defendant, Conciliation Agreement in a Court of Appeal

1. Renunciation of claim made by the administrative plaintiff, acknowledgement of claim made by the administrative defendant or a conciliation agreement concluded after an appeal, prosecutor's appeal is accepted, must be expressed in written statements submitted to the court of appeal. If the renunciation of claim by an administrative plaintiff, acknowledgement of claim by an administrative defendant, the terms of a conciliation agreement were stated during a court session, such a renunciation, acknowledgement, terms are entered into the minutes of the court session and signed, accordingly, by the administrative plaintiff, administrative defendant, the parties to the conciliation agreement.

2. The manner and consequences of consideration of a statement regarding the renunciation of claim by the administrative plaintiff or the statement of the parties regarding the conciliation agreement are established in accordance with the rules stipulated in Articles 137.1 and 157 of this Code. When accepting the statement regarding the renunciation of claim by the administrative plaintiff or when approving the conciliation agreement, the court of appeal reverses the adopted court decision and terminates proceedings in the administrative case. If the administrative defendant acknowledges the claim and the court of appeal accepts that acknowledgement, a decision on the satisfaction of claims of the administrative plaintiff is adopted.

Article 305. Periods of Consideration of a Case in a Court of Appeal

1. A general jurisdiction court of appeal, the supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, a circuit (fleet) military court consider cases received on the basis of an appeal, prosecutor's appeal within a period not exceeding two months since the receipt of the case by the court of appeal. If the appeal is received by the court of appeal before the expiration of the period for its submission, the period for consideration of the appeal is calculated from the day on which the period for submission of the appeal expires.

2. The Supreme Court of the Russian Federation considers cases received on the basis of an appeal, prosecutor's appeal within the period not exceeding three months since its receipt.

3. An appeal, prosecutor's appeal against a court decision in an administrative case on challenge of decisions, actions (failure to act) of an executive body of a constituent entity of the Russian

Federation, of a local self-government body on issues pertaining to the approval of time and place of conduction of a public event (meeting, rally, demonstration, march, picketing) and also pertaining to the warning issued by those bodies regarding the aims of such a public event and the form of its conduction, received before the day of conduction of the public event, are considered by the court no later than on the day preceding the day of the public event.

4. An appeal, prosecutor's appeal against a court decision in an administrative case on challenge of a law of a constituent entity of the Russian Federation on dissolution of a representative body of a municipal entity, on challenge of a legal act of the highest official of a constituent entity of the Russian Federation (head of the highest executive public authority of a constituent entity of the Russian Federation) regarding the impeachment of the head of a municipal entity, on challenge of a decision of a representative body of a municipal entity regarding its voluntary dissolution or on challenge of a decision of a representative body of a municipal entity regarding the removal of the head of the municipal entity are considered by the court within ten days since the receipt of the appeal, prosecutor's appeal by the court of appeal.

5. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, received by a court of appeal during an election campaign, referendum campaign before the voting day are considered by the court of appeal within five days from their receipt by the court of appeal. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, received by a court of appeal after the voting day, are considered by the court of appeal within one month from their receipt by the court of appeal.

6. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the certification, denial of certification of a list of candidates, list of candidates in single-mandate (multi-mandate) election circuits; the registration, denial of registration of a candidate (list of candidates); exclusion of a candidate from a certified list of candidates; deregistration of a candidate (list of candidates), received during an election campaign before the voting day are considered by the court no later than on the day preceding the voting day. Herewith, a candidate (list of candidates) may be deregistered by a court of appeal no later than two days before the voting day.

6.1. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the immediate suspension of a member of a district election commission, referendum commission from the work of the commission, immediate removal of an observer, other person from the voting premises are considered by the court of appeal no later than on the day following the receipt of the appeal, prosecutor's appeal by the court of appeal. If voting takes place over the course of several consecutive days, the appeal, prosecutor's appeal against the aforementioned court decision, received during the election campaign before the first voting day, are considered by the court no later than on the day preceding the first voting day; herewith the registration of a candidate (list of candidates) may be cancelled by the court of appeal no later than two days before the first voting day.

7. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the voting results, elections results, results of a referendum are considered by a court of appeal no later than within one month from their receipt by the court of appeal.

8. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution are considered by a court of appeal within five days since their receipt by the court of appeal.

9. An appeal, prosecutor's appeal against a court decision in an administrative case regarding administrative supervision are considered by a court of appeal within one month since their receipt by the court of appeal.

10. An appeal, prosecutor's appeal against a court decision in an administrative case regarding the hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care, the prolongation of such an involuntary hospitalisation of a citizen, the involuntary psychiatric examination of a citizen or the involuntary hospitalisation of a citizen to a medical antituberculous organisation are considered by a court of appeal within one month since their receipt by the court of appeal.

11. An appeal, prosecutor's appeal against a court decision in an administrative case pertaining to the stay of an underage at a temporary detention centre are considered by the court of appeal within ten days from the day on which they are received by the court of appeal.

Article 306. Preparing an Administrative Case for Proceedings in a Court of Appeal

1. After receiving the administrative case and the appeal, prosecutor's appeal, the court of appeal may, within the framework of preparing the administrative case for consideration, order to present the necessary evidence in the manner stipulated in Article 63 of this Code, on its own initiative or at the request of persons that submitted the appeal, prosecutor's appeal. Upon the motion of persons participating in the case or on its own initiative, the court of appeal also resolves issues regarding the application of provisional measures and (or) regarding the suspension of execution of the court decision. Suspension of execution of the court decision is possible, if the applicant substantiates that it will be impossible or complicated to reverse the execution of the judicial act.

2. After establishing that the administrative statement of claim is ready for trial, the court of appeal notifies the persons participating in the case about the time and place of consideration of the appeal, prosecutor's appeal in appellate proceedings.

Article 307. Consideration of an Administrative Case by a Court of Appeal

1. A court of appeal considers an administrative case in a court session in accordance with the rules of procedure in a court of first instance, with due regard to the special rules stipulated in this Code.

2. Unless otherwise stipulated in this Code, an administrative case based on an appeal, prosecutor's appeal is considered collectively. When an appeal, prosecutor's appeal is submitted against a court decision adopted in simplified (written) proceedings, the administrative case is considered in the court of appeal by a single judge. Herewith, taking into account the nature and complexity of the facts of the administrative case, it may be considered in the court of appeal collectively. The court president, his deputy, head of a panel of judges issues a decree in this regard.

3. The court session of a court of appeal is opened by the judge presiding in the court session. That judge announces, what administrative case is being considered, who submitted the appeal, prosecutor's appeal and against the decision of which court. The judge also establishes, who of the persons participating in the case, their representative has appeared, establishes the identities of the persons that appeared in the court session, checks the powers of officials, the powers the powers of representatives, whether the representatives have the documents referred to in Part 3 of Article 55 of this Code and explains to the persons participating in the case and representatives their procedural rights and obligations.

4. The consideration of an administrative case in a court of appeal begins with a report of the judge presiding in the court session or of one of the judges. The judge rapporteur states the facts of the administrative case, the contents of the decision of the court of first instance, the arguments stated in the appeal, prosecutor's appeal and the objections received in their regard, the contents of new evidence presented to the court and also reads out other information that the court needs to consider in order to check the decision of the court of first instance.

5. After the report, the court of appeal hears the explanations of persons participating in the case, who appeared in the court session, and of their representatives. The first one to speak is the person that submitted the appeal or its representative, or the prosecutor, if he presented a prosecutor's appeal. If both parties appeal against the court decision, the administrative plaintiff is the first one to speak.

6. After the explanations of the person that submitted the appeal, of the prosecutor, if he presented a prosecutor's appeal, of other persons participating in the case, their representatives, the court of appeal inspects the evidence contained in the administrative case and the newly accepted evidence, if there are corresponding motions or on its own initiative.

7. After the facts of the administrative case are ascertained and the evidence is inspected, the court of appeal allows the persons participating in the case to speak in judicial pleadings in the same order, in which they gave explanations.

8. Audio recording is performed and written minutes are drawn up in accordance with the rules stipulated in Chapter 20 of this Code during every court session of a court of appeal, as well as during the performance of separate procedural actions outside of the court session, except when stipulated otherwise in this Code.

9. Rules regarding the joinder and severance of administrative claims, change of grounds or subject matter of the administrative claim, change of administrative claims, regarding the submission of a counter-claim, replacement of an improper defendant do not apply in a court of appeal.

Article 308. Framework of Consideration of an Administrative Case in a Court of Appeal

1. A court of appeal considers an administrative case in full volume and is not bound by the grounds and arguments stated in the appeal, prosecutor's appeal and in objections thereto.

2. A court of appeal evaluates the evidence contained in the administrative case, as well as additionally presented evidence. A court of appeal issues a decree on the acceptance of new evidence. New evidence may be accepted if it could not be presented to the court of first instance for a good reason.

3. New claims that were not subject matter of consideration in a court of first instance are not accepted and not considered by a court of appeal.

Article 309. Powers of a Court of Appeal

After considering an appeal, prosecutor's appeal, a court of appeal may:

1) leave the decision of the court of first instance without alteration and the appeal, prosecutor's appeal – without satisfaction;

2) reverse or alter the decision of the court of first instance in full or in part and adopt a new decision in the administrative case;

3) reverse the court decision and remand the administrative case for a new consideration to the court of first instance, if the administrative case was considered by the court in an unlawful composition, or if the administrative case was considered in the absence of one of the persons participating in the case, not duly notified of the time and place of the court session, or if the court resolved the issue of rights and obligations of persons, not drawn to participation in the administrative case, or if the decision of the court of first instance was adopted in accordance with Part 5 of Article 138 of this Code, or if the rules of audio recording of the court session were violated;

4) reverse the decision of the court of first instance in full or in part and terminate proceedings in the administrative case or leave the appeal without consideration in full or in part on the grounds, stipulated in Articles 194 and 196 of this Code;

5) leave the appeal, prosecutor's appeal without consideration on its merits, if there are grounds stipulated in Part 1 of Article 301 of this Code.

Article 310. Grounds for Reversal or Alteration of a Court Decision in Appeal

1. Decisions of a court of first instance are subject to unconditional reversal, if:

1) the administrative case was considered by an unlawful composition of the court;

2) the administrative case was considered in the absence of one of the persons participating in the case, not duly notified of the time and place of the court session;

3) the rights of persons participating in the case and not speaking the language of proceedings to give explanations, speak in court, file motions and appeals in their native language or language of choice, as well as to use the services of an interpreter were not ensured;

4) the court adopted a decision regarding the rights and obligations of persons not drawn to participation in the administrative case;

5) the court decision is not signed by the judge or by one of the judges; or if the court decision is signed by the wrong judge or judges, who were not in the composition of the court that considered the administrative case;

6) the minutes of the court session are not in the case, the rules of audio recording of the court session were violated;

7) the rule of secrecy of deliberations was violated during the adoption of the decision.

2. The following are grounds for reversal or alteration of a court decision in appeal:

1) incorrect establishment of facts that have significance for the administrative case;

2) facts that have significance for the administrative case, established by the court of first instance, are not proved;

3) conclusions of the court of first instance, stated in the court decision, are inconsistent with the facts of the administrative case;

4) violation or wrongful application of material law norms or procedural law norms.

