

# LAW OF THE REPUBLIC OF ARMENIA

Adopted on 3 April 2002

## ON LEGAL ACTS

### CHAPTER 1

#### *GENERAL PROVISIONS*

#### **Article 1. Subject matter of the Law**

This Law defines the types and hierarchy of legal acts of the Republic of Armenia, as well as the general procedure for their elaboration, expert examination, adoption, promulgation, entry into force, operation, amendment, termination, interpretation, clarification, and systematisation.

#### **Article 2. Legal act**

1. Legal act is an official written document — adopted by the people of the Republic of Armenia, state or local self-government bodies, state or community institutions of the Republic of Armenia as well as by legal persons and their separated subdivisions or institutions within the scope of their powers, in cases and as prescribed by law — which establishes rights, responsibilities, liabilities, restrictions or other rules subject to mandatory recognition, observance, protection, enforcement, or application (hereinafter referred to as “rules of conduct”).

Legal acts may be of temporary or permanent nature; may be intended for single or multiple application.

2. Legal acts are of regulatory, individual (non-regulatory), or internal (local) nature.

3. Regulatory legal act is an official written document — provided for by law and adopted by the people of the Republic of Armenia, state or local self-government bodies of the Republic of Armenia within the scope of their powers, in cases and as prescribed by the Constitution, laws of the Republic of Armenia — which is aimed at prescribing, amending, or terminating a legal norm or norms.

A legal act shall be deemed to be regulatory if it contains at least one legal norm.

A legal act amending or supplementing a regulatory legal act, as well as terminating a regulatory legal act or a part thereof shall also be deemed to be a regulatory legal act, even when such amendments or supplements contain no legal norm.

Regulatory legal acts shall be adopted on the basis of the Constitution and laws and for the purpose of ensuring their implementation.

4. Legal norm is a rule of conduct — adopted in cases provided for by law and as prescribed by this Law by the people of the Republic of Armenia, state or local self-government bodies of the Republic of Armenia within the scope of their powers — which is of temporary or permanent nature, is intended for single or multiple application and is binding for indefinite or definite (but not individual) persons.

5. Individual act is a legal act — adopted by the bodies referred to in part 1 of this Article within the scope of their powers — which is of temporary or permanent nature, is intended for single or multiple application, contains no legal norm, and defines rules of conduct only for natural or legal persons or state or local self-government bodies or state or community institutions (hereinafter referred to as “person”) expressly and personally specified (provided for) therein.

An individual legal act shall be adopted only in accordance with a regulatory legal act and within the framework established by it.

6. Internal act is an act — adopted by the Chairperson of the Central Bank of the Republic of Armenia where the Central Bank of the Republic of Armenia acts as a bank, other state bodies referred to in Article 4 of this Law, state or community institutions, legal persons, their separated subdivisions or institutions, as well as individual entrepreneurs (hereinafter referred to as “the body adopting an internal legal act”) within the scope of their powers, in cases provided for by regulatory legal acts — which is of temporary or permanent nature, is intended for single or multiple application and prescribes rules of conduct which extend only to those indefinite or definite (but not individual) persons who:

- (1) are in employment, administrative, or civil-law relations with the body adopting it; or
- (2) use the services or works of the body adopting it; or
- (3) are the founders (participants, members, shareholders, etc.) of the legal persons adopting it.

Internal legal acts shall be adopted only in accordance with a regulatory legal act and within the framework established by it.

Provisions in an internal legal act, which contain legal norms extending to persons other than those provided for in this part, shall have no legal effect.

*(Article 2 supplemented by HO-425-N of 23 October 2002, HO-35-N of 25 December 2006)*

### **Article 3. General requirements for legal acts**

1. Legal acts may be adopted only by the people of the Republic of Armenia or state or local self-government bodies of the Republic of Armenia or state or community institutions empowered or competent to do so under the Constitution or law, legal persons or their separated subdivisions or institutions, as well as individual entrepreneurs.
2. Legal acts shall not contradict the legal acts of equal or higher legal effect.
3. Legal acts must comply with the rules of legislative technique.
4. Regulatory legal acts must be adopted publicly.
5. Regulatory legal acts must regulate homogeneous relations (regulating one field).
6. Other persons or bodies shall be prohibited from making linguistic-stylistic, editorial, syntactic or other changes, except for correcting spelling or punctuation mistakes in the legal act adopted in final edition by the law-making body. Changes made in contravention of the requirements of this part shall have no legal effect.

### **Article 4. System of legal acts**

Legal acts adopted in the Republic of Armenia are as follows:

- (1) Constitution of the Republic of Armenia and amendments thereto, laws of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Chairperson of the National Assembly of the Republic of Armenia, decisions of the Government of the Republic of Armenia or decisions of the Prime Minister of the Republic of Armenia (hereinafter referred to as "the legislation of the Republic of Armenia", "the legislation" or "legislative acts");
- (2) executive orders of the Chairperson of the National Assembly of the Republic of Armenia, decisions of the Board of the Central Bank of the Republic of Armenia, decisions of the Central Electoral Commission of the Republic of Armenia, decisions and directions of the Energy Regulatory Commission of the Republic of Armenia, decisions of the State Council on Statistics of the Republic of Armenia, decisions of the Commission for the Protection of Economic Competition of the Republic of Armenia, decisions of the National Commission on Television and Radio, decisions of the Civil Service Council of the Republic of Armenia, orders of ministers and of heads of public administration bodies adjunct the Government of the Republic of Armenia, decisions or executive orders of marzpets [regional governors] and the mayor of Yerevan (hereinafter referred to as "agency acts");

(3) decisions of the community council of elders or community head, as well as decisions of local self-government bodies adopted through a local referendum (hereinafter referred to as "acts of local self-government bodies");

(4) international treaties ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia pursuant to the Constitution and laws of the Republic of Armenia and having entered into force (hereinafter referred to as "international treaties of the Republic of Armenia");

(5) decisions, civil or criminal judgments of the Constitutional Court of the Republic of Armenia, a first instance court, a court of appeal or the Court of Cassation of the Republic of Armenia, Economic Court of the Republic of Armenia (hereinafter referred to as "judicial acts"), as well as individual orders and executive orders adopted by heads of staff of the courts;(6) individual or internal orders, executive orders, decisions, petitions, implementing orders and other individual and internal legal acts adopted by state bodies other than those referred to in points 1, 2 and 5 of part 1 of this Article (hereinafter referred to as "legal acts of other state bodies");

(7) orders or executive orders of state or community institutions not having the status of a state body, as well as of staffs of community heads (hereinafter referred to as "legal acts of state or community institutions");

(8) orders or executive orders adopted by legal persons, their separated subdivisions or institutions, as well as by individual entrepreneurs (hereinafter referred to as "legal acts of legal persons").

*(Article 4 supplemented by HO-524-N of 31 March 2003, amended by HO-243-N of 8 December 2005, amended and edited by HO-35-N of 25 December 2006, amended by HO-165-N of 30 September 2008, supplemented and amended by HO-86-N of 7 April 2009)*

## **Article 5. Scope of this Law**

1. The operation of this Law extends to legislative, agency legal acts of the Republic of Armenia, or regulatory or individual legal acts of local self-government bodies, unless otherwise provided for by this Law.

2. The operation of Articles 26, 28, 31, 32 and 35 of this Law does not extend to draft laws or draft decisions of the National Assembly of the Republic of Armenia elaborated or submitted by deputies of the National Assembly of the Republic of Armenia through the legislative initiative procedure.

3. The operation of this Law extends to international treaties of the Republic of Armenia only in cases expressly provided for by this Law.

4. The operation of this Law extends to judicial acts only in cases expressly provided for by this Law.

5. The operation of this Law also extends to individual and internal legal acts adopted by other state bodies, unless otherwise provided for by the legislation of the Republic of Armenia or follows from the essence of those legal acts.

6. The operation of this Law extends to individual and internal legal acts adopted by state or community institutions as well as by legal persons, unless otherwise provided for by the legislation of the Republic of Armenia or follows from the essence of those legal acts.

Specifics of regulation of relations pertaining to the forms of administrative acts, their adoption, promulgation or publication, entry into force, amendment, invalidation, termination, as well as notifying the addressees of those acts shall be as established by the Law of the Republic of Armenia "On fundamentals of administrative action and administrative proceedings".

7. The rules provided for individual legal acts by this Law shall apply to internal legal acts, unless otherwise provided for by law.

8. Law-making bodies may apply the rules provided for regulatory legal acts by this Law to individual or internal legal acts, unless otherwise provided for by law or follows from the essence of the legal act concerned.

*(Article 5 supplemented by HO-109-N of 20 May 2005)*

#### **Article 6. Competence to adopt regulatory legal acts**

1. The competence to adopt regulatory legal acts in the Republic of Armenia is vested in:

(1) the people — only through a referendum;

(2) the President of the Republic of Armenia, the National Assembly of the Republic of Armenia, the Chairperson of the National Assembly of the Republic of Armenia, the Government of the Republic of Armenia, the Prime Minister of the Republic of Armenia, the Board of the Central Bank of the Republic of Armenia, as well as the Central Electoral Commission of the Republic of Armenia, the Energy Commission of the Republic of Armenia, the State Council on Statistics of the Republic of Armenia, the State Commission for the Protection of Economic Competition of the Republic of Armenia, the National Commission on Television and Radio, the Civil Service Council of the Republic of Armenia (hereinafter referred to as "regulatory commissions"), ministers of the Republic of Armenia, heads of state bodies adjunct to the Government of the Republic of Armenia (hereinafter referred to as "minister"), as well as marzpets, the mayor of Yerevan, community councils of elders and community heads;

(3) the Constitutional Court of the Republic of Armenia — in cases provided for by the Constitution of the Republic of Armenia;

(4) first instance courts, courts of appeal and the Court of Cassation of the Republic of Armenia — with regard to invalidating legal acts of state or local self-government bodies contradicting the law or, in cases provided for by this Law, legal acts of higher legal effect;

(5) the Council of Court Chairpersons of the Republic of Armenia and the Chairperson of the Court of Cassation of the Republic of Armenia — with regard to judicial service.

2. Other state bodies, subdivisions of state and local self-government bodies, as well as state and community institutions and legal persons may not adopt regulatory legal acts.

3. Regulatory legal acts adopted by bodies other than those provided for by the Constitution of the Republic of Armenia and by this Law shall have no legal effect.

*(Article 6 amended and supplemented by HO-524-N of 31 March 2003, amended by HO-243-N of 8 December 2005, supplemented by HO-157-N of 7 July 07 2006, HO-86-N of 7 April 2009)*

#### **Article 7. Procedures for elaborating, discussing, and adopting legal acts**

1. The procedures for adopting the Constitution of the Republic of Armenia or making amendments thereto, adopting laws through a referendum shall be as established by the Constitution of the Republic of Armenia, the Rules of Procedure of the National Assembly of the Republic of Armenia and the Law of the Republic of Armenia “On referendum”.

2. The procedure for elaborating, discussing, and adopting draft laws and draft decisions of the National Assembly of the Republic of Armenia proposed by deputies of the National Assembly of the Republic of Armenia shall be as established by the Rules of Procedure of the National Assembly of the Republic of Armenia.

The procedure for elaborating, discussing, and adopting draft decisions of the National Assembly of the Republic of Armenia proposed by the President of the Republic of Armenia or draft laws of the Republic of Armenia or draft decisions of the National Assembly of the Republic of Armenia proposed by the Government of the Republic of Armenia shall be as established by the Rules of Procedure of the National Assembly of the Republic of Armenia, this Law and decrees of the President of the Republic of Armenia.

3. The procedure for elaborating, discussing, or adopting decrees and executive orders of the President of the Republic of Armenia shall be as established by this Law or a decree or executive order of the President of the Republic of Armenia.

4. The procedure for elaborating, discussing, or adopting decisions of the Government of the Republic of Armenia and of the Prime Minister of the Republic of Armenia shall be as established by this Law or decrees of the President of the Republic of Armenia.
5. The procedure for elaborating, discussing, or adopting decisions of the Board of the Central Bank of the Republic of Armenia shall be as established by law and by decisions of the Board of the Central Bank of the Republic of Armenia.
6. The procedure for elaborating, discussing, or adopting decisions of the Central Electoral Commission of the Republic of Armenia shall be as established by this Law and the Electoral Code of the Republic of Armenia.
7. The procedure for elaborating, discussing, or adopting decisions of the regulatory commissions of the Republic of Armenia shall be as established by this Law, other laws of the Republic of Armenia and, where provided for by laws, also by decisions of the commissions.
8. The procedure for elaborating, discussing, or adopting orders of ministers of the Republic of Armenia, decisions and executive orders of marzpets, the Mayor of Yerevan shall be as established by this Law, other laws, decrees of the President of the Republic of Armenia, and decisions of the Government of the Republic of Armenia.
9. The procedure for elaborating, discussing, or adopting decisions of community councils of elders and community heads shall be as established by this Law, the laws of the Republic of Armenia "On local self-governance" and "On local referendum", and by a decision of the Government of the Republic of Armenia.
10. The procedure for preparing international treaties of the Republic of Armenia, conducting negotiations thereon, initialling, signing, ratification, approval thereof, acceding thereto, registration, temporary application, suspension or termination thereof shall be as established by the Law of the Republic of Armenia "On international treaties of the Republic of Armenia", the Rules of Procedure of the National Assembly of the Republic of Armenia and international treaties of the Republic of Armenia.
11. The procedure for adopting decisions of the Constitutional Court of the Republic of Armenia shall be as established by the Constitution of the Republic of Armenia and the Law of the Republic of Armenia "On the Constitutional Court".
12. The procedure for adopting decisions, civil and criminal judgments of a first instance court, a court of appeal and the Court of Cassation of the Republic of Armenia shall be as established by law.

13. The procedure for elaborating, discussing, or adopting legal acts of other state bodies shall be established as prescribed by the legislation of the Republic of Armenia or by the statute of those bodies.

14. The procedure for elaborating, discussing, or adopting legal acts of state or community institutions shall be established as prescribed by the legislation of the Republic of Armenia, the founders of those bodies, or by the statute of those bodies.

15. The procedure for elaborating, discussing, or adopting legal acts of legal persons shall be established as prescribed by the legislation of the Republic of Armenia or by the charter of those legal persons.

*(Article 7 amended by HO-35-N of 25 December 2006)*

## CHAPTER 2 TYPES AND HIERARCHY OF LEGAL ACTS

### **Article 8. Constitution of the Republic of Armenia**

1. The Constitution of the Republic of Armenia lays down the principles of legal regulation in the territory of the Republic of Armenia. The Constitution of the Republic of Armenia is the legal basis of the legislation of the Republic of Armenia.

2. The Constitution of the Republic of Armenia has supreme legal effect, and its norms have direct effect.

Laws must comply with the Constitution. Other legal acts must comply with the Constitution and laws.

3. The Constitution of the Republic of Armenia shall be adopted or amended through a referendum.

4. The Constitution of the Republic of Armenia and amendments to the Constitution of the Republic of Armenia are regulatory legal acts.

*(Article 8 edited by HO-35-N of 25 December 2006)*

### **Article 9. Laws of the Republic of Armenia**

1. Laws shall regulate more important, specific and stable public relations and shall be adopted in accordance with the Constitution of the Republic of Armenia, through a referendum or by the National Assembly of the Republic of Armenia.

2. Laws must comply with the Constitution of the Republic of Armenia and shall not contradict the decisions of the Constitutional Court of the Republic of Armenia.

3. Laws may regulate any relation.

4. The following shall be established exclusively by laws of the Republic of Armenia:

(1) conditions and procedure for the exercise and protection of the rights of natural and legal persons;

(2) restrictions on the rights and freedoms of natural and legal persons, their responsibilities, as well as the types and extent of liability, the procedure for subjecting to liability, coercive measures and the procedure for their application, types, amount, and payment procedure of taxes, duties and other mandatory payments payable by natural and legal persons;

(3) cases, conditions, and procedure for carrying out control and supervision (including inspection, examination, on-site inspection) over the activities of natural and legal persons;

(4) procedure and conditions for establishing legal persons, suspending or terminating their activities;

(5) list of personal and family information of natural persons, as well as of information of legal persons not constituting commercial secret;

(6) cases, procedure, and conditions for subjecting to criminal, administrative, economic (property), disciplinary liability, procedure for execution of criminal punishments, compulsory enforcement of judicial and administrative acts, as well as status and powers of advocates;

(7) procedure for referenda, elections of the President of the Republic, elections to the National Assembly and local self-government bodies of the Republic of Armenia;

(8) procedure for the formation and expenditure of the State Budget;

(9) procedure and conditions for concluding, denouncing international treaties of the Republic of Armenia;

(10) legal status of political parties and other non-governmental associations, mass media;

(11) administrative-territorial units of the Republic of Armenia and their boundaries.

4.1. Rules, procedures, or technical norms (urban development, sanitary, anti-fire, accounting, standardisation, etc.) regulating the exercise of the rights or fulfilment of the responsibilities — provided for by law — of natural and legal persons, may, in cases and within the scope expressly provided for by law, be provided for by other legal acts which may not contain new restrictions of rights, or responsibilities.

5. Laws may be adopted in the form of codes. A code is a law laying down — in a systematic and regulated manner — all or the main norms of law, which govern homogeneous public relations.

6. In the field of legal relations regulated by a code, all other laws of the Republic of Armenia must comply with codes.

*(Article 9 supplemented and edited by HO-524-N of 31 March 2003, amended and supplemented by HO-13-N of 17 December 2003, supplemented by HO-137-N of 24 November 2004, edited and supplemented by HO-35-N of 25 December 2006)*

Article 10. Decisions of the Government of the Republic of Armenia having the effect of a law

*(Article 10 repealed by HO-35-N of 25 December 2006)*

**Article 11. Decisions of the Constitutional Court of the Republic of Armenia**

1. The Constitutional Court of the Republic of Armenia shall adopt decisions and opinions within the time-limits and as prescribed by the Constitution and the Law of the Republic of Armenia "On the Constitutional Court".

