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**On Bodies of the Judiciary in the Russian Federation**

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Federal Law No. 157, 17 July 2009

Federal Law No. 210, 24 July 2009

Federal Law No. 246, 9 November 2009

Federal Law No. 296, 28 November 2009

Federal Law No. 346, 8 December 2010

Federal Law No. 388, 3 December 2011

Federal Law No. 165, 2 October 2012

Federal Law No. 20, 4 March 2013

Federal Law No. 185, 2 July 2013

Federal Law No. 29, 12 March 2014

Federal Law No. 69, 6 April 2015

Federal Law No. 144, 8 June 2015

Federal Law No. 284, 5 October 2015

Federal Law No. 168, 2 June 2016

Ruling of the Constitutional Court of the Russian Federation No. 45-O, 2 February 2006

**Chapter 1. The Judiciary in the Russian Federation and Bodies of the Judiciary**

Article 1. Judiciary in the Russian Federation

The judiciary in the Russian Federation (hereinafter referred to as "the judiciary") consists of judges of federal courts of all types and levels, of judges of courts of constituent entities of the Russian Federation, which form the judicial system of the Russian Federation.

Article 2. Judges as Members of the Judiciary

1. Judges of federal courts and of courts of constituent entities of the Russian Federation are members of the judiciary from the moment they take the judicial oath and to the moment a decision on termination of judicial powers enters into force, except when the judicial powers are terminated in the course of honorary resignation or honorary removal.
2. A retired judge continues to be a member of the judiciary until the retirement is terminated, and, with the judge's consent, may be drawn to participation in the work of bodies of the judiciary. A retired judge cannot elect members of qualification boards of judges or be elected to a qualification board of judges as a representative of the judiciary.

Article 3. Bodies of the Judiciary

1. Bodies of the judiciary are formed and act in accordance with federal constitutional laws and federal laws in order to express the interests of judges as holders of judicial power.
2. The bodies of the judiciary in the Russian Federation are:
  - the All-Russia Congress of Judges;
  - conferences of judges of constituent entities of the Russian Federation;

- the Council of Judges of the Russian Federation;
- councils of judges of constituent entities of the Russian Federation;
- general meetings of judges of courts;
- the High Qualification Board of Judges of the Russian Federation;
- qualification boards of judges of constituent entities of the Russian Federation;
- the High Examination Commission, tasked with conducting judicial qualification examination;
- examination commissions of constituent entities of the Russian Federation, tasked with conducting judicial qualification examination.

3. The activities of bodies of the judiciary are regulated by acts (rules, regulations) adopted by those bodies.

4. The general meeting of judges of the Supreme Court of the Russian Federation and the Council of judges of the Supreme Court of the Russian Federation are formed in the Supreme Court of the Russian Federation. Their powers, manner of formation and activities are stipulated in the regulations, adopted by the general meeting of judges of the Supreme Court of the Russian Federation.

#### Article 4. Main Tasks of Bodies of the Judiciary

The main tasks of bodies of the judiciary are:

- 1) support in improvement of the judicial system and of the judicial procedure;
- 2) protection of rights and lawful interests of judges;
- 3) participation in organisational, staff and resource support of judicial activities;
- 4) strengthening of authority of the judiciary, ensuring the adherence of judges to the requirements of the Code of Judicial Ethics.

#### Article 5. Principles of Organisation and Activities of Bodies of the Judiciary

1. Bodies of the judiciary perform their activities on a collective basis, in a public manner, strictly adhering to the principles of independence of judges and non-interference in judicial activities.

2. Councils of judges, qualification boards of judges, the High Examination Commission tasked with conducting judicial qualification examination and examination commissions of constituent entities of the Russian Federation tasked with conducting judicial qualification examination (hereinafter also referred to as "examination commissions") are formed based on the principles of electivity, removability and accountability to bodies that elected them. Qualification boards of judges and examination commissions are not accountable to the bodies that elected them for the decisions they adopt.

#### Article 6. All-Russia Congress of Judges

1. The All-Russia Congress of Judges (hereinafter also referred to as "the Congress") is the superior body of the judiciary.

The Congress is authorised to adopt decisions on all issues pertaining to the activities of the judiciary, except for issues within the competence of qualification boards of judges and examination commissions, and is also authorised to adopt the Code of Judicial Ethics and acts regulating the activities of the judiciary. Decisions of the Congress are adopted by a simple majority vote, unless the Congress establishes a different manner for adoption of a decision.

2. Congress delegates are elected based on the following representation quota:

- from judges of the Constitutional Court of the Russian Federation – ten judges;
- from judges of the Supreme Court of the Russian Federation – twenty judges;
- from judges of every commercial court of circuit – two judges;
- from judges of every appellate commercial court – two judges;
- from judges of every supreme court of a republic, court of a territory, region, federal city, autonomous region, autonomous circuit – one judge and, additionally, one judge from each fifty judges of every supreme court of a republic, court of a territory, region, federal city, autonomous region, autonomous circuit;

from judges of every commercial court of a constituent entity of the Russian Federation – one judge and, additionally, one judge from every thirty judges of every commercial court of a constituent entity of the Russian Federation;

from judges of every circuit (fleet) military court – two judges;

from judges of garrison military courts – one judge from each constituent entity of the Russian Federation, on the territory of which there are acting military courts;

from judges of district courts – one judge from each constituent entity of the Russian Federation and, additionally, one judge from every hundred judges of district courts, acting on the territory of a constituent entity of the Russian Federation;

from justices of the peace – one justice from each constituent entity of the Russian Federation;

from judges of every constitutional (charter) court of a constituent entity of the Russian Federation – one judge.

3. Congress delegates from judges of the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation, from commercial courts of circuits, appellate commercial courts, circuit (fleet) military courts are elected at general meetings of judges of those courts, and delegates from judges of other courts are elected at conferences of judges of constituent entities of the Russian Federation.

The Congress is convened once in four years by the Council of Judges of the Russian Federation. An extraordinary Congress must be convened, if conferences of judges in at least a half of constituent entities of the Russian Federation adopt such a decision.

The Congress is authorised if more than a half of elected delegates participate in its work.

The Congress is presided by the President of the Council of Judges of the Russian Federation.

#### Article 7. Conferences of Judges of Constituent Entities of the Russian Federation

1. Conferences of judges of constituent entities of the Russian Federation (hereinafter also referred to as “conferences of judges”) represent the judges of supreme courts of republics, courts of territories, regions, federal cities, of an autonomous region and of autonomous circuits, of commercial courts of constituent entities of the Russian Federation, of constitutional (charter) courts of constituent entities of the Russian Federation, as well as the justices of the peace, judges of district courts and garrison military courts acting on the territories of the corresponding constituent entities of the Russian Federation.

Conferences of judges are authorised to adopt decisions on all issues pertaining to the activities of the judiciary in the constituent entities of the Russian Federation, except for issues within the competence of qualification boards of judges and examination commissions; they are also authorised to adopt acts regulating the activities of bodies of the judiciary in constituent entities of the Russian Federation. Decisions of conferences of judges are adopted by a simple majority vote, unless a conference establishes a different manner for adoption of a decision.

2. Conferences of judges are convened by councils of judges of corresponding constituent entities of the Russian Federation as often as necessary, but no less than once in two years.

The manner of election of delegates to the first conference of judges to be held after the entry of this Federal Law into force and their representation quotas are adopted by the council of judges of the corresponding constituent entity of the Russian Federation; for the following conferences of judges – by the conference of judges.

