

LAW OF THE REPUBLIC OF ARMENIA ON LICENSING

Adopted on 30 May 2001

CHAPTER I GENERAL PROVISIONS

Article 1. Subject Matter of the Law

This Law defines the types of activities subject to licensing and regulates relations connected with licensing.

This Law does not extend to permits (licences) issued for the use of state owned minerals and natural resources or to licence agreements concluded in the course of civil law relations.

Article 2. Legislation on Licensing

Licensing relations in the Republic of Armenia are regulated by the Civil Code of the Republic of Armenia, this Law, international treaties of the Republic of Armenia, and other legislative acts.

Where international treaties of the Republic of Armenia prescribe rules other than those provided for by this Law, the rules of international treaties shall apply.

Article 3. Main Concepts Used in This Law

The main concepts used in this Law are the following:

“Licence” means an official authorisation attesting the right to carry out an activity subject to licensing, as well as an official document attesting such right.

“Type of activity subject to licensing” means the type of activity which requires a licence under law to be carried out.

“Licensing” means a process connected with the issuance, renewal, conversion, suspension and withdrawal of licences.

“Licensing authorities” means state authorities conducting licensing in accordance with this Law.

“Licensee” means a legal or natural person or an individual entrepreneur, as well as a state or community institution not constituting a state or local self-government body which has been granted a licence in accordance with the law to carry out an activity subject to licensing.

“Applicant” means a legal or natural person or an individual entrepreneur, as well as a state or community institution not constituting a state or local self-government body, which has applied

to a licensing authority to obtain a licence, to renew or convert it, to change the place of activity or to carry out the same activity subject to licensing in an additional place, or to obtain a copy of a licence or its transcripts.

“Due notification or sending of documents” means notification or sending of documents shall be considered to be duly effected if sent by registered letter with acknowledgement of delivery or by use of other means of communication ensuring the formulation of a message or handed with a receipt (hereinafter referred to as “in a due manner”).

“Gross violation” means violation shall be deemed to be gross when:

- it incurred losses to other persons in the amount of 200-fold to 1,000-fold the minimum salary, or
- it caused minor or less serious injury to the health of a person.

“Systematic violation” means violation shall be deemed to be systematic if the licensee has been given a warning in writing at least twice a year for committing such a violation, provided that non-compliance with such a written warning might have caused minor or less serious harm.

“Malicious violation” means violation shall be deemed to be malicious if it continues after the warning in writing of the licensing authority, provided that non-compliance with such a warning might have caused a serious harm.

“Serious harm” means harm shall be deemed to be serious when:

- it has caused less serious injury to the health of two or more persons;
- it has caused serious injury to the health of a person;
- it has caused the death of a person;
- it incurred losses to other persons in the amount exceeding 1,000-fold the minimum salary.

Article 4. Licensing Principles

The licensing principles are the following:

- (1) protection of the rights, legitimate interests, morals and health of individuals; ensuring the defence and security of the state;
- (2) ensuring a common policy in the field of economic activities in the Republic of Armenia and defining a single uniform list of the types of activities subject to licensing;
- (3) establishment of a uniform procedure and principles of licensing;
- (4) publicity of licensing;
- (5) ensuring the lawfulness of the licensing process;
- (6) simplification of the licensing process and ensuring its transparency;
- (7) establishment of uniform standards and types of liabilities for violations by licensees of the requirements for activities subject to licensing.

Article 5. Licensing Objectives

The objectives of licensing the performance of certain activities are:

- (1) protecting consumers' rights;
- (2) contributing to regulation of developing market relations;
- (3) increasing the quality of goods and services;
- (4) exercising control over those engaged in activities constituting potential sources of increased danger for the life, health and property of individuals, for state and public interests, conservation of nature and cultural heritage.

Article 6. Effect of a Licence

1. A licence shall be issued only for each type of activity subject to licensing provided for by this Law.
2. The effect of a licence shall extend to the entire territory of the Republic of Armenia, unless otherwise provided for by law.

