

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 4 February 2014
upon the objection and recommendation
of the President of the Republic of Armenia

**ON THE ENSURING OF ACTIVITIES OF,
SERVICING AND SOCIAL GUARANTEES FOR OFFICIALS**

(title edited by HO-143-N of 7 March 2018)

CHAPTER 1

(Chapter supplemented by HO-143-N of 7 March 2018)

**SOCIAL GUARANTEES FOR PERSONS HAVING HELD STATE POSITIONS AND
THEIR FAMILY MEMBERS**

(title supplemented by HO-143-N of 7 March 2018)

Article 1. Subject matter of this Law

(Article repealed by HO-143-N of 7 March 2018)

**Article 2. Pension security and other social guarantees for a person
having held a state position**

1. The following shall be entitled to pension prescribed by this Law:

- (1) ***(point repealed by HO-14-N of 4 March 2015)***
- (2) a judge of the Constitutional Court:
 - a. in case of discontinuation of powers on the ground provided for by point 1 of part 1 of Article 12 of the Constitutional Law of the Republic of Armenia "On the Constitutional Court", irrespective of age;
 - b. in the cases of discontinuation or termination of powers on the grounds provided for by point 2 of part 1, point 4 of part 2 of Article 12 of the Constitutional Law of the Republic of Armenia "On the Constitutional Court", as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force;
 - c. ***(sub-point repealed by HO-377-N of 30 June 2020)***
 - d. ***(sub-point repealed by HO-377-N of 30 June 2020)***
- (2.1) the person having served, for at least five years, in the position of member of the Supreme Judicial Council elected by the National Assembly, the powers whereof have been discontinued or terminated on the ground of being declared as having no legal capacity by a court judgment having entered into legal force or on the ground of acquiring a physical impairment or disease hindering appointment to his or her position;
- (2.2) the person having served, for at least one constitutional term, in the position of member of the Supreme Judicial Council elected by the National Assembly, in case of attaining the age of 65;
- (2.3) the person having served, for at least one term, in the position of judge of the international court of which the Republic of Armenia is a member, in case of attaining the age of 65;

- (3) the person having served, for at least 10 years, in the position of judge, the powers whereof have been terminated or discontinued on the ground provided for by point 2 of part 1 of Article 160 of the Constitutional Law of the Republic of Armenia "On the Constitutional Court", as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force or on the ground of acquiring physical impairment or disease hindering appointment to the position of judge;
- (4) the person having served, for at least 10 years, in the position of prosecutor, who has been dismissed from the position on the ground provided for by point 2 of part 1 of Article 62 of the Law of the Republic of Armenia "On the Prosecutor's Office", as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force or on the ground of acquiring physical impairment or disease hindering appointment to the position of prosecutor;
- (5) the person having held an autonomous position, for at least 10 years, in the Special Investigation Service, who has been dismissed from the position on the grounds prescribed by points 3 and 5 of part 1 of Article 12 of the Law of the Republic of Armenia "On the Special Investigation Service", as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force;
- (5.1) the person having held an autonomous position, for at least 10 years, in the Investigative Committee of the Republic of Armenia, the powers whereof have been discontinued on the grounds prescribed by points 3 and 5 of part 1 of Article 22 of the Law of the Republic of Armenia "On the Investigative Committee of the Republic of Armenia", as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force;

- (5.2) the person having held, for at least 10 years, the position of investigator in the Tax Service of the Republic of Armenia, who has been dismissed from the position on the ground prescribed by point 9 of part 1 of Article 26 of the Law of the Republic of Armenia "On the Tax Service" or, upon attaining the age of 63 — on the ground prescribed by point 1 of part 1 of Article 26, as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force;
- (5.3) the person having held, for at least 10 years, the position of investigator in the Customs Service of the Republic of Armenia, who has been dismissed from the position on the grounds prescribed by points 2 and 7 of part 2 of Article 48 of the Law of the Republic of Armenia "On the Customs Service", as well as on the ground of being declared as having no legal capacity by a court judgment having entered into legal force;
- (6) the person having held, for at least one constitutional term, the position of Human Rights Defender of the Republic of Armenia, in case of attaining the age of 65;
- (7) the person having held, for at least one constitutional term, the position of deputy of the National Assembly of the Republic of Armenia or the person having held, for five years, the position of deputy of the Supreme Council of the Republic of Armenia, in case of attaining the age of 65;
- (7.1) the person having held, for at least one constitutional term, the position of chairperson of the Control Chamber of the Republic of Armenia or the person having held, for six years, the position of chairperson of the Control Chamber of the National Assembly, in case of attaining the age of 65;
- (8) the person having served, for at least 10 years, in the positions prescribed by Annex No 1 to this Law, in the position of head of body of the diplomatic service operating in a foreign state, in case of attaining the age of 65;