2. Decisions and opinions of the Constitutional Court of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia and the Law of the Republic of Armenia "On the Constitutional Court".

3. The Constitutional Court of the Republic of Armenia shall adopt only regulatory, individual, or procedural decisions.

4. The President of the Constitutional Court of the Republic of Armenia shall adopt only individual decisions or executive orders.

*(Article 11 edited and supplemented by HO-35-N of 25 December 2006)*

**Article 12. Decisions of the National Assembly of the Republic of Armenia**

1. The National Assembly of the Republic of Armenia shall adopt decisions in cases provided for by the Constitution of the Republic of Armenia and the Rules of Procedure of the National Assembly of the Republic of Armenia.

2. The decisions of the National Assembly of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, and international treaties ratified by the National Assembly of the Republic of Armenia.

3. The National Assembly of the Republic of Armenia shall adopt only regulatory or individual decisions.

*(Article 12 amended by HO-35-N of 25 December 2006)*

**Article 13. Decrees and executive orders of the President of the Republic of Armenia**

1. The President of the Republic of Armenia shall promulgate decrees and executive orders within the scope of the powers vested in him or her under the Constitution and the laws of the Republic of Armenia.
2. Decrees of the President of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, and international treaties ratified by the National Assembly of the Republic of Armenia.
3. Executive orders of the President of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees of the President of the Republic of Armenia, and international treaties ratified by the National Assembly of the Republic of Armenia.
4. The President of the Republic of Armenia shall adopt only regulatory or individual decrees or executive orders.

*(Article 13 amended by HO-35-N of 25 December 2006)*

**Article 13.1. Decisions and executive orders of the Chairperson of the National Assembly of the Republic of Armenia**

1. The Chairperson of the National Assembly of the Republic of Armenia shall adopt decisions and executive orders within the scope of the powers vested in him or her under the Constitution of the Republic of Armenia and the Law of the Republic of Armenia "Rules of Procedure of the National Assembly".
2. Decisions of the Chairperson of the National Assembly of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, and international treaties ratified by the National Assembly of the Republic of Armenia.

3. Executive orders of the Chairperson of the National Assembly of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, and international treaties of the Republic of Armenia ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia.

4. The Chairperson of the National Assembly of the Republic of Armenia may adopt regulatory decisions and individual executive orders.

*Article 13.1 supplemented by HO-86-N of 7 April 2009)*

#### **Article 14. Decisions of the Government of the Republic of Armenia**

1. The Government of the Republic of Armenia shall adopt decisions only within the scope of the powers vested in it under the Constitution of the Republic of Armenia and laws of the Republic of Armenia.

2. Decisions of the Government of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, international treaties of the Republic of Armenia ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia, as well as decisions of the Board of the Central Bank of the Republic of Armenia and of regulatory commissions adopted within the scope of their powers expressly provided for by law.

3. Any relation not regulated by law shall be subject to regulation by decisions of the Government of the Republic of Armenia, unless the relation concerned must, under the Constitution of the Republic of Armenia and laws of the Republic of Armenia or under a decree or executive order of the President of the Republic of Armenia, be regulated by other legal acts.

4. The Government of the Republic of Armenia may adopt only regulatory or individual decisions.

*(Article 14 amended by HO-35-N of 25 December 2006)*

**Article 15. Decisions of the Prime Minister of the Republic of Armenia**

1. The Prime Minister of the Republic of Armenia shall adopt decisions on matters pertaining to the organisation of the activities of the Government.

The Prime Minister of the Republic of Armenia shall adopt decisions only within the scope of the powers expressly vested in him or her under the Constitution and laws of the Republic of Armenia.

2. Decisions of the Prime Minister of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, international treaties of the Republic of Armenia ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia, as well as decisions of the Board of the Central Bank of the Republic of Armenia and of regulatory commissions adopted within the scope of their powers expressly provided for by law.

3. The Prime Minister of the Republic of Armenia may adopt only regulatory or individual decisions.

*(Article 15 amended and edited by HO-35-N of 25 December 2006)*

**Article 16. Decisions of the Board of the Central Bank of the Republic of Armenia and decisions and executive orders of the Chairperson of the Central Bank of the Republic of Armenia**

1. The Board of the Central Bank of the Republic of Armenia shall adopt decisions only in cases and within the limits expressly provided for by law.

2. In cases provided for by law, the Board of the Central Bank of the Republic of Armenia shall adopt joint decisions with the ministers of the Republic of Armenia.

The requirements of this Law for the decisions of the Board of the Central Bank of the Republic of Armenia shall apply to jointly adopted decisions.

3. The decisions of the Board of the Central Bank of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, decisions of the Prime Minister of the Republic of Armenia, and international treaties ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia.

4. The Board of the Central Bank of the Republic of Armenia may adopt only regulatory or individual decisions.

5. The Chairperson of the Central Bank of the Republic of Armenia shall, within the scope of the powers vested in him or her under the legislation or the Statute of the Central Bank of the Republic of Armenia, adopt only individual decisions or executive orders, as well as internal acts where the Central Bank of the Republic of Armenia acts as a bank, in accordance with Article 2(6)(1) to (2) of this Law.

*(Article 16 supplemented by HO-425-N of 23 October 2002, amended by HO-35-N of 25 December 2006)*

#### **Article 17. Decisions of the Central Electoral Commission of the Republic of Armenia**

1. The Central Electoral Commission of the Republic of Armenia shall adopt decisions only in cases and within the limits expressly provided for by the Electoral Code of the Republic of Armenia.

2. Decisions of the Central Electoral Commission of the Republic of Armenia shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, decisions of the Prime Minister of the Republic of Armenia and of the Board of the Central Bank of the Republic of Armenia, and international treaties of the Republic of Armenia ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia.

3. The Central Electoral Commission of the Republic of Armenia may adopt only regulatory or individual decisions.

After calling national elections (referendum) and prior to taking a decision on summarising the results of elections (referendum), regulatory decisions of the Central Electoral Commission shall enter into force after they undergo state legal expert examination in accordance with this Law and are granted state registration, on the day following the promulgation in "Hayastani Hanrapetutyun" [Republic of Armenia] daily newspaper.

4. The Chairperson of the Central Electoral Commission of the Republic of Armenia shall, within the scope of the powers vested in him or her under the legislation of the Republic of Armenia, adopt only individual decisions or executive orders.

*(Article 17 amended by HO-35-N of 25 December 2006, supplemented by HO-222-N of 16 November 2007)*

**Article 18. Decisions of regulatory commissions**

1. Regulatory commissions shall adopt decisions and, in cases provided for by law, also directions (hereinafter referred to as "decisions") only in cases and within the limits expressly provided for by law.
2. Decisions of regulatory commissions shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, decisions of the Prime Minister of the Republic of Armenia and of the Board of the Central Bank of the Republic of Armenia, international treaties of the Republic of Armenia ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia.
3. Regulatory commissions may adopt only regulatory or individual decisions.
4. Chairpersons of regulatory commissions shall adopt only individual decisions within the scope of the powers vested in them under the legislation of the Republic of Armenia.

*(Article 18 amended by HO-35-N of 25 December 2006)*

**Article 19. Orders of ministers of the Republic of Armenia, decisions and executive orders of marzpets and of the Mayor of Yerevan**

1. Ministers of the Republic of Armenia shall adopt orders, and marzpets and the Mayor of Yerevan shall adopt decisions and executive orders, only within the scope of the powers vested in them under the legislation of the Republic of Armenia.

Ministers of the Republic of Armenia shall adopt regulatory orders, and marzpets and the Mayor of Yerevan shall adopt regulatory decisions only in cases and within the limits expressly provided for by the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government and of the Prime Minister of the Republic of Armenia.

The powers referred to in part 6 of this Article may not be granted — under laws and other legal acts — to ministers of the Republic of Armenia, marzpets, and the Mayor of Yerevan. Norms that vest such powers shall be invalid.

2. In cases expressly provided for by laws or legislative acts, ministers of the Republic of Armenia, marzpets, and the Mayor of Yerevan may adopt joint orders or decisions.

Jointly adopted orders and decisions shall be subject to the provisions of this Law that regulate the requirements for the legal act of the law-making body responsible for the adoption of a jointly adopted act or of the body stated the first in the list of those adopting the legal act.

In cases expressly provided for by legislative acts, orders of ministers, as well as decisions of marzpets or of the Mayor of Yerevan, may be agreed with other public administration bodies.

3. Orders of ministers of the Republic of Armenia, as well as decisions and executive orders of marzpets and of the Mayor of Yerevan shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, of the Prime Minister of the Republic of Armenia, international treaties of the Republic of Armenia, as well as decisions of the Board of the Central Bank of the Republic of Armenia, of the Central Electoral Commission of the Republic of Armenia and of the regulatory commissions of the Republic of Armenia adopted within the scope of their powers expressly provided for by law.

Decisions and executive orders of the heads of public administration bodies adjunct to the Government of the Republic of Armenia, of marzpets and of the Mayor of Yerevan shall not contradict also orders of the ministers of the Republic of Armenia.

4. Ministers of the Republic of Armenia may adopt only regulatory or individual orders.

5. Marzpets and the Mayor of Yerevan may adopt only regulatory or individual decisions and individual executive orders.

6. Orders of the ministers of the Republic of Armenia, decisions and executive orders of marzpets and of the Mayor of Yerevan may not prescribe norms that restrict the rights, freedoms, and privileges of legal and natural persons, alter the procedure for their exercise, or establish liability, or provide for a heavier liability, or establish or alter responsibilities, or establish or alter the procedure for the fulfilment of responsibilities, establish or alter the procedure for control or supervision over the activities of legal or natural persons, as well as otherwise worsen their legal status.

Legal acts or their relevant parts adopted in violation of the requirements of this part shall have no legal effect.

*(Article 19 amended by HO-35-N of 25 December 2006)*

**Article 20. Decisions of community councils of elders and community heads of the Republic of Armenia**

1. Community councils of elders and community heads shall adopt decisions only within the scope of the powers vested in them under law.

Community councils of elders and community heads shall adopt regulatory decisions only in cases and within the limits expressly provided for by the Constitution of the Republic of Armenia and laws of the Republic of Armenia.

2. Decisions of community councils of elders and community heads shall not contradict the Constitution of the Republic of Armenia, laws of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, decisions of the Prime Minister of the Republic of Armenia, decisions of the Board of the Central Bank of the Republic of Armenia, decisions of the Central Electoral Commission of the Republic of Armenia, decisions of regulatory commissions, orders of the ministers of the Republic of Armenia, decisions and executive orders of the marzpets of the Republic of Armenia and of the Mayor of Yerevan, as well as international treaties of the Republic of Armenia.

3. Community councils of elders and community heads may adopt only regulatory or individual decisions.

4. Decisions of local self-government bodies may be adopted through a referendum, in accordance with the Law of the Republic of Armenia "On local referendum".

*(Article 20 amended by HO-35-N of 25 December 2006)*

**Article 21. International treaties of the Republic of Armenia**

1. An international treaty of the Republic of Armenia is a regulatory legal act which governs the relations between the Republic of Armenia and foreign States, international organisations, and other subjects of international law.

2. Generally recognised principles and norms of international law, as well as international treaties of the Republic of Armenia are a constituent part of the legal system of the Republic of Armenia.

Laws and other legal acts of the Republic of Armenia must comply with the general norms and principles of international law.

3. The norms and principles of international law that have equal legal effect for all States, including the Republic of Armenia, shall be regarded as generally recognised.

4. International treaties ratified by the National Assembly of the Republic of Armenia or approved by the President of the Republic of Armenia shall have the legal effect of a legal act of the body that ratifies or approves them.

If international treaties ratified by the National Assembly of the Republic of Armenia prescribe norms other than those provided for by laws, the norms of the ratified treaties shall apply.

If international treaties approved by the President of the Republic of Armenia prescribe norms other than those provided for by other legal acts, the norms of the approved treaties shall apply.

*(Article 21 edited by HO-35-N of 25 December 2006)*

## **Article 22. Judicial acts of a first instance court, a court of appeal and the Court of Cassation**

1. The first instance courts, courts of appeal and the Court of Cassation of the Republic of Armenia shall render decisions, civil, criminal judgments and issue payment orders (hereinafter referred to as "judicial acts") only in cases and within the limits provided for by the Constitution of the Republic of Armenia and laws of the Republic of Armenia.

2. Judicial acts of first instance courts, courts of appeal and the Court of Cassation of the Republic of Armenia shall not contradict the requirements of the legislation of the Republic of Armenia, agency legal acts and international treaties of the Republic of Armenia.

3. Decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia, decisions of the Prime Minister of the Republic of Armenia, agency legal acts and legal acts of local self-government bodies, international treaties of the Republic of Armenia, except for those ratified by the National Assembly of the Republic of Armenia, internal and individual legal acts shall not contradict the judicial acts of first instance courts, courts of appeal and the Court of Cassation having taken legal effect.

*(Heading edited by HO-283-N of 28 November 2007)*

*(Article 22 edited by HO-283-N of 28 November 2007)*

**Article 22.1. Decisions of the Council of Court Chairpersons of the Republic of Armenia and of the Chairperson of the Court of Cassation of the Republic of Armenia**

1. The Council of Court Chairpersons of the Republic of Armenia and of the Chairperson of the Court of Cassation of the Republic of Armenia shall adopt decisions only in cases and within the limits provided for by laws of the Republic of Armenia.

2. Decisions of the Council of Court Chairpersons of the Republic of Armenia and of the Chairperson of the Court of Cassation of the Republic of Armenia shall not contradict the requirements of the legislation of the Republic of Armenia and international treaties of the Republic of Armenia.

3. The Council of Court Chairpersons of the Republic of Armenia and the Chairperson of the Court of Cassation of the Republic of Armenia shall — on the basis of regulatory or internal or individual [acts] or summarisation of the judicial practice — adopt official advisory clarifications for the application of laws.

*(Article 22.1 supplemented by HO-157-N of 7 July 2006)*

**Article 23. Legal acts of other state bodies, state and community institutions and of legal persons**

1. Other state bodies, state and community institutions, legal persons shall adopt only individual or internal legal acts, within the scope of the powers prescribed by legal acts or their statutes.

2. Legal acts of other state bodies, state or community institutions and of legal persons shall not contradict the legislation of the Republic of Armenia, agency acts, local self-government acts, judicial acts, and international treaties of the Republic of Armenia.

*(Heading amended by HO-35-N of 25 December 2006)*

*(Article 23 amended by HO-35-N of 25 December 2006)*

**Article 24. Hierarchy of legal acts of the Republic of Armenia**

1. Legal acts of the Republic of Armenia shall operate on the basis of the principle of supremacy of acts of higher legal effect, as provided for by the Constitution of the Republic of Armenia and this Law.

2. In case of contradictions between legal acts, the legal acts of higher legal effect as provided for by the Constitution of the Republic of Armenia and this Law shall be operative, except for the cases provided for in part 7 of this Article.

3. A newly adopted legal act of the same body shall not contradict the previously adopted legal acts of equal legal effect, which have entered into force. In case of contradictions between legal acts of equal legal effect adopted by the same body, the norms of the legal act that has entered into force earlier shall be operative, except for the case provided for in the second paragraph of Article 94(4) of this Law.

4. If there arises a contradiction between regulatory or individual legal acts of equal legal effect adopted by different bodies, the legal act adopted by the body that is granted the power to adopt such a legal act under a legal act of higher legal effect, shall be operative.

5. In case of contradictions between different parts of the same legal act, the provisions of those parts shall be operative, which stem from the essence of the legal act concerned or from the principles of law governing the legal relations concerned, except for the cases provided for in part 7 of this Article.

In case of a contradiction between the general and special parts of the same legal act, the provisions of the general part shall be operative.

6. In case of a contradiction between laws adopted by the National Assembly of the Republic of Armenia and those adopted by a referendum, the norms of the law adopted by a referendum shall be operative.

7. In case of a contradiction between regulatory legal acts of equal legal effect or between different parts of the same legal act, the state and local self-government bodies shall, in their relations with natural and legal persons, apply the regulatory legal act or the part thereof which is preferable for natural and legal persons.

8. It shall be prohibited to provide for a norm in a legal act on the supremacy over other legal acts of equal legal effect. Such norms shall have no legal effect.

9. Laying down an exception to the general norm shall not be regarded as a contradiction in the legal act.

*(Article 24 supplemented by HO-524-N of 31 March 2003)*

## **Article 25. Prohibition of transfer of law-making powers**

The transfer — by the President of the Republic of Armenia, the Chairperson of the National Assembly of the Republic of Armenia, the Constitutional Court of the Republic of Armenia, the Government of the Republic of Armenia, the Prime Minister of the Republic of Armenia, the Board of the Central Bank of the Republic of Armenia, the Central Electoral Commission of the Republic of Armenia, regulatory commissions, the ministers of the Republic of Armenia, marzpets, the Mayor of

Yerevan, community councils of elders or community heads — of their law-making power to other bodies shall be prohibited.