CHAPTER II

IMPLEMENTATION OF LICENSING

Article 7. Entities Entitled to Carry Out Activities Subject to Licensing

1. Legal and natural persons as well as individual entrepreneurs shall be entitled to carry out activities subject to licensing.

The natural person holding a licence shall be entitled to engage in entrepreneurial activity in the field concerned only as an individual entrepreneur.

2. Commercial undertakings shall be entitled to carry out all types of activities subject to licensing, unless prohibited by law or by the statute of the undertaking.

3. Non-commercial undertakings shall be entitled to carry out all types of activities subject to licensing, unless prohibited by law and provided that their statutes expressly provide the right to engage in such an activity.

4. The individual entrepreneur shall be entitled to carry out all types of activities subject to licensing, unless prohibited by law.

5. Legally capable natural persons may also obtain a licence to carry out non-business (non-commercial) activity, unless otherwise provided for by law.

6. State or community institutions not constituting a state or local self-government body may also carry out activities subject to licensing if the right to engage in such an activity is expressly provided for by the legislation of the Republic of Armenia or by their statutes.

The licensing of state or community institutions shall be carried out in accordance with the procedure provided for by this Law for legal persons.

7. The absence of an indication on carrying out relevant types of activities in the statute or state registration certificate of the commercial undertaking applying for a licence or in the

state registration certificate of the individual entrepreneur, shall not be ground for rejection of licence application.

The absence of an indication on the right to carry out the activity subject to licensing in the statute or state registration certificate of the commercial undertaking holding a licence or in the state registration certificate of the individual entrepreneur shall not be ground to hold such undertaking liable.

8. The licence cannot be transferred to other persons, alienated or pledged, except for cases provided for by law.

9. The effect of the licence shall not extend to persons carrying out joint activity with the licensee, including those acting under joint venture contract, as well as to legal persons founded or acting with participation of the licensee.

10. Entities entitled to engage in the activities subject to licensing may commence such an activity from the moment the licence takes effect.

Article 8. Licensing Authorities

1. Licences shall be issued only by authorised state bodies provided for by this Article.

2. Licences issued by the Government of the Republic of Armenia, the Central Bank of the Republic of Armenia, the Public Services Regulatory Commission of the Republic of Armenia, the National Commission on Television and Radio of the Republic of Armenia, and ministries or state agencies authorised by the Government of the Republic of Armenia (hereinafter referred to as "the licensing authorities") shall be provided for the purpose of carrying out relevant activities referred to in Article 43 of this Law.

The licensing authorities shall draw licences accordingly by decisions of the Government of the Republic of Armenia, the Central Bank of the Republic of Armenia, the Public Services Regulatory Commission of the Republic of Armenia, the National Commission on Television and Radio of the Republic of Armenia, as well as by orders of ministers and heads of state agencies (hereinafter referred to as "the decisions").

The peculiarities of licensing in the fields of energy, electronic communication and securities market shall be defined by the laws of the Republic of Armenia on Energy, on Electronic Communication, and on Securities Market Regulation, as well as by the licensing procedures adopted in accordance thereof.

Procedures and requirements for licensing, including the issuance, renewal, conversion, suspension or withdrawal of a licence, as well as other procedures and requirements provided for by this Law shall not extend to licences issued by the Central Bank of the Republic of Armenia provided for in Article 43.

(Paragraph 5 repealed by HO-252-N of 08 December 2005)

Legal relations connected with licensing in the field of radio and television programme broadcasting shall be regulated by this Law to the extent it does not contradict the laws of the Republic of Armenia on Television and Radio, and on Regulations of the National Commission on Television and Radio, and the relevant procedures adopted by the National Commission on Television and Radio on the basis thereof.

3. The licensing authorities shall establish commissions (hereinafter referred to as "the licensing commissions") aimed at giving opinions on the issuance, and the suspension or

withdrawal of licences, except for cases when the actions provided for by this point are carried out through decisions adopted by collegial licensing authorities.

4. The statutes of the licensing commissions shall be approved by the licensing authorities.
5. Only the authorities that issued the licence and their successors shall be entitled to deal with and make relevant decisions on renewal, conversion, suspension or withdrawal of the licence.
6. The licensing authorities shall be obliged to keep confidential the information of the applicants or licensees constituting a commercial secret or deemed by law to constitute other type of secret.