- (9) the President of the Republic of Armenia, deputies of the National Assembly, members of the Government, the judges of the Constitutional Court and other courts, members of the Supreme Judicial Council elected by the National Assembly, the Human Rights Defender, the Chairperson of the Audit Chamber, prosecutors, officers of the Special Investigation Service and the Investigative Committee, in case of being declared as disabled with a restriction of third degree of incapacity to engage in working activities to an injury or maim sustained when performing his or her ex officio duties or in relation thereto.
2. In the case referred to in point 9 of part 1 of this Article, the person having held a state position at medical institutions operating in the territory of the Republic of Armenia shall be provided with medical services, at the expense of funds of the State Budget of the Republic of Armenia, as prescribed by the Government of the Republic of Armenia.
3. A person having held a state position shall be entitled to pension, where he or she does not hold a public position or a position of public service.

(Article 2 supplemented by HO-29-N of 19 May 2014, HO-198-N of 1 December 2014, amended by HO-14-N of 4 March 2015, edited, amended by HO-43-N of 17 January 2018, amended, supplemented, edited by HO-143-N of 7 March 2018, amended by HO-341-N of 21 June 2018, supplemented by HO-101-N of 1 July 2019, HO-313-N of 11 December 2019, amended by HO-68-N of 21 January 2020, HO-377-N of 30 June 2020)

Article 3. Social guarantees for family members of a person having held a state position in case of death (fatality) of a person having held a state position

1. in case of death (fatality) of the President of the Republic of Armenia, a deputy of the National Assembly, a member of the Government, judges of the Constitutional Court and other courts, a member of the Supreme Judicial Council elected by the National Assembly, the Human Rights Defender, the Chairperson of the Audit Chamber, a prosecutor, persons having held autonomous positions in the Special Investigation Service and the Investigative Committee caused by injury or maim sustained when performing his or her ex officio duties or in relation thereto:
 - (1) the person having organised his or her burial shall be paid a burial allowance;
 - (2) his or her family shall be granted lump-sum monetary assistance;
 - (3) pension shall be awarded and paid to the members of his or her family entitled to pension in case of losing a breadwinner, as prescribed by the Law of the Republic of Armenia "On state pensions".
2. The list of documents required for allotting lump-sum monetary assistance, burial allowance, the procedure for allotting and paying, the amount of the burial allowance and the amount of the lump-sum monetary assistance shall be established by the Government of the Republic of Armenia.

(Article 3 supplemented by HO-29-N of 19 May 2014, amended by HO-43-N of 17 January 2018, HO-143-N of 7 March 2018, HO-68-N of 21 January 2020)

Article 4. The right of choosing pension

1. One pension shall be awarded to a person entitled to state pensions prescribed by this Law and other laws of the Republic of Armenia upon his or her choice.

Article 5. Procedure for calculating the pensions of a person having held a state position and his or her family members

1. The amount of the pension prescribed by this Law shall be calculated by the formula $P=M*C+PR*AVP$ where:

P is the monthly amount of pension,

M is the amount of the main pension accepted as a basis for calculating the amount of the pension prescribed by this Law (hereinafter referred to as "the main pension"),

C is the maximum coefficient prescribed for the positions held by a person under the Law of the Republic of Armenia "On remuneration for persons holding state positions and positions of state service" (hereinafter referred to as "the coefficient"),

PR is the professional record,

AVP is the annual value of professional record.

- 1.1. The coefficient of persons provided for by point 2.3 of part 1 of Article 2 of this Law shall, as provided for by part 1 of this Article, be equal to the coefficient prescribed for a judge of the Court of Cassation under the Law of the Republic of Armenia "On remuneration for persons holding state positions and positions of state service".
2. The periods prior to 1 January 2014 shall be calculated in the professional record when calculating the amount of pension for a person having held a state position and born on 1 January 1974 and thereafter.
3. The amount of the pension prescribed by this Law shall be re-calculated in case of change of the amount of the main pension, the annual value of professional record and the coefficient.