*(Article 25 amended by HO-35-N of 25 December 2006, supplemented by HO-86-N of 7 April 2009)*

### CHAPTER 3 PREPARATION OF DRAFT LEGAL ACTS

#### **Article 26. Plans for preparation of draft regulatory legal acts**

1. Draft regulatory legal acts (hereinafter referred to as “law-making activities”) shall be prepared in accordance with current plans which shall, as a rule, be developed for a period of one to two years.
2. Long-term plans for law-making activities shall, as a rule, be developed for a period of three years and longer.
3. The plans for law-making activities shall indicate the preliminary titles and types of the regulatory legal acts, as well as the bodies responsible for their elaboration, and the time-limits for elaborating these acts.
4. Approval of the plans for law-making activities shall not exclude the elaboration and adoption of regulatory legal acts not indicated therein.
5. The plans for law-making activities shall be approved by the bodies adopting them. The Government of the Republic of Armenia shall approve also the plans for the preparation of draft laws of the Republic of Armenia and decisions of the National Assembly of the Republic of Armenia to be submitted — through the legislative initiative procedure — by it to the discussion of the National Assembly.

#### **Article 27. Elaboration of draft legal acts**

1. State or local self-government bodies, state or community institutions, or legal persons elaborating draft legal acts (hereinafter referred to as “the body elaborating the draft”), may establish a committee for the elaboration of the draft from among the employees and specialists of that body. Representatives from scientific organisations, interested bodies and organisations as well as specialists may also be involved in order to carry out the activities for the elaboration of the draft.
2. At the beginning of activities for the elaboration of a draft law or another regulatory legal act which is significant for its scale or importance, the body elaborating the draft may prepare its concept

paper. The concept paper shall include the description of the relations subject to regulation and the objectives of the future legal act, shall state the main provisions, analyse the anticipated consequences of implementation of the norms being elaborated, and may present the preliminary structure of the legal act.

3. Law-making bodies may assign the elaboration of a draft regulatory legal act to legal or natural persons.

4. Law-making bodies shall be authorised to assign preparation of alternative drafts to several institutions, legal or natural persons. Law-making bodies shall be authorised to call for a tender for the best draft.

5. Legal and natural persons shall be authorised to elaborate, at their initiative, draft regulatory legal acts and submit them to appropriate law-making bodies. Draft laws and draft decisions of the National Assembly of the Republic of Armenia elaborated by legal and natural persons shall, according to the Constitution of the Republic of Armenia, be submitted to persons or bodies having the right of legislative initiative.

Those who have elaborated draft regulatory legal acts elaborated at the initiative of legal and natural persons, shall be entitled to participate in the discussions of the drafts.

Authors of draft legal acts submitted to the discussion of the National Assembly may participate in the discussion of the relevant drafts as prescribed by the Rules of Procedure of the National Assembly of the Republic of Armenia.

6. The word "DRAFT" must be indicated at the top right corner of the first page of draft legal acts.

#### **Article 27.1. Regulatory impact assessment of legal acts**

1. Regulatory impact assessment is the analysis of possible changes resulting from the adoption of regulatory legal acts, whereas in case of a draft law on the State Budget of the Republic of Armenia – it is the information presented under the Budget Message of the Government of the Republic of Armenia.

In cases provided for by law as well as by the annual plan of activities of the Government of the Republic of Armenia, the body elaborating draft decisions of the Government of the Republic of Armenia shall arrange the regulatory impact assessment of the drafts. Regulatory impact assessment of a draft law proposed by a deputy of the National Assembly of the Republic of Armenia and submitted to the Government of the Republic of Armenia for an opinion, which is attached to the

opinion of the Government of the Republic of Armenia, shall be arranged by the public administration body authorised by the Government of the Republic of Armenia.

2. A body elaborating a draft shall submit the draft (except for a draft law on the State Budget of the Republic of Armenia) to the appropriate republican bodies of executive power prescribed by the Government of the Republic of Armenia (hereinafter referred to as “the impact assessor”) for carrying out the mandatory regulatory impact assessment in the field of costs — connected with administrative action — arising for natural and legal persons, as well as in environmental, social, health, economic, including small and medium-sized entrepreneurship, competition, anti-corruption, and budgetary fields. If the body elaborating a draft is an impact assessor in one of the mentioned fields, the regulatory impact assessment in the field concerned shall be carried out by the body elaborating the draft.

Where a draft concerns fields other than those provided for in this part, the regulatory impact assessment of the draft regulatory legal act may, at the initiative of the body elaborating the draft, be also carried out with respect to those fields.

At the initiative of the body elaborating the draft, regulatory impact assessment of the draft may also be carried out by scientific organisations.

3. The impact assessor shall be obliged to carry out a regulatory impact assessment, draw up a regulatory impact assessment report thereon (hereinafter referred to as “the report”) and submit it to the body elaborating the draft, within a 15-day period following the day when the draft regulatory legal act is received, and within a five-day period in case of a draft law adopted by the National Assembly of the Republic of Armenia in the first reading.

The report shall include:

- (1) the results of regulation;
- (2) the results of the assessment of the impact on the field concerned, in case the planned legal act is not adopted;
- (3) where, in the opinion of the impact assessor and based on the conducted calculations and studies, an option of regulation is proposed which is more favourable for the field concerned — the mentioned option with the appropriate justifications;
- (4) the schedule of assessing the consequences expected as a result of implementation of the regulatory legal act;
- (5) policy analysis as well as comparative statistical analysis of the field concerned.

According to the fields, the procedure for carrying out regulatory impact assessment as well as for the assessment of consequences resulting from the implementation of regulatory legal acts, shall be established by the Government of the Republic of Armenia.

The regulatory impact assessment report for a draft law on the State Budget of the Republic of Armenia shall be the Budget Message of the Government of the Republic of Armenia.

4. The body elaborating the draft shall, alongside with the submission of the draft regulatory legal act to impact assessors, arrange public consultations on the draft, the aim of which is to notify natural and legal persons on the draft regulatory legal act, as well as to collect their opinions and to carry out the necessary adaptation works of the draft regulatory legal act based thereon. Public consultations over a draft law on the State Budget of the Republic of Armenia shall start within a three-day period following the submission to the National Assembly of the Republic of Armenia of the draft law on the State Budget.

Public consultations shall be carried out through making public — on the Internet website of the body elaborating the draft — draft regulatory legal acts, other materials provided for by a decision of the Government of the Republic of Armenia, whereas at the initiative of the body elaborating the draft, they may be carried out through public meetings or meetings with stakeholders, open hearings, discussions, public opinion surveys, as well as possible telecommunications means.

The period of carrying out public consultations shall be at least 15 days.

The procedure for arranging and carrying out public consultations shall be established by the Government of the Republic of Armenia.

*(Article 27.1 supplemented by HO-224-N of 2 December 2008, HO-92-N of 18 May 2010)*

## **Article 28. Submission of draft regulatory legal acts**

1. When submitting a draft regulatory legal act to a law-making body for discussion, the body elaborating the draft shall attach thereto:

(1) a justification for the adoption of the legal act, including information on the legal acts as well as, at the discretion of the body elaborating the draft, on the materials based on which or through the use of which the draft regulatory legal act has been elaborated, as well as the names of those having elaborated the draft;

(2) a statement on the absence of necessity to adopt other laws in regard with the adoption of the law, as well as on the necessity to adopt other regulatory legal acts or on the absence thereof;

- (3) a statement on the essential increase or decrease in the expenditures and revenues in the budget of the state or local self-government body in regard with the adoption of the legal act;
- (4) in case of a draft legal act elaborated by state bodies, the legal expert opinion of the legal subdivision (lawyer) of the body elaborating the draft;
- (5) in the case provided for in Article 27.1(1) of this Law, reports received from impact assessors;
- (6) summary paper on the comments and recommendations received concerning the draft, on accepting or rejecting them, accompanied with a justification of the reasons for rejection; moreover, the summary paper shall include those comments and recommendations received as a result of public consultations, which have been accepted.

When submitting a draft law on the State Budget of the Republic of Armenia to the discussion of the National Assembly of the Republic of Armenia as prescribed in Article 79(2) of the Law of the Republic of Armenia "Rules of Procedure of the National Assembly", the summary paper provided for in the first paragraph of this point shall not be submitted, and the procedure for submitting to the National Assembly the summary paper on comments and recommendations received during public consultations of a draft law on the State Budget and accepted by the Government of the Republic of Armenia shall be prescribed by the Law of the Republic of Armenia "Rules of Procedure of the National Assembly".

1.1. Where the fulfilment of a requirement of a norm provided for in a draft law may be achieved only through the adoption of a decision of the Government of the Republic of Armenia or another legal act, or its implementation is directly conditional upon the adoption of another legal act, then — when submitting a draft law to the discussion of the National Assembly by the Government of the Republic of Armenia upon the right of legislative initiative — the statement on the justification of the adoption of the legal act accompanying it, and, in case of a draft law submitted by a deputy of the National Assembly of the Republic of Armenia upon the right of legislative initiative, the opinion of the Government of the Republic of Armenia submitted as prescribed by the Law of the Republic of Armenia "On the Rules of Procedure of the National Assembly", shall indicate:

- (1) the envisaged time-limit for the adoption of the decision of the Government of the Republic of Armenia or another legal act.

2. When submitting a draft regulatory legal act to a law-making body, the draft may be accompanied also with the financial and economic estimates, statistical data, and other documents that have served as a basis for elaborating the legal act, as well as other data necessary for the justification of the draft submitted.

*(Article 28 edited by HO-224-N of 2 December 2008, supplemented by HO-92-N of 18 May 2010, HO-204-N of 7 December 2010)*

**Article 29. Making draft legal acts public**

1. Draft laws submitted to the discussion of the National Assembly of the Republic of Armenia and draft decisions of the National Assembly of the Republic of Armenia may be made public through the press or other mass media, as well as may become a matter of wide public discussion as prescribed by the Rules of Procedure of the National Assembly of the Republic of Armenia and a law of the Republic of Armenia.
2. Draft laws to be submitted by the Government of the Republic of Armenia to the discussion of the National Assembly of the Republic of Armenia may, upon a decree of the President of the Republic of Armenia or a decision of the Government of the Republic of Armenia, be made public through the press or other mass media, as well as may become a matter of wide public discussion.
3. Other draft legal acts may be made public upon the decision of those elaborating the act or the body adopting the legal act.

**Article 30. Financing of elaboration of draft legal acts**

1. Appropriate budgetary funds may be envisaged for drafting a legal act by employees and specialists of law-making bodies.
2. Elaboration of draft legal acts by other legal or natural persons at the expense of the budgetary funds shall be carried out as prescribed by the Law of Republic of Armenia "On public procurements".

**CHAPTER 4**

**EXPERT EXAMINATION AND STATE REGISTRATION OF DRAFT LEGAL ACTS**

**Article 31. Procedure for expert examination and state registration of legal acts**

1. With a view to assessing the quality of a draft legal act submitted to a law-making body, an official independent (legal, financial, scientific-technical, environmental, linguistic and stylistic, etc.) expert examination may be carried out upon the decision of the law-making body.

2. In cases and as prescribed by this Law and with a view to bringing draft regulatory legal acts or regulatory legal acts in line with the Constitution of the Republic of Armenia, the laws of the Republic of Armenia and other legal acts, as well as to ensuring the observance of the requirements of this Law and the rules of legislative technique when elaborating these acts, draft regulatory legal acts or regulatory legal acts shall undergo compulsory state expert examination in the Ministry of Justice of the Republic of Armenia.

3. Draft regulatory legal acts shall be submitted to state expert examination together with the documents provided for in Article 28(1) of this Law.

When sending draft regulatory legal acts or regulatory legal acts to expert examination, all expert reports issued in connection thereto shall be attached.

4. Agency regulatory acts may be promulgated and may enter into force after they have been granted state registration by the Ministry of Justice of the Republic of Armenia as prescribed by this Law.

5. The Ministry of Justice of the Republic of Armenia shall carry out state registration of legislative acts sent to the Ministry for promulgation, within two days following the day they are filed with the Ministry.

6. When carrying out state legal expert examination of regulatory legal acts, the Ministry of Justice of the Republic of Armenia shall be independent and shall abide only by law. 6. When carrying out state legal expert examination of regulatory legal acts, the Ministry of Justice of the Republic of Armenia shall not be accountable to any body.

7. Draft regulatory legal acts may undergo linguistic and stylistic expert examination prior to their adoption by the law-making body.

8. State legal expert examination of draft legal acts shall not prevent other state bodies, legal or natural persons from providing opinions (including also expert opinions) on compliance of the draft with the legal acts, as well as on observance of the requirements of this Law and of the rules of legislative technique when elaborating these acts.

9. Regulatory legal acts shall be subject to state registration by the Ministry of Justice of the Republic of Armenia as prescribed by this Law.

State registration of regulatory legal acts shall be carried out through making an appropriate record in the state register.

The form of the state register and the procedure for its maintenance shall be established by the Minister of Justice of the Republic of Armenia.

10. The operation of parts 1 to 8 of this Article does not extend to decrees and executive orders adopted by the President of the Republic of Armenia under Article 55(14) of the Constitution of the

Republic of Armenia for the purpose of implementing — at the time of martial law or in the event of an imminent threat to the constitutional order of the Republic of Armenia — measures as prescribed by law and dictated by the situation.

**Article 32. Procedure for state legal expert examination of draft legislative acts**

1. Draft regulatory decisions of the National Assembly of the Republic of Armenia proposed by the President of the Republic of Armenia to the National Assembly of the Republic of Armenia may be submitted to the Ministry of Justice of the Republic of Armenia for state legal expert examination for the purpose of receiving an expert opinion on the final versions of draft decrees and executive orders of the President of the Republic of Armenia, as well as draft decisions of the Chairperson of the National Assembly of the Republic of Armenia. Final versions — submitted for discussion — of draft laws of the Republic of Armenia, of draft regulatory decisions of the National Assembly of the Republic of Armenia, of draft regulatory decrees and executive orders of the President of the Republic of Armenia, of draft decisions of the Government of the Republic of Armenia, of draft decisions of the Prime Minister of the Republic of Armenia submitted to the Government of the Republic of Armenia shall, with a view to receiving an expert opinion, be sent to the Ministry of Justice of the Republic of Armenia for state legal expert examination.

The Ministry of Justice of the Republic of Armenia shall provide a state expert opinion to the President of the Republic of Armenia and the Government of the Republic of Armenia on the draft laws adopted by the National Assembly of the Republic of Armenia in the first reading and submitted to the Government of the Republic of Armenia for an opinion. The Ministry of Justice of the Republic of Armenia shall provide a state expert opinion to the President of the Republic of Armenia on the laws adopted by the National Assembly of the Republic of Armenia and submitted to the President of the Republic of Armenia for signature.

2. Draft regulatory legal acts provided for in part 1 of this Article may not be submitted to the discussion of the appropriate law-making body or the President of the Republic of Armenia without a state expert opinion, except for cases provided for by this Law.

3. State expert opinion on the legal acts referred to in the first and second paragraphs of part 1 of this Article shall be issued within 15 days following the day the draft legal act is filed with the Ministry of Justice of the Republic of Armenia. The Ministry of Justice of the Republic of Armenia may extend the time-limit for issuing a state expert opinion on a more complicated or large-scale legal act by up to ten days, and the bodies that have submitted the draft shall be informed about it within one day.

The state expert opinion on legal acts referred to in the third and fourth paragraphs of part 1 of this Article or on the drafts thereof shall be issued within seven days following the day the draft legal act is filed with the Ministry of Justice of the Republic of Armenia.

Where the Ministry of Justice of the Republic of Armenia fails to issue an expert opinion within the time-limit provided for in this Article, the draft regulatory legal act shall be discussed without state expert opinion.

*(Article 32 amended by HO-35-N of 25 December 2006, supplemented by HO-86-N of 7 April 2009)*

### **Article 33. Procedure for state legal expert examination and state registration of agency regulatory legal acts**

1. Agency regulatory legal acts may be promulgated and may enter into force only after they have undergone state legal expert examination and have been granted state registration in the Ministry of Justice of the Republic of Armenia as prescribed by this Law.

2. Agency regulatory legal acts shall, within seven days following the day of their adoption, be sent to the Ministry of Justice of the Republic of Armenia for state legal expert examination and state registration.

Agency regulatory legal acts shall be sent to the Ministry of Justice of the Republic of Armenia in three copies, with a cover letter. Each of the copies of legal acts must be sealed with the seal of the body submitting the legal act and be bound. An electronic version of an agency regulatory act must be submitted contemporaneously with that act.

One copy of legal acts having been granted state registration shall be sent to the body that has adopted the act, the second copy shall be sent for official promulgation, and the third copy shall be maintained at the Ministry of Justice of the Republic of Armenia for registration and systematisation. The copy of a legal act having been granted state registration shall be sent to the body that has adopted that legal act, within three days following the day of the state registration of the legal act.

3. State expert opinion on regulatory legal acts referred to in this Article shall be issued and the legal act shall be registered within 15 days following the day the legal act is filed with the Ministry of Justice of the Republic of Armenia. The Ministry of Justice of the Republic of Armenia may extend the time-limit for issuing a state expert opinion on a more complicated or large-scale legal act by up to 15 days; the bodies that have submitted the legal act shall be informed thereon within one day.

Where the Ministry of Justice of the Republic of Armenia does not register a legal act or rejects its state registration within the time-limit referred to in part 3 of this Article, the body that has adopted

the legal act shall have the right to send that legal act to official promulgation within 15 days following the day when the prescribed time-limit expires. In this case, the Ministry of Justice of the Republic of Armenia shall be obliged to register the legal act and send it to official promulgation within three days following the day of its re-filing with the Ministry.

4. The registration of the legal acts provided for in this Article shall be rejected if they do not comply with the Constitution of the Republic of Armenia, the laws and other legal acts of the Republic of Armenia or the requirements of legislative technique, as well as if the requirements of this Law have not been observed during the elaboration or adoption of those acts. The expert opinion on the legal act shall, together with the decision on rejecting the state registration of the legal act, be sent to the body adopting the legal act.

A legal act the state registration of which has been rejected, may be resubmitted for state registration as prescribed by this Law, after the elimination of the reasons that have served as a ground for the rejection of the registration of the legal act.

