



RIIGIKOHUS

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Constitutional Judgments

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3-4-1-31-15 [50]	Constitutional review of § 7 (1) and § 8 (4)–(6) of the Code of Administrative Court Procedure and the applicant to bring a complaint against the Social Insurance Board in Tallinn Administrative Court
3-2-1-146-15 [54]	Claimant's action against defendants I–IV to annul a decision of the general meeting of defendants I–IV with different wording, alternatively to require submission of declarations of intent to pay in the amount of 4 221 283 euros and 77 cents and penalty for late payment, and alternatively to require payment of 287 euros and penalty for late payment. Applications by claimants I–V for determination of the amount of the claim

3-4-1-59-14 [55]	Review of the constitutionality of subsections 1 and 15 of § 57 of the State Fees Act in combination with the State Fees Act (version in force from 1 July 2014 to 31 December 2014) and of subsections 1 and 15 of § 5 of the State Fees Act (version entered into force on 1 January 2015, in combination with Annex 1 thereto)
3-4-1-55-14 [56]	Review of the constitutionality of subsection 1 of § 2, subsection 1 of § 3 of and the Annex 1 to the Government of the Republic of 21 February 2005 “Threshold values for mark-up in wholesaler products and procedure for implementation thereof”
3-4-1-14-15 [57]	Constitutional review of clause 11 of subsection 3 of § 11 of Regulation no. 16 of the Tallinn City Government of 14 February 2015 “Taxi Service Rules for Tallinn”
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3-4-1-1-14 [61]	To declare unconstitutional and repeal subsection 2 of § 1327 of the Courts Act and reverse the decision of the Constitutional Court based on clause 2 of § 3 of the Temporary Organisation of Payment of Salaries Bound by the Courts Act, the Salaries of Higher State Servants Act and Courts Act Amendment Act to the extent that the decision is based on the fact that for recalculating the former old-age pensions of judges based on the salary of members of the Constitutional Court, judges, county court judges and administrative court judges.
3-2-1-153-13 [62]	Claim by Baltforce OÜ (former name HIPHOP OÜ) against Aktsiaselts Uvic for identifying and protecting the legal protection of a trademark. Request to determine procedural expenses.
3-4-1-54-13 [63]	Review of the constitutionality of subsections 1, 3, 5 and 6 of § 377 of the Code of Criminal Procedure
3-4-1-29-13 [64]	Review of the constitutionality of subsection 2 of § 1251 of the Courts Act.
3-4-1-17-13 [65]	Review of the constitutionality of subsection 1 of § 56 of and Annex 1 to the State Fees Act (version in force from 1 January 2009 to 31 December 2010) to the extent that a state fee of 35 000 Estonian kroon is charged for a claim in a civil case with a value of more than 300 000 to 350 000 Estonian kroons.
3-4-1-52-13 [66]	Review of the constitutionality of subsection 3 of § 11 of the Land Tax Act.
3-4-1-42-13 [67]	Review of the constitutionality of § 251 of the Code of Criminal Procedure Implementation
3-4-1-27-13 [68]	Request of the Chancellor of Justice for declaring in part unconstitutional and repealing the Government of the Republic Regulation No. 171 of 12 November 2009 “Rates of Water Abstraction Charge for Surface Water Bodies or Aquifer” and § 1 of Government of the Republic Regulation No. 172 of 12 November 2009 “Rates of Extraction of Mineral Resource Reserves Belonging to the State”.
3-4-1-2-13 [69]	Review of the constitutionality of subsections 1 to 3 of § 421 “Restrictions on issue and sale of medicinal products in a general pharmacy” of the Medicinal Products Act.
3-2-1-4-13 [70]	Appeal of E.D. M against a decision of enforcement officer Mati Roodes to impose a coercive measure no. 026/2010/447.