4. The procedure for calculating the professional record (periods calculated in the professional record), the amount of the main pension and the annual value of professional record shall be established by the Government of the Republic of Armenia.

(Article 5 amended by HO-198-N of 1 December 2014, supplemented by HO-143-N of 7 March 2018, amended by HO-341-N of 21 June 2018)

Article 6. Right of a person having held a state position and his or her family members to receive pension

1. The person entitled to receive pension by this Law shall have the right to receive pension, where he or she has applied to the body awarding pension and a pension has been awarded to him or her as prescribed by the legislation.
2. The pension prescribed by this Law shall be awarded:
 - (1) starting from the day of being dismissed from position (day of termination of powers) or being dismissed from the job or attainment of the age granting the right to pension prescribed by points 2.2, 2.3, 6, 7, 7.1 and 8 of part 1 of Article 2 of this Law, where the application and necessary documents have been submitted within 6 months following that day;
 - (2) starting from the day of death of the person having held a state position, where the application and necessary documents have been submitted within 6 months following that day;
 - (3) starting from the day of being declared as disabled, where the application and necessary documents have been submitted within 6 months following that day;
 - (4) starting from the day of application, where the application and necessary documents have been submitted upon expiry of the 6-month time limit prescribed by points 1-3 of this part.

The pension prescribed by this Law shall be awarded no earlier than the day of obtaining the right to pension.

3. The list of documents necessary for awarding pension prescribed by this Law, the body awarding pension and the procedure for awarding and paying pension shall be established by the Government of the Republic of Armenia.
4. The right to receive pension prescribed by this Law shall cease starting from the 1st of the month following the month that the person having held a state position or having served in the position of judge of the international court of which the Republic of Armenia is a member holds a public position or position of public service.
5. The pension prescribed by this Law shall be paid, payment of pension shall be terminated, the right to receive pension shall be terminated or restored, the amount of the unpaid pension shall be paid as prescribed for military pensions by the Law of the Republic of Armenia "On state pensions".

(Article 6 amended, supplemented, edited by HO-198-N of 1 December 2014, edited by HO-143-N of 7 March 2018, amended by HO-341-N of 21 June 2018)

Article 7. Payment of burial allowance

1. In case of death of person entitled to receive pension prescribed by this Law, burial allowance shall be allotted and paid to the person having performed the burial.
2. Burial allowance shall be allotted and paid, where the person has been buried in the Republic of Armenia or has died in the Republic of Armenia.
3. The list of documents necessary for allotting and paying the burial allowance, the procedure for allotting and paying burial allowance shall be established by the Government of the Republic of Armenia.

CHAPTER 2

(Chapter supplemented by HO-143-N of 7 March 2018)

ENSURING OF ACTIVITIES OF, SERVICING AND SOCIAL GUARANTEES FOR HIGH-RANKING OFFICIALS

Article 7.1. Staff to the President of the Republic of Armenia

1. Exercise of the powers of the President of the Republic of Armenia shall be ensured by the Staff to the President of the Republic of Armenia.
2. The number of employees of the Staff to the President of the Republic of Armenia, which may not exceed 155, shall be established by the President of the Republic of Armenia.
3. The Staff to the President of the Republic of Armenia may, as prescribed by the legislation of the Republic of Armenia, have a reserve fund in the amount of no more than AMD 75 million annually.
4. The President of the Republic of Armenia shall possess the funds of the reserve fund.

Article 7.2. Servicing for the President of the Republic of Armenia

1. The following shall be granted for the purpose of servicing the President of the Republic of Armenia:
 - (1) seat in Yerevan (address: 26 Baghramyan Street);
 - (2) official mansion in Yerevan, with appropriate servicing (address: 74 Dzorap Street, building #8);

- (3) state mansion in Sevan, with secured, appropriate property and servicing (address: city of Sevan, 4th Street of Hrazdan River #50, 1st building of the state mansion on Sevan Peninsula);
 - (4) vehicle of special significance.
2. A personal doctor shall be distinguished for the purpose of following the health condition of the President of the Republic of Armenia.

