

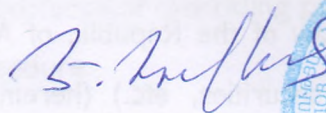
OFFICIAL TRANSLATION

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"TRANSLATION CENTRE OF THE MINISTRY OF JUSTICE
OF THE REPUBLIC OF ARMENIA"

STATE NON-COMMERCIAL ORGANISATION

EMILIA ADUMYAN



DIRECTOR

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LAW

OF THE REPUBLIC OF ARMENIA

Adopted on 27 November 2006

**ON ALIENATION OF PROPERTY FOR
ENSURING OVERRIDING PUBLIC INTERESTS**
(Title edited by HO-405-N of 24 October 2018)

Article 1. Subject matter of the Law

This Law shall define the Procedure for determination of the overriding public interest, the Procedure for alienation of the property for ensuring overriding public interests, the Procedure for provision of remuneration for the alienated property.

(Article 1 edited by HO-405-N of 24 October 2018)

Article 2. Scope of this Law

This Law shall apply to all objects of right of ownership owned by natural and legal persons, as well as communities (hereinafter referred to as "Owners") under the right of ownership and located in the Republic of Armenia or granted state registration or record-registration as prescribed by Law of the Republic of Armenia (moveable or immovable property, rights in rem, securities, etc.) (hereinafter referred to as "alienated property"). This Law shall not apply to property alienation relations during marshal law or state of emergency, in emergency situations.

Article 3. Constitutional conditions for alienation of property for ensuring overriding public interests

(title edited by HO-405-N of 24 October 2018)

1. Constitutional conditions for alienation of property for ensuring overriding public interests are the following:
 - (a) alienation should be carried out in exceptional cases and under a procedure prescribed by law;
 - (b) a preliminary and equivalent compensation (hereinafter referred to as "compensation") must be provided for the alienated property.

(Article 3 edited by HO-405-N of 24 October 2018)

Article 4. Determining the overriding public interest

(title amended by HO-405-N of 24 October 2018)

1. The principles for determining the overriding public interest are as follows:
 - (a) public interests should override the interests of the owner of the alienated property;

- (b) the effective realisation of the overriding public interest may not be ensured without the alienation of this property;
 - (c) proceeding from the overriding public interest the property alienation should not cause unreasonable damage to the owner;
 - (d) public interest is recognised as overriding by the Government decision;
 - (e) the fact of existence of overriding public interest may be contested through judicial procedure.
2. The overriding public interest may pursue the following goals:
- (a) ensuring the protection of state, safety of state and society;
 - (b) ensuring the fulfilment of obligations provided for by International treaties of the Republic of Armenia;
 - (c) ensuring the creation or protection of historical and cultural values or monuments of international and national significance, as well as specially protected natural territories;
 - (d) ensuring environmental protection;
 - (e) ensuring the development of education, health, sports, as well as science or culture;
 - (f) ensuring the implementation of the programmes of republican, communal or inter-communal significance in the fields of energy, telecommunication, water supply, water disposal, heat supply, urban development, subsoil exploration, subsoil use, transport, communication channels or development of infrastructures of settlements;
 - (g) protection of the life, health or ownership of persons;
 - (h) prevention of emergency situations, mitigation of possible consequences of emergency situations, elimination of consequences of emergency situations.

The goal of generating additional revenues for budget of state or local self-government bodies does not itself constitute the overriding public interest.

3. The public interest may not be considered as overriding, if the fulfilment of the alienation goal does not commence within seven years following the entry into force of the relevant decision of the Government "On recognising as overriding public interest".