3-4-1-4-12 [71]	Appeal by AS Pärnu Kalur Holding, AS Saare Kalur, AS A.O. Imbi (bankrupt), AS Lihakombinaat (bankrupt), AS Volta, OÜ Kommunaar (in liquidation), OÜ Belesta, AS Ba & Metals Limited, Kreenholmi Valduse AS (bankrupt) and AS Latvijas Kugnieciba for Riigikogu of 15 February 2012 “Compensation of Claims Secured by Certificates of the Na
3-4-1-7-13 [72]	The request of Tallinn Administrative Court to declare unconstitutional and repeal the first the Parental Benefits Act to the extent that, in a situation where a person receiving the maximum subject to social tax exceeding the benefit rate, it produces a result where the total income (benefit plus additional income) decreases in comparison with a situation where the person income.
3-4-1-25-13 [73]	Appeal by LRS Finance SA of 31 May 2013.
3-2-1-140-12 [74]	Lembit Lambing’s request for a refund of the state fee.
3-3-1-44-11 [75]	Action of Petr Dmitruk and Nadezhda Dmitruk against decision no. 15.3-04/158 ja 15. Guard Board of 23 March 2010.
3-3-1-15-10 [76]	An action of K. M. for claiming compensation in the amount of 79,422 kroons for damage o
3-3-1-35-10 [77]	An action of Ülar Kaas for claiming compensation in the amount of 254,087 kroons for Estonia.
3-4-1-1-12 [78]	Verification of constitutionality of § 19(2)2) of the Anti-corruption Act.
3-4-1-25-11 [79]	A request of the Chancellor of Justice to declare § 1581(1) of the Law of Property Act and Property Act Implementation Act in conjunction with § 154(2) to (4) of the Law of Property to the extent they do not prescribe a sufficient payment to the owner of an immovable networks or utility works required in public interests, and the first sentence of § 1582(1) to payment provided for in § 154 of the Law of Property Act Implementation Act.
3-4-1-6-12 [80]	A request of the Chancellor of Justice to declare Article 4(4) of the Treaty establishing signed on 2 February 2012 in Brussels to be in conflict with the Constitution.
3-1-2-2-11 [81]	Criminal matter of conviction of Henrik Antsov pursuant to § 184(2)1) and 2) of the Penal
3-4-1-16-10 [82]	Review of the constitutionality of § 87 ² of the Penal Code.
3-4-1-12-10 [83]	Verification of the constitutionality of § 57(6) of the Health Insurance Act in the part it pr of persons who are at least 65 years of age for more than a total of 90 calendar days per cal

3-4-1-7-11 [95]	Complaint of Teet Raatsin for declaration of invalidity of the voting results of the Riigikogu election
3-3-1-22-11 [84] 3-4-1-6-11 [96]	Complaint of Henn Põlluaas for annulment of electronic votes cast in the Riigikogu election An action of Ljudmilla Dovženko for compensation for damage caused by the Republic of Estonia
3-4-1-4-11 [97]	Complaint of Paavo Pihtelgas for annulment of electronic votes cast in the Riigikogu election
3-3-1-33-11 [85] 3-4-1-10-10 [98]	An action of OÜ Akos Apteek for ordering for compensation for loss of profit during the period of 21 December 2009 from the Government of the Republic of Estonia for delay of 684,780 kroons and fines for § 36(4) of the Code of Administrative Offences; Request of OÜ for ordering for compensation for loss of profit during the period of 21 December 2009 from the Government of the Republic of Estonia for delay of 684,780 kroons and fines for § 36(4) of the Code of Administrative Offenses;
3-4-1-5-10 [99]	Government of the Republic 338,307 kroons and fines for delay of 4,928 kroons; an action of Repressants of the Tallinn Municipality for ordering for compensation for proprietary damage of 285,163 kroons and fines for delay of 18,536 kroons; an action of OÜ Karmil order from the Government of the Republic compensation for proprietary damage of 285,163 kroons and fines for delay of 18,536 kroons;
3-4-1-33-09 [100] 3-4-1-9-10 [86]	Request of the Chancellor of Justice of 18 December 2009 to declare § 51 and § 711 of the Criminal Procedure Act unconstitutional; Request of 672 Tallinn Local Government Councils to declare § 194(c)(ii) of the Criminal Procedure Act and § 732 of the Civil Service Law unconstitutional.
3-3-1-6-20-10 [87]	An appeal of AS WINDO STARK CRUISE against the Republic of Estonia Court Decision No. By-5-10-010101 of 10 November 2009. http://www.coe.ee/ [102], http://www.oiguskantsler.ee/ [103] and http://www.rriigikogu.ee/ precept to the prison.
3-2-1-60-10 [88] 3-4-1-25-09 [105]	An action of Konekesko Eesti AS against Ain Kirsi for receiving 2,746,833 kroons as payment of the Tallinn City of Ain Kirsi for declaring 2,746,833 kroons and § 131(2) and (3) of the Code of Administrative Offences with the provision of Annex 1 to the State Fees Act, which prescribes the obligation to pay fees for services provided;
	civil matter with a value of up to 1 000 000 kroons.
3-4-1-18-10 [89]	A request of Oleg Ossinovski.
3-4-1-16-09 [106] 3-4-1-6-10 [90]	Review of constitutionality of the second sentence of § 8(1), § 8(4) and the first sentence of paragraph 3.1 of the Regulation of the Chancellor of Justice for the declaration of invalidity of § 1 of the Tallinn Water Supply and Sewerage System Fee Act June 2009 no. 75 "Prices for water supply and leading off waste water services provided by public utility companies";
	Tallinn public water supply and sewerage system".
3-4-1-8-09 [107]	Request of the Tallinn City Council to declare the following unconstitutional and invalid:
3-4-1-11-10 [91]	1) § 16 of the 2009 Supplementary Budget Act and Related Acts Amendment Act and the first sentence of paragraph 3.5 of the "Procedure for payment of social benefits not dependent on employment status" by a Tallinn City Council regulation no. 13 of 10 February 2005. 2) subsection 17 (1) of the Supplementary Budget Act and clause 5 (1) 1) of the Income Tax Act established by them;
3-3-1-85-10 [92]	3) subsections 19 (2) and (3) of the Supplementary Budget Act and §§ 122 and 313 of the Financial Services Supervision Act established by them; An action of OU Baltic Wind Energy for the annulment of the Government of the Republic of Estonia decision of 27 July 2006 no. 176 "Placement of wind turbines in Saare County"" in the part the immovables Roostiku, Nuka, Kadastiku, Krusaku, Ristküla, Vihula, Võhma, Voilaiu limited-conservation area. 5) subsection 16 (4) of Regulation No. 49 of the Government of the Republic of Estonia March 2009 "Detailed List of Immovable Cultural Heritage Objects"
3-3-1-69-09 [93]	An appeal of Vaike Oiglane for compensation for damage caused by unjust arrest conditions and procedure of Division of Budget Equalisation Fund Allocations of Local Authorities
3-3-1-85-09 [94]	Action of Gregor Smirnov for compensation for non-proprietary damage caused by a criminal investigation conducted by the Estonian Security Forces Inspectorate under the Assumption of Obligations and Evaluation of Request and Procedure for Refunding Suspension of Proceedings