Conference delegates are elected taking into account the need to represent judges, accordingly, from supreme courts of republics, courts of territories, regions, federal cities, from a court of an autonomous region, courts of autonomous circuits, commercial courts of constituent entities of the Russian Federation, constitutional (charter) courts of constituent entities of the Russian Federation, as well as to represent the justices of the peace, judges of district courts and judges of garrison military courts acting on the territories of the corresponding constituent entities of the Russian Federation.

A conference of judges is presided by the president of the council of judges of the corresponding constituent entity of the Russian Federation.

## Article 8. Formation of Councils of Judges

1. The Council of Judges of the Russian Federation is formed by the All-Russia Congress of Judges, from the ranks of judges of federal courts and judges of courts of constituent entities of the Russian Federation.

The following representation quotas are stipulated for the Council of Judges of the Russian Federation:

- from judges of the Constitutional Court of the Russian Federation – two judges;
- from judges of the Supreme Court of the Russian Federation – four judges;
- from judges of commercial courts of circuit – two judges;
- from judges of appellate commercial courts – two judges;
- from judges of supreme courts of republics, courts of territories, regions, federal cities, of an autonomous region, autonomous circuits – five judges;
- from judges of commercial courts of constituent entities of the Russian Federation – eight judges;
- from judges of circuit (fleet) military courts – two judges;
- from judges of garrison military courts – three judges;
- from judges of district courts – eight judges;
- from justices of the peace – five judges;
- from judges of constitutional (charter) courts of constituent entities of the Russian Federation – three judges;
- from every constituent entity of the Russian Federation – one judge, elected by the Congress upon presentation of the corresponding conference of judges of the constituent entity of the Russian Federation.

2. Members of the Council of Judges of the Russian Federation, representing the judges of courts of all types and levels, are elected by secret vote of the congress delegates of the corresponding courts, from their own ranks, at separate delegate meetings. A judge who gets the most votes of the congress delegates participating in the vote at a separate delegate meeting (if more than a half of the congress delegates of the corresponding courts participate in the vote) is considered elected to the Council.

Members of the Council of Judges of the Russian Federation, presented by the conferences of judges, are elected by a secret vote of the congress delegates. Judges who get the most votes of congress delegates participating in the vote are considered elected to the Council.

3. The Council of Judges of the Russian Federation elects from its own members the President of the Council of Judges of the Russian Federation and his deputies. The president and his deputies are accountable to the Council.

The Presidium of the Council of Judges of the Russian Federation is elected by the Council of Judges of the Russian Federation from its own members, taking into account the need to represent in it judges of federal courts, in particular judges of the Constitutional Court of the Russian Federation, of the Supreme Court of the Russian Federation, of courts of general jurisdiction, including the military courts, judges of commercial courts and of courts of constituent entities of the Russian Federation. The President of the Council of Judges of the Russian Federation and his deputies are members of the Presidium of the Council of Judges of the Russian Federation *ex officio*.

4. Councils of judges of constituent entities of the Russian Federation are elected by conferences of judges in the number and in the manner stipulated by the conferences of judges in accordance with their rules, taking into account the need to represent in them the judges of, correspondingly, supreme courts of republics, courts of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits, commercial courts of constituent entities of the Russian Federation, constitutional (charter) courts of constituent entities of the Russian Federation, as well as to represent the justices of the peace, judges of district courts and garrison military courts acting on the territories of the corresponding constituent entities of the Russian Federation.

A council of judges of a constituent entity of the Russian Federation elects from its members a president of the council of judges of the constituent entity of the Russian Federation and his deputies. The president and his deputies are accountable to the council.

A member of a council of judges of a constituent entity of the Russian Federation cannot be elected president or deputy president of the council of judges of the constituent entity of the Russian Federation more than two times in a row.

5. The powers of a member of a council of judges may be terminated early, upon his own initiative or if that member commits a disciplinary offence. The decision on early termination of powers of a member of a council of judges is adopted, accordingly, by a congress or by a conference of judges, and during the time between two congresses (conferences) of judges – by the corresponding council of judges.

#### Article 9. Council of Judges of the Russian Federation as a Body of the Judiciary

1. The Council of Judges of the Russian Federation is an elective body of the judiciary, accountable only to the Congress.
2. The Council of Judges of the Russian Federation is convened as often as necessary, but no less than twice a year.
3. The working body of the Council of Judges of the Russian Federation is the Presidium of the Council of Judges of the Russian Federation, created for effective and collective resolution of issues, stipulated in the rules of the Council of Judges of the Russian Federation.  
The Presidium of the Council of Judges of the Russian Federation holds sessions as often as necessary, but no less than four times a year.
4. The President of the Council of Judges of the Russian Federation convenes the Council of Judges of the Russian Federation, the Presidium of the Council of Judges of the Russian Federation and presides over their work in accordance with the Rules of the Council of Judges of the Russian Federation.
5. The President of the Council of Judges of the Russian Federation represents the Council of Judges of the Russian Federation before public authorities and local self-government bodies, public associations, mass media, and when engaged in international cooperation.
6. At the instructions of the President of the Council of Judges of the Russian Federation, his powers may be exercised by one of his deputies.

#### Article 10. Powers of Councils of Judges

1. The Council of Judges of the Russian Federation:
  - 1) convenes the All-Russia Congress of Judges;
  - 2) gives consent to the appointment and termination of appointment of the Director-General of the Judicial Department at the Supreme Court of the Russian Federation and hears the Director-General's annual reports regarding the organisational, staff and resource support of judicial activities;
  - 3) elects judges to the composition of the High Qualification Board of the Russian Federation to replace those that leave it during the time between congresses;
    - 3.1) elects members of the High Examination Commission tasked with conducting judicial qualification examination (hereinafter also referred to as "the High Examination Commission") to replace those that leave it during the time between congresses;
  - 4) studies, generalises and disseminates the experience of bodies of the judiciary, elaborates recommendations to improve their activities;
  - 5) stipulates the manner of participation of judges of garrison military courts acting outside of the Russian Federation in the work of bodies of the judiciary of constituent entities of the Russian Federation;
  - 6) performs other powers, referred to it by federal laws.
2. Representatives of the Council of Judges of the Russian Federation may participate in discussions regarding the draft federal law on the federal budget in the Federal Assembly of the Russian Federation.
3. The Council of Judges of the Russian Federation, as well as other bodies of the judiciary within the framework of their competence, engages in direct relations with bodies of the judiciary and professional unions (associations) of judges of other countries, with international organisations as well as with mass media.
4. Councils of judges of the Russian Federation:
  - 1) during the time between conferences of judges, consider all issues within the competence of a conference of judges, except for election of qualification boards of judges of constituent entities of the Russian Federation and hearing of their reports;
  - 2) convene conferences of judges;

- 3) elect judges to the composition of qualification boards of judges of corresponding constituent entities of the Russian Federation to replace those that leave them during the time between two conferences of judges;
- 4) elect members of examination commissions of constituent entities of the Russian Federation tasked with judicial qualification examination (hereinafter also referred to as "examination commissions of constituent entities of the Russian Federation") to replace those that leave them during the time between two conferences of judges.
5. The Council of Judges of the Russian Federation and councils of judges of constituent entities of the Russian Federation may exercise their powers, if their compositions are formed at least by two thirds.