The rejection of state registration may be appealed against before the Prime Minister of the Republic of Armenia, who shall be entitled to register and send for promulgation — upon his or her decision — the legal act the state registration of which has been rejected.

5. If the expert examination carried out by the Ministry of Justice of the Republic of Armenia reveals that the legal acts of the Board of the Central Bank of the Republic of Armenia and of the regulatory commissions do not comply with the Constitution of the Republic of Armenia, the laws and other legal acts of the Republic of Armenia or the requirements of legislative technique, as well as if the requirements of this Law have not been observed during the elaboration or adoption of these acts, the state registration of the act concerned shall be suspended, and the body having adopted the legal act concerned shall be informed thereon in writing, attaching the expert opinion. The body having adopted the legal act shall, within 15 days following the day of receipt of the decision on the suspension of state registration, be entitled to adopt a relevant decision on non-acceptance or partial non-acceptance of the suspension and to send the legal act the state registration of which has been suspended, together with that decision, to the Ministry of Justice of the Republic of Armenia for registration and promulgation.

The Ministry of Justice of the Republic of Armenia shall be obliged to register and to send for promulgation, within two days following the day the decision on non-acceptance or partial non-acceptance of the suspension is filed with the Ministry, the legal acts the registration of which has been suspended as well as the legal acts on non-acceptance or partial non-acceptance of the suspension.

If the Ministry of Justice of the Republic of Armenia reveals that the legal act sent for promulgation does not comply with the Constitution of the Republic of Armenia, the laws and other legal acts of the Republic of Armenia, or the requirements of law have not been observed during the elaboration or adoption of these acts, the Ministry shall be obliged to bring an action before a court for declaring the regulatory acts adopted in violation of the requirements of this Law invalid.<sup>6</sup> This Article shall not apply to decisions of the Board of the Central Bank of the Republic of Armenia directed at establishing the bank reference rate, mandatory reserve or special economic standard ratios, which may enter into force upon adoption. Moreover, the Board of the Central Bank of the Republic of Armenia shall, by the acts directed at establishing prudential economic standards, put these standards into effect within such reasonable terms that will enable the banks to bring their activities in compliance with the requirements set forth by the standards.

7. If the decisions of the Board of the Central Bank of the Republic of Armenia referred to in part 6 of this Article stipulate that they enter into force upon adoption, the Central Bank of the Republic of Armenia shall be obliged to immediately make the decision concerned public on the Internet – on the web page of the Central Bank of the Republic of Armenia, and in the press or other mass media within four days.

If the decisions of the Board of the Central Bank of the Republic of Armenia referred to in part 6 of this Article stipulate that they enter into force upon adoption, the Central Bank of the Republic of Armenia shall send them to the Ministry of Justice of the Republic of Armenia for state registration and promulgation, in three sealed and bound copies, within four days following the day of their adoption. These decisions shall be registered and sent for official promulgation within seven days following the day of filing with the Ministry of Justice of the Republic of Armenia.

One copy of the decision that has been granted state registration shall — within three days — be sent to the Central Bank of the Republic of Armenia, the second copy – for official publication; the third copy shall be kept at the Ministry of Justice of the Republic of Armenia for registration and systematisation.

8. If the decisions of the Board of the Central Bank of the Republic of Armenia referred to in part 6 of this Article do not stipulate that they enter into force upon adoption, or they stipulate another term for the entry into force, they shall, as prescribed in parts 1 to 5 of this part, compulsorily undergo state legal expert examination and state registration.

*(Article 33 supplemented by HO-69-N of 23 May 2006, HO-35-N of 25 December 2006)*

**Article 34. Procedure for state legal expert examination and state registration of regulatory legal acts of local self-government bodies**

1. Regulatory legal acts of local self-government bodies shall, upon their adoption and within the time-limit prescribed in Article 56 of this Law, be sent to the Ministry of Justice of the Republic of Armenia for state legal expert examination. Regulatory acts not sent to the Ministry of Justice of the Republic of Armenia within the mentioned time-limit, shall be deemed invalid.

2. Regulatory legal acts of local self-government bodies shall be sent to the Ministry of Justice of the Republic of Armenia in two copies, with a cover letter. Each of the copies of legal acts shall be sealed with the seal of the body submitting the legal act and be bound.

3. The justification for the adoption of the legal act, the statement on the necessity, or on the absence thereof, to make amendments or supplements to other legal acts in regard with the adoption of the regulatory legal act, as well as the list of those bodies with whom the draft has been agreed upon shall be appended to regulatory legal acts of local self-government bodies.

4. If the Ministry of Justice of the Republic of Armenia reveals — through state legal expert examination — that a legal act of a local self-government body does not comply with the Constitution of the Republic of Armenia, the laws and other legal acts of the Republic of Armenia, or the requirements of the law have not been observed during the elaboration or adoption of these acts, the Ministry shall, within three days, send its expert opinion to the body having adopted that legal act, recommending to declare that act invalid or to amend it accordingly. If the body having adopted the legal act fails to make corresponding amendments to the act concerned or to declare it invalid within 15 days following the day the Ministry of Justice of the Republic of Armenia sends its expert opinion, the Ministry shall be obliged to bring an action before a court for declaring the regulatory legal act adopted in violation of the requirements of this Law invalid.

5. The Ministry of Justice of the Republic of Armenia shall carry out the state legal expert examination and state registration of regulatory legal acts of local self-government bodies within a one-month period following the day the legal acts are filed with the Ministry.

*(Article 34 edited by HO-35-N of 25 December 2006)*

**Article 35. Rights of persons carrying out expert examination of legal acts**

1. While carrying out state legal or official expert examination of draft regulatory legal acts, bodies or persons carrying out the expert examination shall be entitled to receive materials and documents —

pertaining to the preparation of the relevant draft and necessary for carrying out the expert examination — from the drafters of the legal act, bodies of the executive power, other state bodies and organisations.

2. Persons having participated in the state legal or official expert examination of a draft legal act that has been submitted to the discussion of the National Assembly of the Republic of Armenia, may participate in the discussion of the draft concerned as prescribed by the Rules of Procedure of the National Assembly of the Republic of Armenia.

3. Bodies and persons participating in the state legal or official expert examination of a draft regulatory legal act submitted for discussion in other law-making bodies, shall be entitled to participate — during the discussion of the draft concerned — in the discussions of the draft held by that body, to present the state expert opinion and to answer questions.

4. Bodies or persons having carried out the state legal or official expert examination of legal acts shall be informed on the discussion of the legal acts no later than five days prior to the discussion.

## CHAPTER 5

### RULES OF LEGISLATIVE TECHNIQUE

#### **Article 36. Language of legal acts**

1. Legal acts of the Republic of Armenia shall be stated in the official language of the Republic of Armenia: in the literary Armenian language. Names of foreign organisations, names of natural persons, geographical names, their abbreviations, as well as legal, financial, technical and other terms not subject to translation, must be written in Armenian transliteration. In certain cases, internationally recognised or adopted Latin or English abbreviations and/or terms may be used in brackets together with the Armenian abbreviations and/or terms.

1.1. The Government of the Republic of Armenia, as well as the authorised public administration body in the field of civil aviation — upon the consent of the Government of the Republic of Armenia — may adopt regulatory legal acts in a foreign language.

1.2. Upon the consent of the Government of the Republic of Armenia, internal legal acts in a foreign language may be adopted in the fields of civil aviation and nuclear energy, and the provisions of such legal acts shall apply only to those persons — carrying out activities in the fields concerned — whose official duties include the knowledge of the foreign language.

2. The language of legal acts must be clear, distinct, and comprehensible. The inappropriate use of archaic and polysemantic words and expressions, figurative comparisons, allegories, exaggerations, metaphoric words or expressions, hidden subtext, as well as foreign terms shall not be allowed in legal acts. If a polysemantic word is used in a legal act, the meaning in which the word is used must be defined.

3. The provisions of a legal act must be understood unambiguously and must ensure emotional neutrality.

4. When defining the same concept or expressing the same idea in a regulatory legal act, the same words, terms or word combinations, in a specific succession, must be used. Different concepts in a legal act may not be expressed with the same term.

5. The style of a regulatory legal act shall be imperative and official.

6. The Armenian language rules must be respected in the legal act.

7. Official translation of legal acts from Armenian into English shall be carried out by the Ministry of Justice of the Republic of Armenia, whereas from Armenian into other foreign languages – by the body adopting the legal act or the Ministry of Justice of the Republic of Armenia.

The notarised translation of an individual or internal legal act shall also be deemed to be an official translation.

On the top left corner of an officially translated legal act the words “OFFICIAL TRANSLATION” in the target language, as well as the name of the translating body shall be written.

The text of the official translation shall be signed by the person authorised to sign the text of the legal act or by the Minister of Justice of the Republic of Armenia, except for the case provided for in the second paragraph of part 7 of this Article.

8. The procedure for carrying out official translation of legal acts shall be established by the Government of the Republic of Armenia.

*(Article 36 amended by HO-35-N of 25 December 2006, supplemented by HO-222-N of 27 November 2008, edited and supplemented by HO-224-N of 2 December 2008)*

#### **Article 37. Structure of legal acts**

1. A legal act may contain a title, main part, final part or transitional provisions.

The final part and transitional provisions of a legal act may be stated in the form of separate chapters or articles, or points.

2. A legal act may contain a preamble which defines the objectives and reasons for the adoption of the legal act. The preamble shall not include regulatory provisions. The preamble shall not be divided into articles (points).

The preamble of agency regulatory legal acts, of regulatory legal acts of local self- government bodies must specify the regulatory legal act of the legislation of the Republic of Armenia or the part thereof according to which or for the implementation of which it is adopted. The preamble or the content of an individual or internal legal act must specify the regulatory legal act or the part thereof according to which or for the implementation of which it is adopted.

3. The final part of a regulatory legal act may prescribe:

- (1) the terms of entry into force and validity (for a temporary act) of the legal act;
- (2) the amendments or supplements to be made to other legal acts in regard with the adoption of the legal act;
- (3) the list of legal acts subject to termination as a result of adoption of the legal act;
- (4) the assignments or recommendations on the preparation of the draft lists of the acts subject to amendment, supplement or termination in regard with the adoption of the legal act.

4. A legal act may contain transitional provisions, if the full enactment of the legal act requires time periods or certain conditions, or if norms other than the main norms of the legal act need to be established for certain time periods.

Where the fulfilment of a requirement of a norm provided for by law may only be achieved through the adoption of a decision of the Government of the Republic of Armenia or another legal act provided for by that law, or its implementation is directly conditional upon the adoption of another legal act, the transitional provisions of the law shall prescribe:

- (1) the parts of the law, which shall be operative upon the entry into force of the decision of the Government of the Republic of Armenia or another legal act;
- (2) the envisaged time-limit for the adoption of the decision of the Government of the Republic of Armenia or another legal act.

5. Individual components, *i.e.*, rules, statutes, procedures, directions, clarifications, conditions, price-lists, lists, hand lists, covers, tables, schedules, maps, charts, etc., that are approved by the legal act, shall be drawn up in the form of annexes, and the respective parts of the legal act shall contain a reference to those annexes.

6. The structure of a legal act shall be compact, *i.e.*, logically unified, sequential and systematised.

7. A legal act must be complete, finalised and must fully regulate all the peculiarities of the relations provided for by the act. Where it is impossible or inappropriate to regulate all the peculiarities of those relations by the legal act concerned, it must, through references or separate parts, define the types of those legal acts which will regulate non-regulated relations, or specify the law-making bodies that will regulate them.

*(Article 37 supplemented by HO-204-N of 7 December 2010)*

### **Article 38. Adoption day of legal acts**

1. The adoption day of a law and a decision of the National Assembly of the Republic of Armenia shall be the day of adoption by the National Assembly in final edition.

The adoption day of a decision of the Government of the Republic of Armenia shall be the day of adoption by the Government of the Republic of Armenia in final edition.

The adoption day of legal acts of the Board of the Central Bank of the Republic of Armenia shall be the day of their adoption by the Board of the Central Bank of the Republic of Armenia in final edition.

The adoption day of legal acts of regulatory commissions shall be the day of their adoption by the commissions in final edition.

The adoption day of a decision of a community council of elders shall be the day of its adoption by the community council of elders in final edition.

The adoption day of other legal acts shall be the day of signing their texts by competent officials.

The adoption day of legal acts adopted by a referendum shall be determined as provided for by the laws on referenda and this Law.

2. The reference number of a legal act shall be established by the body adopting the legal act, only in Arabic numerals. The sequence of numbers shall restart from 1 January of each year. Agency regulatory legal acts must be numerated only in whole numerals.

3. The body that adopts a legal act shall make a note in the legal act concerning its nature, with "N" (regulatory), "A" (individual), and "L" (internal, local) letters. These notations shall be made immediately after the reference number of the legal act.

Legal acts without a relevant notation shall be regarded as individual legal acts. Their provisions of regulatory nature shall have no legal effect.

The provisions — of regulatory nature — of legal acts adopted with the notation of an individual legal act, shall have no legal effect.

*(Article 38 supplemented by HO-35-N of 25 December 2006)*

**Article 39. Citation of the title of legal acts**

1. When citing, expressing, mentioning or making references (hereinafter referred to as "citing") in another legal act to the title of an amendment to the Constitution of the Republic of Armenia, it shall include, in the following sequence, the words "Constitution of the Republic of Armenia", its adoption year, month (in letters), day (hereinafter referred to as "adoption day"), and the word "amendments".

2. When citing the full title of a law, the heading of the law, the words "the Republic of Armenia", the adoption year, month (in letters), day of the law (hereinafter referred to as "adoption day"), the number and the word "law" shall be included in the mentioned sequence.

When citing the short title of a law, it shall include, in the following sequence, the heading of the law, the words "Law of the Republic of Armenia".

3. When citing the full title of a code, it shall include, in the following sequence, the words "the Republic of Armenia", its adoption day and the heading of the code.

When citing the short title of a code, it shall include, in the following sequence, the words "the Republic of Armenia" and the heading of the code.

4. When citing the full title of other legal acts, it shall include, in the following sequence, the name of the body adopting the legal act, the adoption year, month (in letters), day of the legal act, the heading of the act, the reference number and type of the act.

4. When citing the short title of other legal acts, it shall include, in the following sequence, the name of the body adopting the legal act, the adoption year, month, day of the legal act, the reference number and type of the act.

*(Article 39 amended by HO-524-N of 31 March 2003)*

**Article 40. Heading of legal acts**

1. Regulatory and internal legal acts must have headings.

The heading of a legal act must conform to the content of the legal act and contain short information on its subject matter.

2. Regulatory legal acts having equal legal effect may not have the same heading.

The heading of a legal act of lower legal effect shall not identically reiterate the heading of a legal act of higher legal effect.

The heading of an individual or internal legal act shall not identically coincide with the heading of a regulatory legal act.

3. The heading of a legal act shall be written in capital letters. There shall be no punctuation mark at the end of the heading of a legal act.

4. The heading of a legal act providing for amendments or supplements to, or termination of, a legal act, shall include only the short title of the legal act that is being amended or terminated.

#### **Article 41. Parts of legal acts**

1. In the Constitution of the Republic of Armenia, amendments to the Constitution of the Republic of Armenia, and in laws of the Republic of Armenia, norms shall be presented in the form of articles with reference numbers. Articles may have headings. Headings of articles must conform to the content of the articles.

2. Articles (points) — of legal acts of significant scale — that are homogeneous in content, shall be combined under chapters. Where appropriate, chapters may be combined under sections, and sections – under parts. Sections and chapters shall have headings and shall be numbered in Arabic or Romanian numerals. Headings of sections and chapters must conform to their content.

3. Articles of the Constitution of the Republic of Armenia, of amendments to the Constitution of the Republic of Armenia, and of laws of the Republic of Armenia shall be divided only into numbered paragraphs called "parts". Parts of articles may be divided only into numbered points, and points – only into numbered subpoints. Articles, parts and points shall be numbered in Arabic numerals. Subpoints of articles shall be numbered in small letters of the Armenian alphabet. The numbers of articles and parts shall be separated from the text by a dot, and the numbers of points of articles – by parentheses. The numbers of subpoints — indicated with a small letter of the Armenian alphabet — of an article shall be separated from the text by a dot. Parts, points and subpoints of articles shall have no headings. The word "Article" shall appear before the number of an article.

4. In other legal acts, provisions shall be stated in the form of points with a reference number. Points may be divided only into numbered subpoints, and subpoints – only into numbered paragraphs. Points, subpoints and paragraphs shall have no headings.

5. In other legal acts, points and subpoints shall be numbered in Arabic numerals, and paragraphs – in small letters of the Armenian alphabet.

6. The numbers of points of other legal acts shall be separated from the text by a dot, subpoints – by parentheses, and paragraphs – by a dot.

7. The headings of chapters and sections of a legal act shall be written in capital letters.

There shall be no punctuation mark at the end of the headings of chapters or sections or articles of a legal act.

8. The provisions concerning legal acts under this Law shall also apply to their parts, unless otherwise expressly follows from those provisions.

*(Article 41 edited by HO-35-N of 25 December 2006)*

#### **Article 42. Use of legal concepts or terms**

1. Concepts or terms which are defined by regulatory legal acts or are widely-known must be used in legal acts.

If new or polysemantic concepts or terms or such concepts or terms are used in a regulatory legal act that are not understood unambiguously without clarification, the legal act concerned shall provide their definitions.

2. It shall not be allowed to define a concept or term in a legal act, if that concept or term will not be used in the legal act concerned, or if it is well known.

3. If the content of the same concept or term is repeated with different meanings in the same legal act, the content of the concept or term stemming from the essence of the legal act concerned or from the principles of law regulating the legal relation concerned shall apply.