3. The following constitutes wrongful application of material law norms:

1) failure to apply a law that was subject to application;

2) application of a law that was not subject to application;

3) wrongful interpretation of law, in particular interpretation of law without regard to the legal positions contained in the rulings of the Constitutional Court of the Russian Federation, of the Plenary Session of the Supreme Court of the Russian Federation, of the Presidium of the Supreme Court of the Russian Federation.

4. Violation or wrongful application of procedural law norms constitutes grounds for the reversal or alteration of a decision of a court of first instance, if that violation or wrongful application led to the adoption of an incorrect decision.

5. If a decision of a court of first instance is correct in its nature, it cannot be reversed on formal grounds.

Article 311. Judicial Act of a Court of Appeal

1. After considering the appeal, prosecutor's appeal, the court of appeal adopts a judicial act in the form of an appellate decree.

2. The following are indicated in an appellate decree:

1) the case number assigned by the court of first instance, the date and place of issuance of the appellate decree;

2) the name of the court that issued the appellate decree, the composition of the court;

3) the person that submitted the appeal, prosecutor's appeal;

4) a summary of the appealed decision of the court of first instance, of the appeal, prosecutor's appeal, of the evidence presented, of explanations of persons participating in the consideration of the administrative case in the court of appeal;

5) facts of the administrative case established by the court of appeal; evidence, on which the court's conclusions about these facts are based; laws and other normative legal acts that the court used as guidance in issuing the decree; reasons for which the court dismissed this or that piece of evidence and did not apply the laws and other normative legal acts referred to by the persons participating in the case;

6) reasons for which the court of appeal did not agree with the conclusions of the court of first instance, if its decision is reversed in full or in part;

7) conclusions of the court following the consideration of the appeal, prosecutor's appeal.

3. When leaving an appeal, prosecutor's appeal without satisfaction, the court must indicate the reasons, for which the arguments of the appeal, prosecutor's appeal are dismissed.

4. A decree of a court of appeal must indicate the distribution of judicial costs among the parties, including the costs incurred due to the submission of the appeal, prosecutor's appeal.

5. A decree of a court of appeal comes into effect from the day of its issuance.

Article 312. Consideration of an Appeal, Prosecutor's Appeal, Received after the Consideration of the Administrative Case

1. If after the consideration of an administrative case based on an appeal, prosecutor's appeal the court receives other appeals, prosecutor's appeals, for which the appeal period has been restored, they are subject to consideration by the court of appeal.

2. If after considering the appeal, prosecutor's appeal, referred to in Part 1 of this Article, the court of appeal concludes that the earlier issued appellate decree is unlawful or unsubstantiated, that decree is reversed, and a new appellate decree is issued.

Article 313. Appeals against Decrees of a Court of First Instance

1. Decrees of a court of first instance may be appealed against before a court of appeal separately from the court decision by the parties and other persons participating in the case (procedural appeal); a prosecutor may present a prosecutor's procedural appeal, if:

1) this is stipulated in this Code;

2) the court decree excludes the possibility of further action in the administrative case.

2. A procedural appeal, prosecutor's procedural appeal is considered:

1) against the decrees of a justice of the peace – by a district court;

2) against the decrees of a district court, garrison military court – by a supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, a circuit (fleet) military court;

3) against the decrees of a supreme court of a republic, a court of a territory, region, federal city, autonomous region, autonomous circuit, circuit (fleet) military court – by a general jurisdiction court of appeal;

4) against the decrees of the Supreme Court of the Russian Federation in administrative cases, considered by it as a court of first instance – by the Appellate Chamber of the Supreme Court of the Russian Federation.

3. No procedural appeal, prosecutor's procedural appeal is possible against a court decree not referred to in Part 1 of this Article. However, objections against such a decree may be included into an appeal, prosecutor's appeal.

Article 314. Period for Submitting a Procedural Appeal, Prosecutor's Procedural Appeal

1. A procedural appeal, prosecutor's procedural appeal may be submitted within fifteen days since the issuance of a decree by a court of first instance, unless another period is stipulated in this Article.

2. A procedural appeal, prosecutor's procedural appeal against a court decree in an administrative case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, including cases on challenge of a normative legal act adopted by an election commission or of a normative legal act regarding the issues of realisation of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, may be submitted within five days since the issuance of the aforementioned decree by the court.

3. A procedural appeal, prosecutor's procedural appeal against a court decree in an administrative case regarding the placement of a foreign citizen, subject to deportation or readmission, into a special institution or the prolongation of stay of a foreign citizen, subject to deportation or readmission, in a special institution may be submitted within ten days since the issuance of the aforementioned decree by the court.

4. A procedural appeal, prosecutor's procedural appeal against a court decree in an administrative case regarding administrative supervision may be submitted within ten days since the issuance of the aforementioned decree by the court.

5. A procedural appeal, prosecutor's procedural appeal against a court decree in an administrative case regarding the involuntary hospitalisation of a citizen to a medical organisation rendering inpatient psychiatric care, the prolongation of such an involuntary hospitalisation of a citizen, the involuntary hospitalisation of a citizen to a medical antituberculous organisation may be submitted within ten days since the issuance of the aforementioned decree by the court.

6. A procedural appeal, prosecutor's procedural appeal against a court decree in an administrative case regarding the involuntary psychiatric examination of a citizen may be submitted within ten days since the issuance of the aforementioned decree by the court.

Article 315. Submission and Consideration of a Procedural Appeal, Prosecutor's Procedural Appeal

1. A procedural appeal, prosecutor's procedural appeal is submitted and considered in the manner stipulated in this Chapter, with regard to the exceptions and special rules stipulated in this Article.

2. A procedural appeal, prosecutor's procedural appeal against a decree of a court of first instance, except for decrees regarding the stay of proceedings in the administrative case, the termination of proceedings in the administrative case, on leaving the administrative statement of claim without consideration or refusal to satisfy an application, prosecutor's address for the review of judicial acts due to new or newly discovered facts (decrees finalising the proceedings in an administrative case) is considered in accordance with the rules stipulated in this Chapter, without holding a court session, within the periods stipulated in Article 305 of this Code.

2.1. A procedural appeal, prosecutor's procedural appeal against a court decree is considered in appeal by a single judge of the corresponding court, except when the appealed decree was issued by the collective composition of a court.

3. Taking into account the nature and complexity of the procedural issue under consideration, as well as the arguments stated in the procedural appeal, prosecutor's procedural appeal, the court of appeal may summon the persons participating in the case to appear in the court session, notifying them of the time and place of consideration of the procedural appeal, prosecutor's procedural appeal.

Article 316. Powers of a Court of Appeal during the Consideration of a Procedural Appeal, Prosecutor's Procedural Appeal

After considering a procedural appeal, prosecutor's procedural appeal, a court of appeal may:

1) leave the decree of the court of first instance without alteration and the procedural appeal, prosecutor's procedural appeal – without satisfaction;

2) reverse the court decree in full or in part and resolve the issue on its merits.

Article 317. Coming of a Decree of a Court of Appeal into Effect

A decree of a court of appeal issued in regard of a procedural appeal, prosecutor's procedural appeal comes into effect on the day of its issuance.

SECTION VII

REVIEW OF EFFECTIVE JUDGMENTS

Chapter 35. Proceedings in a Court of Cassation

Article 318. Right to Apply to a Court of Cassation

1. Where stipulated in this Code, effective judicial acts may be appealed against before a court of cassation, in the manner stipulated in this Chapter, by persons participating in the case and by other persons, if their rights, freedoms and lawful interests are violated by the judicial acts.

2. Judicial acts may be appealed against before a court of cassation within six months from the day on which they come into effect, if the persons referred to in Part 1 of this Article exhaust other options of challenging the judicial act, stipulated in this Code, before it comes into effect.

3. If a person submitting a cassation appeal, prosecutor's cassation appeal missed the period for its submission for a good reason, in particular due to lack of information about the judicial act under appeal, that period may be restored by the court of cassation upon the application of the aforementioned person, but only if the circumstances that caused the person to miss the period appeared no later than twelve months since the day on which the judicial act under appeal comes into effect, or, if the application is submitted by a person that did not participate in the case, but in regard of whose rights and obligations the court adopted a judicial act, no later than twelve months since the day on which that person learned or must have learned about the violation of its rights, freedoms and lawful interests by the judicial act under appeal.

4. An application for the restoration of a missed period for the submission of a cassation appeal, prosecutor's cassation appeal is considered by a judge of a court of cassation in the manner stipulated in Article 95 of this Code.

5. The Chief Justice of the Supreme Court of the Russian Federation, a Deputy Chief Justice of the Supreme Court of the Russian Federation has a right to disagree with the decree of a judge of the Supreme Court of the Russian Federation to restore a missed period for the submission of a

cassation appeal, prosecutor's cassation appeal or to refuse to restore that period and may issue a decree to refuse to restore the missed period for the submission of a cassation appeal, prosecutor's cassation appeal or a decree to restore that period.

6. If a prosecutor participated in the consideration of the administrative case, a prosecutor's cassation appeal for the review of an effective judicial act may be presented by:

1) the Prosecutor General of the Russian Federation and his deputies – to any court of cassation;

2) prosecutors of constituent entities of the Russian Federation, military and other specialised prosecutors of equal status, within the scope of their competence – to the corresponding general jurisdiction court of cassation.

Article 319. Submitting a Cassation Appeal, Prosecutor's Cassation Appeal

1. A cassation appeal, prosecutor's cassation appeal, submitted to a general jurisdiction court of cassation, as well as a cassation appeal, prosecutor's cassation appeal, submitted to a Judicial Chamber of the Supreme Court of the Russian Federation against the judicial acts in administrative cases referred to in Items 7 – 11 of Part 1 of Article 20 of this Code, are submitted through the court that adopted the decision. The court that adopted the decision is obliged to immediately forward the cassation appeal, prosecutor's cassation appeal against a court order, decision, appellate ruling, cassation ruling or other ruling finalising proceedings in the administrative case, along with the administrative case, to the corresponding court of cassation. When a cassation appeal, prosecutor's cassation appeal is submitted against a decree that does not finalise proceedings in the administrative case, a material formed on the basis of the corresponding appeal, prosecutor's appeal is forwarded to the court of cassation together with a list of all the documents in the case. This material consists of the original procedural appeal or prosecutor's procedural appeal and of the appealed court decree, as well as of copies of documents, necessary for their consideration and certified by the court.

1.1. A cassation appeal, prosecutor's cassation appeal submitted to a Judicial Chamber of the Supreme Court of the Russian Federation against judicial acts in administrative cases within the jurisdiction of district courts and garrison military courts, as well as in administrative cases referred to in Items 1 - 6, 12 - 15 of Part 1, Part 2 of Article 20 of this Code are submitted directly to the Judicial Chamber of the Supreme Court of the Russian Federation.