3-4-1-22-09 [108]	Request of Raivo Paala to declare that the procedure for submitting appeals against the a the prosecutor's office, provided by Division 5 of Chapter 8 of the Code of Criminal Pro protection; to establish that the lack of an effective remedy for appealing against the activ prosecutor's office has resulted in the infringement of Raivo Paala's fundamental rights; t Paala for the moral damage arising from the violation of fundamental rights.
3-3-1-41-09 [109]	Action of Annela Külm applying for the declaration of unlawfulness of the Lõuna Police July 2008, and for the ordering of payment of compensation.
3-4-1-20-09 [110]	Complaint of the Estonian Centre Party faction against the Board of the Riigikogu resolutio
3-4-1-14-09 [111]	Review of constitutionality of § 952 of the Maritime Safety Act, of § 6(1)13) of the Merc in force until 24 April 2004); of clause 13 of the Government of the Republic regulatio Establishment of Legislation Arising from the Merchant Shipping Code" of 7 January authorisation to the Minister of Transport and Communications to establish the rates of lig and the bases and procedure for the provision of subsidies; of the Minister of Transport 113 "Rates of lighthouse dues and ice breaking dues and the bases and procedure for December 2001; and of § 501(1), § 502, § 504, § 505, § 506 and § 507 of the Maritime from 25 April 2004 until 2 June 2005) to the extent that these do not establish a sufficient for the collection of lighthouse and ice breaking dues.
3-4-1-9-09 [112]	Request of the Koigi rural municipality council to declare unconstitutional and repeal th 34(2) of the Earth's Crust Act.
3-4-1-10-09 [113]	Review of constitutionality of § 218(3) and (4), § 344(2), the first sentence of § 654(21) Procedure.
3-4-1-6-09 [114]	Request of the Tallinn Circuit Court to declare § 56(181) of the State Fees Act to the exte 200 kroons shall be paid upon filing of an appeal against a ruling rendered in an administrat
3-4-1-12-09 [115]	Request of the Chancellor of Justice to declare §§ 1 and 2 of the Tallinn City Council "Amendment of the Statutes of Tallinn" partly unconstitutional and § 3 thereof partly uncon
3-4-1-4-09 [116]	Request of the Tallinn City Council to repeal § 105(6) of the Taxation Act, and § 11(1) regulation no. 51 of 19 December 2008 "Procedure for recording in the accounts, p obligations administered by the tax authority for state taxes".
3-4-1-3-09 [117]	Review of constitutionality of § 50(3) and § 461 (in the wording in force from 26 Septemb Minister of Justice regulation no. 72 of 30 November 2000 "Internal Rules of Prison".
3-4-1-2-09 [118]	Review of constitutionality of § 7(2)5), § 8(4) and § 9(2) of the Local Government Council