(Article 8 supplemented by HO-307 of 20 February 2002, edited by HO-364-N of 29 May 2002, supplemented by HO-101-N of 11 June 2004, amended by HO-252-N of 08 December 2005, amended and edited by HO-31-N of 16 December 2005)

Article 9. Decisions of the Licensing Authorities

1. The licensing authority shall, in cases provided for by this Law, make its decisions on the basis of the opinions of the relevant commission. However, the licensing authority shall have the right not to take the opinion of a commission as a basis for its decision. In this case it shall be obliged to justify by its decision the reasons for rejecting the opinion of the commission.
2. The decision of the licensing authority must state:
 - (1) the name of the licensing authority and the date of the decision;
 - (2) the matter (the application, appeal, suspension of the licence, etc.) to which the decision relates;
 - (3) the name of the person filing the matter;
 - (4) the motives and grounds upon which the licensing authority has come to an opinion, by reference to laws and other legal acts;
 - (5) the opinion on the matter being examined.

Article 10. Licensing Procedures

1. Licensing relations with regard to licences issued through a simple procedure provided for by this Law shall be regulated only by this Law.
2. Licensing relations with regard to licences issued through a complex procedure provided for by this Law shall be regulated only by law and licensing procedures.
3. Licensing procedures for licences issued through a complex procedure by the Government of the Republic of Armenia, or by public administration bodies authorised by the Government of the Republic of Armenia shall be approved by the Government of the Republic of Armenia.
4. Licensing procedures for licences issued through a complex procedure by the Central Bank of the Republic of Armenia shall be approved by the Central Bank of the Republic of Armenia.
5. Licensing procedures for licences issued through a complex procedure by the Public Services Regulatory Commission of the Republic of Armenia shall be approved by the Public Services Regulatory Commission of the Republic of Armenia.

6. (Point 6 repealed by HO-252-N of 08 December 2005)

7. Licensing procedures for licences issued through a complex procedure by the National Commission on Television and Radio of the Republic of Armenia shall be approved by the National Commission on Television and Radio of the Republic of Armenia.

8. Licensing procedures may define only such requirements that are necessary for the protection of national security and public safety, public order, health or morals of the public, the rights and freedoms, and the honour or the reputation of others.

Where licensing procedures define requirements not provided for by law, a mandatory reference must be made to the grounds provided for by this part. Requirements which do not contain such references as well as restrictions not provided for by law shall have no legal effect.

Licensing procedures may not provide for restrictions on the civil rights of applicants or licensees.

9. The licensing procedures may define requirements for the presentation of business plans, justifications, market analysis, as well as submission of information on the minimal amount of nominal capital (fund) or on the founders of the applicant legal person only in cases provided for by law.

10. Licensing procedures may not oblige a licensee to conclude civil law contracts with certain particular persons, unless otherwise provided for by law.

Licensing procedures may not define the non-fulfilment of obligations of an applicant towards other persons, including the state, as a basis for rejecting a licence application, unless otherwise provided for by law.

(Article 10 amended by HO-252-N of 08 December 2005, edited by HO-31-N of 16 December 2005)

CHAPTER III

LICENSING CONDITIONS AND REQUIREMENTS

Article 11. Compliance with Environmental, Hygienic and Sanitary-Epidemiological Safety, Fire-Protection Standards and Rules by a Licensee

1. While carrying out activities subject to licensing, the licensees shall be obliged to comply with environmental, hygienic and sanitary-epidemiological safety, fire-protection standards and rules.

2. The authorised public administration bodies shall define the lists of environmental, hygienic and sanitary-epidemiological safety, fire-protection standards and rules, the requirements of which must be complied with for each activity subject to licensing. The lists shall indicate the full titles and the date of official publication of the regulatory legal acts defining relevant norms and rules, as well as the title and number of the Official Journal. The licensing authority shall provide the licensee with the list of standards and rules subject to mandatory compliance together with the licence. The licensing authority shall be obliged to inform all licensees about changes made in the mentioned lists no later than within a period of 15 days after such changes enter into force.