2. A cassation appeal, prosecutor's cassation appeal is submitted:

1) against effective court orders, decrees of justices of the peace; against effective decisions, appellate and other decrees of district courts; against effective decisions and decrees in administrative cases referred to in Items 1 - 6, 12 - 15 of Part 1, Part 2 of Article 20 of this Code, appellate and other decrees of supreme courts of republics, court of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits; against appellate and other decrees of general jurisdiction courts of cassation, except for decrees in administrative cases referred to in Items 7 - 11 of Part 1 of Article 20 of this Code – to a general jurisdiction court of cassation;

2) against effective decisions and decrees of garrison military courts; against effective decisions, appellate and other decrees of circuit (fleet) military courts; against appellate and other decrees of the Appellate Military Court – to the Military Court of Cassation;

3) against effective decisions and decrees of district courts, if the aforementioned judicial acts were appealed before a general jurisdiction court of cassation; against effective decisions and decrees of supreme courts of republics, court of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits in administrative cases referred to in Items 7 - 11 of Part 1 of Article 20 of this Code; against effective decisions and decrees of general jurisdiction court of cassation; against effective decisions and decrees of supreme courts of republics, court of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits in administrative cases referred to in Items 1 - 6, 12 - 15 of Part 1, Part 2 of Article 20 of this Code, if such judicial acts were appealed before a general jurisdiction court of cassation; against appellate and other decrees of supreme courts of republics, court of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits, if such judicial acts were appealed before a general jurisdiction court of cassation; against appellate and other decrees of general jurisdiction courts of appeal in administrative cases referred to in Items 7 - 11 of Part 1 of Article 20 of this Code; against appellate and other decrees of general jurisdiction courts of appeal in other cases, is such decrees were appealed before a general jurisdiction court of cassation; against cassation and other decrees of general jurisdiction courts of cassation, except for cassation decrees that did not alter or reverse judicial acts of justices of the peace or the judicial acts issued following their appeal – to the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation;

4) against effective decisions and decrees of garrison military courts, if those judicial acts were appealed before the Military Court of Cassation; against effective decisions and decrees of circuit (fleet) military courts, adopted in consideration of administrative cases in first instance, if such judicial acts were appealed before the Military Court of Cassation; against appellate and other decrees of circuit (fleet) military courts, if such decrees were appealed before the Military Court of Cassation; against appellate and other decrees of the Appellate Military Court, if said judicial acts were appealed before the Military Court of Cassation; against the cassation and other decrees of the Military Court of Cassation – to the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation.

3. A cassation appeal, prosecutor’s cassation appeal and documents attached thereto may be submitted in paper form, as well as in electronic form, in particular in the form of an electronic document.

Article 320. Contents of a Cassation Appeal, Prosecutor’s Cassation Appeal

1. A cassation appeal, prosecutor’s cassation appeal must contain:

1) the name of the court, to which it is submitted;

2) the name or family name, first name and patronymic (if any) of the person submitting the appeal, prosecutor's cassation appeal, that person's address or place of residence, procedural status in the administrative case;

3) names of other persons participating in the case, their places of residence or address;

4) a reference to the courts that considered the administrative case in first instance, in appeal or cassation, information about the contents of decisions adopted by them;

5) the administrative case number assigned by the court of first instance, a reference to the judicial acts appealed against;

6) an indication of what, in the opinion of the person submitting the appeal, address are the grounds for reversing or altering the judicial acts under appeal;

7) the request of the person submitting the appeal, prosecutor's cassation appeal.

2. A cassation appeal of a person that did not participate in the administrative case must indicate, what rights, freedoms and lawful interests of that person are violated by the effective judicial act.

3. If the cassation appeal, prosecutor's cassation appeal was earlier submitted to a court of cassation, it must indicate the decision adopted in regard of that cassation appeal, prosecutor's cassation appeal.

4. A cassation appeal must be signed by the person submitting the appeal or by its representative. A document confirming the powers of the representative must be attached to a cassation appeal submitted by the representative, along with other documents referred to in Part 3 of Article 55 of this Code. A prosecutor's cassation appeal must be signed by the prosecutor, referred to in Part 6 of Article 318 of this Code.

5. Copies of judicial acts adopted in the administrative case, certified by the corresponding court, are attached to the cassation appeal, prosecutor's cassation appeal.

6. A cassation appeal, prosecutor's cassation appeal submitted in paper form is accompanied by copies in the number corresponding to the number of people participating in the case.

6.1. Persons not vested with state or other public powers and submitting a cassation appeal in electronic form may forward the copies of the cassation appeal and of documents attached thereto to the persons participating in the case and vested with state or other public powers through the official website of the corresponding public authority, other state body, local self-government body, other body, organisation vested with certain state or other public powers. If the cassation appeal and documents attached thereto are submitted to the court in electronic form, the court of cassation may forward copies of the cassation appeal and documents attached thereto to the persons participating in the case and vested with state or other public powers by placing them in the Internet in the stipulated manner, in restricted access mode, and (or) inform the persons participating in the case about the possibility to inspect such documents and make copies thereof at the court.

7. Where so stipulated by law, a document confirming the payment of the state fee in the amount and manner stipulated by law or a document confirming the right to relief from payment of the

state fee must be attached to the cassation appeal. Otherwise, the cassation appeal must contain a motion for postponement or payment of the state fee in instalments, or for the decrease of the state fee or exemption from it.

7.1. The cassation appeal, prosecutor's cassation appeal and documents attached thereto may be submitted in paper form, as well as in electronic form, in particular in the form of an electronic document.

8. The issue of granting a postponement or payment of the state fee in instalments, granting a decrease of the state fee or exemption from it is resolved by a judge of the court of cassation without notifying the persons participating in the case.

Article 321. Returning the Cassation Appeal, Prosecutor's Cassation Appeal without Consideration on Its Merits

1. A cassation appeal, prosecutor's cassation appeal is returned without consideration on its merits, if:

1) the cassation appeal, prosecutor's cassation appeal does not meet the requirements stipulated in Items 1-5 and 7 of Part 1, Parts 3-6 of Article 320 of this Code;

2) the cassation appeal, prosecutor's cassation appeal is submitted by a person that does not have the right to apply to a court of cassation;

3) the period for appeal against the judicial act in cassation is missed, and the cassation appeal, prosecutor's cassation appeal does not contain a request for the restoration of that period, or restoration is denied;

4) a request for renunciation of the cassation appeal, prosecutor's cassation appeal is received;

5) a cassation appeal, prosecutor's cassation appeal was submitted in violation of the rules of jurisdiction, stipulated in Part 2 of Article 318, Articles 319, 327.1 of this Code;

6) the state fee was not paid for the cassation appeal, and the cassation appeal does not contain a motion for the granting of a postponement or payment of the state fee in instalments, or for the decrease of the state fee or exemption from it, or the court refused to satisfy that motion.

2. A cassation appeal, prosecutor's cassation appeal is returned on the grounds stipulated in Items 2 - 5 of Part 1 of this Article without consideration on its merits within ten days since its receipt by the court of cassation. A cassation appeal, prosecutor's cassation appeal is returned on the grounds stipulated in Items 1 and 6 of Part 1 of this Article within twenty days from their receipt by the court of cassation, if the circumstances that served as grounds for their return were not immediately remedied by the person that submitted the cassation appeal, prosecutor's cassation appeal after a notification was sent to it regarding the need to remedy said circumstances.

Article 322. Periods for Resolving the Issue of Referring the Cassation Appeal, Prosecutor's Cassation Appeal for Consideration in a Court Session of a Court of Cassation

1. In the absence of grounds for its return, a cassation appeal, prosecutor's cassation appeal submitted against effective judicial acts to a general jurisdiction court of cassation is referred, within twenty days from the day of receipt, for consideration in a court session of a court of cassation. Herewith, the judge of a general jurisdiction court of cassation may issue a decree to suspend the execution of the judicial act under appeal until the proceedings at the court of cassation are finalised, if there is such a request in the cassation appeal, prosecutor's cassation appeal or motion.

2. In the absence of grounds for its return, a cassation appeal, prosecutor's cassation appeal submitted to a Judicial Chamber of the Supreme Court of the Russian Federation against judicial acts indicated in Items 7 - 11 of Part 1 of Article 20 of this Code, is referred, within twenty days from the day of receipt, for consideration in a court session of a court of cassation.

2.1. In the absence of grounds for its return, a cassation appeal, prosecutor's cassation appeal submitted to a Judicial Chamber of the Supreme Court of the Russian Federation against judicial acts in other administrative cases, is studied by the judge in the manner stipulated in Article 323 of this Code within the period not exceeding two months, if the administrative case was not requested from a lower court, and within the period not exceeding three months, if the administrative case was requested. The latter period does not include the time from the day of request of the administrative case to the day of its receipt by the Supreme Court of the Russian Federation.

3. If the administrative case was requested from a lower court, the Chief Justice of the Supreme Court of the Russian Federation, a Deputy Chief Justice of the Supreme Court of the Russian Federation may prolong the period for the consideration of the cassation appeal, prosecutor's cassation appeal, taking its complexity into account, but for no more than two months.

4. During an election campaign, a referendum campaign, before the (first) voting day, a cassation appeal, prosecutor's cassation appeal in cases on challenge of a normative legal act adopted by an election commission or a normative legal act regarding the realisation of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum, regulating the relations pertaining to this election campaign, referendum campaign, in a case regarding the protection of electoral rights of citizens of the Russian Federation and of their right to participate in a referendum are considered within five days.

Article 323. Study of a Cassation Appeal, Prosecutor's Cassation Appeal by a Judge of the Supreme Court of the Russian Federation

1. A cassation appeal, prosecutor's cassation appeal, submitted to a Judicial Chamber of the Supreme Court of the Russian Federation in accordance with the rules stipulated in Articles 318-320 of this Code against judicial acts in administrative cases referred to in Part 2.1 of Article 322 of this Code, is studied by a judge of the Supreme Court of the Russian Federation.

2. A judge of the Supreme Court of the Russian Federation studies the cassation appeal, prosecutor's cassation appeal based on the materials attached to the cassation appeal, prosecutor's cassation appeal or based on the materials of the administrative case, requested from a lower court. If the administrative case was requested from a lower court, the judge may issue a decree to suspend the execution of the judicial act under appeal until proceedings are finalised in the court of cassation, if there is such a request in the cassation appeal, prosecutor's cassation appeal or in a motion.

3. After studying the cassation appeal, prosecutor's cassation appeal, the judge of the Supreme Court of the Russian Federation issues a decree:

1) on refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of the court of cassation, if there are no grounds for review of judicial acts in cassation, as stipulated in Part 1 of Article 328 of this Code. Herewith, the cassation appeal, prosecutor's cassation appeal and copies of the judicial acts under appeal stay in the court of cassation;

2) to refer the cassation appeal, prosecutor's cassation appeal and the administrative case for consideration in a court session of the court of cassation.

4. The Chief Justice of the Supreme Court of the Russian Federation, a Deputy Chief Justice of the Supreme Court of the Russian Federation may disagree with the decree of a judge of the Supreme Court of the Russian Federation on refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of the court of cassation and, prior to expiration of the period for submission of a cassation appeal, prosecutor's cassation appeal against the judicial act under appeal, may issue a decree to reverse said decree and refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of the court of cassation. The time of consideration of this appeal, prosecutor's appeal at the Supreme Court of the Russian Federation is not included in calculating this period.

5. If a cassation appeal, prosecutor's cassation appeal, submitted to the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation or the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation, are referred for consideration in a court session of the court of cassation, they are forwarded to, accordingly, the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation or the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation, along with the administrative case.

Article 324. Refusal to Refer a Cassation Appeal, Prosecutor's Cassation Appeal for Consideration in a Court Session of the Supreme Court of the Russian Federation

1. If, after studying a cassation appeal, prosecutor's cassation appeal, a judge of the Supreme Court of the Russian Federation finds that there are no grounds, stipulated in Part 1 of Article 328 of this Code, that judge issues a decree on refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of the court of cassation.