(Article 4 amended, edited by HO-405-N of 24 October 2018)

Article 5. Property alienated for ensuring overriding public interests

(title amended by HO-405-N of 24 October 2018)

1. Where the land parcel is alienated, the real estate (buildings, constructions, other attached property, etc.), as well as other developments located on that land parcel shall also be alienated along with it. Where a building or construction is alienated, the land parcels necessary for maintenance of that building or construction shall be subject to alienation along with that building or construction.
2. Where a part of that ownership is alienated, the owner also has the right to require alienation of the part of property not alienated in the following cases:
 - (1) the unused part of the property loses for the owner the economic or functional significance it used to have before the separation of the part to be alienated, regardless of the proportion between the alienated parts and the parts not alienated;
 - (2) the part of the property not alienated is insignificant as compared to the alienated part.

The owner may file a request to alienate the part not alienated within a time period of two months following entry into force of Decision of the Government "On recognising as overriding public interest".

3. *(Article repealed by HO-105-N of 21 June 2014)*

(Article 5 edited, amended by HO-105-N of 21 June 2014, amended by HO-405-N of 24 October 2018)

Article 5.1. Procedure for considering the request for alienation of the part of the property not alienated

1. Where the owner files a request as prescribed by Article 5 of this Law also for alienation of the property not alienated, the person that intends to acquire the property shall be obliged to submit his or her position to the owner within 15 days following filing of such a request.
2. Where the person that intends to acquire the property refuses to acquire the non-alienated part of the property, the owner shall have the right to apply to the court with a claim on compelling to alienate the non-alienated part of the property within one-month time period following the receipt of the refusal of the person that intends to acquire the property or following the expiry of the time period specified in part 1 of this Article.
3. The court must examine and render a judgment on the claim having been submitted to the court in the manner prescribed by part 2 of this Article within two-month period following the day of receipt thereof.

(Article 5.1 supplemented by HO-105-N of 21 June 2014)

Article 6. The person that intends to acquire the property alienated for ensuring overriding public interests

(title amended by HO-405-N of 24 October 2018)

1. To ensure the overriding public interests, the property may be alienated to the benefit of the state, community or organisation (hereinafter referred to as "Acquirer").
2. Where the acquirer is the state, the state management bodies, citizens of the Republic of Armenia, non-profit organisations and communities may file a request to the Government for alienation of property to the benefit of the state or preliminary examination of property to be alienated.
3. Where the acquirer is not the state, the acquirer may submit the request on alienation of property or preliminary examination of property to be alienated through the state management body of the relevant field.
4. The request for alienation of property for ensuring the overriding public interests must contain the data provided for by part two of Article 7 of this law, as well as:
 - (a) substantiation of the overriding public interest of alienation of property;
 - (b) information on compensation for alienated property, expenses incurred for securing the procedure for alienation of property and other expenses incurred as a result of alienation of property, as well as information on sources of financial resources or guarantees required for carrying out activities envisaged for its overriding public interests after alienation of the property;
 - (c) other required materials, documents at the discretion of the acquirer.

5. Expenses incurred during the process for alienation of property for ensuring the overriding public interests shall be made at the expense of the acquirer.

(Article 6 amended by HO-405-N of 24 October 2018)

Article 7. Decision of the Government on recognising as overriding public interest

(title amended by HO-405-N of 24 October 2018)

1. The property is alienated for ensuring the overriding public interests only in case the Government recognises the goal of alienation as an overriding public interest.
2. The following shall be indicated in Decision of the Government "On recognising as overriding public interest":
 - (a) overriding the public interest for which the property should be alienated;
 - (b) the acquirer of the alienated property;
 - (c) objects of rights of ownership subject to alienation (addresses or location or other data, distinguishing this property from other property);
 - (d) the final time period for commencing the process of property alienation. The deadline for commencing the process of property alienation may not be set for more than a year, and in the case of immovable property or rights in rem to the immovable property — for more than five years, starting from the date of entry into force of Decision of the Government "On recognising as overriding public interest";
 - (e) The state body that co-ordinates the execution of the alienation function concerned, and where the acquirer is the state, also the state body responsible for the execution of functions of property alienation (hereinafter referred to as "authorised body");

- (f) other required data.