3. No documents verifying the compliance with the environmental, hygienic and sanitary-epidemiological safety, fire-protection standards and rules shall be required for issuing a licence, unless otherwise provided for by law.

4. The licensing authority shall inform the relevant authorities on issued licences according to the procedure defined by the Government of the Republic of Armenia for the purpose of implementing control over the compliance with environmental, hygienic and sanitary-epidemiological safety, fire-protection standards and rules.

Article 12. Mandatory Requirements and Conditions

1. When carrying out an activity subject to licensing, licensees shall be obliged to follow the mandatory requirements and conditions provided for by legal acts, including by licensing procedures, for conducting the given activity.

2. The list of legal acts defining mandatory requirements and conditions shall be provided to the licensee by the licensing authority together with the licence. The list shall indicate the full titles, the date of official publication of the legal acts, the title and number of the Official Journal. The licensing authority shall be obliged to inform all licensees about changes made in the mentioned lists no later than within a period of 15 days after such changes enter into force.

3. Licensees holding the same type of licence shall be subject to identical requirements and conditions.

Article 13. Requirements on Professional Qualification

1. The legislation of the Republic of Armenia and the licensing procedures may prescribe requirements on professional qualification for activities subject to licensing performance of which requires professional knowledge.

2. The fact of holding a professional qualification by a person may be certified by relevant certificates, diplomas, qualification ranks issued in accordance with the procedures defined by legislation, or by other documents provided for by legislation. Working experience of at least three years of continuous service of a person in certain positions or fields shall also be considered as a document certifying the fact of holding a professional qualification by a person, unless otherwise provided for by law.

3. Professional qualification documents issued by foreign states shall have legal effect in the Republic of Armenia if provided for by law or international treaties of the Republic of Armenia.

4. The testing of professional qualifications for issuing a licence may be conducted only in cases provided for by law and in accordance with the procedures and conditions set forth by licensing procedures or by law.

5. The right of a natural person or individual entrepreneur to obtain professional qualification, to participate in the test (examination) of professional qualifications, and to occupy certain positions or carry out certain activities may be restricted only by law.

Article 14. Procedure for Qualification Test

1. The qualification of natural persons shall be tested by qualification commissions established by the relevant licensing authority, unless otherwise provided for by law or by licensing procedures.

The licensing authorities shall approve the procedures on formation of qualification commissions and their statutes, unless otherwise provided for by law.

2. The qualification test shall be conducted in compliance with the procedures determined by the authority entitled to approve the relevant licensing procedures, unless otherwise provided for by law. The qualification procedures shall be drawn up in detail, clearly and shall not define provisions not provided for by the legislation of the Republic of Armenia or not included in the relevant educational curricula.

3. The qualification procedures shall define the time limits of the qualification test, the list of documents required for participation in the test and the time limits for their submission, the number of questions or tasks prepared for the test, the evaluation procedure, the manner of conducting the test, the time provided for conducting the test, the manner of using legal and other documents or technical means, the scores required to obtain a qualification certificate, the procedure on appealing the test results, as well as other provisions aimed at carrying out the qualification properly. The questions of the test shall be prepared by the licensing authority and shall be subject to mandatory publication not less than six months prior to the date of the test, unless otherwise provided for by law.

Where the qualification test is to be conducted by technical means, the applicant shall be introduced to the manner and conditions of their use beforehand.

The qualification test shall be conducted in written form.

The passing scores of the qualification test shall remain valid without any time limit.

The validity period of the passing scores of the qualification test may be limited only by law.

4. The legal acts on amending the qualification procedures shall enter into force six months after their official publication, unless such acts provide for a later period.

5. The applicant shall be duly notified of the date, time and place of the qualification test at least seven days before the test.

All participants of the same qualification test shall be subject to the same requirements.

6. The qualification test shall be conducted in Armenian.

7. The qualification test shall be open to the public. The tests relating to information on state, official or banking secrets shall be conducted behind closed doors.

The process of tests open to the public may be filmed and video or audio recorded.