2. The decree of a judge of the Supreme Court of the Russian Federation regarding the refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session must contain:

1) the administrative case number assigned by the court of first instance, the date and place of issuance of the decree;

2) the family name and initials of the judge that issued the decree;

3) the name or family name, first name and patronymic (if any) of the person that submitted the cassation appeal, prosecutor's cassation appeal;

4) a reference to the judicial acts appealed against;

5) reasons for which the judge refuses to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of the court of cassation.

3. If during consideration of the cassation appeal, prosecutor's cassation appeal it is established that there exist grounds stipulated in Item 5 of Part 1 of Article 350 of this Code, the judge of the Supreme Court of the Russian Federation issues a decree on refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of a Judicial Chamber of the Supreme Court of the Russian Federation, indicating therein that it is possible to review the judicial act under appeal due to new circumstances.

4. A cassation appeal, prosecutor's cassation appeal, supervisory appeal, prosecutor's supervisory appeal cannot be submitted against the decree on refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session.

Article 325. Decree of a Judge of the Supreme Court of the Russian Federation to Refer a Cassation Appeal, Prosecutor's Cassation Appeal for Consideration in a Court Session of a Court of Cassation

1. A decree of a judge of the Supreme Court of the Russian Federation to refer a cassation appeal, prosecutor's cassation appeal for consideration in a court session of a court of cassation must contain:

1) the administrative case number assigned by the court of first instance, the date and place of issuance of the decree;

2) the family name and initials of the judge that issued the decree;

3) information referred to in Part 2 of Article 127 of this Code;

4) the name or family name, first name and patronymic (if any) of the person that submitted the cassation appeal, prosecutor's cassation appeal;

5) a reference to the judicial acts appealed against;

6) a statement of contents of the administrative case, in which the judicial acts were adopted;

7) a reasoned statement of grounds for referring the cassation appeal, prosecutor's cassation appeal for consideration in a court session of the court of cassation;

8) suggestions of the judge that issued the decree.

2. A cassation appeal, prosecutor's cassation appeal, supervisory appeal, prosecutor's supervisory appeal cannot be submitted against a decree of the judge of the Supreme Court of the Russian Federation to refer a cassation appeal, prosecutor's cassation appeal for consideration in a court session of a court of cassation.

Article 326. Notification of Persons Participating in the Case about the Consideration of the Case by a Court of Cassation

1. A court of cassation forwards copies of the decree containing information about the date and time of the court session of a court of cassation and copies of the cassation appeal, prosecutor's cassation appeal to persons participating in the case. The time of consideration of the cassation appeal, prosecutor's cassation appeal is appointed in such a manner as to allow the persons participating in the case to appear in the court session.

2. Persons participating in the case are notified of the time and place of consideration of the cassation appeal, prosecutor's cassation appeal and of the administrative case in accordance with the rules of Chapter 9 of this Code. Non-appearance of persons participating in the case, duly notified of the time and place of the court session, does not preclude the consideration of the cassation appeal, prosecutor's cassation appeal.

Article 327. Consideration of a Cassation Appeal, Prosecutor's Cassation Appeal in a Court Session of a Court of Cassation

1. A cassation appeal, prosecutor's cassation appeal is considered in a court session of a court of cassation. Thereby a report is heard, made by a judge of that court, who is participating in the consideration of the administrative case.

2. Persons participating in the case, their representatives and other persons who submitted the cassation appeal, if their rights, freedoms and lawful interests are directly affected by the judicial act under appeal, participate in the court session.

3. If a prosecutor is a person participating in the consideration of the case, the following persons participate in the court session:

1) in a general jurisdiction court of cassation – the Prosecutor General of the Russian Federation or his deputies, prosecutors of constituent entities of the Russian Federation, military and other specialised prosecutors of equal status, within the scope of their

competence or their deputies, or, at their instructions, officials of the prosecution bodies of the Russian Federation;

2) in the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation and the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation – the Prosecutor General of the Russian Federation or his deputies, or, at their instructions, officials of the prosecution bodies of the Russian Federation.

4. When an administrative case is reported by the judge, the facts of the administrative case, the contents of judicial acts adopted in the administrative case, the arguments contained in the cassation appeal, prosecutor's cassation appeal are stated.

5. Persons referred to in Parts 2 and 3 of this Article, if they appear in the court session, may give explanations regarding the administrative case. The person that submitted the cassation appeal, prosecutor's cassation appeal is the first to give explanations.

6. When a cassation appeal, prosecutor's cassation appeal is being considered, all issues are resolved by the court of cassation by a majority vote of the judges participating in the consideration.

7. A cassation appeal, prosecutor's cassation appeal submitted to a general jurisdiction court of cassation, as well as cassation appeal, prosecutor's cassation appeal submitted to a Judicial Chamber of the Supreme Court of the Russian Federation, referred to in Part 1 of Article 319 of this Code, are considered within a period not exceeding two months since the day of receipt. If a cassation appeal, prosecutor's cassation appeal is received by the court of cassation before the expiration of the period for its submission, the period for consideration of the cassation appeal, prosecutor's cassation is calculated from the day on which the period for submission of the cassation appeal, prosecutor's cassation expires. The cassation appeal, prosecutor's cassation referred to in Part 1.1 of Part 319 of this Code and submitted to a Judicial Chamber of the Supreme Court of the Russian Federation are considered within a period not exceeding two months from the day on which a judge of the Supreme Court of the Russian Federation issues a decree to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session.

8. Due to the particular complexity of an administrative case, the period stipulated in Part 7 of this Article may be prolonged by the court president based on a reasoned application of the judge considering the administrative case, but for no more than four months.

9. The results of consideration of the cassation appeal, prosecutor's cassation are announced in a court session of the court of cassation. Persons participating in the case are informed about the adopted cassation decree.

327.1. Special Rules of Cassation Proceedings Pertaining to Review of an Effective Court Order, Judicial Act in an Administrative Case Considered in Simplified (Written) Proceedings, Decree Not Finalizing Proceedings in an Administrative Case

1. Effective court orders, judicial acts in an administrative case considered in simplified (written) proceedings, decrees not finalizing proceedings in an administrative case and judicial acts adopted following their appeal may be appealed against in the manner of cassation proceedings, in accordance with the rules stipulated in this Chapter with due regard to the special rules established in this Article, before a general jurisdiction court of cassation, and if the judicial act under appeal was considered by a general jurisdiction court of cassation – before the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation or the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation.

2. The cassation appeal, prosecutor's cassation appeal against the judicial act referred to in Part 1 of this Article is considered by a single judge of a court of cassation, without holding a court session, within a period not exceeding one month from the day of receipt. Taking into account the nature and complexity of the administrative case, as well as the arguments stated in the cassation appeal, prosecutor's cassation appeal and the objections in regard of the cassation appeal, prosecutor's cassation appeal, persons participating in the case may be summoned into a court session.

3. Following the consideration of the cassation appeal, prosecutor's cassation appeal in the manner stipulated in Part 2 of this Article, the judge of a court of cassation issues a cassation decree. Its copy is forwarded or handed to persons participating in the case no later than on the day following its issuance.

Article 328. Grounds for Reversal or Alteration of Judicial Acts in Cassation

1. Significant violations of material law norms and procedural law norms, that influenced or may influence the outcome of the administrative case and without remedying which it is impossible to restore and protect the violated rights, freedoms and lawful interests, as well as the protection of legally protected public interests, constitute grounds for reversal or alteration of judicial acts in cassation by a Judicial Chamber of the Supreme Court of the Russian Federation.

2. Inconsistency between the conclusions stated in the judicial act under appeal and the facts of the administrative case, incorrect application of material law norms, violation or incorrect application of procedural law norms, if it resulted in or could result in adoption of a wrongful judicial act constitute grounds for reversal or alteration of judicial acts in cassation by a general jurisdiction court of cassation.

3. Where Part 1 of Article 310 of this Code applies, a judicial act is subject to unconditional reversal.

Article 329. Powers of a Court of Cassation

1. After considering a cassation appeal, prosecutor's cassation appeal and the administrative case, the court of cassation may:

1) leave the judicial act of the court of first instance, court of appeal or cassation without alteration and the cassation appeal, prosecutor's cassation appeal – without satisfaction;

2) reverse the judicial act of the court of first instance, court of appeal or cassation in full or in part and remand the case for a new consideration to the corresponding court, indicating, where necessary that it is obliged to consider the case in a new composition of judges;

3) reverse the judicial act of the court of first instance, court of appeal or cassation in full or in part and leave the statement without consideration or terminate proceedings in the administrative case;

4) leave one of the earlier adopted judicial acts in effect;

5) reverse or alter the judicial act of a court of first instance, court of appeal or cassation without remanding the administrative case for a new consideration, if an error was made in the application and (or) interpretation of material law norms;

6) leave the cassation appeal, prosecutor's cassation appeal without considering it on its merits, if there are grounds stipulated in Part 1 of Article 321 of this Code.

2. When considering an administrative case in cassation, the court checks the correctness of application and interpretation of material law norms and procedural law norms by the courts that considered the administrative case within the framework of arguments stated in the cassation appeal, prosecutor's cassation appeal. The court of cassation may go beyond that framework in administrative cases affecting the interests of the general public, as well as in administrative cases referred to in Chapters 28-31.1 of this Code. Herewith, the court of cassation has no right to check either the lawfulness of judicial acts in the part, in which they are not appealed against, or the lawfulness of judicial acts that are not under appeal.

3. The court of cassation has no right to establish or deem as proven the facts that were not established or were dismissed by a court of first or appellate instance, predetermine issues of credibility of a piece of evidence, of priority of one piece of evidence over another or to determine, what judicial act must be adopted during the new consideration of the administrative case.

4. Directions of the higher court regarding the interpretation of the law are binding for the court, considering the administrative case anew.

Article 330. Cassation Decree

1. After considering the cassation appeal, prosecutor's cassation appeal, the general jurisdiction court of cassation, the Judicial Chamber on Administrative Cases of the Supreme Court of the

Russian Federation and the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation issue cassation decrees.

2. A cassation decree must indicate:

1) the name and composition of the court that issued the cassation decree;

2) the administrative case number assigned by the court of first instance, the date and place of issuance of the cassation decree;

3) the administrative case, in which the cassation decree is issued;

4) the name or family name, first name and patronymic (if any) of the person that submitted the cassation appeal, prosecutor's cassation appeal;

5) contents of the judicial acts under appeal;

6) conclusions that the court reached after considering the cassation appeal, prosecutor's cassation appeal;

7) reasons for which the court reached its conclusions and reference to laws that the court used as guidance.

3. The cassation decree is signed by the judges that considered the case in cassation.

Article 331. Coming of a Cassation Decree, Decree of a Court of Cassation into Effect

A cassation decree, a decree of a court of cassation comes into effect from the day of its issuance.

Chapter 36. Proceedings in a Court of Supervision

Article 332. Review of Court Rulings in Supervisory Proceedings

1. Effective judicial acts, referred to in Part 2 of this Article, may be reviewed in supervisory proceedings by the Presidium of the Supreme Court of the Russian Federation on the basis of appeals of persons participating in the case and of other persons, if their rights, freedoms and lawful interests are violated by these judicial acts.