The Government of the Republic of Armenia has the right to delegate the function of the authorised body provided for by point "e" of this part with regard to alienated property located in the administrative district of the city of Yerevan to Mayor of Yerevan as a delegated power.

2.1. In cases provided for by point 11 of part 1 of Article 66 of the Land Code of the Republic of Armenia or point 3 of part 3 of Article 22 of the Law "On state property management", Decision of the Government of the Republic of Armenia "On recognising as overriding public interest" shall also contain the following:

- (1) substantiation of the necessity of direct sales of state-owned land parcel or other state-owned property;
 - (2) data on state-owned land parcel or other state-owned property.
3. Where the acquirer is not the state, the contract concluded between the state management body in the relevant field and the acquirer, which defines the rights, duties and liability of the state and acquirer in the process of property alienation, shall be attached to Decision of the Government "On recognising as overriding public interest".

Where the acquirer is not the Yerevan community, and where the property to be alienated is located in the administrative territory of the city of Yerevan, the Government of the Republic of Armenia shall have the right to reserve the power to conclude a contract on behalf of the state provided for by this part to the Mayor of Yerevan, as a delegated power. The contract shall enter into force from the moment of entry into force of Decision of the Government "On recognising as overriding public interest".

Where the acquirer is Yerevan community, and where the property to be alienated is located in the administrative territory of the city of Yerevan, the contract with the

community provided for by this part shall not be concluded, and the rights, liability and responsibilities of the acquirer — Yerevan community, are defined by Decision of the Government of the Republic of Armenia "On recognising as overriding public interest".

4. In order to ensure the overriding public interests, the restrictions provided for by Article 15 of this Law on the property alienated in accordance with Decision of the Government "On recognising the land parcel or other real estate or other property subject to mandatory or voluntary state registration as overriding public interest", shall be subject to registration in the manner prescribed by law within a 15-day period following the entry into force of the Decision of the Government.
5. Decision of the Government "On recognising as overriding public interest" shall be properly sent — within a period of 7 days following the entry into force of the Decision of the Government — to the owner of the property being alienated and holders of rights in rem to the property being alienated, having state registration.
6. The authorised body shall, following the entry into force of Decision of the Government "On recognising as overriding public interest", through the procedure and within the time limits defined by the Government, draw up a record on description of the property being alienated; in this process, the acquirer, the owner and persons holding in rem rights towards the property shall have the right to participate, if the record was not drawn up during the preliminary examination of the property. The owner of the property to be alienated or the person actually disposing of that property shall be obliged to allow the authorised body to draw up the record on description of the property being alienated.

Where the owner of the property subject to alienation or the person actually disposing of that property hinders the activities for drawing up the record on description of

property, the authorised body shall draw up the record on description of property based on the opportunity available, which shall be a basis for evaluating the improvements.

A copy of the record on description of property being alienated shall be forwarded to the owner and holders of rights in rem to the property not later than within three days after it is drawn up, who shall have the right to appeal it to the authorised body or the court within a month after receiving the record.

7. Decision of the Government "On recognising as overriding public interest" shall be subject to mandatory publishing in the "Official Journal of the Republic of Armenia" and mass media outlet with a print run of at least 3000 copies.

(Article 7 supplemented by HO-121-N of 19 May 2009, amended by HO-405-N of 24 October 2018, supplemented by HO-274-N of 4 June 2021)

Article 8. The preliminary examination of the property to be alienated for ensuring overriding public interests

(title amended by HO-405-N of 24 October 2018)

1. Before the Decision of the Government "On recognising as overriding public interest" is taken, the acquirer has a right to submit a proposal to the Government on preliminary examination of the property to be alienated (hereinafter referred to as "property examination").
2. Application on property examination should contain data provided for by part four of this Article, as well as:
 - (a) information on compensation for alienated property, expenses incurred for securing the procedure for alienation of property and other expenses incurred as a result of alienation of property, as well as information on sources of financial resources or guarantees required for carrying out

- activities envisaged for its overriding public interests after alienation of the property;
- (b) the goal of property examination, actions to be performed during property examination;
- (c) other necessary documents at the discretion of the acquirer.

