

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 14 April 1999
by the National Assembly

ON STATE REGISTRATION OF RIGHTS TO PROPERTY

CHAPTER 1

LEGAL GROUNDS FOR STATE REGISTRATION OF RIGHTS TO PROPERTY

Article 1.

Scope of the Law

1. This Law shall define the legal grounds for state registration of rights to property, restrictions (hereinafter referred to as “restrictions”) on the rights thereto, provision of information on property, rights thereto, restrictions thereon, as well as the grounds for the rights and obligations of bodies carrying out registration, the peculiarities of proceedings on state registration of the rights to and restrictions on the property.
2. Where the ratified international treaties of the Republic of Armenia provide for other norms the norms of international treaties shall apply.
3. The norms prescribed by the Law of the Republic of Armenia “On fight against money laundering and financing of terrorism” shall, as prescribed by this Law, cover the state registration of rights to property, restrictions thereon.
4. The requirements referred to in the second sentence of part 2 and in the first sentence of part 3 of Article 5 of the Law of the Republic of Armenia “On state

administration institutions” shall not, as prescribed by this Law, cover the functions of state registration of rights to property, restrictions thereon and those of provision of information.

5. The norms prescribed by this Law shall not cover the relations pertaining to registration of rights of pledge of the assets to be pledged with the aim of issuing secured mortgage bonds and asset-backed securities provided for by the Laws of the Republic of Armenia “On secured mortgage bonds” and “On asset securitisation and asset-backed securities”.

6. With the aim of organising state registration the authorised republican body of public administration may adopt other legal acts regulating the peculiarities of state registration, those of provision of information, as well as the peculiarities of case management of recognising the authenticity of signatures in transactions on immovable property.

7. Relations pertaining to registration of the right to pledge over movable property, the right of lease under the financial lease contract shall be regulated by the Law of the Republic of Armenia “On registration of secured rights to movable property”.

8. With the aim of maintaining the Cadastre of Movable Property the Government of the Republic of Armenia shall define the list of movable property subject to record-registration, the procedure for maintaining the Cadastre of Movable Property, the forms of record-registration books, as well as the bodies carrying out record-registration.

(Article 1 amended, supplemented by HO-267-N of 17 December 2014)

Article 2.

Main concepts used in the Law

The following main concepts shall be used in the Law:

Single State Cadastre of Immovable Property — coordinated single state register maintained in respect of the whole territory of the Republic of Armenia and consisting of information on immovable property based on the description of boundaries of immovable property units, provided in cadastral maps (layouts);

maintenance of Single State Cadastre of Immovable Property — single function of state registration of rights to and restrictions on property, that of cadastral valuation of property and record-registration, function of collection of information on property, rights thereto, restrictions on the rights, as well as that of establishment and management of information bank;

immovable property unit — a part of property constituting an integral spatial whole, which is considered as an object of the right of ownership or other property rights of one person, whereas in case of common ownership — that of the right of ownership or other property rights of more than one person;

object of immovable property— immovable property units deemed as indivisible by virtue of their intended purpose, which may have no common boundaries but, by virtue of their intended purpose, are deemed as indivisible from each other as engineering, linear, road, highway and other systems and infrastructures, as well as communication networks (railway, cable line, pipeline, etc.) constituting a part of these units or deemed as indivisible from each other;

address of immovable property — a clearly coordinated set of requisites which definitely determines the location of the object of addressing within a residence and which contains at least the following requisites: the marz [region], the community, the inter-residential geographic object (residential district, square, street, avenue, lane, crossing, blind lane, park, etc.), serial number of the immovable property;

common property of owners of block of flats — the property prescribed by point 1 of Article 224 of the Civil Code of the Republic of Armenia;

property — an immovable property, *i.e.* land parcels, the part of subsurface deemed as immovable property, separate water objects, forests, perennial plantings, underground and overground buildings, including those under construction, premises and other property attached to land;

inventory documents — documents drawn up by authorised bodies carrying out inventory count, technical identification or registration of land parcels, buildings, premises before 1 March 1998, *i.e.* documents drawn up as a result of inventory count of immovable property, technical identification or registration thereof, or those defined by legislation for formulating the completion of these functions;

subject of registered right — a subject of the right registered as prescribed by this Law. The given manager of investment fund shall act on behalf of the subjects of registered right with regard to rights acquired at the expense of the assets of the contractual investment fund and shall exercise the rights and perform the obligations provided for by this Law;

rightholder — a subject, the right over the property acquired whereby in a manner not prohibited by the legislation of the Republic of Armenia, yet has not undergone state registration as prescribed by this Law;

documents certifying the acquisition of right — a written document necessary and sufficient for legal formulation of completion of the procedure established by the legislation with regard to acquisition of rights subject to state registration on the grounds prescribed by law, including civil law contracts, individual acts of public administration bodies and local self-government bodies, judicial acts, whereas as regards the right recognised by virtue of law — written documents confirming legal facts deemed as necessary and sufficient precondition for the acquisition of such right under the given law;

title deeds — documents certifying the acquisition of right and inventory documents;

cadastral code — a combination of numbers granted to an immovable property unit or separate parts thereof or to an object of immovable property and maintained so far

as this unit or object exists as an integral spatial whole or an integral whole deemed as indivisible by virtue of its intended purpose, or the cadastral territory or sub-territory of the unit concerned has not been changed;

layout of a land parcel — a topographic drawing (map) of a land parcel drawn to a scale prescribed for use, wherein the state and borders of the land parcel are displayed within the framework of this land parcel — as of the time of its last land surveying and in accordance with its last land construction project;

Cadastral of Movable Property — a single information system of record-registration data by types of movable property to be record-registered in accordance with the legislation of the Republic of Armenia, and that of data on rights to movable property, restrictions thereon subject to state registration, as well as that of data on arising, alteration, transfer and termination thereof;

maintenance of Cadastral of Movable Property — record-registration of movable property by its types and maintaining of record-registration books by state authorised bodies, as well as carrying out state registration of rights to, restrictions on movable property subject to registration and carrying out state registration of arising, alteration, transfer and termination thereof;

layout of premises — projection of horizontal cut of a building, premise, whereas in case of buildings, premises situated separately — also that of their location in a land parcel, at a certain scale and with map symbols;

state registration — a mandatory function to be performed by the body carrying out state registration as prescribed by this Law, aimed at ensuring the recognition, by the State, of arising, alteration, transfer, termination of the rights to and restrictions on property, as well as aimed at ensuring the protection, by the State, of registered rights to property, the collection, accessibility, objectivity, continuity and unity of data of Single State Cadastre of Immovable Property;

service support office — a separated subdivision of State Registry of Immovable Property which accepts applications for performing the functions of the State Registry of Immovable Property and provides documents drawn up as a result of these functions.

(Article 2 supplemented by HO-217-N of 12 November 2012, HO-143-N of 24 November 2015)

Article 3.

Main principles and objectives of state registration

The main principles and objectives of state registration shall be as follows:

- (1) recognition, guaranteeing and protection, by the State, of registered rights to, restrictions on property;
- (2) creation and management of an information system on rights to, restrictions on property, that on cadastral valuation of property, on record-registration data;
- (3) ensuring the accessibility, objectivity, continuity and unity of data on property, registered rights thereto, restrictions thereon;
- (4) assistance to the establishment of the immovable property market.

Article 4.

Subjects of state registration

The Republic of Armenia, the communities of the Republic of Armenia, natural and legal persons, foreign States, the administrative and territorial units and organisations of foreign States shall be considered as subjects of state registration.

Article 5.

Content of state registration

1. State registration shall include:

(1) state registration of arising, termination, transfer, alteration of the rights of ownership, use, mortgage, development of a land parcel, servitude to property, as well as other property rights provided for by law;

(2) state registration of restrictions on the entitlement to possess, use or dispose the property, as well as that of application, change, termination of restrictions on the exercise of property rights.

Article 6.

Presumption of awareness of state registration and authenticity of registered rights

1. The registered rights to and restrictions on property shall have legal effect and all subjects shall be deemed to be informed of the registration thereof irrespective of whether or not they are actually informed of it.

2. The information entered in the Single Register-Book of State Registration of Rights shall be deemed to be accurate and shall have evidentiary value unless it is recognised as having no effect, invalid or void as prescribed by the legislation of the Republic of Armenia.

Article 7.

Order and priority of registration of rights

1. The rights to property submitted for state registration earlier shall have priority over the rights submitted at a later date.

2. Where mutually exclusive — by virtue of content — rights to or restrictions on the same property are submitted for state registration, the priority of registration shall be granted to the right or restriction submitted for state registration earlier, except for the cases prescribed by Article 7.1 of this Law, irrespective of the time period prescribed for such registration: moreover, the priority shall be determined as of the time of submitting the respective application.

The restriction entered, in a prescribed manner, within the registration body shall, from the moment of entry, exclude any state registration contradicting thereto in case where there are no grounds prescribed by law for suspending the registration thereof, irrespective of the time period prescribed for registration of such restriction.

3. The rightholder may dispose the property or the rights to property, acquired thereby, including to burden it with other property rights, following the state registration of the right to this property as prescribed by this Law.

4. No other property right to property may be registered where the right of ownership over the given property is not registered, except for the property rights recognised by virtue of law or by a judicial act, as well as other cases provided for by this Law.

(Article 7 supplemented by HO-88-N of 19 June 2015)

Article 7.1.

Making a preliminary note on the property right to property

1. Prior to state registration of the right arising from a contract the State Registry of Immovable Property shall, upon notification of a notary public, make a preliminary note on the property right to property in the name of the rightholder thereof.

(Article 7.1 supplemented by HO-88-N of 19 June 2015)

Article 8.

Grounds for state registration of rights to property

1. Title deeds, whereas in case of peculiarities of state registration provided for by Chapter 4 of this Law — also the documents prescribed by the chapter concerned, shall serve as a ground for state registration of rights to property as prescribed by this Law.
2. For the purpose of state registration of rights to property, persons applying for state registration of relevant right shall bear the responsibility of submission of title deeds, except for the cases where for the purpose of state registration of rights to property on the part of natural and legal persons the state or local self-government bodies bear, under the legislation of the Republic of Armenia, the responsibility of submission and acquisition of title deeds.
3. The body carrying out state registration shall be obliged to post, as of separate grounds for acquisition of rights to property, on its official webpage the lists of documents that certify the acquisition of right and are deemed necessary for state registration.