2. The following are appealed against before the Presidium of the Supreme Court of the Russian Federation:

1) *abrogated*;

2) *abrogated*;

3) effective decisions and decrees of judicial chambers of the Supreme Court of the Russian Federation, adopted by them as courts of first instance, if those decisions and decrees were subject matter of appellate consideration;

4) decrees of the Appellate Chamber of the Supreme Court of the Russian Federation;

5) *abrogated*;

6) decrees of the Judicial Chamber on Administrative Cases of the Supreme Court of the Russian Federation and decrees of the Judicial Chamber on Cases of the Military of the Supreme Court of the Russian Federation, issued by them in cassation.

3. If a prosecutor participated in the consideration of an administrative case, the right to apply to the Presidium of Supreme Court of the Russian Federation with a prosecutor's appeal for the review of judicial acts, referred to in Part 2 of this Article, belongs to the Prosecutor General of the Russian Federation and his deputies.

Article 333. Manner and Period for Submitting a Supervisory Appeal, Prosecutor's Supervisory Appeal

1. A supervisory appeal, prosecutor's supervisory appeal is submitted directly to the Supreme Court of the Russian Federation.

2. Judicial acts, referred to in Part 2 of Article 332 of this Code, may be appealed against in supervisory proceedings within three months since their coming into effect.

3. If a person submitting a supervisory appeal, prosecutor's supervisory appeal missed the period for its submission for a good reason, in particular due to lack of information about the judicial act under appeal, that period may be restored by the court of supervision upon the application of the aforementioned person, but only if the circumstances that caused the person to miss the period appeared no later than twelve months since the day on which the judicial act under appeal comes into effect, or if the application is submitted by a person that did not participate in the case, but regarding whose rights and obligations the court adopted a judicial act, no later than twelve months since the day on which that person learned or must have learned about the violation of its rights, freedoms and lawful interests by the judicial act under appeal.

4. The application for restoration of the missed period for the submission of a supervisory appeal, prosecutor's supervisory appeal is considered by a judge of a court of supervision in the manner stipulated in Article 95 of this Code.

5. The Chief Justice of the Supreme Court of the Russian Federation, a Deputy Chief Justice of the Supreme Court of the Russian Federation may disagree with the decree of a judge of the Supreme Court of the Russian Federation to restore a missed period for the submission of a supervisory appeal, prosecutor's supervisory appeal or to refuse to restore that period, and may issue a decree to refuse to restore the missed period for the submission of a supervisory appeal or to restore that period.

6. The supervisory appeal, prosecutor's supervisory appeal and documents attached thereto may be submitted in written form on paper, as well as in electronic form, in particular in the form of an electronic document.

Article 334. Contents of a Supervisory Appeal, Prosecutor’s Supervisory Appeal

1. A supervisory appeal, prosecutor’s supervisory appeal must contain:

1) the name of the court, to which it is submitted;

2) the name or family name, first name and patronymic (if any) of the person submitting the appeal, prosecutor’s supervisory appeal, that person’s address or place of residence, procedural status in the administrative case;

3) names of other persons participating in the case, their place of residence or address;

4) a reference to the courts that considered the administrative case in first instance, in appeal or cassation, information about the contents of judicial acts adopted by them;

5) the administrative case number assigned by the court of first instance, a reference to the judicial acts appealed against;

6) an indication as to the grounds for the review of the judicial act in supervisory proceedings, with statement of arguments proving that such grounds exist. If the violation of consistency of judicial practice by the court is indicated as a ground for the review of the judicial act under appeal, the supervisory appeal, prosecutor’s supervisory appeal must contain examples proving such arguments;

7) the request of the person submitting the appeal, prosecutor’s supervisory appeal.

2. A supervisory appeal of a person that did not participate in the administrative case must indicate, what rights, freedoms and lawful interests of that person are violated by the effective judicial act.

3. A supervisory appeal must be signed by the person submitting the appeal or by its representative. A document confirming the powers of the representative must be attached to a supervisory appeal submitted by the representative, along with other documents referred to in Part 3 of Article 55 of this Code. A prosecutor’s supervisory appeal must be signed by the Prosecutor General of the Russian Federation or by his deputy.

4. Copies of judicial acts adopted in the administrative case, certified by the corresponding court, are attached to the supervisory appeal, prosecutor’s supervisory appeal.

5. Where so stipulated by law, a document confirming the payment of the state fee in the amount and manner stipulated by law or a document confirming the right to relief from payment of state fee must be attached to a supervisory appeal. Otherwise, the supervisory appeal must contain a motion for the postponement or payment of the state fee in instalments, or for the decrease of the state fee or exemption from it.

6. The issue of granting a postponement or payment of the state fee in instalments, granting a decrease of the state fee or exemption from it is resolved by a judge of the court of supervision without notification of the persons participating in the case.

Article 335. Returning the Supervisory Appeal, Prosecutor's Supervisory Appeal without Consideration on Its Merits

1. A supervisory appeal, prosecutor's supervisory appeal is returned without consideration on its merits, if:

1) the supervisory appeal, prosecutor's supervisory appeal does not meet the requirements stipulated in Items 1-5 and 7 of Part 1, Parts 3-5 of Article 334 of this Code;

2) the supervisory appeal, prosecutor's supervisory appeal is submitted by a person that does not have the right to apply to a court of supervision;

2.1) the supervisory appeal, prosecutor's supervisory appeal is submitted against judicial acts, not indicated in Part 2 of Article 332 of this Code;

3) the period for appeal against the judicial act in supervision is missed, and the supervisory appeal, prosecutor's supervisory appeal does not contain a request for the restoration of that period, or restoration is denied;

4) a request for the return or renunciation of the supervisory appeal, prosecutor's supervisory appeal is received;

5) the supervisory appeal, prosecutor's supervisory appeal is submitted in violation of the rules of jurisdiction, stipulated in Part 2 of Article 332 of this Code;

6) the state fee was not paid for the supervisory appeal, and the supervisory appeal does not contain a motion for the postponement or payment of the state fee in instalments, or for the decrease of the state fee or exemption from it, or the court refused to satisfy that motion.

2. A supervisory appeal, prosecutor's supervisory appeal must be returned without consideration on its merits within ten days since its receipt by the court of supervision.

Article 336. Periods for Consideration of a Supervisory Appeal, Prosecutor's Supervisory Appeal

1. In the Supreme Court of the Russian Federation, a supervisory appeal, prosecutor's supervisory appeal is considered within the period not exceeding two months, if the administrative case was not requested from a lower court, and within the period not exceeding three months, if the administrative case was requested. The latter period does not include the time from the day of request of the administrative case to the day of its receipt by the Supreme Court of the Russian Federation.

2. If the administrative case is requested from a lower court, the Chief Justice of the Supreme Court of the Russian Federation, a Deputy Chief Justice of the Supreme Court of the Russian Federation may prolong the period for the consideration of the supervisory appeal, prosecutor's supervisory appeal, taking its complexity into account, but for no more than two months.

Article 337. Consideration of a Supervisory Appeal, Prosecutor’s Supervisory Appeal

1. A supervisory appeal, prosecutor’s supervisory appeal, submitted in accordance with the rules stipulated in Articles 332-334 of this Code, is studied by a judge of the Supreme Court of the Russian Federation.

2. The judge of the Supreme Court of the Russian Federation studies the supervisory appeal, prosecutor’s supervisory appeal based on the materials attached to the appeal, prosecutor’s supervisory appeal or based on the materials of the administrative case requested from a lower court. If the administrative case is requested from a lower court, the judge may issue a decree to suspend the execution of the court decision until proceedings are finalised in the court of supervision, if there is such a request in the supervisory appeal, prosecutor’s supervisory appeal or in another motion.

3. After studying the supervisory appeal, prosecutor’s supervisory appeal, the judge of the Supreme Court of the Russian Federation issues a decree:

1) on refusal to refer the supervisory appeal, prosecutor’s supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation, if there are no grounds for review of judicial acts in supervisory proceedings. Herewith, the supervisory appeal, prosecutor’s supervisory appeal and copies of judicial acts under appeal stay in the court of supervision;

2) to refer the supervisory appeal, prosecutor’s supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation.

4. The Chief Justice of the Supreme Court of the Russian Federation, a Deputy Chief Justice of the Supreme Court of the Russian Federation may disagree with the decree of a judge of the Supreme Court of the Russian Federation on refusal to refer the supervisory appeal, prosecutor’s supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation and, prior to expiration of the period for submission of a supervisory appeal, prosecutor’s supervisory appeal against the judicial act under appeal, may issue a decree to reverse said decree and to refer the supervisory appeal, prosecutor’s supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation. The time of consideration of this appeal, prosecutor’s appeal at the Supreme Court of the Russian Federation is not included in calculating this period.

Article 338. Refusal to Refer a Supervisory Appeal, Prosecutor’s Supervisory Appeal for Consideration in a Court Session of the Presidium of the Supreme Court of the Russian Federation

1. The decree on refusal to refer a supervisory appeal, prosecutor’s supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation must contain:

1) the administrative case number assigned by the court of first instance, the date and place of issuance of the decree;

2) the family name and initials of the judge that issued the decree;

3) the name or family name, first name and patronymic (if any) of the person that submitted the supervisory appeal, prosecutor's supervisory appeal;

4) a reference to the judicial acts appealed against;

5) reasons for which the judge refuses to refer the supervisory appeal, prosecutor's supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation.

2. If during consideration of the supervisory appeal, prosecutor's supervisory appeal it is established that there exist grounds stipulated in Item 5 of Part 1 of Article 350 of this Code, the judge of the Supreme Court of the Russian Federation issues a decree on refusal to refer the supervisory appeal, prosecutor's supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation, indicating therein that it is possible to review the judicial act under appeal due to new circumstances.

Article 339. Decree to Refer a Supervisory Appeal, Prosecutor's Supervisory Appeal and the Administrative Case for Consideration in a Court Session of the Presidium of the Supreme Court of the Russian Federation

1. A decree to refer a supervisory appeal, prosecutor's supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation must contain:

1) the administrative case number assigned by the court of first instance, the date and place of issuance of the decree;

2) the family name and initials of the judge that issued the decree;

3) the name or family name, first name and patronymic (if any) of the person that submitted the supervisory appeal, prosecutor's supervisory appeal;

4) a reference to the judicial acts appealed against;

5) a statement of contents of the administrative case, in which the judicial acts were adopted;

6) a reasoned statement of grounds for referral of the supervisory appeal, prosecutor's supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation;

7) suggestions of the judge that issued the decree;

8) other information, referred to in Part 2 of Article 127 of this Code.

2. The judge of the Supreme Court of the Russian Federation refers the issued decree together with the supervisory appeal, prosecutor's supervisory appeal and the administrative case to the Presidium of the Supreme Court of the Russian Federation.

Article 340. Consideration of a Supervisory Appeal, Prosecutor's Supervisory Appeal and the Administrative Case in a Court Session of the Presidium of the Supreme Court of the Russian Federation.

1. The Presidium of the Supreme Court of the Russian Federation accepts the administrative case for proceedings based on the decree of a judge of the Supreme Court of the Russian Federation to refer the supervisory appeal, prosecutor's supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation.

2. The Presidium of the Supreme Court of the Russian Federation forwards copies of the decree to refer the supervisory appeal, prosecutor's supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation to persons participating in the case, along with copies of the supervisory appeal, prosecutor's supervisory appeal.

3. Persons participating in the case are notified of the time and place of consideration of the administrative case by the Presidium of the Supreme Court of the Russian Federation in accordance with the rules, stipulated in Chapter 9 of this Code. Non-appearance of persons participating in the case, duly notified of the time and place of consideration of the administrative case by the Presidium of the Supreme Court of the Russian Federation, does not preclude the consideration of the administrative case in supervisory proceedings.