Expenses incurred during the process of property examination shall be made at the expense of the acquirer.

3. Where the acquirer is not the state, the contract concluded between the state management body in the relevant field and the acquirer, which defines the rights, duties and liability of the state and the acquirer in the process of property examination, shall be attached to Decision of the Government "On property examination". Where the acquirer is not the Yerevan community, and where the property to be alienated is located in the administrative territory of the city of Yerevan, the Government of the Republic of Armenia shall have the right to reserve the power to conclude a contract on behalf of the state provided for by this part to the Mayor of Yerevan, as a delegated power.

The contract shall enter into force from the moment of entry into force of Decision of the Government "On preliminary examination of the property".

Where the acquirer is Yerevan community, and where the property to be alienated is located in the administrative territory of the city of Yerevan, the contract with the community provided for by this part shall not be concluded, and the rights, liability and responsibilities of the acquirer — Yerevan community, are defined by Decision of the Government of the Republic of Armenia "On recognising as overriding public interest".

4. Decision of the Government "On examination of property to be alienated" should include information provided for by second part of Article 7 of this Law, as well as:

- (a) addresses or locations of objects of ownership right to be examined;
- (b) time period for examination, which may not be for more than two months, commencing from the day of entry into force of Decision of the Government on examination;
- (c) actions to be performed during the examination;
- (d) other required data.

Decision of the Government may provide for an obligation for partial preliminary compensation by the acquirer of the damages caused to the owner as a result of examination.

5. By Decision of the Government the restrictions provided for by Article 15 of this Law shall, from the day of entry into force of Decision of the Government on conduct of examination, apply to the objects of ownership right to be examined.

Examination shall be conducted by the acquirer. The representative of the authorised body shall also be entitled to participate in the examination. Specialists and experts needed may be engaged in the examination by the acquirer.

6. During the examination, the examiners shall have the right to access, in accordance with the procedure prescribed by part seven of this Article, to the objects of ownership right defined by Decision of the Government, consider and inspect them, take samples, make measurements, video-recordings or perform subsoil exploration works, draw up the protocol of description of property being alienated in compliance with the requirements of part seven of this Article.

Examinations of moveable property may be made in the place specified by the Government.

7. During the examination, the examiners shall be obliged:

- (a) not to obstruct during the examination the exercise of the rights or to minimise the risks preventing the exercise of the rights of persons to dispose, possess or use the property of the owner;
 - (b) to conduct examinations, where possible, at time and under conditions agreed with the owner;
 - (c) maintain the confidentiality of the information having become known to them in the course of examination and constituting secret by law;
 - (d) before commencing the examination, provide the owner, possessor, user of the object being examined with complete information about the meaning and significance of their actions and legal consequences of those actions.
8. During the examination the owner of property and persons having rights in rem shall be obliged to:
- (a) submit to the examiners all the documents they have on the property being examined;
 - (b) provide information on natural and legal persons having rights to the property being examined;
 - (c) ensure the access of examiners to the object to be examined.
9. The acquirer shall be obliged to compensate the damage caused to owners as a result of actions performed during the examination.
10. Where within a period of up to three months following the expiry of the time period provided for examination, Decision of the Government "On recognising as overriding public interest" does not enter into force, the acquirer shall be obliged to compensate also the damages caused to the owner due to restrictions on property being examined provided for by Article 15 of this Law.

11. The state shall bear a subsidiary liability due to actions made by the acquirer during the examination, as well as for damages caused to the owner due to setting by the acquirer of restrictions on the property being examined.