#### **Article 43. Use of references**

1. References in the articles, points of a legal act to articles, points of other legal acts, as well as to other legal acts or their certain provisions, shall be used when it is necessary to emphasize the interrelation of those provisions or to preclude repetition. The full title of the legal act shall be given in a legal act providing for amendments or supplements to, or terminating the legal act. In other cases, when making references to another legal act, the short title of the legal act may be indicated.

2. References shall be made only to the main act. References to a legal act on making amendments or supplements to a legal act shall be made only when the legal act providing for amendments or supplements contains norms other than the amendments or supplements, with respect to those norms.

3. When making references to the parts of the Constitution and laws of the Republic of Armenia, the short title of the act, the reference number of the article of the act, and, where appropriate, also the

number of the part of the article and the number of the point of the part of the article. When making a reference to the parts of another legal act, the short title of the legal act and the number of the point shall be specified.

4. If the legal act is being adopted for the implementation of, or in accordance with, a legal act of equal or higher legal effect or its part, a reference shall be made to that legal act in the preamble of the legal act being adopted, indicating its short title and its relevant part.

Agency regulatory acts and regulatory legal acts of local self-government bodies must contain a reference to the part of the regulatory legal act of the legislation of the Republic of Armenia according to which or for the implementation of which it is being adopted. Agency regulatory legal acts and regulatory legal acts of local self-government bodies without relevant references or with an incorrect reference shall have no legal effect.

5. If a legal act being adopted provides that certain relations referred to therein are regulated or are to be regulated by another legal act, the legal act being adopted must precisely specify the name of the law-making body authorised to regulate the relations not regulated in it and the type of the legal act regulating the relations. If that relations are to be regulated by law, the words "by law" or "by laws" shall be stated. In laws of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, the words "the public administration body authorised by the Government of the Republic of Armenia" shall be stated instead of the name of the head of a public administration body not expressly provided for by the Constitution of the Republic of Armenia.

Only when the legal act stipulates that certain relations referred to therein are or are to be directly regulated by other legal acts of different legal effects, the name of the group of legal acts (legislative acts, agency acts, local self-government acts, international treaties, etc.) by which unregulated relations are or are to be regulated, shall be indicated.6. It shall be prohibited to make references to legal acts that have not entered into force in the prescribed manner.7. References to the same or another legal act must be made clearly and expressly. It shall be prohibited to make vague references. Particularly, when making references to other parts of the same act, the words "above-mentioned", "above-stated", "previously mentioned", "such", "by this", "mentioned", "herein", "hereby" may not be used separately.

*(Article 43 amended by HO-35-N of 25 December 2006)*

#### **Article 44. Signing of the text of legal acts**

1. The official text of legal acts shall be signed by:

- (a) the President of the Republic of Armenia — laws of the Republic of Armenia;
- (b) the Chairperson of the National Assembly of the Republic of Armenia — decisions of the National Assembly of the Republic of Armenia, decisions of the Chairperson of the National Assembly of the Republic of Armenia;
- (c) the President of the Republic of Armenia — decrees and executive orders of the President of the Republic of Armenia;
- (d) the Prime Minister of the Republic of Armenia — decisions of the Government of the Republic of Armenia;
- (e) the Prime Minister of the Republic of Armenia and, in cases prescribed by the rules of procedure of the Government of the Republic of Armenia, also the ministers implementing them — decisions of the Prime Minister of the Republic of Armenia;
- (f) the community head — legal acts of local self-government bodies;
- (g) the head of the body adopting the act or his or her alternate — agency legal acts;
- (h) the official of the body, institution or legal person entitled to adopt or sign the act — other legal acts.

2. The signature shall be put after the text on the last page of the official text of the legal act, stating the position, the first letter of the name, the surname of the official and the year, month, day of signature and the place of adoption of the legal act. The time of adoption must be indicated at the end of legal acts entering into force upon adoption or signature.

*(Article 44 amended and supplemented by HO-35-N of 25 December 2006, HO-86-N of 7 April 2009)*

#### **Article 45. Other rules of legislative technique**

1. Regulatory provisions contained in the effective legal acts shall not, as a rule, be repeated in regulatory legal acts of the same type adopted by the same body.
2. Unreasonable repetitions of legal norms, internal inconsistencies must be excluded in legal acts.
3. Norms, implementation of which is either impossible or unacceptable or norms for non-compliance with which no legal consequences are provided for, shall not be used in regulatory legal acts.
4. When making amendments or supplements to a legal act having entered into force, the numbers of the sections, chapters, articles, parts, points, subpoints, paragraphs of the legal act being amended or supplemented shall not be changed.

5. A section, chapter, article, part, point, subpoint or paragraph which has been terminated may not be replaced by another section, chapter, article, part, point, subpoint or paragraph with the same number.

6. In case a section, chapter, part, point, subpoint or paragraph of a legal act is terminated, the numbers of the other articles, parts, points, subpoints or paragraphs of the legal act shall not be changed accordingly.

7. A new section, chapter, article, part, point, subpoint or paragraph may be added between sections, chapters, articles, parts, points, subpoints or paragraphs of a legal act only with an additional number. In this case also the numbers of sections, chapters, articles, parts, points, subpoints or paragraphs shall not be changed.

8. No amendment or supplement shall be made in respect of the amendments or supplements to a legal act providing for amendments and supplements. New amendments or supplements shall be made only to the main act.

9. If a word is used in singular in the legal act, it shall also apply to the plural form of the word and vice versa, unless otherwise provided for by or expressly follows from the content of the legal act.

10. The conjunction "or" may not be used when listing conditions where the existence of all of the listed conditions is mandatory. In this case, the conjunction "and" must be used.

The conjunction "and" may not be used when listing conditions where the existence of only one of all the listed conditions is sufficient, neither may they be separated by a comma or other punctuation mark. In this case, the conjunction "or" must be used.

If the application of a norm stated in a legal act depends on conditions separated by the conjunction "and", the existence of all the listed conditions shall be mandatory for the application of that norm.

If the application of a norm stated in a legal act depends on conditions separated only by commas, the existence of all the listed conditions shall be mandatory for the application of that norm.

If the application of a norm stated in a legal act depends on conditions separated by commas as well as by the conjunction "and", the existence of all the listed conditions shall be mandatory for the application of that norm.

If the application of a norm stated in a legal act depends on conditions separated by the conjunction "or", the existence of at least one of the listed conditions shall be sufficient for the application of that norm.

If the application of a norm stated in a legal act depends on conditions separated by commas as well as by the conjunction "or", the existence of at least one of the listed conditions shall be sufficient for the application of that norm.

If the application of a norm stated in a legal act depends on conditions separated by commas or the conjunction “and” as well as the conjunction “or”, the application of that norm shall require the existence of all the conditions as regards the conditions separated by commas or the conjunction “and”, whereas the existence of at least one of the listed conditions shall be sufficient as regards the conditions separated by the conjunction “or”.

If the use of a norm stated in a legal act depends on conditions separated by detached points, and those points are not separated by a comma or by the conjunction “and” or “or”, the existence of at least one of the conditions shall be sufficient for the application of that norm, unless otherwise follows from the content of the norm concerned.

If the application of a norm stated in a legal act depends on conditions separated by the words “as well as”, the conditions stated after the words “as well as” shall be regarded as conditions not connected with the previous conditions.

11. The use of short names of state and local self-government bodies shall be prohibited, except for those provided for by the Constitution and laws of the Republic of Armenia.

The inappropriate use of short forms of words or terms as well as abbreviations of words or terms shall be prohibited in a regulatory legal act.

12. No explanations or notes shall be provided in regulatory legal acts. The text of explanations or notes shall be provided in the form of separate articles, parts, points, subpoints, or paragraphs.

13. In dates used in legal acts, the year and day shall be indicated in numbers, whereas the month – in letters.

In legal acts, the amounts of taxes, of duties, of other mandatory payments, the amount of default interests, fines and the size of punishments shall be prescribed in words.

14. The technical rules of legislative technique shall be established by the Minister of Justice of the Republic of Armenia.

*(Article 45 edited and supplemented by HO-35-N of 25 December 2006)*

## CHAPTER 6

### PROMULGATION OF LEGAL ACTS AND THEIR ENTRY INTO FORCE

#### **Article 46. Entry into force of legal acts**

1. Legal acts may enter into force only after their adoption and, in cases provided for by this Law, also upon adoption.

2. Regulatory legal acts shall enter into force within the term provided for therein.

Regulatory legal acts may enter into force not earlier than the day following the promulgation as prescribed by this Law, unless otherwise expressly provided for by this Law.

Regulatory legal acts restricting the rights or freedoms of legal or natural persons or establishing liability or providing for a heavier liability stricter or establishing and altering responsibilities or establishing or altering a procedure for the fulfilment of responsibilities, establishing or altering a procedure for control or supervision over the activities of legal or natural persons, as well as otherwise worsening their legal status shall enter into force on the tenth day following the day of their official promulgation, unless another later term is provided for by those regulatory legal acts or unless otherwise expressly provided for by this Law.

A regulatory legal act which does not provide for a term for entry into force, shall enter into force on the tenth day following the day of its official promulgation.

3. Regulatory legal acts not promulgated or not having entered into force as prescribed by this Law, shall have no legal effect (shall not entail legal consequences and shall not serve as a legal basis for regulating legal relations).

#### **Article 47. Promulgation of the Constitution of the Republic of Armenia and of amendments to the Constitution of the Republic of Armenia and their entry into force**

The Constitution of the Republic of Armenia and amendments to the Constitution of the Republic of Armenia shall be promulgated and shall enter into force as prescribed by the Constitution of the Republic of Armenia and the Law of the Republic of Armenia "On referendum".

#### **Article 48. Promulgation of laws of the Republic of Armenia**

1. Laws of the Republic of Armenia shall be subject to mandatory official promulgation.

2. Laws of the Republic of Armenia shall enter into force within the terms specified therein, unless otherwise provided for by this Law.

3. Laws of the Republic of Armenia shall be signed and promulgated by the President of the Republic of Armenia as prescribed by the Constitution of the Republic of Armenia and the Law of the Republic of Armenia "On referendum".

4. Laws of the Republic of Armenia adopted through a referendum shall be signed and promulgated by the President of the Republic of Armenia, within five days after official promulgation of the results of the referendum.

**Article 49. Promulgation of decisions of the National Assembly of the Republic of Armenia and their entry into force**

1. Regulatory decisions of the National Assembly of the Republic of Armenia shall be subject to mandatory official promulgation.

2. Decisions of the National Assembly of the Republic of Armenia on declaring war or establishing peace, on revoking the measures provided for in Article 55(13) and (14) of the Constitution of the Republic of Armenia, accepting the resignation of the President of the Republic of Armenia or removing him or her from office shall be promulgated immediately, unless another time-limit is provided for by those decisions.

3. Decisions of the National Assembly of the Republic of Armenia on declaring amnesty shall be promulgated within 24 hours, unless another time-limit is provided for by those decisions.

4. Decisions of the National Assembly of the Republic of Armenia on declaring war, accepting the resignation of the President of the Republic of Armenia or removing him or her from office, on revoking the measures provided for in Article 55(13) and (14) of the Constitution of the Republic of Armenia shall enter into force upon promulgation, unless another term is provided for by those decisions.

5. Decisions on ratifying or revoking the international treaties of the Republic of Armenia, as well as other regulatory decisions of the National Assembly of the Republic of Armenia shall enter into force within the terms specified therein, unless otherwise provided for by this Law.

6. Decisions of the National Assembly pertaining to the organisation of its activities (including individual decisions) shall enter into force upon their adoption, unless another later term is provided for by those decisions.

7. Decisions of the National Assembly of the Republic of Armenia shall be promulgated as prescribed by the Rules of Procedure of the National Assembly of the Republic of Armenia.

*(Article 49 edited by HO-35-N of 25 December 2006)*

**Article 50. Promulgation of decisions of the Constitutional Court of the Republic of Armenia and their entry into force**

1. Decisions of the Constitutional Court of the Republic of Armenia shall be subject to mandatory official promulgation.
2. Decisions of the Constitutional Court of the Republic of Armenia shall enter into force upon promulgation, as prescribed by the Law of the Republic of Armenia "On the Constitutional Court".
3. Decisions of the Constitutional Court of the Republic of Armenia on declaring invalid the laws of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Government of the Republic of Armenia contradicting the Constitution of the Republic of Armenia, must be promulgated as the acts declared invalid have been promulgated.
4. Decisions of the Constitutional Court of the Republic of Armenia shall be sent for publication by the Chairperson of the Constitutional Court of the Republic of Armenia, within three days following the day of their adoption.

**Article 51. Promulgation of decrees and executive orders of the President of the Republic of Armenia and their entry into force**

1. Regulatory decrees and executive orders of the President of the Republic of Armenia shall be subject to mandatory official promulgation.
2. Regulatory decrees and executive orders of the President of the Republic of Armenia shall enter into force within the terms specified therein, unless otherwise provided for by this Law.
3. Decrees and executive orders of the President of the Republic of Armenia on declaring war, as well as on matters provided for in Article 55(3), (13) and (14) of the Constitution of the Republic of Armenia, shall enter into force within the terms specified therein.
4. Individual decrees and executive orders of the President of the Republic of Armenia shall be promulgated by the President of the Republic of Armenia and shall enter into force within the terms and as prescribed in Article 60 of this Law.

Individual decrees and executive orders of the President of the Republic of Armenia may, in cases provided for therein, enter into force upon being signed.

Individual decrees and executive orders of the President of the Republic of Armenia not sent for promulgation may be published by the body publishing legal acts.

5. Decrees and executive orders of the President of the Republic of Armenia subject to promulgation shall be sent for promulgation by the President of the Republic of Armenia, within three days following the day of their adoption.

*(Article 51 edited by HO-35-N of 25 December 2006)*

**Article 51.1. Promulgation of decisions and executive orders of the Chairperson of the National Assembly of the Republic of Armenia and their entry into force**

1. Decisions of the Chairperson of the National Assembly of the Republic of Armenia shall be subject to mandatory official promulgation as prescribed by law.

Decisions of the Chairperson of the National Assembly of the Republic of Armenia on convening an extraordinary session or sitting of the National Assembly shall be promulgated and shall enter into force as and within the terms provided for by those acts, following promulgation or informing thereon.

2. Executive orders of the Chairperson of the National Assembly of the Republic of Armenia shall be promulgated by the Chairperson of the National Assembly of the Republic of Armenia and shall enter into force within the terms and as prescribed in Article 60 of this Law.

Executive orders of the Chairperson of the National Assembly of the Republic of Armenia may, in cases provided for therein, enter into force upon being signed.

*(Article 51.1 supplemented by HO-86-N of 7 April 2009)*

**Article 52. Promulgation of decisions of the Government of the Republic of Armenia and their entry into force**

1. Regulatory decisions of the Government of the Republic of Armenia shall be subject to mandatory official promulgation.

2. Decisions of the Government of the Republic of Armenia shall enter into force within the terms specified therein, unless otherwise provided for by this Law.

3. Regulatory decisions of the Government of the Republic of Armenia shall be promulgated by the Prime Minister of the Republic of Armenia within five days following the adoption.

4. Individual decisions of the Government of the Republic of Armenia may be promulgated by the Prime Minister of the Republic of Armenia following the adoption, and the decisions subject to

validation by the President of the Republic of Armenia – following their validation, within the time-limits and as prescribed in Article 60 of this Law.

5. Individual decisions of the Government of the Republic of Armenia not sent for promulgation may be published by the body publishing legal acts.

*(Article 52 edited by HO-35-N of 25 December 2006, amended by HO-13-N of 8 April 2008)*

**Article 53. Promulgation of decisions of the Prime Minister of the Republic of Armenia and their entry into force**

1. Regulatory decisions of the Prime Minister of the Republic of Armenia shall be subject to mandatory official promulgation.

2. Regulatory decisions of the Prime Minister of the Republic of Armenia shall enter into force within the terms specified therein, unless otherwise provided for by this Law.

3. Individual decisions of the Prime Minister of the Republic of Armenia shall be promulgated by the Prime Minister of the Republic of Armenia and shall enter into force following their adoption, within the terms and as prescribed in Article 60 of this Law.

Individual decisions of the Prime Minister of the Republic of Armenia not sent for promulgation may be published by the body publishing legal acts.

4. Decisions of the Prime Minister of the Republic of Armenia subject to promulgation shall be sent for promulgation by the Prime Minister of the Republic of Armenia, within three days following the day of their adoption.

Individual decisions of the Prime Minister of the Republic of Armenia, which have not been officially promulgated, may be promulgated by legal persons or individual entrepreneurs entitled to promulgate legal acts.

*(Article 53 amended by HO-13-N of 8 April 2008)*

**Article 54. Promulgation of international treaties of the Republic of Armenia and their entry into force**

1. International treaties of the Republic of Armenia shall be subject to mandatory official promulgation.

2. International treaties of the Republic of Armenia shall be promulgated and shall enter into force within the terms and as provided for by the Law of the Republic of Armenia "On international treaties of the Republic of Armenia" and by the international treaties.

**Article 55. Promulgation of agency legal acts and their entry into force**

1. Agency regulatory legal acts shall be subject to mandatory official promulgation.

2. Agency regulatory legal acts shall enter into force on the tenth day following the day of their official promulgation, unless a later term is provided for by those acts, except for the cases provided for by this Law.

Agency individual legal acts shall enter into force within the terms and as prescribed in Article 60 of this Law, except for the acts adopted by the Board of the Central Bank of the Republic of Armenia provided for in Article 33(6) of this Law.

3. Agency regulatory acts shall be sent for promulgation by the state registering body within two days following the registration day.

Agency individual legal acts may be promulgated by those adopting them.