Article 9.

Requirement of completeness of title deeds

1. The right of ownership over any building or premise (hereinafter referred to as “premise”) or the right of a person carrying out development, to any premise built by a person having the right to development of a land parcel, may not be registered where the title deeds in respect of the right — of the rightholder seeking registration — to a land parcel burdened with this premise are not submitted or are not available in the registration body (requirement of completeness of title deeds).

2. The requirement of completeness of title deeds shall not cover the state registration of rights to premises (apartments, non-residential areas) located in blocks of flats having been previously included in the state or community housing funds.

Article 10.

State registration of restrictions

1. The grounds for state registration of restrictions shall be as follows:

(1) judicial acts, decisions rendered, as prescribed by the legislation of the Republic of Armenia, by the bodies ensuring the compulsory enforcement of judicial acts, criminal prosecution bodies, as well as other state bodies provided for by law (hereinafter referred to as “competent bodies applying restriction”);

(2) legal acts of state and local self-government bodies (hereinafter referred to as “administrative bodies applying restriction”) based whereon the exercise of property rights of citizens or legal persons may be restricted in the cases and under the procedure provided for by law;

(3) in case of restrictions applied by virtue of law — the documents attesting the availability of conditions necessary and sufficient for applying the restriction, where the law provides for such requirement;

(4) documents relating to conclusion of transactions, which contain a condition of restriction — not contradicting the law — on the exercise of the rights to property.

2. The state registration of restrictions on the grounds prescribed by points 1 and 2 of part 1 of this Article shall be carried out on the basis of the judicial act or decision submitted by the body applying restriction; the state registration of restriction on the grounds prescribed by point 4 shall be carried out upon submission by either of the parties to the transaction containing a condition of restriction, whereas the state registration of restriction on the grounds prescribed by point 3 may be carried out

also without the availability of relevant application where the registration body bears this responsibility under the law providing for the given restriction or under the legal act ensuring the implementation thereof.

3. In case of impossibility of definitely determining the object or subject of applying restriction, based on the content of documents submitted for registration of restriction, the registration body shall, within a period of one day following the receipt of the documents, suspend the state registration of restriction by notifying thereof the competent body having applied the restriction and by indicating the reasons for suspension.

The registration of restriction on the grounds provided for by this part may not be suspended where the submitted documents contain at least:

- (1) cadastral code or information clearly describing the address or location of the immovable property unit deemed as an object of restriction, as well as the name of any person having a registered right to the property;
- (2) in case of restriction of rights of a natural person — the name, surname, date of birth and the serial number of the identification document or the reference number of the social security card of the natural person;
- (3) in case of restriction of the rights of a legal person — the full name of the legal person.

4. The suspended proceedings on state registration of restriction shall resume in case the body applying the restriction submits additional information for the determination of the object or subject of restriction.

5. The restriction registered upon the grounds prescribed by point 4 of part 1 of this Article may exclude the state registration of the right contradicting thereto only in the cases provided for by law.

6. In case there are no grounds for suspending the registration of restriction, the registration body shall carry out state registration of restriction, by notifying thereof the body having applied the restriction or the respective party to the transaction.

7. The state registration of termination of restrictions registered as prescribed by this Article, shall be carried out on the basis of relevant document on elimination (termination) of restriction, whereas in the cases provided for by law — upon emergence of circumstances which terminate, on the basis of law, the restriction applied.

Article 11.

Access to information of the Single State Cadastre of Immovable Property

1. The freedom of information of the Single State Cadastre of Immovable Property shall be restricted by limited access to information containing state, official or other secrets guarded by law.

2. The information of the Single State Cadastre of Immovable Property, containing state or official secret, shall be provided in the cases and under the procedure provided for by the Law of the Republic of Armenia “On state and official secret”.

The information of the Single State Cadastre of Immovable Property, constituting a part of information of the State Cartographic and Geodetic Fund, shall be provided under the procedure established by the Government of the Republic of Armenia.

3. As a result of performing the function of state registration the information created, collected, including submitted for registration by the body carrying out registration, as well as the information available in inventory documents of immovable property, irrespective of its tangible medium (hereinafter referred to as “information of legal cadastre”), shall not constitute personal and family secret of natural persons, as well as commercial secret of legal persons, where it constitutes:

(1) information entered in the Single Register-Book of State Registration of Rights To And Restrictions On Property;

(2) textual and numeric data serving as a ground for calculation of cadastral value (net income) of a land parcel and premises;

(3) other information considered as publicly available by law.

4. Other information, constituting a part of information of legal cadastre and not mentioned in part 3 of this Article, may (including in the form of carbon copies or excerpts of documents) be provided:

(1) information on property rights, on grounds of acquisition or registration thereof — to the holders of these rights, the subjects of registered rights, as well as to bodies provided for by part 5 of this Article.

This information may be provided to other persons upon the consent of the rightholders or the subjects of registered rights;

(2) information on transactions or separate conditions thereof — to the parties to these transactions, as well as to bodies provided for by part 5 of this Article.

This information may be provided to other persons upon the consent of the parties to the transactions.

5. Information provided for in this Articles may, without respective consent, be provided to courts, criminal prosecution bodies as well as, in the cases provided for by the legislation of the Republic of Armenia — to state and local self-government bodies where the relations pertaining to disclosure or maintenance thereby of secrecy of this information shall be regulated by law and other legal acts regulating the functions of relevant bodies.

Information provided for by point 1 of part 4 of this Article may, without a respective consent, be provided also to advocates with the aim of providing legal assistance.

(Article 11 supplemented by HO-104-N of 30 September 2013)

Article 12.

Main documents of state registration system

1. Main documents created as a result of state registration shall be as follows:
 - (1) Single Register-Book of State Registration of Rights to and Restrictions on Property (hereinafter referred to as “Register-Book of Registration”);
 - (2) the cadastral map (layout);
 - (3) cadastral file drawn up for each immovable property unit (hereinafter referred to as “cadastral file”).

Article 13.

Register-Book of Registration and procedure for maintenance thereof

1. The Register-Book of Registration shall be deemed as an electronic document, whereas in the cases provided for by this Law — also a paper-based document, wherein with the aim of carrying out state registration the following sets of information on immovable property unit shall be entered:
 - (1) information identifying the immovable property unit, including cadastral codes, areas of land parcels, premises, the intended purpose and operational significance or the soil types of the land parcel, the address of the immovable property unit (except for the land parcels of agricultural use);
 - (2) information on the registration of rights to immovable property unit or a part thereof, which includes the rights undergoing registration, the name of the rightholder, other data required for identification of the rightholder, as well as the list of documents having served as a ground for state registration;
 - (3) information on restrictions and on preliminary note, which includes:

- a. in case of a restriction — the type and nature of the restriction undergoing registration, the time period, if available, the person applying the restriction, the name of the documents having served as a ground for state registration of restriction and other requisites;
- b. in case of a preliminary note — information on the type of right to an immovable property unit or a part thereof, data on the rightholder in whose favour the preliminary note on the right is made.

In case of a block of flats or subdivided building under construction, the separated unit of a building (apartment, non-residential area), provided for by the architectural and construction design project, may be considered as an object of preliminary note;

(4) additional information, including other required data relating to the registration of the right or restriction.

2. The state registration shall be carried out in the electronic Register-Book of Registration, except for the cases where:

(1) in case of emergence of hardware or software or communication malfunctions of the automated system of maintenance of electronic Register-Books of Registration, the state registration is carried out in a paper-based Register-Book by entering the same information which, following the elimination of technical obstacles of state registration in the electronic Register-Book, is, within a period of one day, transferred into the electronic Register-Book by making a relevant record thereon in the paper-based Register-Book, by indicating the date and time of the transfer.

3. The form of the Register-Book of Registration and the procedure for entry of information therein shall be established by the Head of State Registry of Immovable Property.

(Article 13 edited by HO-88-N of 19 June 2015)

Article 14.

Cadastral map (layout)

1. Cadastral maps (layouts) shall be considered as minimised and generalised projections of the locality at relevant scale and with map symbols, which display the immovable property units, the location, boundaries, area, outlines and types thereof, overground and underground communication networks and other data.
2. The coordinates of the rotary (refraction) points of the land parcels, buildings, premises and other fixed property indicated in the cadastral map (layout) must be connected to the single geodetic coordinate system operating in the Republic of Armenia.
3. The procedure for conducting the cadastral encoding of immovable property shall be established by the Government of the Republic of Armenia.

Article 15.

Boundaries of immovable property unit (land parcel) and preservation thereof

1. The boundaries of an immovable property unit (land parcel) shall be determined by the coordinates of rotary (refraction) points of a land parcel connected to the single geodetic coordinate system operating in the Republic of Armenia.

Coordinates of rotary (refraction) points of boundaries of an immovable property unit (land parcel) shall serve as a ground for setting out on the locality the boundaries of the land parcel with boundary marks.

2. The manner of determination of boundaries, technical requirements to the accuracy thereof, the forms of the boundary marks shall be defined by the State Registry of Immovable Property.

Article 16.

Implementation of activities of cartography, geodesy, measurement (record-registration) and land management in the territory of the Republic of Armenia

1. Persons having acquired a qualification certificate from the state authorised body may engage in the activities of cartography, geodesy, measurement (record-registration) and land management in the Republic of Armenia.

2. The mandatory requirements to the implementation of activities of cartography, geodesy, measurement (record-registration) and land management, the procedure and conditions for the conduct of qualification process, the form of qualification certificate shall be established by the Government of the Republic of Armenia.

(1) the grounds for the suspension of qualification certificate of cartography, geodesy, measurement (record-registration) and land management (hereinafter referred to as “certificate”) shall be as follows:

a. a judicial act on suspending the certificate;

b. failure to fulfil the mandatory requirements to the implementation of activities of cartography, geodesy, measurement (record-registration) and land management prescribed upon the decision of the Government;

(2) the order on the suspension of the certificate, issued by the head of state authorised body, shall, within one working after having been issued, be provided or properly forwarded to the person having received qualification.