3-4-1-7-08 [119]	Review of constitutionality of §§ 126(6), 129(1) and 129(2) of the Public Procurement Act.
3-4-1-15-08 [120]	Review of constitutionality of § 1(4), the parts of the first sentence of § 6(1) reading “bordering immovables [...] and shall set them the term of one month for submission of suitable land for the purpose of joining the lands to their plots”, § 6(2) and the first sentence of Republic Regulation no. 50 of 22 February 2007 “Procedure for privatisation of land and the Land Reform Act”.
3-4-1-1-09 [121]	Review of constitutionality of § 28(1)25) of the Public Information Act
3-3-1-59-07 [122]	Action of Ardi Šuvalov for the annulment of the Minister of Justice directive no. 233-k of 2007
3-4-1-16-08 [123]	Review of constitutionality of § 43(1)2) of the Weapons Act.
3-4-1-17-08 [124]	Petition of the Tallinn City Council for the declaration of invalidity of § 7(1)3), § 7(2) and § 7(3) of the Tallinn City Act.
3-4-1-18-08 [125]	Petition of the President of the Republic of 11 December 2008 for declaration of unconstitutionality of the Procedure for Remuneration of Members of the Riigikogu Act.
3-4-1-12-08 [126]	Request of Raivo Paala to declare that the Tartu County Court proceeding in criminal case no. 100/08 is unreasonably long and thus violates his right to a proceeding within a reasonable time; that the general application regulating the hearing of appeals concerning unreasonably long proceedings and compensation is in conflict with the Constitution and the European Convention for the Protection of Fundamental Freedoms; and to award just compensation for the moral damage caused by the proceedings.
3-4-1-14-08 [127]	Petition of the Tallinn City Council for the declaration of invalidity of § 32(1) of the Accounting Act, the Minister of Finance Regulation no. 105 of 11 December 2003, and for the declaration of unconstitutionality of the Standards Board Guideline RTJ 17.
3-4-1-8-08 [128]	Review of constitutionality of § 28(2)3) of the State Pension Insurance Act to the extent that the years of pensionable service shall include time during which a person is in compulsory military service referred to service from Estonia”.

3-3-2-1-07 [140]	Actions of Ivo Jurno, Meeri Konno, Pavel Žukovets, Vladimir Solovjov, Tõnu Eichler, Helmut Gude, Jevgenia Nugis, Kiira Chagall, Asta Kortel, Janika Toompere, Lembit Nokkur, Valvart, declaration of illegality of CRCUEP decision no 4032 of 24 October 1994 and of the Tallinn City Government order no 1799-k of 30 January 1995.
3-4-1-17-07 [141]	The Tartu Circuit Court judgment of 29 June 2007 declaring § 14(2) of the Act on Amendment of the Land Reform Act and Legislation Related to Land Reform unconstitutional.
3-3-1-15-07 [142]	Action of Ülo Kalda for the compensation for damage caused by unjust deprivation of liberty.
3-3-1-101-06 [143]	Action of Tatjana Gorjatšova for the annulment of the Government of the Republic order no 1799-k of 30 January 1995.
3-3-1-41-06 [144]	Action of Sten Liebert for annulment of the Tallinn City Government order no 1799-k of 30 January 1995.
3-4-1-18-07 [145]	Judgment of the Tallinn Circuit Court of 28 June 2007 declaring clause 1 of “Headings of List of Commodities, under which soft drinks belong“, approved by Regulation no 24 of the Ministry of Economic Affairs, unconstitutional.
3-4-1-15-07 [146]	Petition of the Tallinn Administrative Court of 1 June 2007 to review the constitutionality of the wordings in the wording in force until 30 November 2006 (incl.).
3-4-1-14-07 [147]	Petition of the Tallinn Administrative Court of 30 May 2007 to review the constitutionality of clauses 133(1) and(3) of the Public Service Act.
3-4-1-12-07 [148]	Petition of the Tallinn Administrative Court of 9 May 2007 to review the constitutionality of the wordings in the Tax Act.
3-4-1-9-07 [149]	Petition of the Tartu County Court to review the constitutionality of § 2521 of the Bailiffs Act.
3-4-1-4-07 [150]	Petition of Tallinn City Council to declare § 8(2) and § 9(4) of the Protection of War Graves Act unconstitutional.
3-4-1-2-07 [151]	Petition of Tallinn Circuit Court to declare the fourth sentence of clause 3 of “Procedure for the removal of a structure“, approved by Government of the Republic Regulation No 144 of 30 January 1995, in force from 13 June 1999 until 17 October 2003, unconstitutional.

