

**LAW**  
**OF THE REPUBLIC OF ARMENIA**

Adopted on 23 March 2018

**“ON MAKING AMENDMENTS AND SUPPLEMENTS TO THE LAW OF THE  
REPUBLIC OF ARMENIA ‘ON COMMISSION FOR THE PREVENTION OF  
CORRUPTION”**

**Article 1.** In the entire text of Law “On Commission for the Prevention of Corruption” HO-96 of 9 June 2017 (hereinafter referred to as “the Law”), the words “code of ethics” and the relevant conjugated forms thereof shall be replaced with the words “rules of conduct” and the relevant conjugated forms thereof.

**Article 2.** Article 6 of the Law shall be supplemented with part 4 which reads as follows:

“4. Within two months following the end of the first quarter of each year, the Commission shall post on the official website of the Commission the status report on the integrity system of the previous year.”.

**Article 3.** In part 5 of Article 10 of the Law, the word “civil” shall be replaced with the word “autonomous”.

**Article 4.** In part 3 of Article 16 of the Law, the words “high-ranking officials and public servants” shall be replaced with the words “persons holding a public position and a public service position”.

**Article 5.** In Article 19 of the Law:

- (1) in the title, the word “Staff” shall be replaced with the words “Structural subdivisions”;
- (2) in part 1, the words “shall be ensured by the Staff thereof” shall be replaced with the words “shall be ensured by the structural subdivisions thereof”;
- (3) in part 2, the words “of the Staff” shall be replaced with the words “of the structural subdivisions of the Commission”.

**Article 6.** In Article 20 of the Law:

- (1) in the title, in parts 1 and 2, the words “within the Staff” shall be replaced with the words “within the structural subdivisions”;
- (2) part 1 shall be supplemented with a new sentence which reads as follows: “The Secretary General of the Commission shall be a civil servant.”.

**Article 7.** In part 12 of Article 21 of the Law, the words “ethics commissions established within the bodies [...] (hereinafter referred to as “the ethics commissions of the relevant bodies”)” shall be replaced with the words “ethics commissions of public servants (hereinafter referred to as “ethics commissions”)”.

**Article 8.** In Article 23 of the Law:

- (1) point 1 of part 1 shall read as follows:

“(1) following observance of the incompatibility requirements and other restrictions, prescribed by the Law of the Republic of Armenia “On public service”, by persons holding state positions, heads and deputy heads of communities with population of

15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan;”;

(2) it shall be supplemented with point 1.1 which reads as follows:

“(1.1) following observance of the rules of conduct and regulations for clash of situational interests of persons holding state positions (except for Deputies, judges, members of the Supreme Judicial Council, prosecutors and investigators), heads and deputy heads of communities with population of 15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan;

(3) it shall be supplemented with point 1.2 which reads as follows:

“(1.2) ensuring the uniformity of interpretation of principles of conduct of persons holding public positions and public service positions, as well as of observance of model rules of conduct of public servants;”.

**Article 9.** In Article 24 of the Law:

(1) in part 1:

a. point 1 shall read as follows:

“(1) examine and grant applications on the cases of violations of incompatibility requirements and other restrictions, prescribed by the Law of the Republic of Armenia “On public service”, by persons holding state positions, heads and deputy heads of communities with population of 15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan, as well as on the cases of violations of rules of conduct by persons holding state positions (except for Deputies, judges, members of the Supreme Judicial Council, prosecutors and investigators), heads and deputy heads of communities with population of 15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan, and cases of clash of situational interests;”;

b. in point 2, the words “high-ranking” shall be [deleted and] the words “holding positions” [shall be inserted after the word “officials”];

c. in point 3, the word “high-ranking” shall be replaced with the word “declarant”;

d. in point 4, after the word “define”, the words “declaration form,” shall be deleted;

e. point 7 shall be supplemented with the words “and integrity affairs organisers” after the word “commissions”, and after the word “restrictions” — with the words “, as well as principles of conduct and the model rules based thereon,”;

f. in point 8, the words “[ethics of] high-ranking officials (except for Deputies, judges and prosecutors)” shall be replaced with the words “conduct of persons holding state positions (except for Deputies, judges, members of the Supreme Judicial Council, prosecutors and investigators), heads and deputy heads of communities with population of 15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan”;

g. to delete the word “this” from point 9, and to insert the words “, principles of conduct, as well as model rules of conduct of public servants” after the word “restrictions”;

h. in point 11, to insert words “, rules of conduct” after the word “restrictions”;

(2) part 1 shall be supplemented with points 19-22 which read as follows:

“(19) adopt the rules of conduct (Code of Conduct) of persons holding state positions (except for Deputies, judges, members of the Supreme Judicial Council, prosecutors and investigators), heads and deputy heads of communities with population of 15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan;

(20) adopt a model Code of Conduct for public servants;

(21) draft the guide on the development and implementation of sector-specific draft codes of conduct for public servants;

(22) summarise the practice of fulfilment of the provisions on incompatibility requirements, other restrictions, principles of conduct and the rules of conduct based thereon, as well as clash of situational interests, and submit recommendations aimed at ensuring the uniformity thereof.”;

(3) in part 2, the words “and 15” shall be replaced with “, 15 and 22”;

(4) it shall be supplemented with part 3 which reads as follows:

“3. The Commission shall be entitled to request from state and local self-government bodies and the officials thereof information and documents regarding the integrity system, which shall be provided within the time limit prescribed by the Commission.”.