(Article 7.2 amended by HO-417-N of 22 November 2018)

Article 7.3. Servicing for the President of the Republic of Armenia following retirement

1. The retired President of the Republic of Armenia shall be granted a vehicle and, upon his or her choice, a furnished office.
2. No more than three staff units shall be provided for ensuring operation of the office of the retired President of the Republic of Armenia.
3. Financing for operation of the office of the retired President of the Republic of Armenia shall be carried out as prescribed by the Government.
4. The expenses for visits of the retired President of the Republic of Armenia of a total duration of no more than 10 days to other states within one year shall be reimbursed at the expense of the funds of the State Budget.

Article 7.4. Provision of pension for the President of the Republic of Armenia following retirement

1. A special pension in the amount of 70% of the official rate prescribed by law for the President of the Republic of Armenia shall be awarded for the retired President of the Republic of Armenia, except for the case of impeachment.

2. In case the official rate of the President of the Republic of Armenia increases, the pension of the retired President of the Republic of Armenia shall be proportionately re-calculated.
3. The retired President of the Republic of Armenia shall not benefit from the right to receive pension referred to in part 1 of this Article in the period when he or she holds any elective or appointive position and receives remuneration for the President of the Republic of Armenia exceeding 70% of the official rate prescribed by law, and in case of receiving remuneration lower than that rate — receives the difference between the special pension and salary as pension.

Article 7.5. Office of the Prime Minister

1. Exercise of the powers of the Prime Minister shall be ensured by the Office of the Prime Minister, the place of location whereof shall be determined by the Government.
2. The number of employees of the Office of the Prime Minister, which may not exceed 750, shall be established by the Prime Minister.
3. The Office of the Prime Minister may, as prescribed by the legislation of the Republic of Armenia, have a reserve fund in the amount of no more than AMD 150 million annually.
4. The Prime Minister shall possess the funds of the reserve fund.

(Article 7.5 amended by HO-36-N of 8 May 2019)

Article 7.6. Servicing for the Prime Minister

1. The following shall be granted for the purpose of servicing the Prime Minister:
 - (1) seat in Yerevan (address: Republic Square, Government House #1);

- (2) official mansion in Yerevan, with appropriate servicing (address: 74 Dzorap Street, building #3);
 - (3) state mansion in Sevan, with secured, appropriate property and servicing (address: city of Sevan, 4th Street of Hrazdan River #50, 3rd building of the state mansion on Sevan Peninsula);
 - (4) vehicle of special significance;
 - (5) specially equipped airplane and helicopter.
2. A personal doctor shall be distinguished for the purpose of following the health condition of the Prime Minister.
 3. The Prime Minister may fully or partially refuse servicing provided for by points 2 and 3 of part 1 and part 2 of this Article.
 4. Other high-ranking officials may benefit from the servicing provided for by point 5 of part 1 of this Article as prescribed by the decision of the Prime Minister.
 5. The Prime Minister may also use the halls for ceremonies of the seat of the President of the Republic of Armenia.

(Article 7.6 amended, supplemented by HO-417-N of 22 November 2018)

Article 7.7. Servicing for other high-ranking officials

1. An official mansion shall be granted to the Chairperson of the National Assembly and the Chairperson of the Constitutional Court in Yerevan, with appropriate servicing.
2. Upon the decision of the Prime Minister, an official mansion may be granted to other high-ranking officials in Yerevan, with appropriate servicing.
3. High-ranking officials provided for by this Article may refuse servicing provided for by this Article.

Article 7.8. Reserve fund of Chairperson of the National Assembly

1. The Chairperson of the National Assembly may, as prescribed by the legislation of the Republic of Armenia, have a reserve fund in the amount of no more than AMD 50 million annually.
2. The Chairperson of the National Assembly shall possess the funds of the reserve fund.

Article 7.9. Servicing for high-ranking officials at airports

1. The President of the Republic of Armenia, the Chairperson of the National Assembly, the retired President of the Republic of Armenia, as well as the family members accompanying them may benefit from the separated special hall at the airports of the Republic of Armenia.
2. Members of the delegations having arrived at the official invitation of the President of the Republic of Armenia and the Prime Minister may also benefit from the special hall referred to in part 1 of this Article.
3. Other persons may also benefit from the special hall in certain cases, as prescribed by the decision of the Prime Minister.

