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LAW OF THE REPUBLIC OF ARMENIA ON GARBAGE COLLECTION AND SANITATION			

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 23 June 2011

ON GARBAGE COLLECTION AND SANITATION

CHAPTER 1

GENERAL PROVISIONS

Article 1. Subject matter of the Law

1. This Law shall regulate the relations pertaining to garbage collection and sanitation in the Republic of Armenia, shall define the principles of organisation of the process of garbage collection and sanitation, the garbage collection fee,

the rates thereof, the scope of payers, their rights and obligations, the procedure for payment, liability for failure to pay, failure to fulfil or improper fulfilment of obligations and the procedure for exercise of powers of local self-government bodies in the fields of organising garbage collection and sanitation.

2. Except for the cases directly provided for by this Law, the relations pertaining to hazardous wastes shall not be regulated by this Law.

Article 2. Legal regulation on organising garbage collection and sanitation

1. The relations pertaining to garbage collection and sanitation shall be regulated by the Constitution of the Republic of Armenia, this Law, the Laws of the Republic of Armenia “On local self-governance”, “On local self-governance in the city of Yerevan”, “On wastes” and “On local duties and fees” and other legal acts.

Article 3. Main concepts used in the Law

1. The following main concepts shall be used in this Law:
 - (1) **garbage collection** — collection and maintenance of the garbage originating in settlements, its transportation to and placement in dumps;
 - (2) **garbage** — household garbage, non-household garbage and garbage in large dimensions;
 - a. **household garbage** — waste originating as a result of consumption and/or life activities of a human being, in accordance with the Law of the Republic of Armenia “On wastes”;
 - b. non-household garbage:
 - **industrial garbage** — production and industrial and/or consumption wastes originating during the activities of legal persons and individual entrepreneurs;

- **construction garbage** — wastes originating during urban development activities, those originating from construction repair, as well as the reconstruction and destruction of buildings;
 - c. **garbage in large dimensions** — production and consumption wastes originating as a result of life activities of a human being or during the activities of legal persons or individual entrepreneurs, which given their physical characteristics (including the size, amount or weight) are impossible to be collected, maintained or transported by the technical means usually applied and designed for household garbage;
- (3) **sanitation** — cleaning the garbage, leaves, dust, carcasses of animals in the areas of common use (streets, gardens, parks, squares, yards, sideways, passages, bridges, lawns, beaches and other areas of common use) of a community, as well as washing the road traffic sections of the streets, cleaning the snow and ice on the streets, bridges, passages and sideways, handling of garbage bins placed for common use in a community;
- (4) **operator** — an organisation(s) or individual entrepreneur(s) providing the community with garbage collection and/or sanitation services.
2. The concepts not covered by this Law shall have the meaning of the concepts defined by the Law of the Republic of Armenia “On wastes”.

Article 4. Main objectives of garbage collection and sanitation and principles of organisation of the process

1. The main objectives of garbage collection and sanitation and the principles of organisation of the process shall be as follows:
- (1) reduction and neutralisation of negative (hazardous) impact of garbage on the health of a human being and on environment;
 - (2) ensuring suitable and ecologically safe conditions for residence;

- (3) impermissibility of pollution and emergence of piles of garbage in areas, and cleaning of garbage in areas;
- (4) mandatory and regular garbage collection and sanitation, in accordance with the scheme of sanitation provided for by this Law;
- (5) garbage collection on a paid basis;
- (6) creation of conditions for sorting, using and recycling the wastes to be utilised, and reduction of the amount of wastes placed in dumps;
- (7) ensuring, by local self-government bodies, accessibility of information and public awareness on garbage collection and sanitation;
- (8) mechanisation of garbage collection and sanitation works;
- (9) inter-community co-operation in respective sector;
- (10) implementation of sanitation works at the expense of community budget or within the framework of the PPP program envisaged by the Law of the Republic of Armenia “On public-private partnership”.