*(Article 55 supplemented by HO-69-N of 23 May 2006, HO-35-N of 25 December 2006, HO-222-N of 16 November 2007)*

**Article 56. Promulgation of legal acts of local self-government bodies and their entry into force**

1. Regulatory legal acts of local self-government bodies shall be subject to mandatory official promulgation.

2. Regulatory legal acts of local self-government bodies shall enter into force on the tenth day following the day of their official promulgation, unless a later term is provided for by those legal acts.

3. Individual legal acts of local self-government bodies shall enter into force within the terms and as prescribed in Article 60 of this Law.

4. Legal acts of local self-government bodies adopted through a referendum shall be promulgated and shall enter into force as prescribed by the Law of the Republic of Armenia "On local referendum" and by this Law.

5. Regulatory legal acts of the council of elders and community head of urban and rural communities shall be promulgated by the community head within five days following the day they are granted state registration.

6. Regulatory legal acts of the council of elders and community head of urban and rural communities and the legal acts adopted through a referendum in the communities concerned shall be sent to the Ministry of Justice of the Republic of Armenia and to the respective marzpet within ten days following the day of their adoption, stating the day and the form of promulgation of those acts. Where the mentioned regulatory legal acts have been promulgated in the Journal of Community Legal Acts, two copies of the Journal shall also be sent to those bodies.

7. Regulatory legal acts of the council of elders and the community head of Yerevan and the legal acts adopted through a referendum in the city of Yerevan shall be sent to the Ministry of Justice of the Republic of Armenia within three days following the day of their adoption.

8. Individual legal acts of local self-government bodies may be promulgated by community heads.

*(Article 56 edited by HO-13-N of 26 December 2008)*

**Article 57. Promulgation of judicial acts of the courts of general jurisdiction and their entry into force**

1. A judicial act of a court of general jurisdiction on declaring invalid the legal act of a state or local self-government body contradicting the law or other legal acts, violating the rights of legal and natural persons and their interests protected by law, shall be promulgated in the same manner as the legal act declared invalid has been promulgated.

2. a judicial act of a court of general jurisdiction on declaring invalid the legal act of a state or local self-government body contradicting the law or other legal acts, violating the rights of legal and natural persons and their interests protected by law, shall enter into force as prescribed by the Civil Procedure Code of the Republic of Armenia.

3. Judicial acts — provided for in this Article — of a court of general jurisdiction shall be sent for publication by the court which has adopted the acts, within three days following the day of their entry into force.

4. Individual legal acts of the courts shall enter into force on the day following the day of their adoption, unless a later term is provided for by those acts.

**Article 57.1. Promulgation of decisions of the Council of Court Chairpersons of the Republic of Armenia and of the Chairperson of the Court of Cassation of the Republic of Armenia and their entry into force**

1. Regulatory legal acts of the Council of Court Chairpersons of the Republic of Armenia and of the Chairperson of the Court of Cassation of the Republic of Armenia shall be subject to mandatory official promulgation.

2. Regulatory legal acts of the Council of Court Chairpersons of the Republic of Armenia and of the Chairperson of the Court of Cassation of the Republic of Armenia shall enter into force on the tenth day following the day of their official promulgation, unless a later term is provided for by those legal acts.

*(Article 57.1 supplemented by HO-157-N of 7 July 2006)*

**Article 57.2. Promulgation of judicial acts of the Court of Cassation of the Republic of Armenia**

1. Judicial acts of the Court of Cassation of the Republic of Armenia shall be subject to mandatory official promulgation.

*(Article 57.2 supplemented by HO-19-N of 8 April 2008)*

**Article 57.3. Promulgation of decisions of the Justice Council of the Republic of Armenia**

1. Decisions of the Justice Council on subjecting a judge to disciplinary liability, as well as decisions of the Justice Council on submitting a proposal to the President of the Republic of Armenia for giving consent to detain a judge, to terminate his or her powers, to involve him or her as an accused, to subject to administrative liability through judicial procedure, shall be subject to mandatory official promulgation.

*(Article 57.3 supplemented by HO-19-N of 8 April 2008)*

**Article 58. Promulgation of a legal act adopted in conditions of martial law and imminent threat to the constitutional order, and its entry into force**

1. Decrees and executive orders signed by the President of the Republic of Armenia in accordance with Article 55(13) and (14) of the Constitution of the Republic of Armenia, for the purpose of

implementing — at the time of martial law or in the event of an imminent threat to the constitutional order of the Republic of Armenia — measures as prescribed by law and dictated by the situation, shall be promulgated and shall enter into force as and within the terms provided for by those acts.

2. Those legal acts adopted under the conditions referred to in part 1 of this Article, which restrict the rights or freedoms of legal and natural persons, alter the procedure for their exercise, establish legal liability or make it heavier, establish new responsibilities or establish or alter a procedure for the fulfilment of responsibilities, may enter into force only after promulgation or informing thereon as prescribed by those acts.

3. The regulatory legal acts referred to in part 2 of this Article, which have not been promulgated or informed about, shall have no legal effect.

#### **Article 59. Legal acts not subject to promulgation**

1. Only those legal acts or certain parts thereof, which contain state or other secrets protected by law, shall not be subject to promulgation.

Legal acts not subject to promulgation shall enter into force on the day following their adoption, whereas legal acts subject to signature or validation or state registration – on the day following the day they are signed, validated or registered.

2. Legal acts not subject to promulgation shall be binding on legal, natural persons and officials, from the moment they are notified of or familiarise with those acts in the prescribed manner, unless a later term is provided for by those legal acts.

3. The letter "G" or "HG" or "HK" shall be put — by the body that adopts the legal act — at the end of the reference number of the legal act not subject to promulgation, after the letter that defines the nature of the legal act.

#### **Article 60. Entry into force of individual and internal legal acts**

1. Individual legal acts of the President of the Republic of Armenia, Chairperson of the National Assembly of the Republic of Armenia, Prime Minister of the Republic of Armenia, agency individual legal acts, individual legal acts of local self-government bodies, other state bodies, state or community institutions, and of legal persons shall enter into force on the day following their adoption, unless otherwise provided for by this Law, other laws or the individual legal act concerned. Individual legal

acts of the Government of the Republic of Armenia shall enter into force on the day following the day they are signed by the Prime Minister of the Republic of Armenia, and individual legal acts of the Government of the Republic of Armenia subject to validation by the President of the Republic of Armenia shall enter into force on the day following their validation, unless otherwise provided for by this Law, other laws or the individual legal act concerned. If individual legal acts prescribed in this part provide for a provision establishing a responsibility (including assignments) or worsening the legal status of state bodies, state or community institutions, or persons, those individual legal acts shall enter into force on the day following the day the individual legal act concerned is filed with the respective bodies or organisations or is delivered to officials or citizens or is sent to the place of location or residence provided (indicated) by them, or the day of due notice in any other manner, unless a later term is provided for by law or other legal acts of higher legal effect or the individual legal act concerned.

An individual legal act adopted by the bodies provided for in this part and establishing liability shall enter into force from the moment the individual legal act concerned is filed with the respective bodies or organisations or is delivered to officials or citizens or is sent to the place of location or residence provided (indicated) by them, or from the moment of due notice in any other manner, unless a later term is provided for by law or other legal acts of higher legal effect or the individual legal act concerned.

2. Internal legal acts shall enter into force from the moment the respective persons are given a due notice of that act, unless a later term is provided for by the internal legal act concerned.

*(Article 60 edited and amended by HO-524-N of 31 March 2003, edited and supplemented by HO-13-N of 8 April 2008)*

#### **Article 61. Sending individual and internal legal acts**

1. Individual decisions of the Government of the Republic of Armenia, within three days following the day they are signed by the Prime Minister of the Republic of Armenia, as well as individual decisions of the Government of the Republic of Armenia subject to validation by the President of the Republic of Armenia, within three days following the day they are validated by the President of the Republic of Armenia, shall be sent to those bodies, officials or citizens to whom they extend.

2. Other individual legal acts shall, within three days following the day of their adoption, be sent or delivered to those bodies, officials or citizens to whom they extend.

*(Article 61 edited by HO-13-N of 8 April 2008)*

#### **Article 61.1. Legal acts not having legal effect**

1. Legal acts not having legal effect provided for by this Law, shall be void and shall not be subject to enforcement or application.
2. Enforcement or application of a legal act not having legal effect shall entail liability provided for by law.

*(Article 61.1 supplemented by HO-35-N of 25 December 2006)*

#### **Article 62. Official promulgation of legislative, agency legal acts**

1. Laws of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Chairperson of the National Assembly of the Republic of Armenia, decisions of the Government of the Republic of Armenia and of the Prime Minister of the Republic of Armenia shall be officially promulgated in the Official Journal of the Republic of Armenia within ten days following the day they are received.
2. Agency regulatory legal acts shall be officially promulgated in the Journal of Agency Regulatory Acts of the Republic of Armenia within ten days following the day they are received.
3. The official promulgation day of laws and other legal acts provided for in this Article shall be the day of first publication of their full text in the Official Journal of the Republic of Armenia or in the Journal of Agency Regulatory Acts of the Republic of Armenia.
4. The day of publication of the Official Journal of the Republic of Armenia and of the Journal of Agency Regulatory Acts of the Republic of Armenia shall be the day of delivery — for sales — of 80 % of the print-run planned for that respective issue, which shall be noted on the first page of the cover of the Journal.
5. The Official Journal of the Republic of Armenia shall be published each Wednesday, and the Journal of Agency Regulatory Acts of the Republic of Armenia – on the 1st and 15th of each month. If the publication day of the journals is a non-working day, the journals shall be published the next working day. Special issues of a journal may be published where necessary.
6. If a regulatory legal act has not been promulgated as of the day of entry into force of the legal act as indicated therein, the day of entry into force of the legal act shall be the day following its promulgation, unless otherwise provided for by this Law.

7. If the notation on the official promulgation day on the first page of a regulatory legal act does not correspond to the actual day of publication of the journals envisaged as prescribed in part 4 of this Article, the official promulgation day of the legal act shall be the actual publication day of the journals, about which the body publishing the journals shall be obliged to provide an official notification in the next issue of the journal, within five days following the publication day of the journal concerned.

8. The Ministry of Justice of the Republic of Armenia shall carry out the publication of the Official Journal of the Republic of Armenia and of the Journal of Agency Regulatory Acts of the Republic of Armenia at the expense of the funds of the State Budget of the Republic of Armenia.

9. The Official Journal of the Republic of Armenia and the Journal of Agency Regulatory Acts of the Republic of Armenia shall be subject to free sales and subscription.

*(Article 62 amended by HO-35-N of 25 December 2006, supplemented by HO-86-N of 7 April 2009)*

#### **Article 63. Official promulgation of legal acts of local self-government bodies**

1. The official promulgation day of regulatory decisions of the community council of elders and community head of a rural and urban community shall be the day those acts are promulgated — within the time-limit provided for in Article 56(5) of this Law — in the Journal of Community Legal Acts published by the community head, or the day they are posted on the billboards envisaged for that purpose in different parts of the territory of the community.

2. The Journal of Community Legal Acts shall be published based on the number of the community population, with a print-run of not less than one copy per one hundred residents.

Billboards shall be placed based on the number of the community population, not less than one billboard per three hundred residents.

3. Regulatory legal acts of the council of elders and the community head of Yerevan shall be officially promulgated in the Journal of Legal Acts of Yerevan within ten days following the day they are received.

4. The rules of Article 62(1)–(4), (6) and (7) of this Law shall apply with respect to determining the procedure or time-limits for promulgation or publication of the Journal of Community Legal Acts and the Journal of Legal Acts of District Communities of Yerevan.

5. The Journal of Community Legal Acts shall be issued as appropriate; it may be distributed for free or freely sold.

*6. (Part 6 repealed by HO-13-N of 26 December 2008)*

7. The Ministry of Justice of the Republic of Armenia shall publish compilations — for each quarter — of regulatory legal acts of the rural and urban communities. Publication of those compilations shall be carried out at the expense of the funds of the State Budget.

*(Article 63 edited by HO-35-N of 25 December 2006, edited by HO-13-N of 26 December 2008)*

#### **Article 64. Structure of the Official Journal of the Republic of Armenia**

1. The Official Journal of the Republic of Armenia shall consist of the following sections:

(1) in the first section international treaties of the Republic of Armenia shall be promulgated;

(2) in the second section laws of the Republic of Armenia shall be promulgated;

(3) in the third section decisions of the Constitutional Court of the Republic of Armenia shall be promulgated;

(4) *(Point 4 repealed by HO-35-N of 25 December 2006)*

(5) in the fifth section decrees of the President of the Republic of Armenia shall be promulgated;

(6) in the sixth section decisions of the National Assembly of the Republic of Armenia and of the Chairperson of the National Assembly of the Republic of Armenia shall be promulgated;

(7) in the seventh section executive orders of the President of the Republic of Armenia shall be promulgated;

(8) in the eighth section decisions of the Government of the Republic of Armenia shall be promulgated;

(9) in the ninth section decisions of the Prime Minister of the Republic of Armenia shall be promulgated;

(10) in the tenth section judicial acts of the Court of Cassation of the Republic of Armenia shall be promulgated;

(11) in the eleventh section decisions of the Justice Council on subjecting a judge to disciplinary liability, as well as decisions of the Justice Council on submitting a proposal to the President of the Republic of Armenia for giving consent to detain a judge, to terminate his or her powers, to involve him or her as an accused, to subject to administrative liability through judicial procedure, shall be promulgated.

Other sections may also be envisaged in the Official Journal of the Republic of Armenia by the legislation of the Republic of Armenia or by the Minister of Justice of the Republic of Armenia.

2. In the Official Journal of the Republic of Armenia, legal acts shall be promulgated in articles with reference numbers. The numbers of those articles shall be updated from 1 January of each year.

3. The annual reference number of a journal, the day, month and year of promulgation shall be noted on the cover page and the first page of the Official Journal of the Republic of Armenia.

*(Article 64 amended by HO-35-N of 25 December 2006, supplemented by HO-19-N of 8 April 2008, HO-86-N of 7 April 2009)*

#### **Article 65. Structure of the Journal of Agency Regulatory Acts of the Republic of Armenia**

1. The Journal of Agency Regulatory Acts of the Republic of Armenia shall consist of the following sections:

(1) in the first section decisions of the Board of the Central Bank of the Republic of Armenia shall be promulgated;

(2) in the second section decisions of the Central Electoral Commission of the Republic of Armenia shall be promulgated;

(3) in the third section decisions of the Energy Commission of the Republic of Armenia shall be promulgated;

(4) in the fourth section decisions of the State Council on Statistics of the Republic of Armenia shall be promulgated;

(5) in the fifth section decisions of the State Commission for the Protection of Economic Competition of the Republic of Armenia shall be promulgated;

(6) in the sixth section decisions of the National Commission on Television and Radio shall be promulgated;

(7) in the seventh section decisions of the Civil Service Council of the Republic of Armenia shall be promulgated;

(8) in the eighth section orders of the ministers of the Republic of Armenia shall be promulgated;

(9) in the ninth section decisions or executive orders of the Mayor of Yerevan shall be promulgated;

(10) in the tenth section decisions or executive orders of the marzpets of the Republic of Armenia shall be promulgated.

Judicial acts referred to in Article 57(1) of this Law shall be promulgated in the relevant sections of the Journal of Agency Regulatory Acts of the Republic of Armenia.

Other sections may also be envisaged in the Journal of Agency Regulatory Acts of the Republic of Armenia by the legislation of the Republic of Armenia or by the Minister of Justice of the Republic of Armenia.

2. Orders of the ministers shall be promulgated in the alphabetical order of the names of relevant ministries, followed by relevant state bodies adjunct to the Government of the Republic of Armenia.
3. In the Journal of Agency Regulatory Acts of the Republic of Armenia, legal acts shall be promulgated in articles with reference numbers. The numbers of articles shall be updated from 1 January of each year.
4. The annual reference number of the journal, the day, month and year of its publication shall be noted on the cover page and the first page of the Journal of Agency Regulatory Acts of the Republic of Armenia.

*(Article 65 edited by HO-243-N of 8 December 2005)*

**Article 66. Structure of the Journal of Community Legal Acts and of the Journal of Legal Acts of Yerevan**

1. The Journal of Community Legal Acts shall consist of the following sections:
  - (1) in the first section decisions of the community council of elders shall be promulgated;
  - (2) in the second section decisions of the community head shall be promulgated;
  - (3) judicial acts referred to in Article 57(1) of this Law shall be promulgated in the relevant sections;
  - (4) other sections may also be envisaged in the Journal of Community Legal Acts by the legislation of the Republic of Armenia or by the Minister of Justice of the Republic of Armenia.
2. The Journal of Legal Acts of Yerevan shall consist of the following sections:
  - (1) in the first section decisions of the community council of elders shall be promulgated;
  - (2) in the second section decisions of the community head shall be promulgated;
3. In the journals referred to in this Article, legal acts shall be promulgated with reference numbers. These numbers shall be updated from 1 January of each year. 3. The annual reference number of a journal, the day, month and year of its publication shall be noted on the cover page and the first page of the journals.

*(Heading amended by HO-13-N of 26 December 2008)*

*(Article 66 edited by HO-13-N of 26 December 2008)*

## **Article 67. Procedure for official and non-official promulgation of legal acts**

1. Official or non-official publication of legal acts shall be carried out through printing or copying the legal acts or the extracts thereof on paper, electronic or other media, as well as their dissemination through electronic or other networks.

2. The official publication of legislative, agency legal acts and legal acts of local self-government bodies shall be carried out in the form they have been sent for promulgation.

The right to official republication of legislative, agency, judicial acts, legal acts of local self-government bodies, as well as of international treaties of the Republic of Armenia shall be vested with the Ministry of Justice of the Republic of Armenia or other persons provided for by law.

