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"A violation can be classified as minor only in exceptional circumstances. Applying provisions on minor cases should be justified", said Irina Romanenkova, the chief officer for liaison with courts of the Legal Department of the Federal Antimonopoly Service (FAS Russia), on 8th July 2010 at the Russian - American seminar on antimonopoly enforcement.

In her presentation on "Classifying minor violations of competition law and administrative leniency", Ms. Romanenkova said that under Article 2.9 of the Code of the Russian Federation on Administrative Violations if an administrative offence is classified as minor, a judge, or a body or an official authorized to solve the administrative case can relieve the persons that committed an administrative offence from administrative liability and confine to an oral reprimand.

A minor administrative violation is an action or an omission which has the signs of an administrative violation but in view of the nature of the offence and the role of the violator, the scope of harm and the gravity of consequences, it does not constitute any significant violation of protected public legal relations. "Such circumstances as personality, property status of a person brought to responsibility, voluntary elimination of the consequences of the violation, and compensation of inflicted damages do not indicate a minor violation", pointed out Ms. Romanenkova. "Such circumstances are to be taken into consideration when ordering administrative punishment".

Thus, administrative violations of the competition law can be classified as minor, based on a subjective assessment of a judge or an authorized body (an official) governed by the Code of the Russian Federation on Administrative Violations.

Most frequently administrative leniency due to a minor administrative offence takes place when a company violates the procedures and deadlines for submitting petitions to the antimonopoly authority.

Administrative offences committed by failure to meet the deadline specified by the antimonopoly authority in its request for data (information) also typically are classified as minor if the requested data (information) were submitted to the antimonopoly authority during proceedings on an administrative case after drawing up a protocol but before rendering the determination.

"Examining cases on imposition of administrative sanctions for such violations, arbitration courts often rule the administrative violation minor and relieve persons from administrative liability based on the circumstances of a particular case", added Irina Romanenkova.