3-4-1-11-05 [161]	Petition of the President of the Republic to declare the Riigikogu Internal Rules Act Amend
3-4-1-13-05 [162]	Petition of the President of the Republic to declare the Local Government Council Election
3-4-1-16-06 [152]	the Riigikogu on 28 June 2005, is unconstitutional and to declare section 6 of "Procedure for privatisation
3-4-1-2-05 [163]	review of constitutionality of subsections § 413(1), (4) and (8) of 18 June 1996, in its ent
3-3-1-1-05 [164]	extent that it requires that for participation in an auction a copy of a payment document of t
3-4-1-9-05 [165]	Review of constitutionality of subsections § 413 (1) and (10) of Traffic Act.
3-4-1-14-06 [153]	Action of the Republic of Estonia against Rein Uustalu claiming the overpaid early-retirem
	Petition of the President of the Republic for the declaration of unconstitutionality of the Act
	kroons.
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3-4-1-5-05 [166]	
3-4-1-9-06 [154]	Petition of Jõhvi Rural Municipality Council to review the constitutionality of § 143 of the E
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3-4-1-8-06 [155]	be declared invalid.
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3-4-1-10-05 [167]	the National Defence League
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	Mati Kadak unconstitutional.
3-3-1-63-05 [156]	
3-4-1-8-05 [168]	Appeals of Rutt Baudkepp against resolution No 101 of the Riigikogu of 21 March 2005, a
	Appeal of Beate Bodemann and Thomas Bodemann for the invalidation of decision No 124
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	2005, and against resolution No 812 of the President of the Republic of 13 April 2005.
3-4-1-3-06 [157]	
3-4-1-3-05 [169]	Opinion of the members of the Riigikogu Chamber of the Supreme Court in the interpretation of t
	Riigikogu of 14 December 2004, refusing the registration of the faction of the Estonian Soc
3-4-1-43-05 [168]	Petition of the Tallinn Administrative Court to review the constitutionality of the second sente
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3-4-1-4-96 [248]	Review of the petition of the Administrative Law Chamber of the Supreme Court of 11 November 1996 to declare clause 2 and appendix to the Government of the Republic Regulation no. 486 of 28 December 1993, and the Government of the Republic Regulation no. 408 of 21 December 1993 and to the organisation of the retail of vodka", because of the conflict thereof with § 87 (6) of the Constitution.
3-4-1-3-96 [249]	Review of the petition of the Administrative Law Chamber of the Supreme Court of 11 November 1996 to declare clauses 2 and 3 and the appendix to the Government of the Republic Regulation no. 486 of 28 December 1993, and the Government of the Republic Regulation no. 408 of 21 December 1993 and to the organisation of the wholesale and retail of vodka”, as well as clause 5 of the “Instructions for the organisation and sale of alcohol, tobacco and tobacco products”, approved by the Government of the Republic of 1 January 1994, because of the conflict thereof with § 87 (6) of the Constitution.
3-4-1-2-96 [250]	Review of the petition of the Chancellor of Justice of 21 June 1996 for the declaration of invalidity of the Privatisation of Dwellings Act and “Re-nationalisation and Privatisation of Property of Co-operatives and Non-profit Organisations Act” Amendment Act.
3-4-1-1-96 [251]	Review of the petition of the President of the Republic of 9 April 1996 for the declaration of invalidity of the Non-profit Associations Act, passed on 1 April 1996.
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III-4/A-7/94 [260]	Review of the petition of the Chancellor of Justice for the declaration of invalidity, under § 142(2) of the Constitution, of the Tallinn City Council Resolution no. 52 of 31 March 1994, entitled "Paid and Unguarded Parking for Motor Vehicles".
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III-4/A-3/94 [264]	Review of the petition of the President of the Republic, submitted under § 107 of the Constitution, for the declaration of unconstitutionality of the Decorations Act.
III-4/A-2/94 [265]	Review of the petition of the Chancellor of Justice, submitted under § 142(2) of the Constitution, for the declaration of invalidity of clause 2 of the Government of the Republic Regulation no. 223 of 23 July 1993 approving the "Temporary procedure for the application of special operational measures on the basis of § 152(2) of the Constitution".
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III-4/A-4 [267]	Review of the petition of the President of the Republic, submitted under § 107 of the Constitution, for the declaration of unconstitutionality of the Taxation Act, passed by the Riigikogu on 28 September 1993.
III-4/A-3 [268]	Review of the petition of the Chancellor of Justice, submitted pursuant to § 142(2) of the Constitution, for the declaration of invalidity of the Sillamäe City Council resolution of 6 July 1993, entitled "On the implementation of the decision of the participants of the meeting of 30 June 1993".
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