The certificate shall be suspended until the elimination of the reasons for the suspension thereof;

(3) during the suspension period of the certificate the qualified person shall not be entitled to implement the activities of cartography, geodesy, measurement (record-registration) and land management, except for the cases where these activities are aimed at elimination of the reasons for suspension;

(4) the grounds for termination of the certificate shall be as follows:

- a. false or distorted data detected, in further, in the documents submitted for acquiring a certificate;
- b. judicial act on recognising a qualified person as having no active legal capacity or having limited active legal capacity or on depriving him or her of the right to engage in certain activities;
- c. application submitted by the qualified person, on termination of the certificate;
- d. implementation of activities within the suspension period of the certificate;
- e. suspension of the certificate twice a year;
- f. document attesting the death of the qualified person.

(5) the order on termination of the certificate, rendered by the state authorised body, shall, within one working after having been rendered, be provided or properly forwarded to the person having received qualification (except for subpoint (f) of this Point);

(6) the suspension and termination of a certificate shall be carried out on the basis of the opinion rendered by the standing commission on professional qualification of the applicant in the field of cartography, geodesy, measurement (record-registration) and land management in the territory of the Republic of Armenia, upon the order of the head of state authorised body. The procedure for appealing against the orders on suspension and termination of the certificate shall be established by the Government of the Republic of Armenia;

(7) a person may, following the termination of the certificate, apply for acquisition of a new certificate after six months from the day of termination thereof.

3. The registration body shall bear no responsibility for the quality of activities and accuracy of data, referred to in this Article, on the part of persons having received qualification.

4. The activities referred to in part 1 of this Article shall be implemented at the expense of the owner (user) of the immovable property.

(Article 16 amended, supplemented by HO-277-N of 15 November 2011)

Article 17.

Cadastral file

1. Based on the documents submitted for state registration or other purposes, a separate cadastral file shall be drawn up in respect of each immovable property unit (irrespective of state registration) wherein the submitted documents shall be maintained, including those drawn up by the authorised body carrying out state registration, as a result of performing the functions of state registration, provision of information and other functions of maintaining the Cadastre of Immovable Property (hereinafter referred to as “documents of cadastral file”).
2. The cadastral file shall be maintained both in paper-based and electronic form.
3. The documents certifying the registered rights to and restrictions on the property shall be kept for an unlimited time period in a form of a document and in an electronic medium.

Article 18.

Rights to and restrictions on property arising on the basis of law and having legal effect irrespective of state registration

1. Electric power distribution companies shall, in the cases and under the procedure provided for by law, have the right to limited use (servitude) of land parcels owned by others, buildings and premises fixed thereon, aimed at ensuring the installation, operation of, service support to power stations, air lines and wires, substations and poles, as well as the security zones thereof and access thereto.

2. Rights to and restrictions on the property shall have legal effect irrespective of state registration:

(1) prior to the adoption of this Law — right of access for the purpose of service support to and maintenance of constructions for public needs, linear and transportation engineering constructions (electric communication, radio telecommunication, water lines, canals, railway, highways, etc.), as well as premises;

(2) rights of spouses, children and other dependants prescribed by the legislation of the Republic of Armenia, even where they are not registered separately;

(3) restrictions (healthcare, defence, environmental protection, etc.) prescribed by the legislation of the Republic of Armenia and deemed as general rules and prohibitions;

(4) servitude provided for by this Law in favour of electric power distribution companies — prior to the registration thereof as prescribed by the legislation of the Republic of Armenia.

CHAPTER 2

STATE REGISTRATION SYSTEM

Article 19.

Authorised body carrying out state registration

1. The state registration of the rights to and restrictions on the property as prescribed by this Law, the provision of information on property, as well as on the rights to and restrictions on it, shall be carried out by the republican body of public administration authorised by the Government of the Republic of Armenia, through the separated (territorial) subdivisions thereof, which maintains the Single State Cadastre of Immovable Property (hereinafter referred to as “the State Registry of Immovable Property”).

2. Upon the recommendation of the Head of State Registry of Immovable Property, the respective official competent to appoint the heads, deputy heads, heads of divisions, chief specialists of structural, territorial subdivisions to positions, may, upon their consent, shift them from one structural or territorial subdivision to another — to an equal position, by notifying the Council of Civil Service of the Republic of Armenia thereof (rotation of officials of the State Registry of Immovable Property).

Article 20.

Powers of State Registry of Immovable Property

The State Registry of Immovable Property shall be deemed as a republican body of public administration which develops and implements general policy in the field of immovable property market in the territory of the Republic of Armenia, carries out state registration of rights to property with the aim of recognising and guaranteeing the rights to and restrictions on property, makes a preliminary note on the property right to the property, creates an information system on property, provides information and exercises the management of the system and supervision over it, as well as performs other functions provided for by the legislation of the Republic of Armenia.

(Article 20 supplemented by HO-88-N of 19 June 2015)

Article 21.

Head of State Registry of Immovable Property

1. The Head of State Registry of Immovable Property of the Republic of Armenia shall be appointed and dismissed by the President of the Republic of Armenia, upon the recommendation of the Prime Minister of the Republic of Armenia.

2. The Head of State Registry of Immovable Property of the Republic of Armenia may not hold another position, act as a member of a representative body, engage in any other paid occupation (except for pedagogical, scientific and creative work).

Article 22.

Territorial subdivisions of the State Registry of Immovable Property

1. The territorial subdivisions of the State Registry of Immovable Property shall be established by the Head of State Registry of Immovable Property and shall, within the territory specified thereby, carry out state registration of rights to property, provide information from the Single State Cadastre of Immovable Property, accept applications for the performance of functions of the State Registry of Immovable Property, provide documents drawn up as a result of implementation of these functions, as well as perform other functions provided for by the legislation of the Republic of Armenia.

2. The territorial jurisdiction of the functions between the territorial subdivisions of the State Registry of Immovable Property related with state registration and provision of information, as well as with state registration and acceptance of applications for the provision of information, shall be defined by the Head of State Registry of Immovable Property.

Article 23.

Officials empowered to carry out state registration

1. In the territorial divisions of the State Registry of Immovable Property, state registration shall, as prescribed by this Law, be carried out by officials empowered to carry out, *ex officio*, state registration.

The list of officials empowered to carry out, *ex officio*, state registration as prescribed by this Law, shall be defined by the Head of State Registry of Immovable Property.

2. Officials empowered to carry out state registration shall be prohibited from registering the rights to property in their name or in the name of their next of kin (parent, husband, child, brother, sister).

CHAPTER 3

PROCEEDINGS ON STATE REGISTRATION AND PROVISION OF INFORMATION

Article 24.

Institution of proceedings on state registration of a right

1. The application submitted to any service support office of State Registry of Immovable Property (regardless of the location of property) by a rightholder seeking state registration of a right, shall serve as a ground for instituting proceedings on state registration.

2. The application shall mandatorily specify the following:

- (1) address or location of the property (the code of the unit may also be indicated);
- (2) in case of natural persons — data from identification documents of the applicant, provided for by the legislation of the Republic of Armenia (name, surname, patronymic name, date of birth, residence address, the name and serial number of the document);
- (3) in case of a legal person — the full name and location thereof;
- (4) claims submitted under the application;
- (5) the list of documents attached to the application;
- (6) the date of submitting the application;
- (7) the signature of the applicant;

(8) in case of legal persons — also the state registration number.

3. The applicant must appear with an identification document and submit along with the application the following:

(1) the photocopy of the identification document (where the photocopy is not available, the official accepting the application shall make the photocopy from the document);

(2) state duty and state registration fee payment receipt, the title deeds required for state registration of a right, whereas in the cases provided for by Article 25 of this Law — other documents prescribed by the given Article.

4. The documents shall be submitted in one copy — either the original copy or the carbon copy certified in a prescribed manner. The content or any part of these documents must not be recorded in pencil, they must not contain any deletions, corrections not confirmed in a prescribed manner, as well as damages impeding the precise perception of the content of the document.

5. The application of either of the participants of common ownership shall be considered sufficient for instituting proceedings on state registration of the right of common ownership over the property.

6. Rights arising from transactions (except for unilateral transactions) aimed at the arising, alteration, and transfer of rights to immovable property must be submitted for state registration not later than within 30 working days following the notarial certification of these transactions.

Failure to comply with the requirement of this part shall result in invalidity of the transaction. Any such transaction shall be considered as void.

An application on state registration of rights arising from a transaction may be submitted by each party to the transaction.

7. The application shall be submitted, in person, by the rightholder or a person acting as a party to the transaction referred to in part 6 of this Article, whereas in case

of a legal person acting as a rightholder or a party to the transaction — by the body (official) of the legal person, authorised to act on behalf of the legal person without a power of attorney, except for the cases where:

- (1) the application is submitted by a person acting on behalf of the rightholder on the basis of a power of attorney certified by a notary public or issued in a simple written form;
- (2) the application is submitted by the guardian, trustee or other legal representative of the rightholder;
- (3) the application is submitted by an interested person for the purpose of state registration of the arising, alteration, transfer or termination, upon a judicial act, of a right.

8. The identity of the applicant shall be checked on the basis of the original copy of the identification document provided for by the legislation of the Republic of Armenia or the carbon copy thereof certified in a prescribed manner, in case of non-availability whereof the application shall not be accepted. The submitted application and the documents attached thereto shall be entered in the presence of the applicant and registered in the record-registration book for applications, whereafter the applicant shall be given a receipt with an indication of the date, hour, minute of the entry, the reference number of entry, the data on the applicant, the claim under the application and the list of documents attached to the application.

The form and the procedure for maintenance of record-registration book for applications and the letterhead of the receipt issued to the applicant shall be approved by the Head of State Registry of Immovable Property.

9. Persons having submitted the documents shall bear responsibility for the authenticity of the documents submitted along with the application.

(Article 24 amended, supplemented by HO-173-N of 22 June 2012)

Article 25.

Other documents required for state registration of rights to property

1. For the purpose of state registration of rights to property the layout of the land parcel to be registered must also be submitted, where:

(1) no state registration of rights to the land parcel submitted for registration has been carried out after 1 March 1998;

(2) state registration of changes in, division or merger of the borders of a registered land parcel (except for the merger of borders of a registered land parcel) is expected to be carried out after 1 March 1998.