CHAPTER 3

(Chapter supplemented by HO-143-N of 7 March 2018)

FINAL AND TRANSITIONAL PROVISIONS

(title supplemented by HO-143-N of 7 March 2018)

Article 8. Entry into force of the Law

1. This Law shall enter into force from 1 July 2014.
2. Law of the Republic of Armenia HO-236 of 9 October 2001 "On social protection of family members of the President of the Republic of Armenia, deputies of the National Assembly, the Prime Minister, members of government, members of the Constitutional Court, Chairperson of the Control Chamber and judges while performing their ex officio duties or in case of death or full loss of capacity in relation thereto" shall be repealed from the day of entry into force of this Law.

Article 9. Transitional provisions

1. The pensions awarded to officials (family member of official) upon entry into force of this Law — prior to 1 July 2014 — shall be calculated as prescribed upon entry into force of this Law. Where the amount of calculated pension is lower than the amount of the pension awarded (calculated) prior to 1 July 2014, the pension shall still be paid in the former amount.
2. The pensions awarded to the widows and parents of those who were killed as a result of the tragedy that took place in the building of the National Assembly of the Republic of Armenia on 27 October 1999 shall still be paid, irrespective of their age and the fact of being entitled to other state pension prescribed by the law of the Republic of Armenia. When distinguishing their share of the pension, the widows of the deceased shall be paid 70% of the awarded pension.

In case of death of the person receiving pension referred to in this part, the pension shall still be paid to the other member of the family of the deceased who is entitled to pension in case of loss of a breadwinner as prescribed by the Law of the Republic of Armenia "On state pensions", on the ground of his or her application, taking into consideration the provisions of part 1 of this Article. Moreover, in this case, the pensions for the widow and parent of the deceased shall still be paid, irrespective of their age and the fact of being entitled to other state pension prescribed by the law of the Republic of Armenia.

3. As of 1 July 2017, in case of having at least 20 calendar days of professional work record, pension shall also be awarded to:
 - (1) the person dismissed from the position of prosecutor on the grounds prescribed by points 1 and 2 of part 1 of Article 62 of the Law of the Republic of Armenia "On the Prosecutor's Office", where he or she was born prior to 1 January 1974;
 - (2) the person dismissed from the autonomous position in the Special Investigation Service on the grounds prescribed by points 2 and 3 of part 1 of Article 12 of the Law of the Republic of Armenia "On the Special Investigation Service";
 - (3) the person having held the position of investigator of the Tax Service, the powers whereof have been discontinued on the ground prescribed by point 1 of part 1 of Article 26 of the Law of the Republic of Armenia "On public service", where he or she was born prior to 1 January 1974;
 - (4) the person having held the position of investigator of the Customs Service, the powers whereof have been discontinued on the ground prescribed by points 1 and 2 of part 2 of Article 48 of the Law of the Republic of Armenia "On the Customs Service", where he or she was born prior to 1 January 1974;

As of 1 July 2017, in case of having professional work record of at least 20 calendar years, pension shall also be awarded to the persons referred to in points 1 and 2 of this part who were appointed to the positions of prosecutor or officer of the Special Investigation Service (to autonomous position in the Special Investigation Service) prior to 1 June 2017, upon holding the position of officer of the Investigative Committee, pursuant to part 3 of Article 51 of the Law of the Republic of Armenia "On the Investigative Committee of the Republic of Armenia".

The period served in the position of prosecutor of the Republic of Armenia (prior to 1 December 2007 — Deputy Prosecutor, Assistant to Prosecutor and workers of the scientific-educational institutions of the Prosecutor's Office conferred class rank), investigator of the Police of the Republic of Armenia, investigator of the authorised state body in the field of defence, investigator within national security bodies, investigator of the Tax Service, investigator of the Customs Service (including prior to 1 December 2007 — investigator of the Prosecutor's Office, head of Investigation Department, Division or Section, deputy head), officer of the Special Investigation Service, prosecutor or investigator in the system of the Prosecutor's Office of the USSR, the period of holding the position of judge in the Republic of Armenia and in the USSR, as well as the period of fixed-term compulsory military service shall be record-registered in the professional work record through calculation by calendar as prescribed by this part.