(Article 8 supplemented by HO-121-N of 19 May 2009, amended by HO-405-N of 24 October 2018)

Article 9. Appealing against Decision of the Government "On recognising as overriding public interest" or "On preliminary examination of the property"

(title amended by HO-405-N of 24 October 2018)

1. Decision of the Government "On recognising as overriding public interest" may be appealed against by the owner of the property to be alienated or other interested party to the court, within one month following the entry into force of Decision of the Government "On recognising as overriding public interest".
2. Decision of the Government "On examination of the property" may be appealed against by the owner of the property to be examined or other interested party to the court, within two month following the entry into force of Decision of the Government "On examination of the property".

(Article 9 amended by HO-405-N of 24 October 2018)

Article 10. Alienation of property according to the contract

1. The acquirer shall be obliged to properly send the draft contract on property alienation (hereinafter referred to as "alienation contract") to the owners of property being alienated and persons holding rights in rem towards the property being alienated prior to the deadline for commencing the process of alienation of property defined by Decision of the Government "On recognising as overriding public interest".

2. The owner of the property being alienated shall, within a two-week period after receipt of the draft alienation contract, be obliged to notify the acquirer about persons holding other rights in rem towards the property to be alienated, which have not been registered in a state body as prescribed by law or have not been subject to state registration. Where the owner of the property being alienated, within the period mentioned in this part, fails to notify the acquirer about persons holding rights in rem towards the property being alienated that lack state registration, the owner of the property being alienated shall bear the responsibility for damages caused due to alienation of property without participation of those persons holding rights in rem.
3. The owner of the alienated property or persons holding rights in rem towards the property being alienated shall have the right to properly submit in writing objections or proposals with regard to draft alienation contract.

The acquirer has the right to conduct negotiations with the owner of the alienated property or persons holding rights in rem towards the property being alienated aimed at concluding a contract.

4. The property may be alienated pursuant to the contract concluded between the acquirer and the owner of property subject to alienation. In this case, the size, form, procedure, terms, conditions of the equivalent compensation being provided against the property being alienated and the responsibilities of parties shall only be determined upon consent of parties. If there are holders of rights in rem known to the acquirer in relation to property being alienated, the holders of rights in rem towards the property being alienated shall also be party to the alienation contract.

(Article 10 amended by HO-405-N of 24 October 2018)

Article 11. Compensation against the property being alienated for ensuring overriding public interests

(title amended by HO-405-N of 24 October 2018)

1. An equivalent compensation shall be paid to the owner against the property being alienated. An equivalent compensation is deemed to be the amount fifteen percent higher than the market price of the alienated property.
2. The market value of the property being alienated is the most probable price for the sales of the property between a seller of owned property and buyer in an open and competitive market, subject to the conditions of fair trade and as a result of conscious legal actions. Where there is no relevant open and competitive market for the property being alienated, the market price of the property shall be determined through a calculation method deemed fair by the court.
3. Evaluation of the market price of immovable property or rights in rem towards the immovable property shall be carried out in accordance with the procedure defined by the Law of the Republic of Armenia "On real property appraisal activities".
4. The market price of the property being alienated should not include any reduction or increase of property value, which is conditioned by one of the following reasons:
 - (a) purpose for which the property is alienated;
 - (b) fact of alienation of property for ensuring overriding public interests;
 - (c) any preliminary action of the acquirer related to property alienation for ensuring the overriding public interests (including the preliminary examination);
 - (d) rights in rem towards the property.

5. The acquirer shall be responsible for compensating the financial liabilities (taxes, duties and mandatory payments) imposed by state bodies or local self-government bodies on the owner of the property being alienated with regard to alienation of property.
6. Compensation shall be provided to holders of rights in rem towards the property being alienated, from the compensation amount provided for the property being alienated.