#### Article 11. Formation of Qualification Boards of Judges

1. Qualification boards of judges are formed from judges of federal courts, judges of courts of constituent entities of the Russian Federation, from representatives of the public, representatives of the President of the Russian Federation.

2. The High Qualification Board of Judges of the Russian Federation is formed by twenty nine members.

Members of the board, who are representatives of the judiciary, are elected based on the following representation quota:

- from the Supreme Court of the Russian Federation – four judges;
- from commercial courts of circuits – two judges;
- from appellate commercial courts – two judges;
- from supreme courts of republics, courts of territories, regions, federal cities, a court of an autonomous region, courts of autonomous circuits – four judges;
- from commercial courts of constituent entities of the Russian Federation – three judges;
- from circuit (fleet) military courts – three judges.

Ten members of the board, who are representatives of the public, are appointed by the Council of the Federation of the Federal Assembly of the Russian Federation.

One member of the board – a representative of the President of the Russian Federation – is appointed by the President of the Russian Federation.

3. Judges are elected to the High Qualification Board of Judges of the Russian Federation by secret vote held at separate delegate meetings at a Congress, by congress delegates of the corresponding courts, from their own ranks.

Judges who get the most votes of the congress delegates participating in the vote at separate delegate meetings (if more than a half of the congress delegates of the corresponding courts participate in the vote) are considered elected to the board.

If certain judges leave the composition of the High Qualification Board of Judges of the Russian Federation during the time between two congresses, replacing judges are elected by the Council of Judges of the Russian Federation.

4. A qualification board of a constituent entity of the Russian Federation is formed based on the following representation quota:

- from judges of the supreme court of a republic, court of a territory, region, federal city, autonomous region, autonomous circuit – two judges;
- from judges of the commercial court of the constituent entity of the Russian Federation – five judges;
- from judges of garrison military courts – one judge;
- from judges of district courts – three judges;
- from judges of the constitutional (charter) court of the constituent entity of the Russian Federation – one judge;
- from justices of the peace – one judge;
- seven representatives of the public;
- one representative of the President of the Russian Federation.

If the overall number of judges of courts referred to in paragraphs 2 – 6 of this Item is less than 30 in a constituent entity of the Russian Federation, the qualification board of judges is formed in the composition of 11 members, based on the following representation quota:

from judges of the supreme court of a republic, of the court of a territory, region, federal city, autonomous region, autonomous circuit – one judge;  
from judges of the commercial court of the constituent entity of the Russian Federation – two judges;  
from judges of garrison military courts – one judge;  
from judges of district courts – two judges;  
from judges of the constitutional (charter) court of the constituent entity of the Russian Federation – one judge;  
from justices of the peace – one judge;  
two representatives of the public;  
one representative of the President of the Russian Federation.

If there is no supreme court of a republic, court of a territory, region, federal city, autonomous region, autonomous circuit, commercial court, constitutional (charter) court of a constituent entity of the Russian Federation in a constituent entity of the Russian Federation, or if justices of the peace don't act in that constituent entity, or there are no garrison military courts in that constituent entity, then the qualification board of judges of this constituent entity of the Russian Federation is formed without the participation of representatives of those courts. Herewith, the representation quotas stipulated in paragraphs 2 – 8 of this Item are preserved.

5. Judges of Commercial Court of the City of Saint-Petersburg and Leningrad Region are elected to the composition of the qualification board of judges and of other bodies of the judiciary of Saint-Petersburg.

The qualification board of judges of Leningrad Region is formed based on the following representation quota:

from judges of Leningrad Region Court – two judges;  
from judges of garrison military courts – one judge;  
from judges of district courts of Leningrad Region – three judges;  
from judges of the Charter Court of Leningrad Region – one judge;  
from justices of the peace – one judge;  
four representatives of the public;  
one representative of the President of the Russian Federation.

Judges of district courts and justices of the peace of Evenk Autonomous Circuit are elected to the composition of the qualification board of judges and of other bodies of the judiciary of Krasnoyarsk Territory.

6. Judges are elected to the composition of a qualification board of judges of a constituent entity of the Russian Federation by secret vote at a conference of judges in the manner established by that conference.

If a judge leaves the composition of a qualification board of judges of a constituent entity of the Russian Federation during the time between two conferences, a replacing judge is elected by the council of judges of the constituent entity of the Russian Federation.

Representatives of the public are appointed to qualification boards of judges of constituent entities of the Russian Federation by legislative (representative) public authorities of constituent entities of the Russian Federation in the manner stipulated in laws and other normative legal acts of those constituent entities of the Russian Federation.

Representatives of the President of the Russian Federation in qualification boards of judges of constituent entities of the Russian Federation are appointed by the President of the Russian Federation.

7. Court presidents and their deputies cannot be elected to qualification boards of judges of constituent entities of the Russian Federation. The Chief Justice of the Supreme Court of the Russian Federation and his deputies cannot be elected to the High Qualification Board of Judges of the Russian Federation.

A judge cannot be simultaneously elected to a council of judges and a qualification board of judges of the same level and cannot be a member of qualification boards of judges of different levels.

A member of a qualification board of judges cannot be elected president or deputy president of the qualification board of judges more than two times in a row, except for the High Qualification Board of Judges of the Russian Federation.

If a judge's powers are terminated on grounds stipulated in Item 1 of Article 14 of the Law of the Russian Federation "On the Status of Judges in the Russian Federation" (No. 3132-1 of 26 June

1992), his powers of a member of a qualification board of judges are likewise terminated. The powers of a member of a qualification board of judges, who is a representative of the judiciary, may be terminated early upon his initiative or in case of a disciplinary offence, or if he is absent from the sessions of the qualification board of judges for four months without a good reason. The decision on early termination of powers of a member of a qualification board of judges, who is a representative of the judiciary, is adopted by the congress (conference) of judges, and during the time between two congresses (conferences) of judges – by the corresponding council of judges.

8. The position of a representative of the public in a qualification board of judges may be occupied by a citizen of the Russian Federation who has reached the age of 35, has a law degree, has not engaged in disreputable misconduct, is not occupying a state or municipal position, a position within state or municipal service, is not a head of an organisation or institution (independent of its legal and organisational form, form of ownership), is not an advocate or a notary.

The position of a representative of the President of the Russian Federation in a qualification board of judges may be occupied by a citizen of the Russian Federation who is in the state service of the Russian Federation.

When performing the powers of a member of a qualification board of judges, as well as in extraoccupational relations, a representative of the public, a representative of the President of the Russian Federation in a qualification board of judges must avoid anything that could diminish the authority of the judicial power or raise doubts regarding the objectiveness, fairness and impartiality of the aforementioned representative.

The powers of a member of a qualification board of judges, who is a representative of the public, may be terminated early by virtue of a decision of, correspondingly, the Council of the Federation of the Federal Assembly of the Russian Federation or of the legislative (representative) public authority of the constituent entity of the Russian Federation, upon the initiative of that member, or if that member commits a crime, which is established by an effective court sentence, or if that member is absent from the sessions of the qualification board of judges for four months without a good reason, or if that member occupies a position or engages in activities referred to in the first paragraph of this Item.

The powers of the member of a qualification board of judges, who is a representative of the President of the Russian Federation, are terminated by the President of the Russian Federation.