2. For the purpose of state registration of rights to property, the layout of the premise must also be submitted:

(1) where no state registration of rights to the premise submitted for registration has been carried out after 1 March 1998;

(2) where state registration of rights to newly-established (newly-built) premises or state registration of reconstruction, division of registered premises, as well as changes in the area of premises with different footings is expected to be carried out;

(3) in other cases provided for by law.

3. For the purpose of state registration of a right to property, except for agricultural lands, right of ownership or right to development of a land parcel, the decision of the competent body on providing the address of an immovable property must also be submitted where:

(1) the address of the immovable property submitted for registration is not indicated in the title deeds or the indicated address does not contain the requisites “name of the inter-residential geographic area” or “reference number of the immovable property”;

(2) an application on state registration of division or merger of immovable property units is submitted.

4. The forms of the layouts prescribed by this Article and the requirements thereto shall be defined by the Head of State Registry of Immovable Property.

Article 26.

Submission of applications on state registration in an electronic form

1. The application on state registration and the documents attached to the application under this Law, may also be submitted (downloaded) in an electronic form, through the electronic system of the official webpage of the body carrying out state registration, where the application and the compatibility of electronic copies of the submitted documents with the original copies thereof shall be attested by the electronic signature of the applicant.

2. The procedure for submitting applications and documents in an electronic form, as well as grounds for suspending the proceedings on state registration due to technical reasons related with the submission process, shall be established by the Government of the Republic of Armenia.

Article 27.

Carrying out state registration of a right

1. Following the entry of the application, the registration body shall examine the title deeds submitted for the purpose of state registration of a right, and in case there no grounds for suspending, terminating the proceedings on state registration provided for by this Law or for rejecting state registration, it shall carry out state registration of a right by entering the data prescribed by Article 13 of this Law in the Register-Book.

2. The rights to and restrictions on property shall be deemed as registered upon making the prescribed entries in the Register-Book and being approved by an official authorised to carry out state registration.

3. The subjects of a registered right shall, following the registration of the right, be granted a certificate of state registration of a right to immovable property (hereinafter referred to as “registration certificate”), which shall certify the fact of state registration of the right submitted for registration.

4. The registration certificate must indicate:

(1) names of the subjects of registered rights;

(2) information identifying the immovable property unit which includes the cadastral codes, areas of the land parcel and premise, the intended purpose and operational significance of the land parcel or the soil type, the intended purpose of premises;

(3) the address of immovable property unit, whereas in case of agricultural lands — the name of the community (that of the locality, if available);

(4) the title deeds having served as a ground for state registration;

(5) the entries made in the course of state registration of the given right as prescribed by points 2 and 4 of part 1 of Article 13 of this Law.

5. The form of the registration certificate and the peculiarities of filling in the data therein shall be defined by the Head of State Registry of Immovable Property.

6. Rights acquired at the expense of the assets of the contractual investment fund shall be registered in the name of the manager of the respective investment fund (the name of the manager of given investment fund shall be indicated in the registration certificate), noting that he or she is deemed as the manager of the given fund and acts on behalf of the subjects (unit holders of the investment fund) of registered rights.

Changes in the composition of the unit holders of the contractual fund shall not entail the necessity of making changes in the registration certificate.

(Article 27 supplemented by HO-217-N of 12 November 2012)

Article 28.

Suspending the proceedings on state registration of a right

1. The body carrying out state registration of a right shall suspend the proceedings on state registration of a right, where:

(1) the documents or the information prescribed by the legislation of the Republic of Armenia or this Law, required for rendering a decision on state registration, have not been submitted along with the application;

(2) the right or restriction subject to registration, the identity of the rightholder or the immovable property unit constituting an object of registration of the right (restriction), is not possible to be clearly ascertained upon the submitted title deeds;

(3) the payment for relevant services is not made;

(4) the title deeds are drawn up in violation of the mandatory requirements prescribed by the legislation of the Republic of Armenia for such type of documents, including in violation of the requirements of specified form or those of part 4 of Article 24 of this Law;

(5) an undocumented inconsistency exists between the areas of property indicated in the Register-Book or in inventory documents (in case of not being registered), which is not caused by a technical error;

(6) the submitted documents or the parts thereof concerning the given right or restriction, are suspended upon the decision of the competent body;

(7) a judicial act suspending the proceedings on state registration is submitted;

(8) there are other grounds provided for by law.

2. In the cases provided for by points 1 to 5 of part 1 of this Article, the proceedings on registration shall resume upon elimination of circumstances having served as a ground for suspension, but not later than the expiry of 30 days following the adoption

of the decision on suspension, whereas in the cases provided for by points 6 and 7, the proceedings on registration may resume upon termination of the legal act having served as a ground for the suspension thereof or upon expiry of the suspension period prescribed by the act on suspension.

3. The beginning of time period for suspension of state registration shall be deemed to be the date of due handover of the notification on suspension to the applicant.

The notification shall be deemed to be handed over in due manner where it is handed over to the applicant, in person, with the acknowledgement of receipt, where it is forwarded by registered mail with the notification on handover, whereas in case of applications submitted in an electronic form — the electronic notification document is delivered to the applicant by electronic mail; moreover, where the applicant does not receive, in person, the notification within a period of five days following the adoption of the decision on suspension, the notification shall be delivered thereto by post, except for the notifications on suspension through applications submitted in an electronic form.

4. The notification on suspension of the proceedings on state registration must mandatorily indicate all grounds for suspension of the proceedings, the documents or information required for eliminating the circumstances having served as a ground for suspension, as well as a reference to legal acts setting forth the requirement of submitting these documents or information.

5. In case of availability of more than one ground for suspending the proceedings on state registration, the proceedings shall be suspended on all existing grounds.

6. In case the proceedings on registration resumes, the beginning of time period for registration shall be calculated from the moment of resumption of the proceedings.

Article 29.

Termination of the proceedings on state registration of a right

1. The body carrying out state registration of a right shall terminate the proceedings on state registration, where:

- (1) in the course of the proceedings on state registration a request is submitted by the rightholder for terminating the proceedings on state registration;
- (2) no documents or information on eliminating the grounds for suspension are submitted within the time period prescribed for suspension of the proceedings on state registration;
- (3) the non-availability of the right or restriction submitted for state registration, or that of the rightholder or property becomes officially known in the course of registration process, or the title deeds are declared as having no effect, invalid or void;
- (4) a judicial act, entered into legal force and providing for a request for terminating the proceedings on state registration, has been submitted;
- (5) there are other grounds provided for by law.

2. Where following the suspension or termination of the proceedings on state registration (except for the cases of termination of the proceedings upon the application of the rightholder), it is possible to determine — based on the title deeds submitted under this proceedings — the property, right submitted for registration and the rightholder thereof, any right contradicting to the right acquired on the basis of these title deeds may not be registered, unless the title deeds submitted under the suspended or terminated proceedings have been terminated in a prescribed manner, or the right acquired on the basis of these documents has been terminated, or the registration is carried out on the basis of a judicial act.

3. Disputes on state registration shall be settled by way of superiority or through a judicial procedure.

Article 30.

Grounds and procedure for rejecting state registration of a right

1. The authorised body carrying out state registration shall be obliged to reject the state registration of a right, where:

- (1) the submitted right or restriction is not considered as a right or restriction subject to registration under this Law;
- (2) a registered right or restriction or a preliminary note is available with regard to immovable property unit or a part thereof which excludes the possibility of registration of the submitted right or restriction;
- (3) a judicial act deciding on rejection of state registration has been submitted;
- (4) the application on state registration on the basis of a notarised transaction is submitted in violation of the time period of 30 days prescribed by part 6 of Article 24 of this Law;
- (5) the individual legal act establishing the right or restriction is taken by a body or official not empowered to adopt it, or the individual legal act establishing the right or restriction does not comply with the requirements of the law or regulatory legal act having served as a ground for the adoption thereof;
- (6) the transaction on immovable property is concluded by a person (persons) not authorised to conclude such transaction or not sufficiently authorised to conclude such transaction;
- (7) an inconsistency exists between the contracts signed as prescribed by Article 48 of this Law and accepted for state registration and the conditions of the model contracts approved by the Government of the Republic of Armenia;
- (8) there are other grounds provided for by the legislation of the Republic of Armenia.

2. Rejection of registration based on other reasoning shall be prohibited.

3. In case of rejecting registration under the application on carrying out state registration within time period prescribed by part 1 of Article 74 of this Law, the applicant shall, within a period of two days, be notified in writing of the grounds for rejection, with mandatory indication of violation of this Law or the legislation of the Republic of Armenia, through handing over to the applicant in person, whereas in case of non-receipt by the applicant of the document on rejection within a period of five days following the date of rejection — by delivering the document by post.

In case another time period for state registration is specified by part 2 of Article 74 of this Law, the time period for rejection of registration may not exceed one third of the time period prescribed for its registration by this Law.

4. The body carrying out state registration shall be obliged to post on its official webpage the summaries of the acts on rejection with mandatory indication of violation provided for by this Law or the legislation of the Republic of Armenia.

(Insofar as the provision of subpoint 5 of part 1 of Article 30 which reads as: “...or the individual legal act establishing the right or restriction does not comply with the requirements of the law or the regulatory legal act having served as a ground for the adoption thereof” is applied without declaring the given act as invalid through a judicial procedure or extrajudicial procedure provided for by law, it shall be declared as contradicting to the requirements of Articles 1, 5, 91 and 108.1 of the Constitution of the Republic of Armenia and invalid upon the Decision SDVo-1137 of 4 February 2014)

(Article 30 supplemented by HO-88-N of 19 June 2015)

Article 31.

Administering proceedings on state registration with the application of automated management systems

1. Proceedings on state registration may be administered and the functions of providing information on property, rights thereto and restrictions thereon, may be performed through the application of automated management systems (electronic proceedings).
2. The peculiarities of case management related to electronic proceedings shall be defined, where necessary, by the Head of State Registry of Immovable Property.

Article 32.

Provision of information of Single State Cadastre of Immovable Property

1. Each person shall be entitled to apply, as prescribed by law, to the authorised body carrying out the registration, for the purpose of acquiring information on the data of Single State Cadastre of Immovable Property.
2. The application on the provision of information must contain the data prescribed by points 2 to 7 of part 2 of Article 24 of this Law, as well as the data necessary for determining the nature of the required information.

The fee payment receipt on the provision of information shall be attached to the application.