(Article 11 amended by HO-405-N of 24 October 2018)

Article 12. Alienation of property by depositing the amount to be compensated

1. Where, within three months after sending the draft alienation contract to the owner of the property being alienated and persons holding rights in rem towards the property being alienated no contract is concluded, the acquirer shall be obliged to transfer, within a period of one month, the amount to be compensated against alienation of property, which must not be less than the amount determined pursuant to the procedure prescribed by this law, to the deposit account of the court or notary (hereinafter referred to as "deposit"), by properly informing the owner of the property being alienated and holders of rights in rem to the property being alienated, known to the acquirer thereof, within the three-day period. Calculation of the compensation amount must be made not earlier than a week before its depositing.
2. When depositing the compensation amount, the acquirer shall be obliged to indicate all owners entitled to receive compensation known thereto, and all holders of rights in rem. The damage caused by the acquirer to the owner or holder of rights in rem due to violation of this requirement shall be borne by the acquirer.

3. Where all the owners of property being alienated and holders of rights in rem to the property being alienated receive in the manner prescribed the deposited amount after the acquirer sends the information on depositing the compensation amount to the owner of property being alienated and holders of rights in rem towards the property being alienated and before the court delivers a judgment on property alienation, the property alienation contract shall be considered as concluded with the conditions mentioned in part six of Article 13 of this Law. Moreover, the statement of information indicating the withdrawal of the amount from the deposit account by the judge or notary, shall serve as a ground for property alienation.
4. Where several persons are entitled to receive the deposited amount, the amount from deposit account shall be provided only in accordance with the agreement concluded between those persons and certified by the notary, which should contain the amount to be paid to each person entitled to receive the funds.

Article 13. Alienation of property for ensuring overriding public interests through judicial procedure

(title amended by HO-405-N of 24 October 2018)

1. Where, within seven days after the acquirer deposits the compensation amount, the alienation contract is not concluded or the property is not alienated pursuant to Article 12 of this Law, the acquirer shall, within a period of one month, be obliged to file a claim of property alienation with the court. In this case, the court may only consider the issue related to the size of compensation amount.
2. Where, after determining the size of the amount to be compensated, the court finds that, if:
 - (a) the compensation amount deposited by the acquirer is equal or greater

than the compensation amount for property alienation as of the date of depositing, the property is alienated through a judicial procedure with compensation in the size of the deposited amount, while the surplus amount deposited is not returned to the acquirer;

(b) the amount deposited by the acquirer is less than the equivalent compensation amount for property alienation as of the date of depositing, the court shall calculate the compensation amount as of that day. The court judgment should specify the additional compensation amount to be paid to deposit account.

(c) ***(point repealed by HO-105-N of 21 June 2014)***

3. A judgment, which has entered into legal force, on the compensation size for property being alienated by the court shall serve as a ground for alienation of property in the size of compensation defined by the court and with conditions stipulated in part six of this Article.

Where the compensation amount for property being alienated must be given also to several owners or holders of rights in rem towards the property being alienated, the court judgment shall indicate all holders of compensation right.

4. The owner's right of ownership to the property being alienated through the judicial procedure shall terminate, and the acquirer's right of ownership to that property shall arise from the moment the court judgment enters into legal force and the surplus compensation amount, if any, prescribed by the court, is transferred to the deposit account, while the rights to the property subject to state registration, as derived from the court judgment, arise only from the moment of their state registration. The court judgment on the compensation size of property being alienated, having entered into legal force, and statement of information issued by the court regarding the transfer of the surplus

compensation amount, if any, prescribed by the court, to the deposit account of the court, shall serve as grounds for the state registration of rights to property.

5. Where the compensation amount prescribed by the court for property being alienated should be provided to several owners or holders of rights in rem to the property alienated, the compensation amount from the deposit account shall be provided only in accordance with an agreement concluded by all persons entitled to receive compensation and certified by notary.

Disputes arising between the persons entitled to receive compensation shall be resolved through a judicial procedure.