#### Article 11.1. Formation of Examination Commissions Tasked with Judicial Qualification Examination

1. The High Examination Commission tasked with conducting judicial qualification examination is formed by 21 commission members. Commission members are elected based on the following representation quota:

- 1) from the Supreme Court of the Russian Federation – five commission members;
- 2) from judges of courts of general jurisdiction – five commission members;
- 3) from judges of commercial courts – five commission members;
- 4) from law professors of higher education institutions and from scientific workers who have a scientific degree of a candidate of science in law or a doctor of science in law – four commission members;
- 5) from all-Russia public associations of lawyers – two commission members.

2. Examination commissions of constituent entities of the Russian Federation tasked with judicial qualification examination are formed from the ranks of:

- 1) judges of courts of general jurisdiction and judges of commercial courts; herewith, the number of judges of courts of general jurisdiction in the composition of the corresponding examination commission must be equal to the number of judges of commercial courts, and taken together they must form at least three quarters of the overall number of examination commission members;
- 2) law professors of higher education institutions, scientific workers who have a scientific degree of a candidate of science in law or a doctor of science in law, representatives of all-Russia public associations of lawyers, who exercise the powers of examination commission members on a paid basis.

3. If there is no commercial court on the territory of a constituent entity of the Russian Federation, or if it is impossible to ensure equal representation of judges of courts of general jurisdiction and of commercial courts in the composition of an examination commission of a constituent entity of the



Russian Federation due to the insufficient number of judges of commercial courts, such representation is regulated by the rules of the examination commission.

4. Members of an examination commission cannot be members of examination commissions of different levels or members of a qualification board of judges of equal level.

5. Examination commission members, who are representatives of higher education institutions, scientific organisations, all-Russia public associations of lawyers, are not bound by decisions of those institutions, organisations and public associations when performing their powers. Recall of such commission members is not possible.

6. Members of examination commissions of constituent entities of the Russian Federation are elected by conferences of judges of constituent entities of the Russian Federation in the numbers and in the manner established by the conferences of judges in accordance with their rules, taking into account the need to represent judges, accordingly, of supreme courts of republics, of courts of territories, regions, federal cities, of a court of an autonomous region, of courts of autonomous circuits, commercial courts of constituent entities of the Russian Federation, district courts, as well as law professors of higher education institutions, scientific workers who have a scientific degree of a candidate of science in law or a doctor of science in law, representatives of all-Russia public associations of lawyers.

7. Members of the examination commission of the City of Saint-Petersburg tasked with judicial qualification examination, who represent commercial courts, are elected from the ranks of judges of Commercial Court of the City of Saint-Petersburg and Leningrad Region.

8. Delegates of the All-Russia Congress of Judges elect the members of the High Examination Commission by secret vote. The votes are cast:

1) regarding judges – at separate delegate meetings of judges of the Supreme Court of the Russian Federation, of judges of courts of general jurisdiction and of judges of commercial courts, upon presentations made by the Chief Justice of the Supreme Court of the Russian Federation. Judges who get the most votes of delegates participating in the vote (if more than a half of the congress delegates of the corresponding courts participate in the vote) are considered elected;

2) regarding other commission members – upon presentations made by the Chief Justice of the Supreme Court of the Russian Federation, based on suggestions referred for his consideration by higher legal education institutions, scientific organisations, all-Russia public associations of lawyers.

9. Delegates of conferences of judges of constituent entities of the Russian Federation elect members of examination commissions of constituent entities of the Russian Federation by secret vote. The votes are cast:

1) regarding judges – upon presentation of the president of the supreme court of a republic, of a court of a territory, region, federal city, autonomous region, autonomous circuit and upon the presentation of the president of a commercial court of a constituent entity of the Russian Federation;

2) regarding other members of examination commissions of constituent entities of the Russian Federation – upon presentation of the president of the supreme court of a republic, of a court of a territory, region, federal city, autonomous region, autonomous circuit and upon the presentation of the president of a commercial court of a constituent entity of the Russian Federation, based on suggestions referred for their consideration by higher education institutions, scientific organisations, all-Russia public associations of lawyers.

10. The Chief Justice of the Supreme Court of the Russian Federation, the president of the supreme court of a republic, of a court of a territory, region, federal city, autonomous region, autonomous circuit, the president of a commercial court of a constituent entity of the Russian Federation present at least two candidates for every position on an examination commission.

11. The manner of presentation of candidates to the composition of an examination commission is stipulated in the rules of the All-Russia Congress of Judges and of conferences of judges of constituent entities of the Russian Federation, and where Item 13 of this Article applies – by the rules of the Council of Judges of the Russian Federation and of councils of judges of constituent entities of the Russian Federation.

12. The powers of an examination commission member elected from the ranks of judges may be terminated early upon his initiative, or in case of a disciplinary offence, or if his judicial powers are terminated, or if he is absent from sessions of the examination commission for four months without a good reason. The powers of another examination commission member may be terminated early upon his initiative or if he commits a crime, which is established by an effective court sentence, or if he is absent from sessions of the examination commissions for four months without a good reason. The

decision on early termination of powers of an examination commission member is adopted by a congress (conference) of judges, and during the time between two congresses (conferences) – by the corresponding council of judges. If the powers of an examination commission member are terminated early, another person is elected to the composition of the examination commission by the corresponding council of judges until the powers of the examination commission expire. An address regarding the early termination of powers of an examination commission member and regarding the election of another person to the commission during the time between two congresses (conferences) of judges is submitted to the corresponding council of judges by the court president, referred to in Item 10 of this Article.

The decision on early termination of powers of a member of the High Examination Commission during the time between two All-Russia Congresses of Judges is adopted by the Council of Judges of the Russian Federation. In case of early termination of powers of a member of the High Examination Commission during the time between two All-Russia Congresses of Judges, a different person is elected to the commission by the Council of Judges of the Russian Federation until the powers of the High Examination Commission expire.

An address regarding the early termination of powers of a member of the High Examination Commission and regarding the election of another person to the High Examination Commission during the time between two All-Russia Congresses of Judges is submitted to the Council of Judges of the Russian Federation by the Chief Justice of the Supreme Court of the Russian Federation.

13. Members of an examination commission elect from their ranks a president and a deputy president (deputy presidents) of the examination commission. A secretary of an examination commission is appointed by the Judicial Department at the Supreme Court of the Russian Federation or by a body that is a part of its system, upon presentation of the corresponding commission. The secretary of an examination commission does not participate in the adoption of decisions of the commission.

#### Article 12. General Meetings of Judges of Courts

A general meeting of judges may be held in every court no less than once a year in order to discuss issues pertaining to the improvement of organisation of the court's work, express the lawful interests of judges and, where so stipulated in this Federal Law, to elect delegates to a congress (conference) of judges. A council of judges of the court may be elected by decision of the general meeting.

#### Article 13. Term of Powers of Elective Bodies of the Judiciary

1. The Council of Judges of the Russian Federation, councils of judges of constituent entities of the Russian Federation, the High Qualification Board of Judges of the Russian Federation, qualification boards of judges of constituent entities of the Russian Federation, the High Examination Commission and examination commissions of constituent entities of the Russian Federation are elected for four-year terms.

2. After the aforementioned term expires, the powers of an elective body of the judiciary are preserved until the next congress, conference, general meeting of judges is held.

#### Article 14. Rules of Procedure of Bodies of the Judiciary

1. The rules of procedure of the All-Russia Congress of Judges and the rules for holding sessions of the Council of Judges of the Russian Federation are adopted by the All-Russia Congress of Judges.

2. The rules of procedure of conferences of judges and the rules for holding sessions of councils of judges of constituent entities of the Russian Federation are adopted by conferences of judges of constituent entities of the Russian Federation.