(Article 4 supplemented by HO-119-N of 28 June 2019)

Article 4.1. Powers of the Government of the Republic of Armenia in the field of garbage collection and sanitation

1. Competences of the Government of the Republic of Armenia in the field of garbage collection and sanitation shall be as follows:
 - (1) developing state policy in the field of garbage collection and sanitation and coordinating the implementation thereof;
 - (2) coordinating the activities of state administration bodies in the field of garbage collection and sanitation;

- (3) introducing modern technologies for garbage collection, mechanisms for waste collection, sorting, transportation, maintenance, safe disposal;
- (3.1) establishing the authorised state administration body in the field of garbage collection and sanitation;
- (4) other powers provided for by law.

(Article 4.1 supplemented by HO-330-N of 22 May 2018, HO-165-N of 10 September 2019)

Article 4.2. Powers of the authorised state administration body in the field of garbage collection and sanitation

1. Competences of the authorised state administration body in the field of garbage collection and sanitation shall be as follows:
 - (1) participation in elaboration of state policy in the field of garbage collection and sanitation;
 - (2) drawing up of targeted programmes of territorial significance in the field of garbage collection and sanitation;
 - (3) development and coordination of programmes aimed at improvement of garbage collection services;
 - (4) development of draft legal acts regulating the field of garbage collection and sanitation;
 - (5) coordination of activities of destructing (liquidating) dump sites not under control and not licensed;
 - (6) participation in international co-operation in the field of solid waste use;
 - (7) other powers provided for by law.

(Article 4.2 supplemented by HO-330-N of 22 May 2018)

Article 5. Garbage collection fee

1. The garbage collection fee shall be deemed to be the mandatory community or extra-budgetary payment in the amount defined by the Council of Elders of a community as prescribed by this Law and within the scope of the rates established by this Law for garbage collection paid by payers referred to in this Law.

Article 6. Scope of payers of garbage collection fee

1. The payers of garbage collection fee shall be the natural persons (including the individual entrepreneurs and the licence fee payers) considered as owners of immovable property, including of residential buildings, or those possessing or using this property under any other right, ,legal persons, institutions, state and local self-government bodies in the administrative territory of a community, whereas in case of possession by a citizen or legal person on the ground of lease or gratuitous use of immovable property falling under the ownership of the State or community — the lessee, the user on gratuitous basis.

If, within the meaning of this Law, more than one person is considered as a payer of garbage collection fee for the same property, they shall be jointly liable in respect of the obligations defined by this Law for garbage collection fee.

2. Those who generate construction garbage and garbage in large dimensions shall be exempt from garbage fee if the mentioned garbage is transported and placed by their own means, on the ground of authorisation provided for by part 4 of Article 8 of this Law or on the ground of the agreement concluded, as prescribed by law, with the persons provided for by part 3 of the same Article.
3. The Council of Elders of a community may set privileges in respect of garbage collection fee for persons of a special category. The Council of Elders of a community shall be prohibited from setting individual privileges.

Article 7. Funding for garbage collection and sanitation works

1. The garbage collection and sanitation works implemented in the territory of a community shall be funded from the community budget under a special expenditure programme(s) or from the extra-budgetary account. Financing of the works referred to in this part, within the framework of the PPP programme envisaged by the Law of the Republic of Armenia “On Public-Private Partnership”, may be carried out from other sources.

(Article 7 supplemented by HO-119-N of 28 June 2019)

Article 8. Those implementing garbage collection and sanitation works

1. The garbage collection and sanitation works shall be implemented, upon the decision of the Council of Elders of a community, at the expense of community budget, directly by community institutions or the operator selected as prescribed by the legislation on procurements for the needs of community. Within the framework of the PPP programme envisaged by the Law of the Republic of Armenia “On Public-Private Partnership”, garbage collection and sanitation works may be financed and/or implemented as prescribed by the PPP contract.
2. Persons prescribed by part 1 of this Article may collect and transport garbage in large dimensions, in accordance with the rates approved by the Council of Elders of the given community.
3. The legal person or individual entrepreneur may, in accordance with the requirements set by the Council of Elders of a community, collect and transport the construction garbage and garbage in large dimensions based on the authorisation for collection and transportation of garbage as prescribed by this Article.
4. The authorisations for collection and transportation of garbage may be issued also to those paying garbage collection fees for construction garbage and garbage in large dimensions in order to collect and transport the garbage independently.