3. Written application shall be either submitted or delivered to the service support office by post; moreover, it may be submitted to any service support office irrespective of the location of the immovable property.

The application on the provision of information may be submitted also in an electronic form through the electronic system of the official webpage of the State Registry of Immovable Property.

4. The authorised body carrying out registration shall reject the provision of information only in the cases, where:

- (1) the information contains data constituting state or an official secret as prescribed by law;
- (2) the information contains data with limited access thereto on the grounds and under the procedure provided for by Article 11 of this Law.

5. The information on property, rights thereto and restrictions thereon shall be provided from the Register-Book and cadastral file in the form of a unified excerpt of information on immovable property unit (hereinafter referred to as “unified statement of information”), in the form of other information on individual rights or restrictions registered in respect of the property or that on property existing in the Single State Cadastre of Immovable Property, as well as in the form of excerpts or carbon copies of individual documents from cadastral file.

6. All rights to and restrictions on the immovable property unit registered in the Register-Book, as well as other information on the property recorded in the Register-Book, must be indicated in the unified statement of information as of the time of issuing it.

The unified statement of information shall be issued only in respect of the immovable property units the rights where to have been registered after 1 March 1998.

The form of the unified statement of information shall be approved by the Head of State Registry of Immovable Property.

7. The original copies of the documents from cadastral file may be issued only in the cases and under the procedure provided for by law, upon decisions of judicial or criminal prosecution bodies.

While the original copies of the documents from cadastral file are held by relevant authority on the grounds provided for by this part, the carbon copies of these documents kept within the registration body, as well as the electronic copies shall

serve as a ground for performing by the registration body the appropriate functions if the performance of such functions is not prohibited or restricted as prescribed by law.

8. The information on property, registered rights and restrictions thereon, shall be handed over to the applicant by the service support office having accepted the application or any other service support office selected by the applicant, and shall be approved by the seal of the service support office handing over the information.

9. In case of availability of appropriate computer software, the information on the data of Single State Cadastre of Immovable Property may be provided also through Internet or other electronic communication means applicable to this end (provision of information in an electronic form).

10. The peculiarities of the procedure for submitting applications on acquiring information in an electronic form and that for providing information shall be defined by the Head of State Registry of Immovable Property.

(Part 2 of Article 32 shall be declared, upon the Decision SDVo-1256 of 23 February 2016, as contradicting to the Articles 34, 51, 78, 79 and 80 of the Constitution of the Republic of Armenia, insofar as no differentiated approach is delivered thereby when the information refers to the requested data relating to the person, as well as to the implementation of guarantees for the freedom of information provided for by law)

Article 33.

Conditions on the provision of the information of Single State Cadastre of Immovable Property

1. The requested information on a certainly identified (definitely determined) immovable property unit shall be provided not later than on the 3rd working day following the date of submitting the application to the service support office.

The immovable property unit shall be deemed as identified where the cadastral code or address of immovable property or the description of the location of immovable property and the name of the subject holding the right to the given unit is indicated in the application.

Failure to identify the immovable property unit shall serve as a ground for suspending the provision of information, whereof the applicant shall be notified within a period of one day following the receipt of application.

2. The Head of State Registry of Immovable property may define shorter time periods for providing information upon the applications provided for by part 1 of this Article.

3. Where the application concerns the provision of brief, analytical or any other information on non-identified immovable property units located in any geographical area or those without any general description, and where the registration body must, for the purpose of preparing the requested information, carry out works on identification of immovable property units or search of information or works on putting together the information existing on various tangible mediums, such information shall be provided to the applicant within a period of 30 days, whereof the applicant shall be notified within a period of 5 days following the receipt of the application with an indication of the grounds for delay, the deadline for the provision of information and the amount of the payment for the provision of information, which shall be calculated based on the number of immovable property units subject to identification.

Article 34.

Correction of errors made during state registration

1. Correction of errors made during state registration shall be carried out upon the applications of the subjects of registered rights or upon the initiative of the official of the registration body in case of availability of the required documents.

2. The errors made during state registration, the correction whereof does not entail changes in owning the property, the nature, extent of rights thereto or does not result in changes in the area of the property or the cadastral value thereof (hereinafter referred to as “technical errors”), may be corrected upon the initiative of the official of the registration body by notifying thereof, in writing, the subjects of registered rights.

3. The errors made during state registration, the correction whereof results in changes in owning the property, in the nature, extent of rights thereto, in the area of the property or the cadastral value thereof (hereinafter referred to as “technical errors”), may be corrected only upon the written consent of the interested persons except for the cases referred to in paragraph 2 of this part.

The non-technical errors made as a result of incorrect or incomplete entry in the Register-Book or registration certificate of the data indicated in the title deeds having served as a ground for state registration, may be corrected as prescribed by part 2 of this Article also without the consent of the subject of registered right by notifying thereof, in writing, the subjects of registered rights.

4. Where the state registration has been carried out on the basis of the document issued by a competent body, the correction of errors may be carried out only on the basis of making the corresponding correction by this body.

5. In case of detecting non-technical errors (except for non-technical errors provided for by paragraph 2 of part 3 of this Article), the registration body shall forward a written notification to the subject of registered right, rightholder or other interested persons, the consent whereof is necessary for the correction of the error, whereas if submission of additional documents are required for the correction of the error, these documents must be indicated in the notification as well.

Upon forwarding the notification provided for by this part, the registration body shall suspend the state registration related with the use of data containing a non-technical error, unless the detected error is corrected in a prescribed manner.

6. The non-technical errors may be corrected upon the application of an interested person and on the basis of a judicial act, without the consent of the subject of registered right.

Article 35.

State registration of termination of a right and annulling state registration of a registered right

1. State registration of termination of a right shall be carried out by annulling the state registration of a registered right and by making respective entries on termination of the right in the Register-Book.
2. The state registration of the right of ownership over a property or a part thereof shall be deemed as annulled from the moment of carrying out new state registration, on any ground, of the right of ownership over this property or a relevant part thereof. The existing state registration of the right of ownership may be annulled without new state registration of the right of ownership on the basis of a judicial act terminating the right of ownership of a subject holding a registered right, upon submission of an interested person or the body ensuring the compulsory enforcement of judicial acts.
3. Documents attesting the conditions for termination of such right shall serve as a ground for annulling state registration of other property rights of a person not deemed as the owner of the property, moreover:
 - (1) state registration of the right acquired on the basis of a contract, except for state registration of mortgage, shall, following the expiry of the contract, be annulled upon application of either of the parties of the contract where the law or contract provides for termination of obligations of the parties following the expiry of the given contract, whereas if the contract or law having served as a ground for acquisition of property right does not contain a provision on termination of obligations of the parties following the expiry of the contract, state registration of the right exercised on the basis of the

contract may, following the expiry of the such contract, be annulled upon joint application of the parties of the contract based on the agreement or judicial act on rescinding the contract;

(2) state registration of the right acquired on the basis of a contract, except for state registration of mortgage, may be annulled during the validity period of the contract:

(a) on the basis of an agreement or judicial act on rescinding the contract upon the application of either of the parties of the contract, whereas in case of a judicial act — also upon submission of an interested person or the body ensuring the compulsory enforcement of judicial acts;

(b) upon joint application of the parties of the contract;

(3) state registration of the right acquired by virtue of law, upon a judicial or any other legal act, may be annulled on the grounds prescribed by law for the termination of such right — based on the documents attesting such grounds.

4. Grounds for annulling state registration of mortgage shall be prescribed by Article 41 of this Law.

CHAPTER 4

PECULIARITIES OF STATE REGISTRATION

Article 36.

Peculiarities of state registration of rights over premises under construction

1. The architectural and planning assignment, architectural and design documentation of the given premise (hereinafter referred to as “the plan of premise”) and the construction license issued as prescribed by the legislation of the Republic of Armenia shall serve as a ground for state registration of the rights of the developer

over the newly created immovable property as a result of implementation of urban-planning activities by the developer (hereinafter referred to as “the building under construction”).

2. In the course of carrying out state registration of the right of the developer over the building under construction, the data on the premise shall be entered in the Register-Book on the basis of urban-planning documentation prescribed by part 1 of this Article, whereas a note shall be made in the additional information and registration certificate as to the rights and obligations — prescribed by urban-planning documentation for the developer over the premise under construction — constituting the object of registration with regard to the premise.

3. Following the registration of the building under construction, the apartments and non-living areas provided for by plan of premise within bulk of building, may be registered as prescribed by this Article, upon the application of the developer, with regard to which the proportion corresponding to the area dimensions of the separated unit of the land parcel — allocated for the construction and service support of the building — that are calculated as prescribed by part 1 of Article 224 of the Civil Code of the Republic of Armenia, must be mandatorily indicated in the Register-Book and registration certificate.

In case of transferring the rights over a separated unit of a block of flats or subdivided building under construction to another developer, the corresponding proportion in the right of common shared ownership over the land parcel acquired by the new developer shall be registered in the name of the latter on the basis of the documents attesting the transferred right as to having been acquired, by mandatorily indicating, according to the plan of premise, the cadastral code and the area dimensions of the separated unit corresponding to this proportion.

4. When registering the purchase right of the rightholder over the separated unit on the basis of the contract on right to purchase an immovable property from a block of

flats or subdivided building under construction, the plan number and the area dimensions of the apartment or non-living area to be acquired in further by the rightholder shall be registered according to the plan of premise.

5. State registration of the right of ownership, on the part of persons holding a registered right to purchase immovable property from buildings under construction, over the separated units in the blocks of flats or subdivided buildings under construction referred to in this Article, shall be carried out on the basis of the act on transfer of the right of ownership following the formulation of the certificate of completion of construction of the premise.

6. The separated units (apartments, non-living areas) of a block of flats or subdivided building under construction referred to in this Article, shall together with the proportion of the land parcel and common areas become an object of registration of the right of ownership upon state registration of the block of flats or subdivided building on the basis of the certificate of completion of construction of the premise and measurement data.

(Article 36 edited by HO-88-N of 19 June 2015)

Article 37.

Peculiarities of state registration of rights over completed premises

1. For the purpose of state registration of the rights over newly established premises as a result of urban-planning activities of the developer, the architectural and planning assignment, the plan of the premise approved in a prescribed manner, the certificate of completion of construction, the decision on issuing addresses and the measurement documents provided for drawing up the planning documentation of this premise must be submitted along with the documents prescribed by this Law.