**Article 10.** The words “relevant bodies” shall be deleted from points 7 and 10 of part 1 of Article 24 of the Law, and the words “relevant body” shall be deleted from part 1 of Article 35, point 1 of part 1 of Article 36, point 3 of part 1 and part 2 of Article 37, part 1 of Article 38, parts 1 and 4 of Article 39, and Article 40 of the Law.

**Article 11.** In Article 27 of the Law:

(1) in the second paragraph of part 1, the words “a high-ranking official” shall be replaced with the words “persons holding state positions (except for Deputies, judges, members of the Supreme Judicial Council, prosecutors and investigators), heads and deputy heads of communities with population of 15 000 or more, heads and deputy heads of administrative districts of the community of Yerevan”;

(2) part 2 [shall be edited to read as follows:]

“2. The Commission shall institute relevant proceedings in case of existence of prima facie violations of incompatibility requirements or other restrictions prescribed by the

Law of the Republic of Armenia “On public service”, by persons holding state positions, by heads and deputy heads of communities with population of 15 000 or more, by heads and deputy heads of administrative districts of the community of Yerevan, as well as in case of existence of prima facie violations of rules of conduct by persons holding state positions (except for Deputies, judges, members of the Supreme Judicial Council, prosecutors and investigators), by heads and deputy heads of communities with population of 15 000 or more, by heads and deputy heads of administrative districts of the community of Yerevan or prima facie cases of clash of situational interests.”.

**Article 12.** Point 2 of part 1 of Article 29 of the Law shall be edited to read as follows:

“(2) name and surname of the person holding a state position, or of the head or deputy head of a community with population of 15 000 or more, or of the head or deputy head of an administrative district of a community of Yerevan, having committed prima facie violation of incompatibility requirements prescribed by the Law of the Republic of Armenia “On public service” or other restrictions, or of the person holding a state position (except for a Deputy, judge, member of the Supreme Judicial Council, prosecutor and investigator) or the head or deputy head of a community with population of 15 000 or more, or the head or deputy head of an administrative district of a community of Yerevan, having committed a prima facie violation of the Code of Conduct or having been involved in a situation with prima facie clash of situational interests, to whom the application concerns, the position of that person and the state or local self-government body within which the person holds the position;”.

**Article 13.** In parts 2, 3 and 5 of Article 31, as well as in parts 2-4 and 6 of Article 33 of the Law the words “high-ranking” shall be [deleted and] the words “holding a position” [shall be inserted after the word “official”].

**Article 14.** In Article 33 of the Law:

- (1) in part 3, the word “superior” shall be replaced with the words “superior person or immediate supervisor”;
- (2) in part 4, the words “superior person” shall be replaced with the word “official”;
- (3) in part 6, the words “not having a superior” shall be replaced with the words “not having a superior or an immediate supervisor”.

**Article 15.** The Law shall be supplemented with Article 41.1 which reads as follows:

**“Article 41.1. Notifications**

1. The Commission for the Prevention of Corruption shall, within the scope of the analysis and proceedings conducted, notify a person in hard copy or electronically or by drawing up a document thereon with the participation of the person being notified, or in other manner — upon the consent of the person being notified.
2. A notification in hard copy shall be handed over directly or by mail, to the address specified in the declaration or application by the person being notified. An electronic notification shall be sent to the electronic mail address or phone number specified by the person being notified.

An electronic notification shall be considered to be due notification where an electronic confirmation on the receipt of the electronic notification exists.”.

**Article 16.** Article 42 of the Law shall be supplemented with parts 6-9 which read as follows:

“6. The Commission for the Prevention of Corruption shall be the legal successor of the Commission on Ethics of High-Ranking Officials.

7. The Staff of the Commission on Ethics of High-Ranking Officials shall function until the formation of the structural subdivisions of the Commission for the Prevention of Corruption.

8. The number of employees and the staff list, structure and the charter of the structural subdivisions of the Commission for the Prevention of Corruption shall be approved by 1 July 2018.

9. Relevant appointments in the structural subdivisions of the Commission for the Prevention of Corruption shall be made within a period of one month following the approval of the number of employees and the staff list, structure and charter of the structural subdivisions of the Commission for the Prevention of Corruption.”.

**Article 17.** This Law shall enter into force from the moment of formation of the Commission for the Prevention of Corruption.

**President  
of the Republic of Armenia**

**A. Sargsyan**

29 March 2018

Yerevan

HO-208-N