The amount of pension prescribed by this part shall be calculated in the amount of 70% of the calculated salary: 2% of the calculated salary shall be added to the pension for every full year in the professional work record of more than 20 years, and for every year worked prior to occupying the position of prosecutor and not calculated in the professional work record — 1%. The amount of pension prescribed by this part may not exceed the amount of the calculated salary.

The amount of calculated salary of a person having held the position of prosecutor shall be determined in the amount of 90% of the salary calculated as

prescribed by the legislation existing prior to 1 July 2014 (of the total of the official rate and the bonus given for the years worked in the positions of prosecutor, judge or investigator of the Prosecutor's Office), taking into consideration the last position, the class rank and the years worked in the positions of prosecutor, judge or investigator of the Prosecutor's Office as of the day of dismissal from the position of prosecutor.

The amount of calculated salary of a person having held the position of officer of the Special Investigation Service shall be determined in the amount of the difference between the salary calculated as prescribed by the legislation existing for the last held position of officer of the Special Investigation Service (total of the official rate, bonus given for class rank and bonus given for years worked in the positions of officer of the Special Investigation Service, prosecutor or investigator) and the income tax calculated from that amount, taking into consideration the last position, class rank and the years worked in the positions of officer of the Special Investigation Service, prosecutor or investigator as of the day of dismissal from the position of officer of the Special Investigation Service.

The amount of the calculated salary of a person having held the position of investigator of the Tax and Customs Services shall be determined in the amount of the difference between the salary calculated as prescribed by the legislation existing prior to 1 July 2014 for the last held position of investigator of the Tax or Customs Service (for investigator of the Tax Service — the total of the official rate, the class rank of Tax Service and bonuses given for special title, for investigator of the Customs Service — total of the official rate, bonus given for special title of Customs Service) and the income tax calculated from that amount, taking into consideration the last position, the special title (in case of investigator of the Tax Service — also the last class rank) as of the day of dismissal from the position of investigator of the Tax or Customs Service.

The procedure for calculating the calculated salary shall be established by the Government of the Republic of Armenia.

The amount of pension of a person having held the position of member of the Constitutional Court as of the day of entry into force of this Law shall be calculated as prescribed by the Law of the Republic of Armenia "On the Constitutional Court".

4. The pensions awarded to a member of the Constitutional Court of the Republic of Armenia, a judge, a prosecutor or a person holding an autonomous position in the Special Investigation Service (officer of the Special Investigation Service) as prescribed by the legislation of the Republic of Armenia prior to 1 July 2014, the pensions awarded under Article 9 of this Law shall be deemed to be pensions awarded pursuant to Article 2 of this Law and shall be calculated as prescribed by Article 5 of this Law, taking into consideration the amount of the main pension, the coefficient prescribed for the last held position of a person by the Law of the Republic of Armenia "On remuneration for persons holding state positions and state service positions" and the value of the professional record for one year.

Where the amount of calculated pension is lower than the previous amount (calculated as prescribed by Article 9 of this Law), the pension shall be paid in the previous amount (calculated as prescribed by Article 9 of this Law).

5. The provisions of part 3 of Article 2 and part 4 of Article 6 of this Law shall not apply to the cases when the pension prescribed by this Law was awarded prior to entry into force of this Law, or pension was awarded to a person having held the position of prosecutor or an autonomous position in the Special Investigation Service on the grounds prescribed by part 3 of this Article.

The right to receive pension in the cases prescribed by this part shall be terminated, where the person having held a state position has, after a pension is

awarded, passed to military service, been appointed to the position of penitentiary officer, compulsory enforcement officer, prosecutor, judge or an autonomous position in the Investigative Committee, the Special Investigation Service.

6. Point 3 of part 1 of Article 2 of this Law shall not apply to persons who, as of the day of entry into force of this Law, have served in the position of judge for at least 10 years.

The amount of pension awarded to persons provided for by this part — on the ground provided for by point 2 of part 1 of Article 160 of the Constitutional Law "Judicial Code of the Republic of Armenia", as well as in cases of termination of powers of a judge being declared as having no legal capacity by a court judgment having entered into legal force or on the ground of acquiring physical impairment or disease hindering appointment to the position of judge, shall be calculated in the amount of the sum of the salary calculated as prescribed for the position of judge as of the day of being dismissed from the last held position of judge (total of post rate and the bonus prescribed therefor) and 55% of the product of 0.9 coefficient.