8. The commission shall summarize the test results behind the closed doors. The conclusion of the commission shall be made public.

The participant of the qualification test shall be notified of the test results in a due manner, or the results shall be sent to the participant no later than within five days following the last day of testing.

9. Where the law or the licensing procedures do not provide requirements for issuing a licence other than the requirement of passing a qualification examination, the person having

passed the qualification examination shall be granted the relevant licence at the same time with the qualification examination certificate.

10. The qualification test performed in breach of the requirements of the present Article shall be declared invalid through a judicial procedure.

(Article 14 supplemented by HO-513-N of 26 December 2002)

Article 15. Technical Requirements and Conditions

1. Where special types of activities subject to licensing require special technical conditions, specific technical requirements and conditions may be prescribed for the purpose of carrying out such activities subject to licensing.

2. The technical requirements and conditions concerning the activities subject to licensing shall be defined by law or other legal acts.

Article 16. Expert Examination of Goods, Items, Equipment or Documents Submitted for Licensing Purposes

1. Where provided for by law, a licence to carry out activities subject to licensing may be issued only based on the positive results of the expert examination of goods, items, equipment, as well as documents submitted for licensing purposes.

2. Expert examination of goods, items, equipment, as well as documents submitted for licensing purposes shall be carried out by persons holding relevant licences. Institutions acting under the jurisdiction of a licensing authority as well as undertakings where the licensing authority holds more than fifty percent of stocks (shares) may not carry out expert examination, except for cases expressly provided for by law or legislative acts.

3. The expert examination shall be carried out at the expense of the applicant.

The expert examination shall be carried out prior to submission of the application, and the opinion of the expert examination shall be submitted together with the application.

4. Where provided for by law or licensing procedures, expert opinions on goods, items and equipment rendered by foreign states or organisations may also serve as a basis for issuing a licence.

5. The expert examination shall be carried out within a period of one month, unless otherwise provided for by law or licensing procedures.

CHAPTER IV

REQUISITES OF THE LICENCE

Article 17. Requisites of the Licence

1. The licence must include the following requisites (information):

(1) the name of the licensing authority;

(2) the number of the licence;

- (3) the date of issue of the licence;
- (4) the type of activity for which the licence has been issued;
- (5) the name of the legal person and its registered office as well as the surname, name and place of residence of natural persons and individual entrepreneurs;
- (6) the place of activity (address) (shall be mentioned if pursuant to this Law the activities subject to licensing must be carried out only in the place stated in the licence);
- (7) the validity period of the licence;
- (8) the signature of the authorised person of the licensing authority and the seal of the licensing authority bearing the representation of the state Coat of Arms.

2. Licence forms shall be approved by bodies responsible for the respective licensing procedure; in case of licences issued through simple procedures, licence forms shall be approved by the Government of the Republic of Armenia.

3. Licence forms shall enjoy the level of protection defined by the Government of the Republic of Armenia for securities and shall constitute documents subject to strict record keeping and shall have a file number and a serial number.

The licensing authorities shall acquire, keep records of and keep the licence forms.

Article 18. Licence Transcripts

1. When issuing licences for the activities providing for professional qualification requirements, the licensing procedures may provide for issuance to the persons responsible for carrying out such works of licence transcripts verifying the compliance of their knowledge with the prescribed requirements.

2. When issuing licences for the activities providing for technical requirements and conditions, the licensing procedures may provide for issuance of licence transcripts for the equipment or certain types of technical means verifying their compliance with the prescribed technical requirements and conditions.

3. The validity period of the licence transcript may not exceed the validity period of the licence.

Article 19. Copy of the Licence and its Transcript

1. A licence shall be issued in one copy.

2. In case of loss of a licence or its transcript (in case it is lost, destroyed, etc.), the licensee shall submit an application thereon to the licensing authority and shall place an announcement in mass media.

3. The licensing authority shall provide a copy of the lost licence or its transcript to the licensee within three days after the fifteen-day period following the publication of the announcement in mass media.

4. Where the licence or its transcript has become useless, the licensee shall submit an application thereon to the licensing authority to receive a copy of the licence or its transcript.