2. Compliance of the external dimensions and number of storeys of a completed premise with the requirements set by the architectural and planning assignment and approved plan, or the permissibility of any deviations therefrom shall be attested by the certificate of completion of construction issued by the body authorised to document the completion of construction by means of a letterhead approved by the Government of the Republic of Armenia, based whereon the registration of restriction on operation of the premise shall be carried out simultaneously with state registration of the right over this premise, which shall be terminated on the basis of the permission on operation of the premise.

(Article 37 edited by HO-88-N of 19 June 2015)

Article 38.

Peculiarities of state registration of the right to development of a land parcel

1. The rules prescribed by part 4 of Article 7 of this Law shall not extend to state registration of the right to possession and right to use of the person holding the right to development of premises built or established on the given land parcel by the person holding the right to development of the land parcel.

The title deeds having served as a ground for state registration of the rights of the person holding the right to development of premises prescribed by paragraph 1 of this part shall serve as a ground for state registration of the right of ownership over these premises upon the application of the owner of the land parcel.

2. Transfer to another person of the right of ownership over the land parcel provided by the owner of the land parcel under the right to development or right of ownership over premises built or established by the developer in this land parcel, shall not serve as a ground for terminating the state registration of rights of the developer over the land parcel and premises, unless otherwise provided for by law.

3. Provisions prescribed by this Article shall extend also to state registration of rights of the user and owner of the land parcel over the premises built or established by the user, upon the consent of the owner of the land parcel, in the land parcel allocated for lease or gratuitous use.

Article 39.

Peculiarities of state registration of mortgage

1. The restriction on disposition of the collateral by the owner shall be registered simultaneously with the registration of the right to pledge, based on the contract on mortgage, unless otherwise provided for by law or contract on mortgage, where:

(1) the registration of restriction shall be terminated only on the basis of annulment of state registration on the grounds prescribed by this Law or on the basis of the agreement on abolishing the restriction, signed between the parties of the contract on mortgage;

(2) during the effect of restriction any right contradicting thereto, or division of an immovable property unit or merger thereof with another unit constituting the object of mortgage, may not be registered without the consent of the pledgee.

2. In case of changing the extent of obligations secured by the mortgage, time limits for the performance thereof, the owner of the mortgaged immovable property, or transferring to another person the rights of the pledgee arising from the contract on mortgage, whereas in the cases provided by law — upon the consent of the pledgee, state registration of changes in the right to pledge shall be carried out upon the submission of the pledgee.

3. In the cases where the registered object of mortgage is replaced by another immovable property as prescribed by law, the registration of the right to pledge over

the previous object of mortgage shall be terminated simultaneously with the registration of the right to pledge over this property, on the basis of the agreement on replacement of the object of mortgage — upon submission of the pledgee.

4. Where the registered object of mortgage has been replaced, as prescribed by law, with a property the rights whereof are not subject to registration as prescribed by this Law, the state registration of the mortgage shall be terminated on the basis the agreement on replacement of the object of mortgage — upon the submission of either of the parties of the contract on mortgage.

5. State registration entailing changes in the area of the land parcel constituting an object of mortgage, may be carried out where the agreement between the parties of the contract on mortgage has been submitted, to the effect that the right to pledge under the contract on mortgage is to be extended to the land parcel with its area changed.

6. The provisions defined in this Article shall extend to state registration of the pledge over the right to development of a land parcel, to change or termination thereof, having regard to the peculiarities of the right to development of a land parcel.

7. Provisions defined in this Article shall extend also to state registration of the right to pledge having arisen on the basis of law, to the change or termination thereof.

Where the arising, on the basis of law, of the right to pledge is conditioned by the conclusion of a contract, the right deriving wherefrom is subject to state registration as prescribed by this Law (right arising from the core obligation), state registration of the right to pledge may not be carried out if the right arising from the core obligation has not been submitted for state registration or the state registration of this right has been rejected.

Article 40.

State registration of rights on the ground of levying execution upon object of mortgage without applying to court

1. In the cases provided for by law, for the purposes of state registration of the right of ownership over the object of mortgage, transferred to the pledgee, and on the ground of levying execution, without applying to court, by the pledgee upon the immovable property deemed as an object of mortgage, the carbon copy of the notification on levying execution delivered to the pledgor, the document certifying the delivery of notification on levy of execution to the pledgor, whereas in case the pledgee is deemed as a legal person — also the decision of the competent body of the legal person on placing the object of mortgage under the ownership of the pledgee, shall be submitted along with the documents provided for by Article 24 of this Law attached to the application of the pledgee containing the request for state registration of the right of ownership.
2. Within the meaning of this Article, the receipt of postal delivery of notification or the receipt issued with the signature of the pledgor on the delivery thereto of notification, including the note made on the carbon copy of the notification signed by the pledgor, shall be deemed as a document certifying the delivery of notification on levy of execution to the pledgor.
3. State registration of the right of ownership of the pledgee on the ground defined by this Article shall, in addition to the grounds for rejection provided for by Article 30 of this Law, be rejected also where the period of two months following the date of delivery of notification on levy of execution to the pledgor has not expired at the time of submitting the application on state registration of the right.

Article 41.

State registration of termination of mortgage

1. State registration of termination of mortgage and annulment of state registration of mortgage based on the application of either party of the contract on mortgage, whereas in case of termination of mortgage through a judicial procedure — also based on the application of the interested person, shall be carried out in case of:

- (1) termination of the obligation secured by mortgage;
- (2) destruction of mortgaged property;
- (3) realisation of mortgaged property, including the sales thereof through public bidding or placing it under the ownership of the pledgee;
- (4) submission of an agreement on terminating the mortgage or of a judicial act terminating the mortgage and having entered into legal force.

2. The written statement of the pledgee on the obligation as to having been terminated upon fulfilment, shall be deemed as a document certifying the termination, upon fulfilment, of the obligation secured by mortgage on the ground defined by point 1 of part 1 of this Article:

- (1) where the pledgee is deemed as a natural person, the statement provided for by this part must undergo notarial certification, except for the case where the statement on the obligation as to having been terminated upon fulfilment may be issued at the service support office by the pledgee in person or a representative thereof acting with a power of attorney certified, in a prescribed manner, by the pledgee for carrying out such activities, where the identity of the person making the statement shall be established by the relevant officer accepting the statement;
- (2) where the pledgee is deemed as a legal person, the statement provided for by this part must be approved by the competent body of thereof.

3. Documents defined by Article 45 of this Law shall serve as a ground for state registration of termination of mortgage on the ground defined by point 2 of part 1 of this Article.

4. State registration of mortgage shall be deemed as terminated by virtue of this Law from the moment of state registration of the right of ownership of the new owner over the object of mortgage on the grounds defined by point 3 of part 1 of this Article.

Article 42.

Peculiarities of state registration of the rights over common property of owners of block of flats

1. State registration of the right of common shared ownership of owners over common property of the owners of block of flats shall be carried out on the basis of the application submitted by the management body of the block of flats, which must be filed to the registration body together with the layout of the common property of owners of the block of flats, as well as with information provided by the state authorised body in the field of state property management and that provided by appropriate local self-government body to the effect that the property submitted, according to the layout, for state registration does not fall under the ownership of the State or community and has not been previously privatised, gratuitously or non-gratuitously, by the relevant body or the legal predecessor thereof.

2. In the course of registration of the right of common shared ownership held by the owners of a building over the common property of the owners of a block of flats, the address of the given block of flats and the phrase “owners of block of flats” shall be entered in the relevant field of the Register-Book and that of registration certificate designed for the name of the subject of the right of ownership.

3. In case of separating any part from the common property of the owners of a block of flats as prescribed by law, state registration of the right of shared ownership over

the separated part shall be carried out as prescribed by parts 1 and 2 of this Article, where the application on state registration of the right over the separated part must be accompanied by the decision on separation of a part of the immovable property deemed as common shared ownership, adopted and formulated, as prescribed by law, by the meeting of the owners of the block of flats, whereas in case of separation of a part of property of common shared ownership not registered as prescribed by this Law, the documents defined by part 1 of this Article shall also be attached to the application.

Article 43.

Peculiarities of implementation of modifications relating to state registration of common ownership of spouses and to changes in the names of natural or legal persons

1. Where the right of ownership of only one of the spouses has been registered over the property acquired thereby in the course of marriage and deemed as their common ownership, on the ground that only one of the spouses was indicated as a rightholder in the title deeds having served as a ground for registration of the right, during the effect of such registration the right of joint ownership of the spouses over this property may be registered based on the joint application submitted by the spouses.

2. In addition to the documents provided for by part 3 of Article 24 of this Law, the joint application must be accompanied by the original copy of the certificate of marriage of the spouses or the carbon copy thereof certified in a prescribed manner. In case of submission of the original copy of the certificate of marriage the officer accepting the application shall make a carbon copy therefrom and shall return the original copy to the applicants.

Joint application of spouses provided for by this Article shall be deemed as a statement issued by the spouses to the effect that no contract has been concluded between them

that amends the scope of common ownership, defines joint, shared or individual ownership over the whole property of the spouses, separate types thereof or over the property of each of the spouses.

3. In case of a change in the names, patronymic names or surnames of natural persons (hereinafter referred to as “the change in the name”) or a change in the name not conditioned by reorganisation of legal persons, new registration of property shall not be required to that end. In such cases, authorised bodies carrying out the registration of these modifications shall, based on the certificate of state registration of the change in the name of a natural person or in the name of a legal person or based on any other document certifying such registration and upon submission of the subject holding a registered right, make a modification of relevant data in the Register-Book (hereinafter referred to as “the entry on changes in the name”), by issuing a new registration certificate to the subject holding a registered right with an indication on the changes made.

Article 44.

Peculiarities of registration of addresses of immovable property

1. In case of providing new addresses of immovable property or changing the addresses of immovable property on the basis of the decisions of authorised bodies ensuring the addressing of immovable property (hereinafter referred to as “the decisions on addressing”), registration of the address of immovable property shall be made upon submission of the owner of the property or the subject holding a registered right.

2. Based on the decision on addressing, attached to the application on state registration of the right over property, the address shall be registered in the course of state registration of the right within the time limit established for administration of the proceedings thereof, where separate fees for registration of the address shall not be levied.