Where the amount of the pension calculated as prescribed by this part is lower than the amount of pension calculated through a general procedure established by this Law, the pension shall be awarded through a general procedure prescribed by this Law. The amount of pension calculated as prescribed by this part for the last held position of judge may not exceed 92 per cent of the post rate prescribed by the legislation existing prior to 1 July 2014.

The procedure for calculating the salary referred to in this part shall be established by the Government of the Republic of Armenia.

7. The pension awarded, as prescribed by this Article, to a person having held the position of judge after 1 July 2014 shall be re-calculated from the day of being awarded, taking into consideration the salary calculated as prescribed by the

legislation for that position as of the day of dismissal from the last position held as judge (total of post rate and the bonus prescribed therefor). Where the amount of the calculated pension is lower than the previous amount, the pension shall be paid in the previous amount.

8. Where the right to receive pension prescribed by the Law has been terminated on the ground of performing paid work (except for the cases when the person holds a public position or a position of public service), the right to receive pension shall be restored on the ground of the application of the pensioner, pursuant to part 5 of Article 6 of the Law. Where the application to restore the right to receive pension referred to in this part is submitted prior to 30 December 2018, the right to receive pension shall be restored (the amount of unpaid pension shall be paid) starting from 1 March 2018.
9. Prior to the day of assumption of office by the newly elected President of the Republic of Armenia, upon the decision of the Government, the relevant guarantees prescribed by the Law of the Republic of Armenia "On remuneration, servicing and ensuring of security for the President of the Republic of Armenia" shall be granted to the retired Presidents of the Republic of Armenia.
10. The guarantees provided for by points 8 and 9 of part 1 of Article 2 and Article 3 of this Law shall also apply to the retired chairpersons of the Control Chamber prior to the day of assumption of office by the newly elected President of the Republic of Armenia.
11. The pension for a person dismissed from the position of investigator of the Tax or Customs Service prior to 1 June 2019, having obtained (with) the right to pension on the ground of points 5.2 and 5.3 of part 1 of Article 2, points 3 and 4 of part 3 of Article 9 of this Law, shall be awarded:

- (1) starting from 1 June 2019, where the application and necessary documents have been submitted prior to 1 December 2019;
- (2) starting from the day of applying, where the application and necessary documents have been submitted after 1 December 2019.

(Article 9 edited by HO-29-N of 19 May 2014, supplemented by HO-55-N of 10 June 2014, amended, supplemented by HO-198-N of 1 December 2014, amended by HO-14-N of 4 March 2015, amended, supplemented by HO-91-N of 31 May 2017, HO-143-N of 7 March 2018, amended, edited, supplemented by HO-341-N of 21 June 2018, HO-101-N of 1 July 2019, amended, supplemented by HO-68-N of 21 January 2020)

(It is not possible to make an amendment to point 2 of Article 3 of Law HO-68-N of 21 January 2020, as the words referred to in point 2 have already been replaced by sub-point 1 of the same Article.)

(The first paragraph in part 6 of Article 9, the second paragraph in part 6 of Article 9, systematically interconnected with the first paragraph in part 6 of Article 9, with respect to the provision "in the amount of the sum of the salary calculated as prescribed by the legislation in force prior to 1 July 2014 (total of the position rate and the bonus prescribed therefor) and 55% of the product of the 0.9 coefficient", the provisions enshrined in the second sentence of the third paragraph of part 6 of Article 9, systematically interconnected with the first paragraph of part 6 of Article 9, part 2 of Article 5 of the Law, systematically interconnected with the first paragraph of part 6 of Article 9, the legal regulation provided for in the fourth paragraph of part 6 of Article 9, systematically interconnected with the first paragraph of part 6 of Article 9, as well as part 4 of Article 5 of the Law, with respect to judges, have been recognised as contradicting Article 29 and part 10 of Article 164 of the Constitution upon Decision SDO-1463 of 18 June 2019.

Upon Decision SDO-1463 of 18 June 2019, the deadline for repealing the provisions recognised as contradicting the Constitution is set for 30 October 2019.)