6. The property is considered as alienated through a judicial procedure in the following cases:
 - (a) the acquirer is obliged to deposit the surplus compensation amount, if any, prescribed by the court, within seven days following the entry into legal force of the court judgment;
 - (b) the owner is obliged to transfer the alienated property to the acquirer within five days after entry into legal force of the court judgment and transfer of the surplus compensation amount (if such an amount is provided for by the court) by the acquirer to the deposit account, and within the period mentioned in the second part of Article 14 of this Law, if it is an immoveable property.
7. Where the previous owner fails to transfer the alienated property within the period provided for by point "b" of part six of this Article, eviction of the previous owner from the territory of immovable property shall be carried out or the alienated property is taken from the previous owner and transferred to the new owner in accordance with the procedure prescribed by law.

8. The court must examine the case on establishing the compensation amount for property being alienated in accordance with the procedure prescribed by this Article and shall render a judgment within a period of two months from the date of receipt of the claim.

(Article 13 supplemented, amended by HO-105-N of 21 June 2014, amended by HO-405-N of 24 October 2018)

Article 14. Rights and guarantees of the owner of the property being alienated for ensuring overriding public interests

(title amended by HO-405-N of 24 October 2018)

1. The owner of the property being alienated shall, before the alienation of property or state registration of the rights arising from alienation, be entitled to possess, use and dispose the property, as well as make only such improvements, that ensure use of the given property in accordance with its purpose.
2. The owner of the immovable property alienated through a judicial procedure, as well as other holders of rights to immovable property shall be entitled to gratuitous use of the alienated immovable property within two months starting from the day the property is alienated.
3. From the moment of alienation of property for ensuring the overriding public interests based under the contract or through a judicial procedure, the owner of the property being alienated shall be released from the liability for non-fulfilment or improper fulfilment of his or her obligations assumed by the transactions concluded for alienated property, where the non-fulfilment or improper fulfilment of obligations is due to alienation of property.

From the moment of alienation of property for ensuring the overriding public interest all rights in rem to the alienated property shall be terminated, unless otherwise provided for by the contract on alienation.

(Article 14 amended by HO-405-N of 24 October 2018)

Article 15. Restrictions on the property being alienated for ensuring overriding public interests

(title amended by HO-405-N of 24 October 2018)

Improvements to the property being alienated carried out after the day of drawing up the record on description of property being alienated, drawn up as prescribed by the Procedure established by the Government, exceeding the size indicated in part 1 of Article 14 of the Law, as well as burdens arisen over property subject to alienation or rights provided to third persons or obtained by them over it shall not be compensated.

(Article 15 amended by HO-405-N of 24 October 2018)

Article 16. Invalidity of Decision on recognising as overriding public interest

(title amended by HO-405-N of 24 October 2018)

1. Where the acquirer fails to forward the draft alienation contract to the owner of the property being alienated and holder of a right in rem within the period defined by part one of Article 10 of this Law, or to transfer the compensation amount to the deposit account within the period defined by part one of Article 12 of this Law, or to bring an action to the court with a claim for alienation of property within the period defined by part one of Article 13 of this Law, or fails to transfer the surplus compensation amount determined by the court to the deposit account within the period defined by part six of Article 13 of this law, it shall be considered that the acquirer refuses to acquire the given property, and

all legal documents with regard to recognising the property as overriding public interest shall be considered as invalid.

2. The acquirer shall be obliged to compensate the damage caused to the owners of property being alienated, as well as holders of rights in rem to that property due to violation of the requirements of part one of this Article.

The state shall bear a subsidiary liability for damages caused due to violation by the acquirer of the requirements of part one of this Article.