3. Registration of a new address or change of an address may be carried out separately as well, without carrying out state registration of a right over property, where a fee shall be levied for registration of the address in the amount defined by Article 73 of this Law.

3. Registration of a new address or change of an address shall be carried out in the Single Register-Book of State Registration of Rights To And Restrictions On Property by making a new entry in the field designed for the address of immovable property unit or by changing the existing entry.

4. The address of an immovable property shall be deemed to be provided or changed from the moment of registration of a new or changed address in the Register-Book.

5. The State Registry of Immovable Property shall establish and maintain a Register of Addresses of Immovable Property as a result of registration of addresses.

The procedure for addressing of immovable property as of the location thereof, as well as that for establishment and maintenance of a Register of Addresses of Immovable Property shall be established by the Government of the Republic of Armenia.

6. Within the framework of performance of the function of bringing the process of addressing of immovable property in compliance with the requirements of the procedure for addressing established by the Government of the Republic of Armenia (regulation of the process of addressing), the registration of addresses of immovable property may be carried out also upon submission of the authorised bodies exercising the addressing of immovable property, where no fees for registration of addresses shall be levied.

7. Upon the application of persons holding a registered right over the immovable property unit on the ground of registration of a new address or change of the address of immovable property, these persons shall be provided with a new registration certificate with an indication on the change of the address.

Article 45.

Grounds for state registration of termination of the right of ownership on the ground of demolition (destruction) of a premise

1. State registration of termination of the registered right of ownership over a premise on the ground of destruction thereof, shall be carried out on the basis of the application submitted by the owner of the land parcel or by the subject of the registered right of ownership over the premise.
2. Along with the application provided for by part 1 of this Article, the applicant must submit also the opinion on demolition (destruction) of the premise rendered by the person having carried out measurements (record-registration), or another document attesting the demolition (destruction) of the premise issued by the competent authority, whereas in case of partial demolition of the premise — also the layout of actually existing part.

Article 46.

Merger and division of boundaries of immovable property units

1. Subjects holding a right of ownership registered as prescribed by this Law may divide the immovable property units owned thereby under the right of ownership into separate units or merge them with other immovable property units.
2. State registration of merger of the boundaries of more than one unit owned by the same subject of state registration shall be carried out on the basis of the application of this subject, whereas state registration of merger of the boundaries of the units owned by different subjects — on the basis of the contract (agreement) concluded between these subjects.
3. State registration of division of the immovable property unit, not leading to the change in the divided unit and in the holder of ownership of new units, form of

ownership or in the proportions in the right of common ownership, shall be carried out on the basis of the application submitted by the owner of the divided unit (in case of common ownership — on the basis of the application submitted by all participants):

(1) state registration of division of the immovable property unit, leading to the change in the divided unit and in the holder of ownership of the new units, form of ownership or in the proportions in the right of common ownership, shall be carried out on the basis of the contract (agreement) of the owners of the divided unit;

(2) state registration of division of the immovable property unit may be carried out also on the basis of a judicial act entered into in legal force, upon submission of the rightholder or the body ensuring the enforcement of judicial acts;

(3) in the cases provided for by this part, the application on state registration must be accompanied by the division layout of the immovable property unit, approved by the owner(s) of the divided unit, whereas in case of division of the property based on the contract (agreement) — approved in the form prescribed by law for drawing up such contracts and in case of division of the unit based on a judicial act — approved by the court.

4. As regards state registration of the rights arising from a transaction concluded in respect of any part of immovable property unit, where the owner of the unit has not initially separated this part as a separate unit of immovable property as prescribed by this Article, the layout of this part of the unit approved in a manner prescribed for the conclusion of the given transaction must be submitted for state registration of the right along with the documents relating to the conclusion of this transaction.

5. State registration of merger or division of the boundaries of immovable property units may be rejected where such division or merger is in conflict with law.

Article 47.

State registration of rights over objects of immovable property

1. State registration of rights over the objects of immovable property shall be carried out under the procedure provided for by this Law for state registration of rights over immovable property units, taking into account the peculiarities of the objects of immovable property.
2. Peculiarities of state registration of rights over individual types of objects of immovable property, time limits for state registration and those for the provision of information shall be defined by the Head of State Registry of Immovable property.

(Article 47 supplemented by HO-143-N of 24 November 2015)

CHAPTER 5

RECOGNITION OF AUTHENTICITY OF SIGNATURES OF PARTIES OF CONTRACTS

Article 48.

Procedure for recognising the authenticity of signatures of the parties of contracts

1. In the contracts provided for by point 4 of Article 299 of the Civil Code of the Republic of Armenia the authenticity of signatures of the parties or persons authorised thereby through a notarial procedure, shall be recognised by officials of the State Registry of Immovable Property as prescribed by this Article.

The list of positions of officials empowered to recognise *ex officio* the authenticity of signatures shall be defined by the Head of State Registry of Immovable Property.

2. Recognition of the authenticity of signatures shall include the check of identities of persons signing the contract, on the basis of identification documents, and check of

compliance of data on these persons available in the contract and in the identification documents.

Recognition of the authenticity of signatures shall not contain elements of ratification of transaction or those of verification of compliance thereof with the requirements of legislation, but shall merely confirm that the signature in the contract was put by the person indicated therein.

3. With a view of recognising the authenticity of signatures, the contracts must be signed at the service support office of the State Registry of Immovable Property (irrespective of the location of property) in the presence of the official empowered to recognise the authenticity of the signatures.

4. With a view of recognising the authenticity of signatures, the persons signing the contract must submit to the service support office of the State Registry of Immovable Property one copy of the contract drawn up in compliance with the model contract approved by the Government of the Republic of Armenia (hereinafter referred to as “the model contract”), identification documents, documents certifying the powers, if necessary, as well as the unified statement of information on the immovable property unit deemed as an object of the contract.

5. Authenticity of the signatures in the contract shall be deemed to be recognised jointly with the application on registration of the right or restriction arising from this contract, upon being accepted, in a prescribed manner, in the service support office of the State Registry of Immovable Property.

Article 49.

Requirements to the contracts submitted for the purpose of recognition of the authenticity of signatures

1. The contracts, annexes thereto or other documents constituting an integral part of the contracts, submitted for the purpose of recognition of the authenticity of

signatures, must not include corrections or any significant damages or additions or deleted words or empty spaces designed to be filled in, in further, or other corrections without comments, moreover, the text of the document must be printed in literary Armenian, be legible and include the year, month, day (in numbers and in words) of drawing up (signing) the document, the names of the parties (the surnames, names and patronymic names of natural persons (in case of availability thereof in the identification documents) or the full names of legal persons (including the legal and organisational form of the legal person) without any abbreviations or clipping.

The papers of the contracts consisting of more than one page must be binded, numbered, all pages must be signed, by indicating the total number of pages on the last page.

Article 50.

Grounds for not accepting the contracts submitted for the purpose of recognition of the authenticity of signatures

1. Contracts submitted for the purpose of recognition of the authenticity of signatures shall not be accepted for state registration of rights or restrictions, and the authenticity of signatures shall not be deemed to be recognised, if:

(1) it appears on the basis of the submitted documents that the person having appeared for signing the contract yet has not obtained the necessary extent of active legal capacity required for concluding such transaction;

(2) the person having appeared for signing the contract is currently found to be in a state that he or she does not understand the significance of his or her actions or may not control them;

(3) the contract does not comply with the requirements set in Article 49 of this Law.

2. In case of availability of grounds for rejecting the acceptance of the contract submitted for the purpose of recognition of the authenticity of a signature, the official of the State Registry of Immovable Property shall, upon the request of the applicant, provide thereto a written rejection, by indicating the legal grounds for rejection.

In case of being issued a written rejection on the acceptance of a contract, carbon copies shall be made therefrom and attached to the second copy of the notice on rejection kept in the State Registry of Immovable Property.

Article 51.

Number of copies of contracts submitted for the purpose of recognition of the authenticity of signatures

1. The contract submitted for the purpose of recognition of the authenticity of signatures shall be signed and accepted in one copy of state registration, which shall be considered as the original copy of this contract and shall be kept in the cadastral file drawn up for the given immovable property unit.

2. On the basis of the application submitted by the party of the contract he or she shall be provided with a carbon copy of the contract accepted for state registration, approved with the seal of the service support office of the State Registry of Immovable Property.

The carbon copy of the contract provided as prescribed by this part and the original copy kept in the State Registry of Immovable Property shall have equal legal force.

Article 52.

Content of state registration of rights arising from the contracts submitted for the purpose of recognition of the authenticity of signatures

1. The official carrying out registration shall, during state registration of rights arising from contracts signed and accepted for state registration as prescribed by

Article 48 of this Law, check the compliance of conditions of these contracts and model contracts and the powers of the person(s) having signed the contract, as well as the compliance of the data designed to be filled in under the model contract with the requirements of the legislation of the Republic of Armenia.

2. In case the state registration of a right is not rejected on the ground defined by point 7 of part 1 of Article 30 of this Law as a result of the check provided for by part 1 of this Article, the compliance of the conditions of the contract signed and accepted for state registration as prescribed by Article 48 of this Law, as well as that of conditions of relevant model contract shall be deemed as approved.

CHAPTER 6

MAINTENANCE OF CADASTRE OF MOVABLE PROPERTY AND STATE REGISTRATION OF THE RIGHT TO LEASE UNDER CONTRACT OF PLEDGE AND FINANCIAL LEASE OF MOVABLE PROPERTY

(Chapter repealed by HO-267-N of 17 December 2014)

CHAPTER 7

FINANCING OF STATE REGISTRATION SYSTEM, PAID NATURE OF STATE REGISTRATION SERVICES AND THOSE OF PROVISION OF INFORMATION AND TIME PERIODS FOR IMPLEMENTATION

Article 71.

Paid nature of state registration and provision of information

1. A fee shall be levied to the State Budget in the amounts defined by this Law, *i.e.* to the corresponding account opened in the Treasury for the service rendered for state

registration of rights (arising, termination, transfer or alteration) to and restrictions on property as prescribed by this Law, as well as for services rendered for the provision of information of the Single Cadastre of Immovable Property.