5. The authorisation for collection and transportation of garbage shall be issued by the head of community, under the conditions and procedure established by the Council of Elders of the community.
6. The conditions and procedure for issuing authorisation for collection and transportation of garbage must be targeted at the goals and principles provided for by Article 4 of this Law, as well as the schedule provided for by part 4 of Article 10 of this Law and at assurance of garbage collection in accordance with the requirements of Article 12 of this Law.
7. The authorisations for collection and transportation of garbage shall be issued for specific number of payers of garbage collection fee, on paid basis. The rates of authorisation fees shall be set by the Council of Elders, which, nevertheless, may not exceed 20 per cent of the rates to be estimated, as prescribed by Article 14 of this Law, by corresponding payer of garbage collection fee.

(Article 8 supplemented by HO-235-N of 16 December 2016, HO-119-N of 28 June 2019)

CHAPTER 2

REQUIREMENTS TO GARBAGE COLLECTION AND SANITATION

Article 9. Requirements to the organisation of garbage collection and sanitation

1. Garbage collection and sanitation shall be deemed to be mandatory works implemented on a regular basis, in observance of the requirements of the sanitary-hygienic rules and norms defined by legislation.

Article 10. Requirements to garbage collection and maintenance

1. Household garbage shall be collected and/or maintained in the places especially specified or designed for this purpose within areas of common use of a community, and in receptacles provided by the community or operator — in garbage bins or containers, as well as in garbage receivers, in observance of the requirements of established sanitary-hygienic rules and norms.
2. In case of the garbage originating in the areas of common use of a community, the community or operator shall place garbage bins or containers in accordance with sanitary-hygienic rules and norms as well as with the scheme of sanitation.
3. Non-household garbage, as well as garbage in large dimensions shall be collected and maintained in garbage bins or containers acquired by payers of garbage collection fee or provided by the community or operator or by persons referred to in part 3 of Article 8 of this Law, and designed for this garbage, which, in their turn, shall be placed in corresponding areas for payers of garbage collection fee, unless otherwise established by the Council of Elders of a community. Moreover, the community or operator may provide garbage bins or containers on lease basis, upon the request of payers of garbage collection fee.
4. The procedure for garbage collection, including the minimum schedule for garbage collection, the places where garbage bins or containers are to be placed, their types and quantity shall be approved by the Council of Elders of a community upon submission by the head of community, in observance of the requirements of sanitary-hygienic rules and norms defined by the legislation of the Republic of Armenia. Moreover, the garbage must be transported prior to being completely filled in containers.
5. Maintaining and throwing garbage in the places not specified or designed therefor, shall be prohibited.

Article 11. Requirements to transportation of garbage

1. The transportation of garbage must be organised by reducing, to a minimum, the pollution of the environment.

Article 12. Requirements to placement of garbage

1. Garbage shall be placed in dumps licensed as prescribed by legislation or shall be subject to recycling.
2. Garbage shall be placed in dumps in observance of the requirements of exploitation of dumps and of sanitary-hygienic rules.
3. Placement of garbage in the places not specified therefor, shall be prohibited.

Article 13. Requirements to the scheme of sanitation

1. The scheme of sanitation shall contain the following main elements: approximate calculation of the amounts of garbage originating in a community, areas subject to sanitation, size of sanitation works, forms and methods of collecting, maintaining, transporting, placing, sorting and exercising the clearance of garbage, requirements to necessary machine-mechanisms and the installation of monuments subject to sanitation.
2. The scheme of sanitation shall be approved by the Council of Elders of a community.