4. If the Chief Justice of the Supreme Court of the Russian Federation or a Deputy Chief Justice of the Supreme Court of the Russian Federation issued a decree to refer the supervisory appeal, prosecutor's supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation, he cannot participate in the consideration of that supervisory appeal, prosecutor's supervisory appeal and administrative case by the Presidium of the Supreme Court of the Russian Federation.

5. A supervisory appeal, prosecutor's supervisory appeal and the administrative case are considered by the Presidium of the Supreme Court of the Russian Federation in a court session, within a period not exceeding two months since the issuance of the corresponding decree by a judge of the Supreme Court of the Russian Federation.

6. Persons participating in the case, their representatives, other persons that submitted the supervisory appeal, prosecutor's supervisory appeal, if their rights, freedoms and lawful interests are directly affected by the judicial act under appeal, may participate in the court session.

7. If a prosecutor is a person participating in the case, the Prosecutor General of the Russian Federation or his deputy participates in the court session.

8. The supervisory appeal, prosecutor’s supervisory appeal and the administrative statement of claim, considered in supervisory proceedings by the Presidium of the Supreme Court of the Russian Federation, are reported by a judge of the Supreme Court of the Russian Federation.

9. The judge of the Supreme Court of the Russian Federation reports the facts of the administrative case, the contents of judicial acts adopted in the administrative case, the arguments stated in the supervisory appeal, prosecutor’s supervisory appeal that served as grounds for referral of the supervisory appeal, prosecutor’s supervisory appeal and of the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation.

10. Persons referred to in Part 6 of this Article, if they appear in the court session, may give explanations regarding the administrative case. The person that submitted the supervisory appeal, prosecutor’s supervisory appeal is the first one to give explanations.

11. After considering the supervisory appeal, prosecutor’s supervisory appeal, the Presidium of the Supreme Court of the Russian Federation adopts a ruling.

12. When a supervisory appeal, prosecutor’s supervisory appeal and the administrative case are considered in supervisory proceedings, all issues are resolved by a majority vote of the members of the Presidium of the Supreme Court of the Russian Federation participating in the consideration of the administrative case. If there is an equal number of votes for the review of the administrative case and against the review, the supervisory appeal, prosecutor’s supervisory appeal is dismissed.

13. Persons participating in the case are informed of the ruling adopted by the Presidium of the Supreme Court of the Russian Federation.

Article 341. Grounds for Reversal or Alteration of Judicial Acts in Supervisory Proceedings

Judicial acts referred to in Part 2 of Article 332 of this Code are subject to reversal or alteration, if during the consideration of the administrative case in supervisory proceedings the Presidium of the Supreme Court of the Russian Federation finds that a judicial act under appeal violates:

1) human and civil rights and freedoms guaranteed by the Constitution of the Russian Federation, universal principles and norms of international law, international treaties of the Russian Federation;

2) rights and lawful interests of the general public or other public interests;

3) the uniformity of interpretation and application of law norms by the courts.

Article 342. Powers of the Presidium of the Supreme Court of the Russian Federation in Supervisory Review of Judicial Acts

1. After considering a supervisory appeal, prosecutor's supervisory appeal and the administrative case in supervisory proceedings, the Presidium of the Supreme Court of the Russian Federation may:

1) leave a judicial act of a court of first instance, court of appeal or cassation without alteration and the supervisory appeal, prosecutor's supervisory appeal – without satisfaction;

2) reverse a judicial act of a court of first instance, court of appeal or cassation in full or in part and remand the case for a new consideration to the corresponding court. When remanding the case for a new consideration, the Presidium of the Supreme Court of the Russian Federation may indicate that it is necessary to consider the administrative case in another composition of judges;

3) reverse a judicial act of a court of first instance, court of appeal or cassation in full or in part and leave the statement without consideration or terminate proceedings in the administrative case;

4) leave one of the earlier adopted judicial acts in effect;

5) reverse or alter a judicial act of a court of first instance, court of appeal or cassation without remanding the administrative case for a new consideration, if an error was made in the application and interpretation of material law norms;

6) leave the supervisory appeal, prosecutor's supervisory appeal without considering it on its merits, if there are grounds stipulated in Article 335 of this Code.

2. When considering an administrative case in supervisory proceedings, the Presidium of the Supreme Court of the Russian Federation checks the correctness of application and interpretation of material law norms and procedural law norms by the courts that considered the administrative case within the framework of arguments stated in the supervisory appeal, prosecutor's supervisory appeal. In pursuing the interests of lawfulness, the Presidium of the Supreme Court of the Russian Federation may go beyond the framework of arguments stated in the supervisory appeal, prosecutor's supervisory appeal. Herewith, the Presidium of the Supreme Court of the Russian Federation has no right to check either the lawfulness of judicial acts in the part, in which they are not appealed against, or the lawfulness of judicial acts that are not under appeal.

3. When considering an administrative case in supervisory proceedings, the Presidium of the Supreme Court of the Russian Federation has no right to establish or deem as proven the facts that were not established or were dismissed by a court of first or appellate instance, to predetermine issues of credibility of a piece of evidence, of priority of one piece of evidence over another or to determine, what judicial act must be adopted during the new consideration of the administrative case.

4. A ruling of the Presidium of the Supreme Court of the Russian Federation is signed by the judge presiding in the session of the Presidium of the Supreme Court of the Russian Federation.

5. Directions of the Presidium of the Supreme Court of the Russian Federation regarding the interpretation of law are binding for the court, considering the administrative case anew.

Article 343. Contents of a Ruling of the Presidium of the Supreme Court of the Russian Federation

A ruling of the Presidium of the Supreme Court of the Russian Federation must indicate:

1) the name and composition of the court that adopted the ruling;

2) the administrative case number assigned by the court of first instance, the date and place of adoption of the ruling;

3) the administrative case, in which the ruling is adopted;

4) the name or family name, first name and patronymic (if any) of the person that submitted the supervisory appeal, prosecutor's supervisory appeal;

5) the family name and initials of the judge that issued the decree to refer the supervisory appeal, prosecutor's supervisory appeal and the administrative case for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation;

6) contents of the judicial acts under appeal;

7) conclusions of the Presidium of the Supreme Court of the Russian Federation, reached after the consideration of the supervisory appeal, prosecutor's supervisory appeal;

8) grounds, based on which the Presidium of the Supreme Court of the Russian Federation reached its conclusions, and reference to laws that it applied.

Article 344. Coming of a Ruling of the Presidium of the Supreme Court of the Russian Federation into Effect

A ruling of the Presidium of the Supreme Court of the Russian Federation comes into effect from the day of its adoption and is not subject to appeal.

Chapter 37. Proceedings for the Review of Effective Judicial Acts Due to New or Newly Discovered Facts

Article 345. Courts Reviewing Judicial Acts Due to New or Newly Discovered Facts

1. An effective judicial act may be reviewed due to new or newly discovered facts by the court that adopted it.

2. Review, due to new or newly discovered facts, of judicial acts of courts of appeal, cassation or supervision, that altered a judicial act under appeal or adopted a new judicial act, is performed by the court that altered the judicial act or adopted the new judicial act.

3. If a court sentence stipulates that a judge is guilty of a crime that resulted in the adoption of an unlawful and (or) unsubstantiated judicial act, the review of the judicial act due to new or newly discovered facts is performed by the court in which that judge served at the time of adoption of that act.

Article 346. Period for Submission of an Application, Prosecutor's Application for the Review of a Judicial Act Due to New or Newly Discovered Facts

1. An application, prosecutor's application for the review of an effective judicial act due to new or newly discovered facts is submitted to the court that adopted that judicial act by persons participating in the case, as well as by persons who were not drawn to participation in the administrative case, the issue of whose rights and obligations was resolved by the court, within a period not exceeding three months since the appearance or discovery of the facts that serve as grounds for the review of the judicial act.

2. The period for the submission of an application, prosecutor's application for the review of judicial acts due to new or newly discovered facts, referred to in Part 1 of this Article, is calculated in the following manner:

1) where Item 1 of Part 2 of Article 350 of this Code applies – since the day of discovery of the facts, significant for the administrative case;

2) where Items 2 and 3 of Part 2 of Article 350 of this Code apply – since the day on which the sentence in a criminal case comes into effect;

3) where Item 1 of Part 1 of Article 350 of this Code applies – from the day on which the judicial act, reversing an earlier adopted judicial act or decree of a public authority, another state body, local self-government body, based on which the judicial act subject to review is adopted, comes into effect;

4) where Item 2 of Part 1 of Article 350 of this Code applies – from the day on which the judicial act comes into effect;

5) where Item 3 of Part 1 of Article 350 of this Code applies – from the day on which the corresponding decision of the Constitutional Court of the Russian Federation comes into effect;

6) *abrogated*;

7) where Item 5 of Part 1 of Article 350 of this Code applies – from the day on which a ruling of the Plenary Session of the Supreme Court of the Russian Federation, a ruling of the Presidium of the Supreme Court of the Russian Federation is published. Where the existence of the fact, referred to in Item 5 of Part 1 of Article 350 of this Code, is discovered during the consideration of a cassation appeal or prosecutor's cassation appeal, supervisory appeal or prosecutor's supervisory appeal, the three-month period for the submission of the application, prosecutor's application is calculated from the day of the applicant's receipt of the copy of a decree on refusal to refer the cassation appeal, prosecutor's cassation appeal for consideration in a court session of a court of cassation,

of a decree on refusal to refer the supervisory appeal, prosecutor's supervisory appeal for consideration in a court session of the Presidium of the Supreme Court of the Russian Federation;

8) where Item 6 of Part 1 of Article 350 of this Code applies – from the day on which a decision of the Supreme Court of the Russian Federation, of a court of general jurisdiction, recognizing a normative legal act as inoperative, comes into effect.

3. If the period for applying to court, referred to in Part 1 of this Article, is missed, and there is an application for the restoration of that period, this does not constitute grounds for refusal to accept the application, prosecutor's application for the review of an effective court decision due to new or newly discovered facts. The court ascertains the reasons for missing the period in a preliminary court session or in a court session. If the court does not recognise the reasons as good, it refuses to review the effective judicial act.

4. Upon the application of a person that applied for review of a judicial act due to new or newly discovered facts, the court may restore the missed period for submitting the application, prosecutor's application, if the application for restoration of the missed period is filed no later than six months since the appearance or discovery of circumstances that serve as grounds for the review, and if the court finds that the period was missed for a good reason. The application for restoration of the period for submission of an application for review of a judicial act due to new or newly discovered facts is submitted to the court in the manner stipulated in Article 95 of this Code.

5. Where Item 5 of Part 1 of Article 350 of this Code applies, the application, prosecutor's application for the review of a judicial act due to new or newly discovered facts may be submitted within the period stipulated in this Article, but no later than six months since the coming into effect of the last judicial act that finalised the consideration of the case on its merits.

Article 347. Form and Contents of an Application, Prosecutor's Application for the Review of a Judicial Act Due to New or Newly Discovered Facts and Documents Attached Thereto

1. An application, prosecutor's application for the review of a judicial act due to new or newly discovered facts is submitted to court in written form. The statement is signed by the person submitting it, or by that person's representative, authorised to sign the statement.