3. Qualification boards of judges perform their activities in accordance with the regulations on the work of qualification boards of judges, adopted by the High Qualification Board of Judges of the Russian Federation.

4. The work of the High Examination Commission, of examination commissions of constituent entities of the Russian Federation is directed by the corresponding regulations, adopted by the High Examination Commission.

Article 15. Requests, Addresses and Decisions of Bodies of the Judiciary and the Term for Their Consideration

1. Councils of judges, qualification boards of judges and examination commissions are entitled to request and receive information and documents necessary for their activities from state bodies, public associations and officials.
2. Requests, addresses and decisions of bodies of the judiciary are subject to consideration within one month since their receipt by a state body, public association or official.

Article 16. Cooperation of Bodies of the Judiciary

1. Councils of judges, qualification boards of judges and examination commissions exchange the necessary information about their activities.
2. The Council of Judges of the Russian Federation and its Presidium, the High Qualification Board of Judges of the Russian Federation and its Presidium, the High Examination Commission send the necessary information about their activities to, accordingly, councils of judges of constituent entities of the Russian Federation, qualification boards of judges of constituent entities of the Russian Federation, examination commissions of constituent entities of the Russian Federation.
3. Councils of judges of constituent entities of the Russian Federation, qualification boards of judges of constituent entities of the Russian Federation and examination commissions of constituent entities of the Russian Federation inform, accordingly, the Council of Judges of the Russian Federation, the High Qualification Board of Judges of the Russian Federation and the High Examination Commission about their activities.

## **Chapter 2. Powers of Qualification Boards of Judges**

Article 17. Powers of the High Qualification Board of the Russian Federation

1. The High Qualification Board of Judges of the Russian Federation considers issues referred to its competence by federal constitutional laws, federal laws and adopts reasoned decisions.
2. The High Qualification Board of Judges of the Russian Federation:
  - 1) considers application of candidates to the position of the Chief Justice of the Supreme Court of the Russian Federation and presents its conclusions to the President of the Russian Federation;
  - 2) considers application of candidates to the positions of the First Deputy Chief Justice of the Supreme Court of the Russian Federation, of Deputy Chief Justices – Chairpersons of Judicial Chambers of the Supreme Court of the Russian Federation, to the position of the Chairperson of the Appellate Chamber of the Supreme Court of the Russian Federation, deputy Chairperson of the Appellate Chamber of the Supreme Court of the Russian Federation, of judges of the Supreme Court of the Russian Federation, to the positions of presidents, deputy presidents of other federal courts (except for district courts), as well as to the positions of judges of commercial courts of circuits, appellate commercial courts, of the Intellectual Property Rights Court, presidents of military courts and presents its conclusions to the President of the Russian Federation;
    - 2.1) considers the suggestions of the Chief Justice of the Supreme Court of the Russian Federation regarding the presentation of judges of the Supreme Court of the Russian Federation to the President of the Russian Federation for their appointment as members of the Presidium of the Supreme Court of the Russian Federation in the stipulated manner and presents its conclusions to the Chief Justice of the Supreme Court of the Russian Federation;
    - 2.2) if there is information published in the mass media regarding the conduct of a judge that does not meet the requirements of the Code of Judicial Ethics and undermines the authority of the judicial power, checks that information in obligatory manner, if the conclusion to recommend that judge was given by that board;
  - 3) announces through mass media the opening of vacant positions of the Chief Justice of the Supreme Court of the Russian Federation, of Deputy Chief Justices of the Supreme Court of the Russian Federation, of judges of the Supreme Court of the Russian Federation, of presidents, deputy presidents of other federal courts (except for district courts), as well as of judges of commercial

courts of circuits, appellate commercial courts, of the Intellectual Property Rights Court, military courts, indicating the time and place of submission and consideration of documents;

- 4) suspends, renews or terminates the powers (except for termination of powers of those judges who reach the age limit) and also suspends, renews or terminates the retirement of the Chief Justice of the Supreme Court of the Russian Federation, of Deputy Chief Justices of the Supreme Court of the Russian Federation, judges of the Supreme Court of the Russian Federation, of presidents, deputy presidents of other federal courts (except for district courts), as well as of judges of commercial courts of circuits, appellate commercial courts, of the Intellectual Property Rights Court, military courts, of members of the Council of Judges of the Russian Federation and of the High Qualification Board of Judges of the Russian Federation, of presidents of councils of judges and qualification boards of judges of constituent entities of the Russian Federation and of their deputies;
- 5) performs the qualification attestation of judges of the Supreme Court of the Russian Federation, of presidents, deputy presidents of federal courts (except for the Supreme Court of the Russian Federation and district courts), as well as of judges of commercial courts of circuits, appellate commercial courts, of the Intellectual Property Rights Court, military courts;
- 6) gives conclusion on the possibility of drawing judges in retirement to acting as judges of the Supreme Court of the Russian Federation, judges of commercial courts of circuits, appellate commercial courts, of the Intellectual Property Rights Court, military courts;
- 7) confers the first and the highest qualification classes on judges;
- 8) imposes disciplinary punishments for disciplinary offences upon judges of the Supreme Court of the Russian Federation, presidents, deputy presidents of other federal courts (except for district courts), as well as upon judges of commercial courts of circuits, appellate commercial courts, of the Intellectual Property Rights Court, military courts, upon members of the Council of Judges of the Russian Federation and of the High Qualification Board of Judges of the Russian Federation, upon presidents of councils of judges and qualification boards of judges of constituent entities of the Russian Federation and their deputies;
- 9) adopts regulations on the work of qualification boards of judges;
- 10) considers issues within the competence of qualification boards of judges of constituent entities of the Russian Federation if it is impossible for those boards to resolve them;
- 10.1) considers appeals against decisions of qualification boards of judges of constituent entities of the Russian Federation;
- 11) studies the work of qualification boards of judges of constituent entities of the Russian Federation, hears the reports of their presidents regarding the activities performed and gives recommendations aimed at improving the work of the aforementioned boards; studies and generalises the practice of qualification boards of judges, organises the education of members of those boards;
- 12) makes decisions to recommend judges to be awarded with state awards of the Russian Federation or to confer honorary titles of the Russian Federation upon them;
- 13) performs other functions stipulated in federal constitutional laws and federal laws.

3. The High Qualification Board of Judges of the Russian Federation may exercise its powers if its composition is formed at least by two thirds.

#### Article 18. Presidium of the High Qualification Board of Judges of the Russian Federation

1. The Presidium of the High Qualification Board of Judges of the Russian Federation consists of the president of that board and three deputies, elected by the High Qualification Board of Judges of the Russian Federation from the ranks of its members.
2. The Presidium of the High Qualification Board of Judges of the Russian Federation is the working body of the board, accountable to it and formed in order to effectively resolve issues pertaining to the organisation of work of the High Qualification Board of Judges of the Russian Federation.
3. In order to support the activities and organise the work of the High Qualification Board of Judges of the Russian Federation, the staff of the board is formed, being a structural unit of the Judicial Department at the Supreme Court of the Russian Federation.

#### Article 19. Powers of Qualification Boards of Judges of Constituent Entities of the Russian Federation

1. Qualification boards of judges of constituent entities of the Russian Federation consider issues referred to their competence by federal constitutional laws, federal laws and adopt reasoned decisions regarding judges of supreme courts of republics, courts of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits, commercial courts of constituent entities of the Russian Federation, justices of the peace, judges of district courts (including presidents and deputy presidents of district courts) and, where stipulated in normative legal acts of constituent entities of the Russian Federation, also regarding the judges of constitutional (charter) courts of constituent entities of the Russian Federation.