CHAPTER 3

GROUND FOR PAYMENT OF GARBAGE COLLECTION FEE, ITS RATE, PROCEDURE FOR CALCULATION AND PAYMENT THEREOF

Article 14. Rate of the garbage collection fee

1. Garbage collection fee for solid household waste in residential buildings and/or premises, shall be established as follows:
 - (1) according to the number of record-registered persons — from fifty to four hundred Armenian Drams, per one month, for each resident record-registered and/or residing in the community based on relevant address, in compliance with passport registration rules; or
 - (2) according to the total surface area of the residential building or apartment — from five to twenty-five Armenian Drams per each square meter of surface.
2. Garbage collection fee in non-residential buildings and/or premises shall be established according to the total surface area of building at following rates:
 - (1) from fifty to one hundred Armenian Drams per one square meter for buildings and premises designed for trade, public catering and household services;
 - (2) from twenty to fifty Armenian Drams per one square meter for hotel facilities, all types of transport stations (bus stations, airports, railway stations), rest houses, bases and camps, buildings and premises designed for sports;
 - (3) from fifteen to twenty Armenian Drams per one square meter for administrative, financial, communication buildings and premises, as well as those designed for healthcare;

- (4) from three to fifteen Armenian Drams per one square meter for scientific, educational and training buildings and premises, those designed for social security, culture, art, religious and worship buildings and premises, those designed for civil defence, and eight Armenian Drams per one square meter for military barrack;
- (5) from five to fifteen Armenian Drams per one square meter for production, industrial and agricultural buildings and premises (including parking lots);
- (6) in premises, wherein more than one separate economic activity is carried out, the garbage collection fee shall, for each section, be calculated in accordance with the rates set forth in points 1-5 of this part, according to the type of activity carried out in the section concerned, if the person obliged to pay the garbage collection fee informs the head of community thereof in writing, by attaching the scheme with an indication of surfaces of the mentioned sections, whereas in case of failure to inform the head of community thereof, it shall be calculated at the rate defined by points 1-5 of this part;
- (7) in premises (including separate parts of buildings intended for separate economic activities), where no activity is permanently or temporarily carried out, garbage collection fee shall not be calculated, if the person obliged to pay garbage collection fee informs the head of community about carrying out no activity, permanently or temporarily, in the premise, whereas in case of failure to inform the head of community thereof, it shall be calculated at the rate defined by points 1-5 of this part.

2.1. From fifty to one hundred Armenian Drams shall be established per one square meter for places of trade and public catering facilities, those of provision of services, which are outside buildings and premises.

- 2.2. In places of trade and public catering facilities, those of provision of household services, which are outside buildings and premises, where no activity is permanently or temporarily carried out, no garbage collection fee shall be calculated, if the person obliged to pay garbage collection fee informs the head of community about carrying out no activity permanently or temporarily in places of trade and public catering facilities, those of provision of services, which are outside buildings and premises.
3. In case of disagreement with the rates set forth in points 1-5 of part 2 of this Article for non-household garbage, as well as in respect of non-residential areas, the garbage collection fee shall be established as follows:
- (1) according to the amount — three thousands Armenian Drams per one cubic meter of garbage; or
 - (2) according to the mass — ten thousands Armenian Drams per one ton of garbage;
 - (3) the owner of a non-residential building and/or premise shall submit a written disagreement to the head of relevant community or to the persons referred to in part 1 of Article 8 of this Law, within three working days after concluding the contract on provision of garbage collection services.
- 3.1. The relations pertaining to garbage disposal in respect of buildings, premises and areas defined in part 2 of this Article shall be regulated by a contract concluded between the parties providing and receiving the garbage collection service.
4. The methods applied for setting garbage collection fees and the rates for garbage collection fees shall, for each community, be established as prescribed by law of the Council of Elders of a community, within the scope of the rates defined by parts 1-3 of this Article.