2. Applicants shall be obliged to pay the fees prescribed by this Law.

(Article 71 and part 2 of Article 32 systematically interrelated therewith shall be recognised, upon the Decision SDO-1256 of 23 February 2016, as contradicting to Articles 34, 51, 78, 79 and 80 of the Constitution of the Republic of Armenia in so far as no differentiated approach is delivered thereby when the information refers to the requested data relating to the person, as well as to the implementation of guarantees for the freedom of information provided for by law)

Article 72.

Financing of the state registration system

1. Annual expenditures of the State Registry of Immovable property shall be planned and implemented in the amount of expected annual revenues, in the following directions:

- (1) current expenditures;
- (2) expenditures for non-financial assets;
- (3) establishment of a reserve fund (with a view of compensating the damages incurred by the owners or users);
- (4) fund for incentives.

2. Annual expenditures of the system of the State Registry of Immovable Property shall be approved by a separate Annex of the State Budget of the Republic of Armenia.

3. In case of positive balance between the revenues and expenditures of the system of State Registry of Immovable Property the balance shall be directed to the State Budget.
4. Reports shall be submitted to the state authorised body in the field of finance of the Republic of Armenia as prescribed by the legislation on revenues and expenditures.
5. The funds directed to rewarding of employees of the system of the State Registry of Immovable Property from the fund for incentives may not exceed 30 per cent of the fund for salaries.
6. The procedure for use of the reserve fund shall be established by the Government of the Republic of Armenia.

(Article 72 supplemented, edited by HO-277-N of 15 November 2011, edited by HO-172-N of 12 December 2013)

Article 73.

Amounts of fees levied for state registration, provision of information and other services

1. The following amounts shall be levied for services rendered for state registration and provision of information:
 - (1) for carrying out state registration of the arising, alteration or transfer of one property right over an immovable property unit, except for the cases prescribed by points 2 and 3 of this part — AMD 25 000;
 - (2) for carrying out state registration of the arising, alteration or transfer of one property right over an agricultural land parcel — AMD 2 000;

(3) for carrying out state registration of the rights over the unit of credits and grants of international organisations, apartments of blocks of flats built at the expense of the State Budget and transferred to citizens, individual dwellings, for carrying out state registration, in the name of the community, of the rights over the former state housing fund transferred to communities of the Shirak and Lori marzes [regions], for carrying out state registration of the right of ownership over land parcels obtained for the development of the housing fund provided for by the public procurement contract in the residential areas of the Shirak and Lori marzes, as well as for carrying out state registration of the right of ownership of citizens — on the basis of contract on donation, purchase and sale of the right of ownership of the community — over the housing fund established in the Shirak and Lori marzes at the expense of credits and grants of international organisations and the State Budget — AMD 2 000;

(4) for carrying out state registration of termination of the registered right — AMD 1 000;

(4.1) for making a preliminary note on property right over property by notifying the notary public thereof —AMD 2 000;

(5) for carrying out state registration of restriction on the right over an immovable property unit — AMD 1 000;

(6) for carrying out individual registration of the address of immovable property or making a change in the registered address — AMD 2 000;

(7) ***(point repealed by HO-267-N of 17 December 2014)***

(8) for making a record on the change in the name in the Register-Book of Immovable Property and for issuing a new registration certificate or for making changes in the certificate — AMD 2 000;

(9) for issuing a unified statement of information on the immovable property unit, except for the cases prescribed by points 10 and 11 of this part — AMD 10 000;

(10) for issuing a unified statement of information on one unit of agricultural land parcel — AMD 500;

(11) for issuing a unified statement of information on the unit of land parcels alienated for the development of the housing fund provided for by the public procurement contract in the residential areas of the Shirak and Lori marzes of the Republic of Armenia, as well as on the registered rights and restrictions thereon — AMD 1 000;

(12) for providing other information on one immovable property unit, as well as information on the availability of the property owned by the same entity— AMD 1 000;

(13) ***(point repealed by HO-267-N of 17 December 2014)***

(14) for providing a duplicate copy of the certificate of registration of a right— AMD 7 000;

(15) for providing photocopies of documents from the cadastral file — AMD 20 per each page;

(16) for providing cadastral layouts and maps in a vector format:

a. in respect of 1 ha of space in urban areas — AMD 2 000;

b. in respect of 1 ha of space in rural areas — AMD 1 000;

c. in respect of 1 ha of space in territories outside the residential areas — AMD 200;

(17) for providing topographic layouts and maps, orthophotographic layouts and orthophotographic maps with complete information in vector format — AMD 25 000 for each category (nomenclature) paper of layouts and maps, orthophotographic layouts and orthophotographic maps;

(18) for providing information, by individual parts, from topographic layouts and maps in vector format:

a. in case of 1:10 000 scale — AMD 1 000 for 1 square kilometre;

b. in case of 1:25 000 scale — AMD 250 for 1 square kilometre;

c. in case of 1:50 000 scale — AMD 62 for 1 square kilometre;

(19) for each category (nomenclature) paper of layouts and maps, orthophotographic layouts and orthophotographic maps with complete information on a paper-based medium:

a. in colour — AMD 6 000;

b. in black and white — AMD 2 000;

(20) for providing information on the points of geodesic network: for providing the coordinate (abscissa, ordinate, altitude) of each geodesic point — AMD 1 000;

(21) for providing each turning point or angular coordinate (abscissa, ordinate) of an immovable property unit (land parcel, premise) — AMD 100;

(22) for providing an aerial photograph of any scale (15x15 cm or 23x23 cm) in paper-based form — AMD 1 500;

(23) for providing a space photograph for 1 square kilometre of space in vector format — AMD 10 000;

(24) for providing information provided for by points 16 and 18 of this Article in paper-based form shall be carried out by adding the following fees to the fees prescribed by points 16 and 18 of this Article:

a. in case of A0 format — AMD 5 000;

b. in case of A1 format — AMD 2 500;

c. in case of A2 format — AMD 1 250;

d. in case of A3 format — AMD 625;

e. in case of A4 format — AMD 300;

(25) for providing a statement of information on the name of a geographic object — AMD 1 000.

(Article 73 amended by HO-277-N of 15 November 2011, supplemented by HO-88-N of 19 June 2015, amended by HO-267-N of 17 December 2014)

Article 74.

Time limits for state registration and provision of information

1. State registration of the arising, alteration or transfer of rights over immovable property shall be carried out on the 4th working day following the day of submission, as prescribed by this Law, of the application on state registration, except for the cases prescribed by part 2 of this Article.

2. State registration of arising, alteration or transfer of the rights over immovable property may, if the applicant so wishes, be carried out also through an accelerated procedure, where the fees defined by this Law shall be multiplied by the following coefficients:

(1) in case of carrying out state registration on the 3rd working day following the day of submission of the application on state registration — by coefficient 2;

(2) in case of carrying out state registration on the 2nd working day following the day of submission of the application on state registration — by coefficient 3.

3. State registration of termination of a right shall be carried out on the 2nd working day following the day of submission of an application thereon as prescribed by this Law, except for the cases prescribed by paragraph 2 of this part.

Where along with submitting an application on state registration of termination of a right an application on state registration of another right related therewith or an application on the provision of information has been submitted, state registration of

termination shall be carried out within the time limit prescribed for the performance of the function ordered by this application.

4. Individual registration of a new address of immovable property or change of the address thereof shall be carried out and a new registration certificate shall be issued on this ground or corresponding change shall be made in the certificate on the 2nd working day following the day of submission of the application on registration of the address as prescribed by this Law.

5. A record on the change in the name shall be made in the Register-Book of Immovable Property, and a new registration certificate shall be issued on this ground or the corresponding change shall be made in the certificate on the 2nd working day following the day of submission of the application thereon as prescribed by law, except for the cases provided for by paragraph 2 of this part.

Where the request for making a record provided for by this part is submitted together with the application on state registration of the right related thereto or on provision of information, the record on the change in the name shall be made within the time limit defined for the performance of the function ordered by this application.

6. A unified statement of information on the immovable property unit shall be issued on the 3rd working day following the day of submission of the application as prescribed by this Law, except for the case prescribed by paragraph 2 of this part.

The unified statement of information on the immovable property unit may, if the applicant so wishes, be issued also on the 2nd working day following the day of submission of the application, where the fee for provision of information shall be multiplied by coefficient 2.

7. The information provided for by points 12-25 of Article 73 of this Law shall be provided on the 3rd working day following the day of submission of the application, whereas if the applicant so wishes — also on the working day following the day of

submission of the application, by applying the coefficient 2 in respect of the fee prescribed for provision of information.

8. *(Part repealed by HO-267-N of 17 December 2014)*

9. Calculation of the time limits defined by this Article shall start from the date of entry of the application.

(Article 74 amended by HO-267-N of 17 December 2014)

Article 75.

Privileges in respect of the fees prescribed for state registration and provision of information

1. The fees prescribed by this Law for state registration of the rights over property shall not be levied in case of the first state registration of the right of ownership over residential immovable property (except for garages constituting a separate unit) and agricultural land parcels owned by citizens under the right of ownership, obtained prior to 1 March 1998 and not registered after 1 March 1998, as well as those the property rights where to have been restored as prescribed by law and not registered after 1 March 1998.

2. The competent bodies having the power to apply restriction on property under the procedure and in the cases prescribed by the legislation of the Republic of Armenia, shall be exempt from paying the fee for state registration of restriction.

3. The fees prescribed by this Law for state registration of the rights over immovable property located in borderline and high mountainous areas included in the lists defined by the Government of the Republic of Armenia and those prescribed for the provision of information on this property shall be levied in the amount of 50% thereof.

4. The information on the data of Single State Cadastre of Immovable Property, except for unified information, shall be provided to the Staff to the President of the

Republic of Armenia, the Staff and Deputies of the National Assembly of the Republic of Armenia, the public administration bodies of the Republic of Armenia, courts, criminal prosecution bodies and to the Central Bank of the Republic of Armenia free-of-charge for exercising the powers reserved thereto by the legislation of the Republic of Armenia.

The cadastral, topographic or land construction maps provided to public administration bodies as prescribed by this part may be transferred by the latter to other persons only upon the decision of the Government of the Republic of Armenia, in return whereof an appropriate compensation shall be granted to the State Registry of Immovable Property.

(Law edited by HO-247-N of 23 June 2011)

**President
of the Republic of Armenia**

R. Kocharyan

Yerevan

30 April 1999

HO-295