2. Qualification boards of judges of constituent entities of the Russian Federation:

1) consider applications of persons applying to the corresponding positions of judges and give conclusions on recommendation or refusal to recommend those persons to positions of judges, taking into account the results of qualification examination;

1.1) consider presentations of presidents of supreme courts of republics, courts of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits regarding the appointment of judges of those courts as members of presidiums of the aforementioned courts and present their conclusions to the Plenary Session of the Supreme Court of the Russian Federation;

1.2) consider presentations of presidents of supreme courts of republics, courts of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits regarding the appointment of chairpersons of judicial chambers for civil cases, criminal cases, of other judicial chambers and present their conclusions to the Chief Justice of the Supreme Court of the Russian Federation, who appoints the chairpersons of those chambers;

1.3) if there is information published in the mass media regarding the conduct of a judge that does not meet the requirements of the Code of Judicial Ethics and undermines the authority of the judicial power, a qualification board of judges of a constituent entity of the Russian Federation checks that information in obligatory manner, if the conclusion to recommend that judge was given by such a board;

2) *abrogated*;

3) announce through mass media the opening of vacant positions of presidents, deputy presidents of district courts, as well as of judges of corresponding federal courts, indicating the time and place of submission and consideration of documents;

4) check the credibility of biographical and other data, submitted by candidates applying to vacant positions; where necessary, request the bodies engaged in operative-investigative activities and other state bodies to provide data necessary to adopt a decision regarding the application for recommendation to a judicial vacancy, on the grounds and in the manner stipulated in the legislation of the Russian Federation;

5) suspend, renew or terminate powers (except for termination of powers of those judges who reach the age limit) and also suspend, renew or terminate the retirement of judges of federal courts (excepts for persons referred to in Subitem 4 of Item 2 of Article 17 of this Federal Law), of presidents and deputy presidents of district courts, of members of corresponding councils of judges and qualification boards of judges of constituent entities of the Russian Federation;

6) perform the qualification attestation of judges of corresponding courts, as well as of justices of the peace, presidents and deputy presidents of district courts; confer qualification classes (except for the first class and the highest class) on judges of corresponding courts, as well as on justices of the peace, presidents and deputy presidents of district courts;

7) give conclusions on the possibility to draw retired judges to acting as judges of the corresponding federal courts, as justices of the piece, as presidents and deputy presidents of district courts;

8) impose disciplinary punishments for disciplinary offences on judges of corresponding courts (including the presidents and deputy presidents of district courts);

9) exercise other powers in accordance with federal constitutional laws and federal laws.

3. A qualification board of judges of a constituent entity of the Russian Federation may exercise its powers, if its composition is formed at least by two thirds.

## Article 20. Review of Decisions Based on Newly Discovered Facts

1. A qualification board of judges may review an earlier adopted decision based on newly discovered facts.

The appeal for review of the aforementioned decision based on newly discovered facts may be submitted to a qualification board of judges by a judicial candidate or a judge, in whose regard the decision was adopted, as well as by the official, upon whose presentation the decision was adopted, by a president of the corresponding or higher court. A qualification board of judges may review its decision in the absence of the aforementioned appeal, if the newly discovered facts do not allow to consider the earlier adopted decision lawful and substantiated.

2. The grounds for review of a decision based on newly discovered facts are such facts that were not earlier known to the qualification board of judges, and, by their own nature or together with earlier established facts, constitute grounds for adoption of a different decision.

### **Chapter 3. Proceedings in Qualification Boards of Judges**

#### **Article 21. Consideration of Presented Materials by Qualification Boards of Judges**

1. The session of a qualification board of judges is prepared by the president of the qualification board of judges or his deputy, who defines the time and place of the session, as well as the list of persons subject to invitation to the session.

The invited persons must be timely notified about the time and place of the session.

2. The judge, in whose regard proceedings are initiated by a qualification board of judges, has the right to inspect all the materials that the qualification board of judges has and to present his objections and remarks.

3. The judge, in whose regard proceedings are initiated, is notified about the time and place of the session of the qualification board of judges within a period necessary to ensure his appearance in the session.

4. If a judge, duly notified of the time and place of the session, fails to appear in the session of the qualification board of judges without a good reason, the qualification board of judges considers the issue in his absence.

If materials are considered regarding the disciplinary liability of a judge, regarding the issue of holding the judge criminally liable, the qualification board of judges may decide to suspend the powers of that judge until a decision is adopted on the merits of the issue. The aforementioned decision may be adopted in the absence of the judge, in particular if the judge is absent for a good reason.

5. A member of a qualification board of judges may, with the consent of the board, not participate in the consideration of certain materials. A member of a qualification board of judges, who took part in its session, may not abstain from voting.

6. Presidents and deputy presidents of courts, senior officials of the Judicial Department at the Supreme Court of the Russian Federation and of bodies that are parts of its system, presidents and deputy presidents of councils of judges, of other qualification boards of judges or their representatives may participate in a session of a qualification board of judges.

#### **Article 22. Consideration of Presentations and Addresses regarding Disciplinary Offences Committed by Judges**

1. A presentation of the president of the corresponding or higher court or an address of a body of the judiciary regarding the early termination of powers of a judge due to commission of a disciplinary offence is considered by a qualification board of judges if there is information confirming the circumstances of the offence and data describing that judge in the presented materials.

A qualification board of judges may, within the framework of its competence, conduct an additional check of the presented materials, request additional materials and hear the explanations of corresponding persons regarding the circumstances of commission of the disciplinary offence by the judge.

2. Complaints and messages containing information about the commission of a disciplinary offence by a judge, received by the qualification board of judges from bodies and officials, not referred to in Item 1 of this Article, as well as from citizens, are checked by the qualification board of judges on its own or are referred to the president of the corresponding court to be checked.

In order to conduct the check on its own, the qualification board of judges forms a commission from the members of the council of judges and of the qualification board of judges, as well as from representatives of the public and members of staff of the qualification board of judges. The results of the check are reported by the commission at a session of the qualification board of judges, which adopts a decision on the merits.

3. If an issue is raised regarding the early termination of powers of a judge due to commission by him of a disciplinary offence, or if there is information that he committed the aforementioned offence, which requires additional checks, and the judge earlier filed an application for termination of his powers on other grounds, the consideration of that application is stayed until the aforementioned issue has been considered.

#### Article 23. Adoption of Decisions by Qualification Boards of Judges

1. A qualification board of judges is authorised to adopt a decision, if more than a half of commission members are present at its session.

A decision is considered adopted, if more than a half of board members participating in the session vote for it.

A decision regarding the termination or suspension of judicial powers or of a judge's retirement is considered adopted, if more than two thirds of board members participating in the session vote for it.

2. The votes are cast and the decision is adopted in the absence of the judge in whose regard an issue is being considered, as well as in the absence of invited persons and other persons. A member of a qualification board of judges may state a dissenting opinion in written form. The opinion is attached to the minutes of the session of the qualification board of judges.

2.1. A decision following the consideration of an issue regarding the early termination of judicial powers due to the commission of a disciplinary offence or regarding the termination of a judge's retirement due to his engagement in activities incompatible with judicial office or in disreputable misconduct is adopted by secret vote of the members of the qualification board of judges. The manner of the secret vote is stipulated in the regulations on the work of the qualification board of judges.