5. *(Part repealed by HO-165-N of 10 September 2019)*

(Article 14 edited by HO-330-N of 22 May 2018, edited, supplemented and amended by HO-165-N of 10 September 2019)

Article 15. Procedure for calculation of garbage collection fee

1. The reporting period for calculation of garbage collection fee shall be the calendar month.
2. In case of change of the owner of immovable property on any ground, the obligation in respect of garbage collection fee, not fulfilled by the previous owner, or the right to overpayment shall be transferred to the new owner.
3. The obligations in respect of garbage collection fee, born by the lessee of the immovable property falling under the ownership of the State or community or by the user on non-gratuitous basis, shall be transferred to the State or community, respectively, unless otherwise provided for by the transaction concluded with the new lessee or the user on non-gratuitous basis.
4. The obligation of a payer of garbage collection fee shall terminate by payment of funds or by death of the payer considered as a natural person, if:
 - (1) the immovable property of the payer has been placed under the ownership of a community on the ground of having been declared as non-heritable;
 - (2) the right of a deceased person to lease or to use on non-gratuitous basis the immovable property, placed under the ownership of the State or community, has not been transferred to another person.

Article 16. Recalculation and payment of less paid garbage collection fees in case of incorrect calculation of garbage collection fee by calculating entity

1. In case of incorrect calculation, by calculating entity, of garbage collection fee, on the day of notifying, in writing, of the less paid garbage collection fee:
 - (1) the calculated sums shall be paid by the payer of garbage collection fee for the entire period elapsed since the time limit of payment, but not more than for three years, if the false information provided by the payer of garbage collection fee served as a reason for incorrect calculation;
 - (2) the calculated fines for late payment of sums shall be paid by the calculating body, except for the cases referred to in point 3 of this part;
 - (3) the calculated fines shall not be calculated for late payment of sums, if the calculating body is the local self-government body;
 - (4) the calculated sums, referred to in points 1 and 2 of this part, shall be included and shall be subject to payment along with the payment for current month. The head of community may, together with the applicant and upon the application of the payer of garbage collection fee or the calculating body, draw up, within 10 working days, a payment schedule by which the repayment period for the sums referred to in this part may be fixed for a maximum period of 6 months from the day of signing the schedule. In case of the very first violation, by the payer of garbage collection fee, of the fixed schedule, the fines defined by part 1 of Article 21 of this Law shall be applied.

Article 17. Overpayment of garbage collection fee

1. The overpayment of garbage collection fee (including the excess sums paid due to incorrect calculation by calculating entity of garbage collection fee) shall be calculated as a prepayment, or this fee shall be returned by the community upon the application of the payer, within 30 days following the submission of the application, irrespective of dissolution of the contract with the operator.

Article 18. Procedure for payment of garbage collection fee

1. The garbage collection fee must, for each month, be paid in cash or non-cash, until the 15th day of the following month inclusive.
2. In case of a change in the rate of garbage collection fee or the type thereof, the calculating entity of garbage collection fee shall notify the payers of garbage collection fee about the amount of the calculated fee on the 10th of the following month inclusive.

Article 19. Those making record-registration of payers of garbage collection fee, calculating entities of garbage collection fee, and charge of garbage collection fee

1. Record-registration of payers of garbage collection fee, calculation of garbage collection fee, as well as the charge of this fee and transfer thereof to the community budget shall be carried out by the head of community.
2. Record-registration of payers of garbage collection fee, calculation of garbage collection fee, as well as the charge (entry) of this fee to the community budget or extra-budgetary account may be reserved, upon submission of the head of community and by the Council of Elders of a community, to the operator or other organisation(s).

3. Where the record-registration of payers of garbage collection fee, calculation of garbage collection fee, as well as the charge of this fee are carried out by the operator or other organisation, the operator or the given organisation shall submit to the head of community information, on a monthly basis, about the results (report) of performance thereby, during the reporting period, of the functions of record-registration of payers of garbage collection fee, calculation of garbage collection fee and the charge of this fee.
4. The procedure for record-registration of payers of garbage collection fee shall be established by the Council of Elders of a community.
5. Oversight over the maintenance of the procedure for record-registration of payers of garbage collection fee, calculation of garbage collection fee, as well as for charge of this fee shall be carried out by the head of community.