**President of the
Republic of Armenia**

S. Sargsyan

13 February 2014

Yerevan

HO-1-N

Annex No 1

to the Law of the Republic of Armenia "On the ensuring of activities, servicing and social guarantees for officials"

List

of positions provided for by point 8 of part 1 of the Law of the Republic of Armenia "On the ensuring of activities, servicing and social guarantees for officials"

1. Political positions:
 - (1) President of the Republic of Armenia
 - (2) deputy of the National Assembly
 - (3) Prime Minister
 - (4) Deputy Prime Minister (First Deputy Prime Minister)
 - (5) Secretary of the National Security Council
 - (6) minister
 - (7) deputy minister
2. Positions of members of independent state bodies:
 - (1) member of the Supreme Judicial Council
 - (2) member of the Central Electoral Commission
 - (3) member of the National Commission on Television and Radio
 - (4) member of the Audit Chamber

3. Administrative positions:

- (1) Chief of Staff to the President of the Republic of Armenia and the deputy thereof
- (2) Chief of Staff of the National Assembly and the deputy thereof
- (3) Chief of Staff of the Prime Minister and the deputy thereof
- (4) Chairperson of the State Committee of the Real Estate Cadastre and the deputy thereof
- (5) Chairperson of the Nuclear Safety Regulatory Committee and the deputy thereof
- (6) Chairperson of the State Revenue Committee and the deputy thereof
- (7) Chairperson of the Statistical Committee and the deputy thereof
- (8) Chairperson of the Urban Development Committee and the deputy thereof
- (9) Head of the Health and Labour Inspection Body and the deputy thereof
- (10) Head of the Nature Protection and Subsurface Inspection Body and the deputy thereof
- (11) Head of the Education Inspection Body and the deputy thereof
- (12) Head of the Market Surveillance Inspection Body and the deputy thereof
- (13) Head of the Food Safety Inspection Body and the deputy thereof
- (14) Head of the Urban Development, Technical and Fire Safety Inspection Body and the deputy thereof
- (15) Director of the National Security Service and the deputy thereof
- (16) Chief of Police and the deputy thereof
- (17) Director of the State Supervision Service and the deputy thereof

- (18) Head of the State Protection Service and the deputy thereof
- (19) Head of the Office of the Prime Minister
- (20) Marzpet (regional governor) and the deputy thereof
- (21) Head of the Judicial Department
- (22) Chief of Staff of the Constitutional Court
- (23) Chief Military Inspector and the deputy thereof
- (24) Head of the Compulsory Enforcement Service
- (25) Head of the Penitentiary Service
- (26) Head of the Probation Service
- (27) Head of the Rescue Service
- (28) Head of the Social Security Service
- (29) Head of the State Protocol Service
- (30) Head of the Migration Service
- (31) Head of the Water Committee
- (32) Head of the Science Committee
- (33) Head of the Civil Aviation Committee
- (34) Head of the Tourism Committee
- (35) Chief of the General Staff of the Armed Forces
- (36) Head of the Military-Industrial Committee
- (37) Head of the State Property Management Committee
- (38) Head of the Higher Qualification Committee
- (39) Head of the Forest Committee

(40) Head of the Language Committee

4. Autonomous positions:

(1) Human Rights Defender

(2) judge of the Constitutional Court

(3) member of an autonomous body

(4) member of the State Council on Statistics

(5) judges of the Court of Cassation, Court of Appeal and courts of first instance

(6) Prosecutor General and the deputy thereof

(7) prosecutor of the city of Yerevan

(8) marz (regional) prosecutor

(9) military prosecutor of a garrison

(10) Head of the Special Investigation Service and the deputy thereof

(11) Chairperson of the Investigative Committee and the deputy thereof

(12) Head of the General Military Investigation Department of the Investigative Committee

(13) Head of the Oversight and Audit Service of the Central Electoral Commission

5. Discretionary positions:

(1) Ambassador-at-large

(2) Adviser, Assistant to and Press Secretary of the President of the Republic of Armenia

(3) Chief Adviser, Adviser, Assistant to and Press Secretary of the Prime Minister

(4) Adviser, Assistant to and Press Secretary of the Chairperson of the National Assembly

(Annex supplemented by HO-341-N of 21 June 2018)