2.2. If the qualification board of judges adopts a decision on early termination of judicial powers due to the commission of a disciplinary offence or regarding the termination of a judge's retirement due to his engagement in activities incompatible with judicial office or in disreputable misconduct, each decision must indicate the reasons for its adoption.

3. The decision of a qualification board of judges is signed by the member presiding over the session and by the board secretary. In case of absence of the board secretary, the board adopts a decision to temporarily vest one of the board members with his powers.

#### Article 24. Minutes of the Session of a Qualification Board of Judges

1. Separate minutes are conducted in regard of every issue considered at the session of a qualification board of judges, indicating all the necessary information about the course of the session. The minutes are signed by the board member presiding in the session and by the board secretary.

2. Within three days after being notified that the minutes are signed, the person in whose regard the issue was considered and the person that made the presentation may file written applications to the qualification board of judges, asking to read the aforementioned minutes, may read the minutes and submit their remarks. The aforementioned remarks are to be attached to the minutes of the session of the qualification board of judges.

3. The secretary of the High Qualification Board of Judges of the Russian Federation is a member of staff of the Judicial Department at the Supreme Court of the Russian Federation. Secretaries of qualification boards of judges of constituent entities of the Russian Federation are members of staff of bodies that are parts of the system of the Judicial Department in constituent entities of the Russian Federation.

#### Article 25. Period for Consideration of Materials by Qualification Boards of Judges

The materials received must be considered by the High Qualification Board of Judges of the Russian Federation no later than within three months, and by qualification boards of judges of constituent

entities of the Russian Federation – no later than within one month since their receipt by the boards, unless other periods are stipulated in federal laws.

#### Article 26. Appeals against Decisions of Qualification Boards of Judges

1. A decision adopted by a qualification board of judges may be appealed against in judicial manner or before the High Qualification Board of Judges of the Russian Federation (as regards decisions of qualification boards of judges of constituent entities of the Russian Federation) by the person, against whom such a decision was adopted.
2. Decisions of the High Qualification Board of Judges of the Russian Federation and of qualification boards of judges of constituent entities of the Russian Federation regarding the suspension or termination of judicial powers, holding of judges disciplinarily liable, suspension or termination of a judge's retirement, as well as regarding the refusal to provide a recommendation to a judicial position may be appealed against by interested persons within ten days since the day of receipt of a copy of the corresponding decision, except where Item 5 of this Article applies.
3. Decisions of qualification boards of judges of constituent entities of the Russian Federation regarding the refusal to provide a recommendation to a judicial position, regarding the holding of judges disciplinarily liable (except for decisions regarding the early termination of judicial powers for disciplinary offences), the suspension of a judge's retirement may be appealed against before the corresponding supreme courts of republics, courts of territories, regions, federal cities, a court of an autonomous region, courts of autonomous circuits.
4. Decisions of qualification boards of judges of constituent entities of the Russian Federation regarding the termination of judicial powers or the termination of a judge's retirement may be appealed against before the Supreme Court of the Russian Federation.
5. Decisions of the High Qualification Board of Judges of the Russian Federation regarding the refusal to provide a recommendation to a judicial position, regarding the holding of judges disciplinarily liable, suspension or termination of judicial powers, suspension or termination of a judge's retirement may be appealed against before the Supreme Court of the Russian Federation.
- 5.1. Decisions of the High Qualification Board of Judges of the Russian Federation and of qualification boards of judges of constituent entities of the Russian Federation regarding the refusal to satisfy the presentations made by the Chief Justice of the Supreme Court of the Russian Federation, by the presidents of supreme courts of republics, courts of territories, regions, federal cities, of a court of an autonomous region, courts of autonomous circuits, circuit (fleet) military courts regarding the termination of powers of judges of federal courts for commission of disciplinary offences may be appealed against before the Disciplinary Chamber of the Supreme Court of the Russian Federation.
6. Other decisions of qualification boards of judges may be appealed against in the manner stipulated in Items 1 and 2 of this Article only on the grounds of breach of procedure of their adoption.
7. Decisions of qualification boards of judges enter into force from the moment on which they are read out. Decisions of qualification boards of judges are read out immediately after they are adopted.

### **Chapter 3.1. Powers of Examination Commissions and the Conduction of Examination**

#### Article 26.1. Powers of Examination Commissions

1. The High Examination Commission examines a judicial candidate if the High Qualification Board of Judges of the Russian Federation is competent to give a conclusion on recommendation of that candidate to a judicial office.
2. An examination commission of a constituent entity of the Russian Federation examines a judicial candidate if the qualification board of judges of that constituent entity of the Russian Federation is competent to give a conclusion on recommendation of that candidate to a judicial office.
3. The High Examination Commission provides general and methodical guidance to examination commissions of constituent entities of the Russian Federation. The High Examination Commission gives clarifications to examination commissions of constituent entities of the Russian Federation on issues pertaining to the qualification examination of judicial candidates.
4. The High Examination Commission adopts the rules of examination commissions.



## Article 26.2. Organisation of Work of Examination Commissions

1. The work of an examination commission is organised by the president of an examination commission or, upon his instructions, by a deputy president of the examination commission or by a commission member.
2. An examination commission is authorised to conduct judicial qualification examination if at least a half of its members are present. Herewith, at least a half of the commission members present at the qualification examination must be judges.

## Article 26.3. Conduction of a Judicial Qualification Examination and Assessment of Knowledge of a Judicial Candidate

1. The manner of conducting a judicial qualification examination and assessing the knowledge of a judicial candidate is stipulated in the rules of examination commission, adopted by the High Examination Commission.
2. Examination papers are prepared separately for candidates to the positions of a judge of a court of general jurisdiction, of a commercial court, of a specialised court, and must contain three theoretical questions in different spheres of law, two tasks involving the issues of judicial practice and a written assignment regarding the drafting of a procedural document based on a model case.
3. Theoretical questions in examination papers are elaborated by the High Examination Commission; the judicial practice tasks, the tasks involving the issues of judicial practice and the written assignment regarding the drafting of a procedural document based on a model case are elaborated by the corresponding examination commissions and approved by the High Examination Commission.
4. For candidates to the position of a judge of a constitutional (charter) court of a constituent entity of the Russian Federation examination, papers are elaborated in accordance with the normative legal acts of the corresponding constituent entity of the Russian Federation.
5. The High Examination Commission elaborates exam papers and approves tasks involving the issues of judicial practice and written assignments regarding the drafting of a procedural document based on a model case with consent of the Supreme Court of the Russian Federation.
6. Information regarding the course of a judicial qualification examination and its results is laid down in the minutes, signed by the presiding member of the examination commission and the commission secretary. Task solutions and a draft procedural document based on a model case, prepared by judicial candidates, are attached to the minutes of the examination commission session and are stored in the commission archives for at least four years.
7. An excerpt from the minutes regarding the participation of a judicial candidate in a qualification examination is provided to the candidate at his request.
8. An examination commission issues a certificate containing the results of the qualification examination with marks on every question and an overall mark to a person that passed the judicial qualification examination. If the overall mark is a failing one, the aforementioned certificate is not issued.
9. The results of a judicial qualification examination are valid for three years since the day of passing of the qualification examination. Within that period, a judicial candidate may pass a different qualification examination for the position of a judge of a court of another level, another system, another type or of another constituent entity of the Russian Federation.
10. A candidate that started to answer the examination paper and refused to continue the judicial qualification examination, as well as a candidate that did not pass the qualification examination may file an application to this or another examination commission, asking for access to qualification examination no earlier than six months since the day of conduction of the qualification examination.
11. A judicial candidate may be refused access to qualification examination only on the grounds stipulated in federal law. If a judicial candidate is refused access to judicial qualification examination, such a decision must be reasoned and stated in writing.