3. If the alienated property is not used by the acquirer or its use is impossible or inexpedient for the purpose of ensuring the overriding public interest defined by Decision of the Government "On recognising as overriding public interest", and if the Government fails to establish other overriding public interest for use of the given property by its Decision, the alienated property shall be alienated thereto at a price calculated in accordance with the procedure established by parts 2-4 of Article 11 of this Law at the request of its previous owner.
4. Where within two years after alienation of the property the acquirer fails to commence the activity serving as a basis for alienation or makes violations leading to declaring the contract concluded between the state and the acquirer as invalid or early termination of that contract or circumstances serving as a ground for declaring as invalid the alienation of property established by court judgment or for early termination, Decision on recognising as overriding public interest may be deemed as invalid with respect to the acquirer upon decision of the Government or through judicial procedure, by the claim of the interested person, and the alienated property shall be subject to alienation to other persons under the competition procedure. Where Decision on recognising as overriding public interest is deemed as invalid by Decision of the Government, the competition is held in accordance with the procedure established by the Government, and if the decision on recognising as overriding public interest is

deemed as invalid through judicial procedure, then the competition is held in accordance with the procedure established by the court.

(Article 16 amended, edited by HO-405-N of 24 October 2018)

Article 17. Proper implementation of documents and notifications provided for by this law

1. Documents and notifications provided for by this law (documents, applications, recommendations, etc.) shall be considered to be duly sent to the addressees thereof, if these are forwarded by registered letter with acknowledgement of delivery or by use of other means of communication ensuring the formulation of a message or handed with a receipt.
2. The notifications or documents provided for by this Law must be forwarded, by the following addresses, to :
 - (a) owners of immovable property or holders of rights in rem to immovable property to the address where the immovable property is located;
 - (b) owners of moveable property or holders of rights in rem to moveable property:
 - to natural persons, to the address of record-registration, and if they do not have a place of record-registration, to the address where they have resided for the last three months;
 - to the address of the organisation's location indicated at the place of state registration or record-registration of the organisation.
3. Where the participant in the property alienation process has provided another participant or participants with an address for communication not prescribed by this Law, that party shall be obliged to send communications to the address for communication it has received.

Article 18. Transitional provisions

1. Persons who, by a court decision, have the right to use residential premises in the apartment or residential house, as well as persons registered in the apartment or residential house before 1 January 1999, shall also be considered to be holders of rights in rem to an apartment or residential house subject to alienation for the needs of society and the state before January 1, 2007.
2. Where, before entry into force of this law and following adoption of Decision of the Government "On expropriation of property for state needs", a decision is made on expropriation of the given land parcel or allocation of the land, and the owner having alienated it, has accepted the price proposal submitted by the procedure established by the Government, or a contract on alienation of that property is concluded, compensation for alienation of the given property shall be made through the compensation procedure established by the Government or in accordance with the property alienation contract concluded.

**President
of the Republic of Armenia**

R. Khocharyan

12 December 2006

Yerevan

HO-185-N

1. Persons who, by a court decision, have the right to use residential premises in the apartment or residential house, shall be considered to be the owners of the apartment or residential house subject to the registration of their rights in the State Register of Real Estate Rights.

2. Where, before entry into force of this Law and following adoption of Decision of the Government of the Republic of Armenia, a decision is made on expropriation of the given land parcel or allocation of the land, and the expropriation or allocation of the land parcel is carried out, the State Register of Real Estate Rights shall be updated accordingly. The State Register of Real Estate Rights shall be updated through the cooperation of the State Register of Real Estate Rights and the State Register of Land.

3. The notification on document provided for by this Law shall be sent to the State Register of Real Estate Rights.

4. The notification on document provided for by this Law shall be sent to the State Register of Real Estate Rights.

5. The notification on document provided for by this Law shall be sent to the State Register of Real Estate Rights.

6. The notification on document provided for by this Law shall be sent to the State Register of Real Estate Rights.

7. The notification on document provided for by this Law shall be sent to the State Register of Real Estate Rights.

8. Where the participant in the property registration process has provided another person with an address for communication, the participant shall be obliged to send communications to the address for communication it has received.



Գրավիան է ստանձնելիք թերթիքը:
Comprises thirteen sheets.