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The Supreme court of the Russian Federation proposed to attribute minor crimes of businessmen to misdemeanors

On October 13, the Supreme court of Russia approved a bill according to which non-serious crimes of entrepreneurs will be classified as a criminal offense, for which the court exempts from criminal liability and only assigns a judicial fine. Therefore, if the committed crime is recognized as a criminal offense, the violator will not have a criminal record.

Under the concept of criminal misdemeanor will fall 7 elements of crimes of minor gravity, encroaching on property, including theft and fraud without aggravating circumstances.

In addition, 29 elements of crimes of small or medium gravity in the sphere of business and other economic activities will be classified as criminal offenses. These include articles about illegal formation of a legal entity, evasion of customs payments, copyright infringement, fraud in the field of lending, embezzlement, and more. Thus, in the absence of aggravating circumstances and compensation for harm, they are supposed to be attributed to a criminal offense with exemption from criminal liability and a court fine.

In total, the bill proposes to classify 112 elements of crimes as criminal offenses, including 53 elements of crimes in the economic sphere.

For criminal misconduct, a court fine will be imposed or free public work from 30 to 240 hours, or limited paid work (5-10% of the salary is deducted in favor of the state).

As highlighted in the explanatory Memorandum, the relevant acts as criminal misdemeanor, provided that they are done face for the first time, that is, if at the time of its Commission, the person had no previous unserved or unremoved sentence and is not released from criminal liability for criminal misconduct within one year prior to the date of Commission of this crime.

It is assumed that the concept of criminal misdemeanor will become a transitional concept between an administrative offense and a criminal offense.

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