## Article 26.4. Appeal against Decisions of Examination Commissions

1. A judicial candidate may appeal against a decision of an examination commission in judicial manner within ten days since receipt of a certificate containing the results of the judicial qualification examination. Decisions of the High Examination Commission are appealed against before the

Supreme Court of the Russian Federation. Decisions of examination commissions of constituent entities of the Russian Federation are appealed against before the supreme courts of republics, courts of territories, regions, federal cities, a court of an autonomous region, courts of autonomous circuits.

2. Decisions of examination commissions may be appealed against only on the grounds of breach of procedure of qualification examination.
3. A judicial candidate may appeal against the actions (failure to act) of an examination commission, as a result of which he was denied access to the qualification examination.

#### **Chapter 4. Support of Activities of Bodies of the Judiciary**

##### Article 27. Organisational Support of Activities of Bodies of the Judiciary

1. Organisational support of activities of bodies of the judiciary is provided by the Judicial Department at the Supreme Court of the Russian Federation and bodies that are parts of its system.
2. The Council of Judges of the Russian Federation, the High Qualification Board of Judges of the Russian Federation, the High Examination Commission provide methodical assistance to the corresponding bodies of the judiciary in their activities.
3. The identity document of the President of the High Qualification Board of Judges of the Russian Federation is signed by the President of the Council of Judges of the Russian Federation. Identity documents of members of the High Qualification Board of Judges of the Russian Federation and of presidents of qualification boards of judges of constituent entities of the Russian Federation are signed by the President of the High Qualification Board of Judges of the Russian Federation. Identity documents of members of qualification boards of judges of constituent entities of the Russian Federation are signed by presidents of corresponding qualification boards of judges of constituent entities of the Russian Federation.
4. The identity document of the President of the High Examination Commission is signed by the President of the Council of Judges of the Russian Federation. Identity documents of members of the High Examination Commission and of presidents of examination commissions of constituent entities of the Russian Federation are signed by the President of the High Examination Commission. Identity documents of members of examination commissions of constituent entities of the Russian Federation are signed by presidents of the corresponding examination commissions.

##### Article 28. Financial, Material and Technical Support of Activities of Bodies of the Judiciary

1. The Judicial Department at the Supreme Court of the Russian Federation and bodies that are parts of its system are tasked with creating the proper conditions for the activities of bodies of the judiciary, in particular for the support of their staff, creation of printing organs of bodies of the judiciary, as well as with the financial, material and technical support of activities of bodies of the judiciary.
2. The Judicial Department at the Supreme Court of the Russian Federation is tasked with financial, material and technical support of activities of the All-Russia Congress of Judges, of the Council of Judges of the Russian Federation and its Presidium, of the High Qualification Board of Judges of the Russian Federation and its Presidium, of the High Examination Commission tasked with judicial qualification examination.

##### Article 28.1. Payments to Law Professors of Higher Education Institutions, Scientific Workers Who Have a Scientific Degree in Law and Representatives of All-Russia Public Associations of Lawyers for Their Participation in the Work of Examination Commissions

1. Remuneration is paid to law professors of higher education institutions, scientific workers who have a scientific degree in law and to representatives of all-Russia public associations of lawyers for their participation in the work of examination commissions, and expenses caused by their business trips taken in order to participate in the work of examination commissions are reimbursed in the manner and amounts, stipulated by the Government of the Russian Federation.
2. During their participation in the work of an examination commission, law professors of higher education institutions, scientific workers who have a scientific degree in law and representatives of

all-Russia public associations of lawyers retain the guarantees and compensations provided at their main places of work in accordance with labour legislation.

## **Chapter 5. Closing Provisions**

### Article 29. Entry of this Federal Law into Force

1. This Federal Law enters into force from the day of its official publication.
  2. The High Qualification Board of Judges of the Russian Federation, formed before the entry into force of this Federal Law, exercises its powers until the appointment of representatives of the public and a representative of the President of the Russian Federation. Members of the High Qualification Board of Judges of the Russian Federation, formed before the entry of this Federal Law into force, exercise their powers until the end of the term, for which they were elected, together with the representatives of the public and the representative of the President of the Russian Federation in the composition of the High Qualification Board of Judges of the Russian Federation formed in accordance with this Federal Law.
  3. Qualification boards of judges of the Supreme Court of the Russian Federation, of constituent entities of the Russian Federation, of military circuits, military forces and fleets, commercial courts, as well as examination commissions formed before the entry into force of this Federal Law, continue to exercise their powers until corresponding qualification boards of judges and examination commissions stipulated in this Federal Law are formed, but for no longer than six months since the day of entry of this Federal Law into force.
  4. The Council of Judges of the Russian Federation, elected before the entry into force of this Federal Law, exercises its powers until the end of the term, for which it was formed.
  5. Councils of judges of the Russian Federation, of military circuits, military forces and fleets, commercial courts, elected before this Federal Law entered into force, continue to exercise their powers until the corresponding councils of judges of constituent entities of the Russian Federation, stipulated in this Federal Law, are elected, but for no longer than six months since the day of entry of this Federal Law into force.
  6. Within three months since the entry of this Federal Law into force, conferences and general meetings of judges are to be held in constituent entities of the Russian Federation in the manner stipulated in this Federal Law, at which judges are to be elected to the councils of judges of constituent entities of the Russian Federation and to qualification boards of judges of constituent entities of the Russian Federation.
  7. Qualification boards of judges and examination commissions, formed before the entry of this Federal Law into force, transfer all the documents, including the archives, to the newly formed corresponding qualification boards of judges and examination commissions.
  8. The terms of office of members of councils of judges and of qualification boards of judges, referred to in Items 3 and 4 of Article 8, Item 7 of Article 11 of this Federal Law, are counted on the premise that the first term of office is the term, for which a judge is elected after the entry of this Federal Law into force.
  9. From the day of entry into force of this Federal Law the following are abrogated:  
Decree of the Presidium of the Supreme Soviet of the RSFSR "On Approval of Regulations on Convention and Conduction of the Conferences of Judges of Courts of the RSFSR", 6 December 1989;  
Item 1 of Resolution of the Supreme Soviet of the Russian Federation "On Approval of Regulations on Qualification Boards of Judges and of Regulations on Qualification Attestation of Judges", No. 4960-1, 13 May 1993;  
Item 10 of Article 1 of Federal Law "On Amendments and Additions to Laws and other Normative Legal Acts of the Russian Federation due to Adoption of Federal Constitutional Law "On Commercial Courts in the Russian Federation" and of the Commercial Procedure Code of the Russian Federation", No. 144-FZ, 16 November 1997.
- It is established that from the day of entry into force of this Federal Law the Regulations on Qualification Attestation of Judges, adopted by Resolution of the Supreme Soviet of the Russian Federation "On Approval of Regulations on Qualification Boards of Judges and of Regulations on

Qualification Attestation of Judges”, No. 4960-1, 13 May 1993, applies in the part that does not contradict this Federal Law.

President of the Russian Federation  
V. Putin

Moscow, the Kremlin  
14 March 2002  
No. 30-FZ