Legal acts other than legislative, agency legal acts and legal acts of local self-government bodies may be promulgated by the bodies adopting them or by other persons, except for legal acts constituting state or another secret protected by law, or parts of legal acts containing such secret.

3. Non-official publication of legislative, agency, judicial acts, legal acts of local self-government bodies, as well as of international treaties of the Republic of Armenia, shall be carried out as prescribed by law and the Government of the Republic of Armenia.

Those carrying out non-official publication of legal acts shall have the right to process those themselves, as well as to carry out non-official incorporation of legal acts, without changing the meaning of the legal act.

It shall be prohibited to grant a monopoly for non-official publication of legal acts.

4. The official republication or non-official publication of legal acts may be carried out only on the basis of the official promulgation of the legal acts or the legal acts officially received from the law-making bodies or the Ministry of Justice of the Republic of Armenia, indicating the source of promulgation or receipt.

5. If amendments or supplements have been made to a legal act prior to the day of its official republication or non-official publication, they must be published together with the legal acts, or those legal acts must be published with the inclusion of all the amendments and supplements made therein (hereinafter referred to as "incorporation"), indicating the day of the amendments or supplements as of which the act is published.

If — prior to the day of official republication or non-official publication of a legal act — the Constitutional Court of the Republic of Armenia has declared the legal act concerned or any of its provisions as contradicting the Constitution of the Republic of Armenia and invalid, the year, month, day of adoption and the number of the decision of the Constitutional Court of the Republic of

Armenia on declaring the provision concerned as contradicting the Constitution of the Republic of Armenia and invalid, shall be indicated when publishing or republishing the act concerned.

The official incorporation of legislative, agency legal acts or legal acts of local self-government bodies shall be carried out by the Ministry of Justice of the Republic of Armenia.

6. The Ministry of Justice of the Republic of Armenia shall prepare an electronic compilation of regulatory legal acts that have undergone official incorporation, which shall be provided free of charge only to state bodies. The Government of the Republic of Armenia shall establish the procedure and time-limits for preparing and providing the compilation referred to in this part.

7. A legal act where a great number of amendments or supplements have been made, may be officially republished in the appropriate journals provided for by this Law by the law-making body having adopted the act concerned or the body publishing the regulatory act.

8. Legal acts published in violation of the requirements of law and other legal acts shall be deemed invalid, and their sales, copying or distribution shall be prohibited.

*(Article 67 supplemented by HO-86-N of 7 April 2009)*

## CHAPTER 7

### FULFILMENT OF THE REQUIREMENTS OF LEGAL ACTS AND NOTIFYING THE PUBLIC OF LEGAL ACTS

#### **Article 68. Fulfilment of the requirements of legal acts**

1. Persons shall be free to perform whatever is not prohibited by law or — in cases expressly provided for by law — by other legislative acts, if this will not result in an infringement of the rights, freedoms, honour and good reputation of others.

2. No one may bear responsibilities not prescribed by law, as well as — in cases expressly provided for by law — by other legislative acts. The procedure for, conditions and extent of fulfilment of responsibilities shall be determined by law, and — in cases directly provided for by law — by other legislative acts.

Persons may be subjected to liability only in cases, as and to the extent provided for by law.

3. A person shall not be obliged to fulfil the requirements of a legal act not having legal effect, as well as not promulgated or not having entered into force as prescribed by this Law.

A person may not be subjected to liability for the violation of the requirements of a legal act not having legal effect, as well as not having been promulgated or entered into force as prescribed by this Law.

4. If the fulfilment of a requirement of a norm provided for in a legal act may be achieved only by the adoption of another legal act provided for by that legal act, or its fulfilment is directly conditional upon the adoption of another legal act, the legal act shall be operative in respect of that norm upon the entry into force of the other appropriate legal act.

5. Norms of a legal act, except for cases provided for in part 4 of this Article, shall have direct effect and shall be subject to enforcement, regardless of the fact whether or not other legal acts have been adopted on their basis or for their implementation.

6. State and local self-government bodies, legal, natural persons and officials shall be obliged to fulfil the requirements of legal acts which have entered into force as prescribed by this Law, regardless of the fact whether they have received those legal acts officially or through general procedure, as well as whether or not they have been notified or aware of their adoption or entry into force, unless otherwise provided for by law or the legal act concerned. This norm shall not exempt the state and local self-governmental bodies, organisations and officials from the performance of their responsibilities — provided for by legal acts — to notify or inform the public of legal acts.

7. State and local self-government bodies or their officials shall be obliged to assist, within the scope of their powers, persons in the exercise of their rights and fulfilment of their responsibilities, to take appropriate measures provided for by the legislation of the Republic of Armenia to restore their violated rights, as well as to eliminate the obstacles to the exercise of the rights and fulfilment of responsibilities of persons, if the exercise of those rights or fulfilment of those responsibilities is not in conflict with the interests of the state security and public safety, public order, public health and morals, or if it will not result in an infringement of the rights and freedoms, honour and good reputation of others.

*(Article 68 supplemented by HO-35-N of 25 December 2006)*

#### **Article 69. Notifying the public of legal acts**

Public administration and local self-government bodies applying regulatory legal acts which restrict the rights or freedoms of legal or natural persons or establish liability or make the liability heavier or establish and alter responsibilities or establish or alter a procedure for the fulfilment of responsibilities, establish or alter a procedure for control or supervision over the activities of legal or

natural persons, as well as otherwise worsen their status, shall be obliged to notify the interested natural and legal persons thereof, as prescribed by the Government of the Republic of Armenia.

## CHAPTER 8

### MAKING AMENDMENTS OR SUPPLEMENTS TO LEGAL ACTS OF THE REPUBLIC OF ARMENIA, TERMINATION THEREOF

#### **Article 70. Amendments and supplements to a legal act**

1. Amendments or supplements shall be made to a legal act if there is a need to change the specifics of regulation of certain legal relations.

2. Amendments to a legal act shall be made by:

(1) replacing its certain words or numbers with other words or numbers;

(2) deleting its certain words, numbers or sentences;

(3) replacing its certain sections, chapters, articles, parts, points, paragraphs, or sentences with new edition;

(4) terminating its certain sections, chapters, articles, parts, points, or paragraphs.

The amendments prescribed in point 4 of this part shall be carried out as and under the conditions provided for the termination of legal acts and shall entail appropriate consequences provided for the termination of a legal act.

3. Supplements to a legal act shall be made by adding new sections, chapters, articles, parts, points, paragraphs, sentences, words, or numbers therein.

4. Amendments to the Constitution of the Republic of Armenia shall be made as prescribed by the Constitution of the Republic of Armenia.

5. Amendments or supplements to other legal acts shall be made only by the body having adopted the legal act or its successor. A law-making body may make amendments or supplements to a legal act only by a legal act of the same type.

Amendments or supplements to a code shall be made by a law.

Amendments or supplements to jointly adopted legal acts shall be made by a jointly adopted legal act of the bodies having adopted the legal act or of their successors.

Amendments or supplements to legal acts, for the adoption of which the consent of other law-making bodies was required under law or another legislative act, may be made only upon the consent of the law-making body having given its consent to the adoption of the legal act or of its legal successor.

6. The form (appearance) of amendments or supplements made to a legal act must conform to the form (appearance) of the legal act being amended or supplemented.

If large-scale amendments or supplements are made to a legal act, the legal act may be fully replaced with new edition.

#### **Article 71. Termination of a legal act**

1. A legal act shall terminate:

- (1) when the legal act is repealed;
- (2) when the legal act is abolished;
- (3) when the legal act is declared invalid;
- (4) when the legal act is revoked;
- (5) when the legal act is suspended.

2. If a certain part of the relations regulated by a legal act is to be terminated, which is impossible to separate in the form of parts of legal acts, the legal act shall be terminated partially. In this case, the act terminating the legal act shall clearly specify the scope of relations in regard to which the legal act is being terminated.

3. Contemporaneously with the termination of a legal act, the regulatory legal acts or legal norms adopted in accordance with, or for the implementation of, that legal act shall be correspondingly declared terminated, unless otherwise provided for by the legal act on terminating the legal act.

In case of terminating a legal act, individual legal acts may be terminated only in cases provided for by law, as and under the conditions provided for by the legal act on terminating the legal act.

The grounds prescribed in this part for declaring the legal act terminated shall not exempt the law-making body, except for the National Assembly of the Republic of Armenia, from the responsibility to declare — within the terms and as prescribed by this Law — the respective legal acts terminated.

4. In case of adopting a legal act on terminating a legal act, the terminated legal act or the legal act terminated according to it shall not be restored.

A terminated legal act may be restored only by an appropriate legal act, in case an express provision on restoring the terminated legal act is available.

5. The body having adopted a legal act shall carry out the termination of the legal act upon a legal act of the same type.

A code shall be terminated by a law.

A jointly adopted legal act may be terminated upon the decision of the bodies having adopted the legal act or of their successors, as well as of their superior body endowed with appropriate powers.

If the adoption of a legal act has required — under the legislation of the Republic of Armenia — the consent of other law-making bodies, the legal act may not be terminated without its or its successor's consent.

6. The rules on termination of legal acts provided for by this Law shall also apply when terminating their parts. The termination of a part of a legal act shall not result in the termination of the legal act or its other parts, unless otherwise expressly provided for by law.

## **Article 72. Repealing a legal act**

1. A legal act shall be repealed:

(1) upon the decision of a law-making body, its successor or a superior body endowed with appropriate powers, if:

(a) there is no need to further regulate the legal relations regulated by the legal act;

(b) the legal relations regulated by the legal act are regulated or will be regulated by another legal act;

(c) a legal act of higher legal effect has entered into force, and the provisions of that legal act contradict it;

(d) an international treaty of the Republic of Armenia of higher legal effect has entered into force, and that legal act contradicts its norms;

(e) the term provided for a fixed-term legal act has expired;

(2) in case of termination of the activities of the law-making body without any successor, only in respect of regulatory legal acts, unless otherwise provided for by the decision on the dissolution of the law-making body.

2. If the legal act contradicts the requirements of a legal act of higher legal effect, which has entered into force later, the law-making body, except for the National Assembly of the Republic of Armenia, shall be obliged to adopt a legal act on repealing the legal act adopted by it, within two months from the day the legal acts of higher legal effect enter into force, unless another time-limit is provided for by the legal act concerned. In this case, the contradicting legal acts shall be repealed upon the entry into force of the legal acts of higher legal effect.

3. In case of termination of the activities of the law-making body without any successor, its regulatory legal acts shall be repealed upon the dissolution of the body adopting the legal act, unless otherwise provided for by the legal act on the termination of the activities of the law-making body.

### **Article 73. Abolition of a legal act**

1. A legal act shall be declared abolished, if there is no need for legal regulation of the relations regulated by it, and retroactive effect will be given to the act on terminating the legal act concerned. This provision shall not extend to cases, when a legal act is terminated due to contradicting, or being declared contradicting, the legal acts of higher legal effect.
2. A legal act shall be abolished upon the decision of the law-making body or its successor.
3. The procedure and conditions for giving retroactive effect to a legal act shall be settled by the legal act on abolishing the legal act.
4. The measures provided for in Article 74(4) of this Law shall not be implemented in case a legal act is abolished.

### **Article 74. Declaring a legal act invalid**

1. A legal act shall be declared invalid:
  - (1) upon the decision of the law-making body, its successor or a superior body endowed with appropriate powers, if, at the time of the adoption of the legal act, it contradicted a legal act of higher legal effect;
  - (2) in case the Constitutional Court of the Republic of Armenia declares the legal act as contradicting the Constitution of the Republic of Armenia;
  - (3) if a court of general jurisdiction declares the legal act as contradicting the legal acts of higher legal effect or other legal acts on other grounds provided for by this Law.
  - (4) *(Point 4 repealed by HO-35-N of 25 December 2006)*
  - (5) in case the regulatory legal acts of local self-government bodies are not submitted to the Ministry of Justice of the Republic of Armenia within the time-limit prescribed by this Law;
  - (6) if a requirement of an individual legal act providing for liability is not fulfilled within the prescribed limitation period.
2. The legal act on declaring a legal act invalid may extend also to legal relations preceding the entry into force of that act, if non-adoption of such legal act may cause grave consequences for the public or the State.

The legal acts — based on a legal act declared invalid upon the legal act referred to in the first paragraph of this part as well as based on other regulatory acts having ensured the implementation of

that act — having been adopted or enforced during the three years preceding the entry into force of the legal act, shall be subject to review by the body having adopted the legal, as prescribed by law.

If declaring any regulatory legal act or any of its provisions invalid will inevitably cause grave consequences for the public and the State, which will disrupt the legal security to be established at that time by abolishing the regulatory act concerned, the respective body may postpone the losing of the legal effect of the act concerned.

2.1. In cases provided for in points 1 and 3 of part 1 of this Article, a legal act shall be declared invalid or having no legal effect upon adoption. In the case provided for in point 2 of part 1 of this Article, the legal act shall lose its legal effect from the moment provided for by the Law of the Republic of Armenia “On the Constitutional Court”. Relevant provisions of other legal acts having ensured the implementation of a legal act declared invalid, shall lose their legal effect at the same time when the disputed act loses its legal effect.

2.2. Within a one-month period following the day when a legal act is declared invalid or as having no legal effect upon the grounds provided for in points 3, 5 and 6 of part 1 of this Article, the law-making body which has adopted the legal act declared invalid shall be obliged to adopt an appropriate legal act on declaring the legal act invalid.

3. A legal act may be declared invalid upon a decision of the law-making body or its successor or its superior body, unless a compulsory judicial procedure is provided for by law for declaring that act invalid.

4. The legal act on declaring a legal act invalid may resolve:

(1) the issues of recognising persons’ rights violated as a result of declaring the legal act invalid or of restoring the situation existing before the violation;

(2) the issues of suspending or eliminating the actions violating persons’ rights or causing a threat of their violation;

(3) the issues of compensating the damages caused as a result of adopting a legal act declared invalid and declaring it invalid.

5. In case a legal act is declared invalid, natural or legal persons shall not be obliged to compensate or restore the damage caused to the State or to a local self-government body as a result of making use of the rights, privileges, freedoms granted to them under an act declared invalid, if they did not know or were not obliged to know that the legal acts prescribing the given rights, privileges and freedoms were invalid.

*(Article 74 amended, edited, and supplemented by HO-35-N of 25 December 2006, edited by HO-19-N of 8 April 2008)*

#### **Article 75. Revocation of a legal act**

1. A legal act shall be revoked upon the decision of the law-making body, its successor or a superior body endowed with appropriate powers, if the adopted legal act has not yet been applied and its application is inexpedient, or the relations provided for therein are impossible to regulate by that legal act or as prescribed therein, or it is impossible to fulfil the requirements provided for therein.

Regulatory provisions of a legal act may not be revoked, except for the cases provided for by the Constitution.

2. A legal act shall be revoked from the moment of adoption.

*(Article 75 supplemented by HO-35-N of 25 December 2006)*

#### **Article 76. Suspension of a legal act**

1. A legal act may be suspended upon the decision of the law-making body, its successor or a superior body endowed with appropriate powers.

The President of the Republic of Armenia may suspend the decisions of the Government for a one-month period.

2. The legal act on suspension of a legal act shall prescribe:

(1) the reasons for, or the purpose as well as the term of, suspending the legal act;

(2) the procedure and conditions for regulating the relations which have arisen prior to the suspension of the legal act and after its restoration.

The legal act — suspending a legal act — which does not provide for the mentioned provisions, shall have no legal effect.

*(Article 76 supplemented by HO-35-N of 25 December 2006)*

#### **Article 77. Amending other legal acts in case of making amendments and supplements as well as terminating legal acts**

1. In regard with the adoption of a new legal act, all legal acts or their parts which either contradict the provisions of the new act or are included therein, shall be subject to amendment or supplement as well as termination.

2. If, in regard with the adoption of a legal act, it is necessary to amend or supplement or terminate legal acts adopted earlier or certain parts thereof, they shall be stated in the final part of the draft legal act in the form of parts of separate legal acts.

3. If, in regard with the adoption of a legal act, it is necessary to amend or supplement or terminate a great number of acts, their lists shall be formulated separately, in the form of a legal act of the same type. Such draft lists shall be prepared by the drafters of the draft of the main act and shall be submitted together with it. The lists of amendments or supplements shall be drawn up separately from the terminating lists, in chronological order.

4. Preparation of draft lists of legal acts to be amended, supplemented or terminated in regard with the adoption of a legal act, shall be permitted after its adoption, only if their preparation requires a long time. In this case, an assignment or recommendation on elaborating the relevant draft lists shall be given in the legal act being adopted, stating the body which is to elaborate them and the time-limit therefor.

## CHAPTER 9

### OPERATION OF LEGAL ACTS IN TIME, IN SPACE AND IN RESPECT OF PERSONS

#### **Article 78. Operation of legal acts in time**

1. A legal act shall extend to relations which have arisen before its entry into force, *i.e.*, it shall have retroactive effect only in cases provided for this Law and other laws, as well as in cases provided for by the legal act concerned.

Retroactive effect may not be granted to legal acts restricting the rights or freedoms of legal or natural persons, making stricter the procedure for the their exercise or establishing liability or making the liability heavier or establishing responsibilities or establishing a procedure for the fulfilment of responsibilities or making it stricter, defining a procedure for control or supervision over the activities of legal or natural persons or making it stricter, as well as otherwise worsening their legal status.

2. A legal act removing or mitigating the liability provided for an offence or otherwise improving the position of legal and natural persons having committed an offence shall extend to relations which have arisen before its entry into force, *i.e.*, it shall have retroactive effect, unless otherwise provided for by law or that legal act.