2. The application, prosecutor's application for the review of a judicial act due to new or newly discovered facts must indicate:

1) the name of the court, to which the application, prosecutor's application is submitted;

2) the name or family name, first name and patronymic (if any) of the person submitting the statement, its address or place of residence, phone numbers and e-mail addresses, if any;

3) the names or family names, first names and patronymics (if any) of other persons participating in the case, their place of residence or address, other data known about them;

4) the name of the court that adopted the judicial act for the review of which the applicant motions, the administrative case number assigned by the court of first instance, the date of adoption of the judicial act, the subject matter of the administrative claim;

5) circumstances that might have influenced or may influence the adoption of the judicial act;

6) substantiation, with reference to evidence confirming the existence of new or newly discovered facts;

7) the claims addressed to the court by the person submitting the statement;

8) a list of attached documents;

9) other information, including phone and fax numbers, e-mail addresses of the persons participating in the case.

3. The following must be attached to an application, prosecutor's application for the review of a judicial act due to new or newly discovered facts:

1) a copy of the judicial act, for the review of which the applicant motions;

2) copies of documents confirming the new or newly discovered facts;

3) a document confirming that copies of the statement were forwarded to persons participating in the case along with copies of documents they do not have, or a number of copies of the statement and documents, corresponding to the number of persons participating in the case;

4) a document confirming the power of the person to sign the application, as well as other documents referred to in Part 3 of Article 55 of this Code, if the statement is submitted by a representative.

4. An application, prosecutor's application for the review of a judicial act due to new or newly discovered facts, as well as documents attached thereto, may be submitted in written form on paper, as well as in electronic form, in particular in the form of an electronic document. Herewith, the copies of the application, prosecutor's application and of documents attached thereto may be forwarded to a person participating in the case and vested with state or other public powers through the official website of the corresponding public authority, other state body, local self-government body, other body, organisation vested with certain state or other public powers.

Article 348. Accepting an Application, Prosecutor's Application for the Review of a Judicial Act Due to New or Newly Discovered Facts

1. The issue of accepting for proceedings an application, prosecutor's application for the review of a judicial act due to new or newly discovered facts is resolved by a single judge within five days since its receipt by the court.

2. If an application, prosecutor's application for the review of a judicial act due to new or newly discovered facts meets the requirements stipulated in Article 347 of this Code and is submitted in accordance with other rules of this Chapter, the court issues a decree to accept the application, prosecutor's application for proceedings.

3. The decree indicates information stipulated in Part 2 of Article 127 of this Code. Copies of the decree are forwarded to persons participating in the case no later than on the working day following the issuance of the decree. Copies of the application, prosecutor's application and of documents attached thereto are forwarded along with the copy of the decree, if they were not forwarded by the applicant. If the application, prosecutor's application and the documents attached thereto are submitted to the court in electronic form, they are forwarded to the persons participating in the case by being placed in the Internet in the stipulated manner, in restricted access mode, and (or) the aforementioned persons are informed about the possibility to inspect such documents and make copies thereof at the court.

4. If an application, prosecutor's application for the review of a judicial act due to new or newly discovered facts does not meet the requirements stipulated in Article 347 of this Code, the court returns the application, prosecutor's application to the applicant.

5. A reasoned decree is issued regarding the return of an application, prosecutor's application for the review of a judicial act due to new or newly discovered facts. Its copy is forwarded to the applicant along with the application, prosecutor's application and documents attached thereto, no later than on the working day following the day of issuance of the decree.

6. A procedural appeal may be submitted against the decree to return the application, prosecutor's application for the review of a judicial act due to new or newly discovered facts.

Article 349. Consideration of an Application, Prosecutor's Application for the Review of a Judicial Act Due to New or Newly Discovered Facts

1. An application, prosecutor's application for the review of an effective judicial act due to new or newly discovered facts is considered by the court in a court session within a period not exceeding one month since its receipt by the court. If the administrative case is requested from a lower court, the period mentioned in this Part is calculated from the day of receipt of the administrative case by the court.

2. The applicant and other persons participating in the case are notified of the time and place of the court session. Non-appearance of duly notified persons in the court session does not preclude the consideration of the application, prosecutor's application.

Article 350. Grounds for Review of Judicial Acts Due to New or Newly Discovered Facts

1. Grounds for the review of a judicial act due to new facts are the following facts that have significance for the correct adjudication of the administrative case and appear after the adoption of the judicial act:

1) a judicial act of a court of general jurisdiction, of a commercial court or a decree of an authority, another state body, local self-government body, that served as grounds for the adoption of a judicial act in the given administrative case, is reversed;

2) a deal that resulted in the adoption of an unlawful or unsubstantiated judicial act in the given administrative case is recognised as invalid by an effective judicial act of a court of general jurisdiction or of a commercial court;

3) the Constitutional Court of the Russian Federation, in its ruling, finds a normative act or its particular provision, used by a court in a judicial act, inconsistent with the Constitution of the Russian Federation or finds that said normative act or provision was applied in interpretation inconsistent with the interpretation provided in a ruling of the Constitutional Court of the Russian Federation, where this happens in connection with an address of the applicant and, where so stipulated in Federal Constitutional Law No. 1 of 21 July 1994 "On the Constitutional Court of the Russian Federation", in connection with an address of a different person, independent of the applicant's address to the Constitutional Court of the Russian Federation;

4) *abrogated*;

5) the practice of application of a legal norm, applied in a certain case, is defined or altered by a Ruling of the Plenary Session of the Supreme Court of the Russian Federation or by a ruling of the Presidium of the Supreme Court of the Russian Federation, if that act of the Supreme Court of the Russian Federation indicates that it is possible to review effective judicial acts based on this fact;

6) a normative legal act, applied by the court in a certain case, is recognised inoperative from the day of its adoption by the Supreme Court of the Russian Federation, a court of general jurisdiction, if the applicant challenged that normative legal act in connection with the adoption of a decision in that case.

2. Grounds for the review of a judicial act due to newly discovered facts are the following facts that have significance for the administrative case and existed on the day of adoption of the judicial act:

1) facts that have significance for the administrative case and that were not known and could not be known to the applicant;

2) a knowingly false expert conclusion, knowingly false testimony, knowingly false translation, falsification of evidence, recognised as such by an effective court sentence, if they resulted in the adoption of an unlawful or unsubstantiated judicial act in the given administrative case;

3) criminal activities of a person participating in the case, of his representative or of a judge, committed during the consideration of the given administrative case, recognised as such by an effective court sentence.

Article 351. Judicial Acts Adopted by the Court after Consideration of an Application, Prosecutor's Application for the Review of a Judicial Act Due to New or Newly Discovered Facts

1. After considering an application, prosecutor's application for the review of an effective judicial act due to new or newly discovered facts, the court may:

1) refuse to satisfy the application, prosecutor's application. The court then issues a decree, copies of which are forwarded to persons participating in the case no later than on the working day following the day of issuance of the decree;

2) satisfy the application, prosecutor's application for the review of a judicial act due to new or newly discovered facts and reverse the judicial act it earlier adopted, due to new or newly discovered facts. The court then adopts a new judicial act in the form, stipulated in this Code for proceedings in a court of the corresponding instance.

2. A decision, decree, ruling of a court, reversing a judicial act due to new or newly discovered facts and a decree on refusal to satisfy the application, prosecutor's application for the review of a judicial act due to new or newly discovered facts may be appealed against.

3. If the application, prosecutor's application is satisfied, and the court reverses the judicial act it earlier adopted due to new or newly discovered facts, the repeated consideration of the administrative case is performed in accordance with the rules, stipulated in this Code for a court of the corresponding instance.

4. The repeated consideration of an administrative case may be performed directly after the reversal of the judicial act, in the same court session, if the persons participating in the case or their representatives are present in the court session and do not object to the consideration of the administrative case on its merits in the same court session.

5. If a judicial act is reversed due to a fact referred to in Item 5 of Part 1 of Article 350 of this Code, the judicial act adopted after the repeated consideration of the case cannot deteriorate the position of citizens, organisations and other persons that submitted the administrative statement of claim or in whose interests the administrative statement of claim was submitted, as compared to the position stipulated by the judicial act reversed due to new facts.

SECTION VIII

PROCEDURAL ISSUES RESOLVED BY THE COURT PERTAINING TO THE EXECUTION OF JUDICIAL ACTS IN ADMINISTRATIVE CASES

Chapter 38. Procedural Issues Resolved by the Court Pertaining to the Execution of Judicial Acts in Administrative Cases

Article 352. Execution of a Judicial Act

1. Judicial acts are executed after they come into effect (except when immediate execution takes place) in the manner stipulated in this Code and other federal laws regulating the issues of execution procedure. If the manner and period for the execution of a judicial act is stipulated in it, the act is executed in the manner and within the period stipulated by the court.

2. If necessary, enforcement of a judicial act is performed on the basis of an enforcement document, issued by the court, unless otherwise stipulated in this Code.

3. Procedural issues pertaining to the execution of judicial acts are resolved by a single judge, unless otherwise stipulated in this Code.

Article 353. Issuing a Writ of Execution

1. A writ of execution is issued by the court that considered the administrative case in first instance, independent of the instance of the court that adopted the judicial act, on the basis of which the writ of execution is issued.

2. A writ of execution is issued by the court after the judicial act comes into effect. If a judicial act is subject to immediate execution or the court orders immediate execution, the writ of execution is issued after the adoption of such a judicial act or after immediate execution is ordered.

3. A writ of execution is issued upon the application of the person, in whose favour the judicial act is adopted, or is forwarded for execution directly by the court, upon the motion of that person. A writ of execution for the recovery of monetary funds to the budget (in particular for the recovery of a state fee) is forwarded by the court to a tax body, another authorized state body at the location of the organisation-debtor or at the place of residence of the natural person-debtor.

3.1. A writ of execution pursuant to a decision on award of compensation for the violation of right to trial within a reasonable time or of right to execution of a judicial act within a reasonable time, on award of compensation for violation of conditions of remand in custody, detention in a correction facility, accompanied by a copy of the corresponding judicial act, is forwarded by the court to the body authorised in accordance with budgetary legislation to execute the decision on award of compensation, no later than on the day following the day of adoption of the court decision in its final form, independent of whether there is a corresponding motion of the

recoverer. Such a writ of execution must contain the details of the recoverer's bank account, to which the recoverable funds are to be transferred.

3.2. An application for issuance of a writ of execution and recovery of monetary funds or a motion for forwarding of such a writ of execution for execution must indicate the following information about the debtor and the recoveror:

1) for real persons – family name, first name and patronymic (if any)m date and place of birth, place of residence or stay, one of the identifiers (insurance individual account number; taxpayer's identification number; identification document serial number; driver's license serial number); the taxpayer's identification number is an obligatory identifier for an individual entrepreneur;

2) for legal persons – name, address indicated in the Unified State Register of Legal Entities, actual address (if known), taxpayer's identification number.

3.3. Where it is impossible to indicate the information stipulated in Item 1 of Part 3.2 of this Article, a person participating in the case may motion for the court to order to present that information. In this situation, as well as where the writ of execution for recovery of monetary funds is forwarded for execution without an application or motion of a person participating in the case, the court orders to present the information stipulated in Item 1 of Part 3.2 of this Article. Herewith, the time for response to the request is no more than five days from the day of receipt of the corresponding response by the federal executive body, a body of a state non-budgetary fund that has the requested information.