CHAPTER 4

RIGHTS, OBLIGATIONS AND THE LIABILITY OF THE PAYERS OF GARBAGE COLLECTION FEE

Article 20. Main rights and obligations of the payers of garbage collection fee

1. The main rights of the payers of garbage collection fee shall be as follows:
 - (1) to calculate independently the amount of the fee paid thereby and to check its compatibility with the calculations made;
 - (2) to get familiarised with the amount of the fee paid thereby and with calculations, as well as to receive information on the payments made thereby;

- (3) to appeal, as prescribed by law, against the actions relating to him or her in respect of record-registration of payers of garbage collection fee, calculation of garbage collection fee and charge of this fee;
 - (4) to require from the community, operator or organisation relevant compensation for garbage collection expenses covered by own means as a result of improper fulfilment of obligations of the organiser of garbage collection.
2. The payers of garbage collection fee shall be obliged to:
- (1) pay the garbage collection fee, within time limits and at the rate fixed by this Law;
 - (2) order, in case of originated garbage in large dimensions, the transportation of the mentioned garbage in corresponding containers;
 - (3) maintain and throw the garbage in the places specified or designed therefor.

Article 21. Liability for violating this Law

1. In case of payment of garbage collection fee later than the time limit defined by this Law, the payer of garbage collection fee, whereas in the case prescribed by point 2 of part 1 of Article 16 of this Law — the calculating entity of garbage collection fee, shall pay, for each overdue day, a fine in the amount of 0,075 per cent of the garbage collection fee not paid on time, for the entire period elapsed since the time limit of payment, but not more than for 730 days.
2. The fines prescribed by part 1 of this Article shall be calculated and record-registered (charged) starting from the 1st day of the month following the time limit of payment of garbage collection fee.
3. The operator shall be held liable, as prescribed by law, for failure to fulfil or improper fulfilment of his or her obligations by paying a fine in the amount of

fifty thousand Armenian Drams to the community budget for each case of garbage collection having not fulfilled or having fulfilled improperly, unless a larger fine is fixed by the contract concluded between the operator and the community.

Payment of the fine shall not exempt the operator from fulfilment of the obligation having not fulfilled or having fulfilled improperly. Supervision over the fulfilment of obligations of the operator shall be carried out by the head of community or his or her authorised person (body).

4. Persons referred to in parts 3 and 4 of Article 8 of this Law may, upon the decision of the head of community, be deprived of the authorisation to collect and to transport garbage in case of violating, twice or more than twice within one year, the requirements to garbage collection and transportation, prescribed by this Law.

(Article 21 amended by HO-289-N of 21 December 2017)

CHAPTER 5

FINAL AND TRANSITIONAL PROVISIONS

Article 22. Entry into force of the Law

1. This Law shall enter into force on the tenth day following the day of its official promulgation.
2. Upon entry into force of this Law, the contracts concluded between a community and relevant organisations implementing garbage collection and/or sanitation works, shall have effect or may be extended, as well as similar contracts may be concluded until the beginning of the time limit for fulfilment of obligations by the

operator, which are referred to in the contract concluded with corresponding operator in accordance with the conditions and requirements defined by this Law.

3. Upon entry into force of this Law, the Council of Elders of a community shall, within a period six months, fix the rates for garbage collection fees, moreover, the garbage collection fee shall be calculated starting from the month following the fixation of the rates for garbage collection fees and shall be charged as prescribed by this Law.
4. Adoption of this Law shall not give rise to responsibility of compensation defined by part 2 of Article 67 of the Law of the Republic of Armenia “On local self-governance” and part 2 of Article 80 of the Law of the Republic of Armenia “On local self-governance in the city of Yerevan”.

**President
of the Republic of Armenia**

S. Sargsyan

15 July 2011

Yerevan

HO-237-N