3. The operation of amendments or supplements made to a legal act, except for cases of abolishing or declaring invalid or revoking the separate parts thereof, shall extend to relations which have arisen after its entry into force, unless otherwise provided for by this Law, other laws, as well as by the legal act providing for amendments or supplements.

The norms which have been effective prior to the entry into force of the amendments or supplements, shall extend to relations which have arisen before the entry into force of the legal act providing for amendments or supplements, unless otherwise provided for by this Law or by the legal act providing for amendments or supplements.

The operation of a repealed legal act shall extend to relations which have arisen before the day it is repealed, unless otherwise provided for by this Law or by the legal act on repealing the legal act concerned.

4. Upon the application of a legal act having retroactive effect, the person shall be released from the responsibility to comply with individual acts providing for sanctions or restrictions of rights applied previously.

*(Article 78 supplemented by HO-524-N of 31 March 2003)*

#### **Article 79. Validity period of legal acts**

1. The validity period of a regulatory legal act shall be unlimited, unless an express term is provided for in the legal act concerned or in the legal act putting it into effect.

2. A temporary validity period may be defined for the whole act or for its certain parts. In this case, the exact validity period of the act or its certain part must be specified. Before the expiration of the prescribed term, the body having adopted the act may extend the validity period of the act or make it unlimited.

#### **Article 80. Operation of legal acts in space**

1. The Constitution of the Republic of Armenia, amendments to the Constitution of the Republic of Armenia, the operation of the laws of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decisions of the Constitutional Court of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Chairperson of the National Assembly of the Republic of Armenia, decisions of the Government of the Republic of Armenia, decisions of the Prime Minister of the Republic of Armenia, agency acts, except for

regulatory decisions of marzpets and of the Mayor of Yerevan, shall extend to the whole territory of the Republic of Armenia.

2. The operation of regulatory decisions of the marzpets of the Republic of Armenia shall only extend to the administrative territory of the marz [region] concerned, whereas regulatory decisions of the Mayor of Yerevan – only to the administrative territory of the city of Yerevan.

3. The operation of regulatory legal acts of local self-government bodies shall extend to the territory of the relevant community.

4. The operation of individual legal acts shall extend to the whole territory of the Republic of Armenia, unless otherwise provided for by that legal act.

5. The operation of an internal legal act shall only extend to persons expressly provided for by the internal legal act.

*(Article 80 amended by HO-35-N of 25 December 2006, supplemented by HO-86-N of 7 April 2009)*

#### **Article 81. Operation of legal acts in respect of persons**

1. The operation of regulatory legal acts of the Republic of Armenia shall extend to the Republic of Armenia represented by its bodies, citizens of the Republic of Armenia, legal persons of the Republic of Armenia, communities of the Republic of Armenia represented by their bodies, foreign citizens and stateless persons in the territory of the Republic of Armenia, international organisations, foreign legal persons, separated subdivisions of foreign legal persons and international organisations operating in the territory of the Republic of Armenia, as well as to the diplomatic, consular and other representations of the Republic of Armenia in foreign States, unless otherwise provided for by these legal acts.

2. According to the international treaties of the Republic of Armenia and the norms of international law, the laws and other regulatory legal acts of the Republic of Armenia need not be applied to the employees of diplomatic and other certain representations of foreign States or international organisations.

**CHAPTER 10**  
**CALCULATION OF TERMS**

**Article 82. Determination of terms prescribed by a legal act**

1. A term provided for by legal acts shall be determined by calendar year, month, day or by expiration of a specific period of time calculated by years, months, weeks, days or hours.

A term determined by a period of time shall start running on the day following the calendar year, month and day or the day following the occurrence of the event upon which the beginning of the term is determined.

2. A term calculated in years shall expire on the corresponding month and day of the last year of the term.

The rules for terms calculated in months shall be applied to a term determined by a half-year.

3. The rules for terms calculated in months shall be applied to a term calculated by quarters of a year. Moreover, a quarter shall be considered equal to three months and the calculation of quarters shall start from the beginning of the year.

4. A term calculated in months shall expire on the corresponding day of the last month of the term. Where the term calculated in months expires in a month not having the corresponding day, the term shall expire on the last day of that month.

5. A term determined by a half-month shall be considered as a term calculated in days and shall be considered equal to 15 days.

6. A term calculated in weeks shall expire on the corresponding day of the last week of the term.

**Article 83. Expiration of a term on a non-working day**

If the last day of a term is a non-working day, the next working day shall be considered the day of expiration of the term.

**Article 84. Procedure for carrying out actions on the last day of the term**

1. Where a term has been established for carrying out an action, that action may be carried out until 24:00 of the last day of the term.

However, if that action is to be carried out in an institution or organisation, the term shall expire at the time when, under the rules established in that organisation or institution, the operations concerned are terminated.

2. The documents submitted to a communication organisation before 24:00 of the last day of the term shall be considered to be submitted within due term.

#### **Article 85. Application of another procedure for determination of a term**

Where a law or a legislative act regulating the legal relations concerned provides for another procedure for calculation of terms, the procedure for calculation of terms prescribed by that law or the legislative act regulating the legal relations shall be applied in case of legal relations regulated by the act concerned.

### **CHAPTER 11**

#### **INTERPETATION AND CLARIFICATION OF LEGAL ACTS**

#### **Article 86. Interpretation of legal acts**

1. A legal act shall be interpreted according to the literal meaning of the words and expressions contained therein, taking into account the requirements of the law.

An interpretation of a legal act shall not change its meaning.

2. Where a legal act has been adopted for the implementation of, or in accordance with, a legal act of equal or higher legal effect, the act shall be interpreted primarily on the basis of the provisions and principles of the act of higher legal effect.

3. The heading of a legal act or of a section, chapter or article of a legal act may not be used for the interpretation of the legal act or the section, chapter or article of the legal act, respectively.

#### **Article 87. Clarification of a legal act**

1. In cases of not precise or different perception of the provisions of a legal act, contradiction of a legal act with a legal act of equal or higher legal effect or between the provisions of the same legal act or in other cases prescribed by law, clarification of a legal act shall be provided for the purpose of determining the terms of entry into force of a legal act, clarifying the issues of having legal effect, as

well as for the purpose of clarifying other issues which have arisen in the field of application of a legal act.

The official clarification of a legal act must have an adoption day, reference number and heading.

2. The official clarification of a legal act may be provided by:

(a) the body of executive power — applying the legal act — authorised by the Government of the Republic of Armenia; moreover, only one body shall be authorised to provide clarifications relating to one field;

(b) the Central Bank of the Republic of Armenia, with regard to legal acts applied or having been adopted by it;

(c) the regulatory commissions, with regard to legal acts applied or having been adopted by them;

(d) the Central Electoral Commission of the Republic of Armenia, with regard to legal acts applied or having been adopted by it;

(e) the community head with regard to legal acts applied or having been adopted by him or her or by the council of elders;

The official clarification of a legal act shall be provided according to the rules provided for the official interpretation of a legal act.

The official clarification of a legal act shall be provided upon the signature of the head of the respective body or persons authorised by him or her.

3. For the purpose of receiving an official clarification, a natural or legal person shall state in his application the necessity of receiving clarifications on contradictions, different perceptions or other issues referred to in part 1 of this Article, by indicating the grounds for the issues raised. He may present only one version of clarification of issues.

Applications not following the requirements of the first paragraph of this part shall be considered to have the aim of receiving consultation; only replies prescribed by law shall be given thereto.

4. Official clarifications shall be provided within 15 days following the day of receipt of the application. In case of not receiving the official clarification within the mentioned time-limit, the applicant shall be entitled, when fulfilling the requirements of the legal act, to be guided by the clarification submitted thereby. However, this clarification must directly follow from the requirements of the legal act, must not change its meaning, must be clarified in observance of the requirements of the law and with the literal meaning of the words and expressions contained therein. Where the applicant has been guided by the clarification provided in observance of the requirements of the law, then in case any contradiction arises between that clarification and the further

clarification or opinion provided by an authorised body, the applicant shall be released from liability provided for the mistakes made as a result of incorrect clarification.

One copy of official clarification shall be sent to the Ministry of Justice of the Republic of Armenia on the third day following the day of their signature, which shall be obliged to promulgate it in the upcoming issue of the Journal of Agency Regulatory Acts of the Republic of Armenia. Failure to send one copy of official clarifications within the time-limit provided for in this paragraph shall entail administrative liability as prescribed by law.

5. The Council of Court Chairpersons shall provide advisory official clarifications on application of laws on the basis of summarisation of judicial practice. The clarifications on the application of laws provided by the Council of Court Chairpersons shall be subject to promulgation.

6. The official clarifications referred to in parts 1 to 5 of this Article shall not be binding, however, persons shall have the right to be guided by the official clarifications in relations with the state or local self-government bodies.

7. Non-official clarifications of a legal act may be provided by officials practicing in the field of regulation of relations subject to clarification, by advocates, persons carrying out legal services and other specialists of the field concerned. The clarifications referred to in this part shall be of an advisory nature.

8. The state body which publicly provides official clarifications of a legal act shall be liable — as prescribed by the Civil Code of the Republic of Armenia — for the damage caused as a result of an obviously incorrect clarification provided thereby.

*(Article 87 edited by HO-13-N of 17 December 2003, supplemented by HO-35-N of 25 December 2006)*

#### **Article 88. Application of the norms of legal acts by analogy**

1. Where the law or other legal acts do not expressly regulate the emerged relations, legal acts regulating similar relations may be applied to such relations only in cases provided for by law (analogy).

2. Analogy may not be applied where it restricts the rights, freedoms of natural or legal persons or provides for a new obligation or liability for them, or makes stricter the coercive measures applied to natural persons and the procedure for their application, the procedure for paying taxes, duties and other mandatory payments by natural or legal persons, the conditions and procedure for exercising control and supervision over the activities of natural and legal persons.

## CHAPTER 12

### STATE RECORD KEEPING, SYSTEMATISATION OF LEGAL ACTS AND CONTROL OVER OBSERVANCE OF THE REQUIREMENTS THEREOF

#### **Article 89. Record keeping of legal acts**

1. The bodies adopting legal acts shall be obligated to maintain a register of legal acts adopted thereby.

Record keeping of legal acts shall be carried out as prescribed by the Government of the Republic of Armenia.

2. The register of regulatory legal acts shall be open to all bodies, legal or natural persons. Any interested person may familiarise with adopted regulatory legal acts, except for those containing state or other secrets provided for by law.

3. Written information on regulatory legal acts may be provided from the register by hand or by mail. A state duty shall be charged in the amount prescribed by law for providing information from the register of legal acts.

#### **Article 90. Systematisation of legal acts**

1. Laws of the Republic of Armenia, decisions of the National Assembly of the Republic of Armenia, decrees and executive orders of the President of the Republic of Armenia, decisions of the Chairperson of the National Assembly of the Republic of Armenia, decisions of the Government and of the Prime Minister of the Republic of Armenia shall be sent to the Ministry of Justice of the Republic of Armenia within three days following the day of their adoption, signature or validation, on paper and on an electronic medium or by e-mail for the purpose of state record keeping and systematisation.

Record keeping and systematisation of agency regulatory acts shall be carried out by the Ministry of Justice of the Republic of Armenia within five days following the day of their state registration.

Regulatory legal acts of local self-government bodies shall be recorded and systematised in the Ministry of Justice of the Republic of Armenia after the state registration thereof.

2. Copies of legal acts submitted for state registration to the Ministry of Justice of the Republic of Armenia shall be considered to be official (true) copies of the legal act concerned.

3. The Ministry of Justice of the Republic of Armenia shall be deemed to be the official depository of regulatory legal acts of the Republic of Armenia.

4. The official (true) copies of legal acts received in the Ministry of Justice of the Republic of Armenia shall be recorded, systematised and maintained as prescribed by the Minister of Justice of the Republic of Armenia.

The official (true) copies of legal acts recorded in the Ministry of Justice of the Republic of Armenia shall be kept for an unlimited term. Systematised official compilations of legal acts shall be compiled based thereon.

*(Article 90 supplemented by HO-86-N of 7 April 2009)*

#### **Article 91. Control over observance of the requirements of this Law**

1. Any person having detected a violation of the requirements of the procedure for adoption, promulgation or application of legal acts as prescribed by this Law, shall be entitled to apply to the body adopting, promulgating or publishing the legal act or to the superior body thereof (if any) or to the Minister of Justice of the Republic of Armenia or to the court, requiring to take measures provided for by law in order to eliminate the violations and to provide relevant information thereon.

2. Control over observance of the requirements of this Law shall be exercised also by the Minister of Justice of the Republic of Armenia or the heads of other public administration bodies authorised by the Government of the Republic of Armenia, within the scope of their powers provided for by law.

3. The Minister of Justice of the Republic of Armenia shall be obliged to exercise control in order to detect the legal acts promulgated, published or being applied in violation of the requirements of this Law.

The Minister of Justice of the Republic of Armenia shall be obliged to undertake measures prescribed by this Law in order to declare invalid, to repeal or to declare as having no legal effect the legal acts referred to in the first paragraph of this part.

4. The Minister of Justice of the Republic of Armenia shall be authorised to familiarise with the register of legal acts in the bodies, other than legal persons, which are entitled to adopt agency acts or local self-government acts, as well as internal legal acts, and to require carbon copies of legal acts adopted thereby.

The bodies referred to in this part must submit their legal acts to the Minister of Justice of the Republic of Armenia within five days following the day of receiving a written request thereon.

5. In case of detecting legal acts adopted, promulgated or being applied in violation of the requirements of this Law, the Minister of Justice of the Republic of Armenia shall, within 15 days:

(1) publicise information on the legal act adopted, promulgated, published or being applied in violation of the requirements of law;

(2) apply to the body having adopted or applying the legal act in violation of this Law or to the superior body thereof vested with relevant powers, by recommending to eliminate the violations of law;

(3) apply to relevant competent authorities to subject the officials — having adopted, promulgated or applying the legal act in violation of this Law — to liability provided for by law;

(4) enter a publication in relevant journals according to this Law, with regard to a legal act having no legal effect but having been adopted, promulgated, published or being applied.

6. Each person shall have the right to apply to court with the claim of declaring invalid the legal acts adopted, promulgated or being applied in violation of law.

*(Article 91 amended by HO-524-N of 31 March 2003)*

#### **Article 92. Liability for violation of the requirements of this Law**

1. According to this Law, application by officials of a legal act having no legal effect shall be deemed to be an excess of official powers and shall entail criminal liability provided for by law.

2. Application of a regulatory legal act having no legal effect, as well as of a regulatory legal act not having entered into force as prescribed by this Law, failure to promulgate or provide — as prescribed by this Law — legal acts relating to rights, freedoms, and privileges of legal and natural persons, or impediment to the provision thereof, impediment to the implementation of a legal act which has entered into force in the prescribed manner and is effective, or failure to take appropriate measures by the official authorised for ensuring the implementation thereof, shall entail administrative, criminal and disciplinary liability prescribed by law.

3. A violation of other requirements of this Law shall entail liability prescribed by law.

*(Article 92 edited, amended by HO-35-N of 25 December 2006)*

## CHAPTER 13

### FINAL PART AND TRANSITIONAL PROVISIONS

#### **Article 93. Final part**

1. To repeal the laws of the Republic of Armenia "On the procedure for promulgation and entry into force of laws, other regulatory legal acts of the Republic of Armenia" adopted in 1996 and "On making amendments and supplements to the Law of the Republic of Armenia "On the procedure for promulgation and entry into force of laws, other regulatory legal acts of the Republic of Armenia"" adopted in 2000.
2. Community heads shall send the carbon copies of regulatory decisions adopted by the council of elders and community head and effective, to the Ministry Justice of the Republic of Armenia within one month following the day of entry into force of this Law. Regulatory legal acts not sent to the Ministry of Justice of the Republic of Armenia within the specified period shall be repealed.

#### **Article 94. Transitional provisions**

1. The provisions of Articles 17 to 20 of this Law shall extend also to relations which have arisen prior to the entry into force of this Law.
2. Contradictions between this Law and other laws shall be settled as prescribed by this Law, except for the cases provided for by the Constitution of the Republic of Armenia.
3. Other legal acts or relevant parts thereof contradicting the requirements of Article 9(4) of this Law shall retain their legal effect until 1 July 2007.
4. The issues relating to the supremacy of legal acts which have entered into force prior to the entry into force of this Law, as well as that of this Law, shall be regulated by the principles provided for by this Law, except for the cases provided for in Article 24(3) of this Law.  
In case of contradictions between legal acts of equal legal effect adopted by the same body and entered into force prior to the entry into force of this Law, the norms of the legal act having entered into force later shall apply. This norm shall extend also to this Law.
5. The regulatory legal acts adopted by the bodies not entitled to adopt regulatory legal act under this Law prior to the entry into force of this Law, as well as the regulatory legal acts of state bodies and other bodies the activities of which have terminated without a successor prior to the entry into force of this Law, shall be repealed.

6. The requirements of Article 68(1), (2), (3), (4), (5) and (6), of Articles 78 to 88 and of Article 91 of this Law shall also extend to the legal acts having entered into force prior to the entry into force of this Law.

7. The legal acts subject to promulgation in the Official Journal of the Republic of Armenia or in the Journal of Agency Regulatory Acts of the Republic of Armenia, after 1 January 1997, but not promulgated, shall have no legal effect.

8. The legal consequences of termination or amendment of a legal act provided for by this Law shall also extend to the cases of amendment and termination of legal acts having entered into force prior to the entry into force of this Law.

*(Article 94 amended by HO-13-N of 17 December 2003)*

**President  
of the Republic of Armenia**

**R. Kocharyan**

Yerevan  
29 April 2002  
HO-320