4. Upon the application of the person, in whose favour the judicial act is adopted, a writ of execution may be forwarded by the court for execution in the form of an electronic document, signed by the judge with the use of an enhanced qualified electronic signature in the manner stipulated in the legislation of the Russian Federation.

5. If a judicial act stipulates recovery from the budgetary funds of the budgetary system of the Russian Federation, the writ of execution, forwarded by the court at the recoverer's motion, must be accompanied by a copy of the judicial act, for the execution of which the writ of execution is issued, certified by the court in the stipulated manner. The writ of execution and the copy of the corresponding judicial act may be forwarded by the court for execution in the form of an electronic document, signed by the judge with use of an enhanced qualified electronic signature in the manner stipulated in the legislation of the Russian Federation.

6. Unless otherwise stipulated in this Article, one writ of execution is issued per each judicial act.

7. If a judicial act is adopted in favour of several administrative plaintiffs or against several administrative defendants, or if execution must be performed in different places, the court, upon the motion of the recoverer, issues several writs of execution, precisely indicating in each of them the place of execution or the part of the judicial act that is subject to execution in accordance with the particular writ of execution.

8. A writ of execution is drawn in accordance with the requirements, stipulated in Federal Law No. 229 of 2 October 2007 "On Enforcement Procedure", by filling out a form of a writ of execution. The form of a writ of execution is adopted by the Government of the Russian

Federation. A writ of execution is signed by the judge and sealed by the seal of the court, bearing a coat of arms.

9. A writ of execution may be drawn in the form of an electronic document by filling out a format of a writ of execution, adopted by the Government of the Russian Federation, and signing it with an enhanced qualified electronic signature.

10. If a judicial act stipulates recovery from the budgetary funds of the budgetary system of the Russian Federation, the writ of execution, forwarded by the court for execution upon the motion of the recoverer or by the recoverer himself, must be accompanied by a copy of the judicial act, for the execution of which the writ of execution is issued, certified by the court in the stipulated manner, and by an application of the recoverer, indicating the details of the bank account, to which the recoverable funds must be transferred.

10.1. A court order is issued for execution in accordance with the rules stipulated in Article 123.8 of this Code.

11. A writ of execution issued before a judicial act comes into effect is void and subject to renunciation by the court that adopted the judicial act, unless immediate execution was ordered.

Article 354. Issuing a Duplicate of a Writ of Execution or Court Order

1. If a writ of execution or a court order (hereinafter referred to as "enforcement document") is lost, the court that adopted the judicial act may issue a duplicate of the enforcement document upon the motion of the recoverer, a bailiff or another person performing enforcement.

2. The application for the issue of a duplicate of an enforcement document may be filed before the expiration of the period, stipulated for presentation of that document for enforcement, except when the enforcement document is lost by the bailiff or by another person performing enforcement, and the recoverer learns about it after the expiration of that period. In that case the application for a duplicate of an enforcement document may be filed within one month since the day on which the recoverer learns about the loss of the enforcement document.

3. An application for a duplicate of an enforcement document must be accompanied by a document confirming the payment of the state fee in the manner and amount, stipulated in federal law, or a document confirming the right to relief from payment of the state fee, or a motion for the granting of postponement or payment of the state fee in instalments, decrease or exemption from the state fee and a document proving the existence of corresponding grounds.

4. An application for a duplicate of an enforcement document is considered by the court in a court session within a period not exceeding ten days since the day of receipt of the application by the court. Persons participating in the case, the bailiff or another person performing enforcement are notified of the time and place of the court session. Non-appearance of persons, duly notified of the time and place of the court session, does not preclude the consideration of the application.

5. A procedural appeal may be submitted against a decree of the court to issue a duplicate of an enforcement document or to refuse to do that.

Article 355. Clarifying the Enforcement Document

1. If the claim stated in the enforcement document is unclear, or if the manner and order of its execution is unclear, the recoverer, the debtor, a bailiff may apply to the court that adopted the judicial act with an application for clarification of the enforcement document, of the manner and order of its execution.

2. The application for the clarification of the enforcement document is considered in a court session within ten days since receipt of that application by the court, in the manner stipulated in Article 185 of this Code.

Article 356. Period for Presentation of an Enforcement Document for Enforcement

1. A writ of execution may be presented for enforcement within the following periods:

1) within three years since the coming of the judicial act into effect, or from the working day following the adoption of a judicial act subject to immediate execution, or from the day of expiration of the stipulated period of a granted postponement of execution of the judicial act;

2) within three months since the day of issuance of a decree on restoration of a missed period for presentation of a writ of execution for enforcement in accordance with Article 357 of this Code.

1.1. A court order may be presented for enforcement within three years since the day on which it was issued.

2. The period for presentation of an enforcement document for enforcement is suspended by its presentation for enforcement, as well as by partial execution of the enforcement document by the debtor.

3. If the execution of a judicial act was postponed or suspended, the period for presentation of the enforcement document begins to run again from the day of resumption of execution of the judicial act.

4. If execution of an enforcement document in instalments is granted, the period for presentation of the document is prolonged for the period of the instalment plan.

5. If an enforcement document is returned to the recoverer as it is impossible to enforce it, the period for presentation of the enforcement document begins to run again. It begins to run again from the day on which the enforcement document is returned to the recoverer.

6. If execution of an earlier presented enforcement document was terminated due to the revocation of the enforcement document by the recoverer or because the recoverer performed actions precluding its execution, the period starting on the day of presentation of that document for execution to the day of termination of its execution on one of the aforementioned grounds is

deducted from the corresponding period for presentation of an enforcement document for enforcement, stipulated in this Article.

Article 357. Restoration of a Missed Period for Presentation of the Enforcement Document

1. A recoverer that missed the period for presentation of a writ of execution may apply to the court of first instance that considered the administrative case with an application for the restoration of the missed period, if restoration of that period is stipulated in federal law.

1.1. A recoverer that missed the period for presentation of a court order may apply to the court that issued the corresponding court order with an application for the restoration of the missed period.

2. The recoverer's application for the restoration of the missed period is considered in the manner stipulated in Article 95 of this Code.

3. A decree is issued after the consideration of the application. Copies of the decree are forwarded to the recoverer and the debtor.

4. A procedural appeal may be submitted against the court decree to restore the missed period for presentation of the enforcement document or on refusal to do that.

Article 358. Postponement of Execution of a Judicial Act or Execution in Instalments, Change of Means and Manner of Execution

1. If there are conditions complicating the execution of a judicial act, the court that issued the enforcement document may postpone execution or allow execution of the judicial act in instalments, change the manner and order of execution upon the application of the recoverer, debtor or bailiff.

2. The application for postponement of execution or execution of the judicial act in instalments, for changing the means and manner of execution is considered by the court in a court session, within ten days since receipt of the application by the court, with notification of the recoverer, debtor and bailiff. Non-appearance of those persons, duly notified of the time and place of the court session, does not preclude the consideration of the application. After the application is considered, a decree is issued, copies of which are forwarded to the recoverer, debtor and bailiff no later than on the working day following the day of issuance of the decree.

3. A procedural appeal may be submitted against the court decree to postpone the execution of the judicial act or to allow execution in instalments, to change the manner and order of its execution or on refusal to satisfy the corresponding application.

Article 359. Suspension, Termination and Resumption of Enforcement Procedure

1. Where stipulated in Federal Law No. 229 of 2 October 2007 “On Enforcement Procedure”, the court may, upon the motion of the recoverer, debtor or bailiff, suspend or terminate an enforcement procedure initiated by the Federal Bailiffs Service of the Russian Federation or a bailiff.

2. The suspension or termination of the enforcement procedure is performed by the court that issued the writ of execution or by the court at the location of the bailiff, in particular of the bailiff conducting an enforcement procedure, the decision to initiate which was adopted by the Federal Bailiffs Service of the Russian Federation in automatic mode.

3. The application for the suspension or termination of the enforcement procedure is considered by the court within ten days, in the manner stipulated in Part 2 of Article 358 of this Code.

4. A procedural appeal may be submitted against a court decree to suspend or terminate the enforcement procedure or on refusal to do so.

5. The enforcement procedure is resumed by the court that suspended the procedure, upon the application of the recoverer, debtor, bailiff, after the obstacles that caused the suspension of the procedure are eliminated. A decree is issued on the resumption of the enforcement procedure.

Article 360. Challenging the Decrees, Actions (Failure to Act) of the Federal Bailiffs Service of the Russian Federation and Its Officials

Decrees of the Federal Bailiffs Service of the Russian Federation, of the Chief Bailiff of the Russian Federation, of the chief bailiff of a constituent entity (chief bailiff of constituent entities) of the Russian Federation, of a senior bailiff, of their deputies, of a bailiff, their actions (failure to act) may be challenged in court in the manner stipulated in Chapter 22 of this Code.

Article 361. Reversion of Execution of a Judicial Act

If an executed judicial act is reversed in full or in part, and a new judicial act is adopted regarding the full or partial refusal to satisfy the administrative claim, or if the administrative claim is left without consideration, or proceedings are terminated in the case, everything that was recovered from the administrative defendant in favour of the administrative plaintiff in accordance with the judicial act, reversed or altered in the corresponding part, is returned to the administrative defendant.

Article 362. Resolving the Issue of Reversion of Execution of a Judicial Act

1. The issue of reversing the execution of a judicial act is resolved by the court that adopted the new judicial act, reversing or altering the earlier adopted judicial act.

2. If the new judicial act regarding the reversal or alteration of the earlier adopted judicial act does not provide for the reversion of execution of that act, the administrative defendant may submit a corresponding application to the court of first instance.

3. An application for the reversion of execution of a judicial act is considered in the manner stipulated in Part 2 of Article 358 of this Code.

4. A procedural appeal may be submitted against the court decree to reverse the execution of a judicial act or on the refusal to do so.

5. The court of first instance issues a writ of execution for the return of recovered monetary funds, property or of its cost upon the application of a body, organisation, citizen (administrative defendant referred to in Part 2 of this Article). A document confirming the execution of the earlier adopted judicial act is attached to the application.

Article 363. Resolving Other Issues Arising during the Execution Procedure

1. If the recoverer waives recovery, the application is considered by the court that issued the writ of execution, in a court session, in accordance with the rules of Article 157 of this Code, within ten days since receipt of the application, with notification of persons participating in the case.

2. Disputes among the buyer of liquidated property, the recoverer and debtor, pertaining to the return of that property, as well as claims stated by persons that did not participate in the administrative case, pertaining to the ownership of recoverable property, are considered in the manner of civil procedure.

3. If this Chapter does not stipulate the manner in which the court resolves the issues arising during the execution procedure, that are subject to court consideration in accordance with the law (in particular, regarding the postponement of recovery of the enforcement fee or its recovery in instalments, the decrease or exemption from that fee), such issues are resolved in accordance with the rules, stipulated in Part 2 of Article 358 of this Code.

Article 364. Liability for Loss of an Enforcement Document

The court may impose a court fine in the manner and amount, stipulated in Articles 122 and 123 of this Code, upon the person guilty of losing the enforcement document issued by the court and referred to it for enforcement.

SECTION IX
CLOSING PROVISIONS

Chapter 39. Enactment of This Code

Article 365. Enactment of This Code

The manner of enactment of this Code is stipulated in Federal Law “On the Enactment of the Code of Administrative Judicial Procedure of the Russian Federation”.

President of the Russian Federation

V. Putin

Moscow, the Kremlin

8 March 2015

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