5. The licensing authority shall provide the licensee with a copy of the licence that has become useless or its transcript on the third day after submission of the application by the licensee.

6. A copy of the licence or its transcript shall bear the word "Copy" in the top right corner.

7. When the copy of the licence or its transcript is lost, a copy of the licence or its transcript shall be provided pursuant to the procedure defined by this Article.

Article 20. Maintenance of Licence Register

1. Licensing authorities shall maintain licence registers.

2. The licence registers shall include:

(1) the name and registered office of the legal person holding a licence as well as the surname, the name and place of residence in case of natural persons and individual entrepreneurs;

(2) the number of the licence;

(3) the date of issue and the registration number of the licence;

(4) the type of activity for which the licence has been issued;

(5) the places of activity (address) (shall be mentioned if according to this Law the activities subject to licensing must be carried out only in the place stated in the licence);

(6) the validity period;

(7) renewals;

(8) information in the register on conversion of the licence, on its suspension, and on withdrawal;

(9) other information provided for by law or licensing procedures.

3. The licensing authority shall paginate and seal all pages of the licence register.

Article 21. Individual Files of Licensees

1. The licensing authority shall open an individual file for each licensee.

2. The individual file of a licensee shall be maintained in the manner and for the period prescribed by legislation.

3. Where the licence is withdrawn, it shall be returned to the licensing authority. The returned licence shall be attached to the individual file of the licensee.

Article 22. Information on Licensees

1. The information contained in the licence registers shall be open to state and local self-government bodies, natural and legal persons.

2. The licensing authorities shall, upon request of state and local self-government bodies, be obliged to provide relevant information from the licence registers free of charge and within three days.

Information on other persons from the licence registers shall be provided upon request of natural and legal persons within three days from the day the request is received. State fee shall be charged for provision of the mentioned information in the amount not exceeding the expenses to be made for its provision.

Natural and legal persons shall be provided with information concerning them from the licence register free of charge, within three days from the day their request is received.

3. Licensing authorities shall inform relevant state or local self-government bodies about the entries made in the licence registers or changes thereto in accordance with the procedure defined by the Government of the Republic of Armenia.

4. Licensing authorities shall send copies of their decisions on issuing, renewal and conversion of the licence, on suspension, withdrawal or reinstatement of the licence, to the relevant body responsible for publishing state agency regulatory legal acts within three days from the day such decisions are adopted.

Licensing authorities shall send copies of court judgements entered into force on withdrawal of the licence to the relevant body responsible for publishing state agency regulatory legal acts within three days from the day the judgement enters into force.

The decisions or judgements on issuing or renewing the licence, on conversion or suspension or reinstatement of the licence as well as on withdrawal of the licence shall be published in a special section of the Journal of State Agency Regulatory Legal Acts within ten days from the day such decisions or judgements are received.

Article 23. State Fee

State fees for issuing a licence or its copy, for renewal of the licence, for conversion of the licence, for providing information from the licence register to other persons, as well as for carrying out the same activity subject to licensing in an additional place, or participating in the qualification examination, shall be charged pursuant to the procedure and in the amount provided for by law.

Annual fees for carrying out the activity subject to licensing may be established by law.

CHAPTER V TYPES OF LICENCES

Article 24. Types of Licences

The following types of licences may be issued to carry out activities subject to licensing:

- 1) licences issued by simple procedure;
- 2) licences issued by complex procedure.

Article 25. Licence Issued by Simple Procedure

1. The licence issued by simple procedure (hereinafter referred to as "the simple licence") is a permit granted by the licensing authority to carry out an activity which defines mandatory

requirements and conditions for carrying out such activities, and by which control prescribed by law is exercised over compliance with such requirements and conditions.

The simple licence shall be issued without the decision of the licensing commission.

2. The simple licence shall be issued three days after submission by the applicant of the documents provided for by this Law.

3. The simple licence shall be issued with no time limits.

4. A licensee shall be entitled to carry out activities subject to licensing only in compliance with the mandatory requirements and conditions of the licence.

5. Before commencing the activities subject to licensing, the person holding a simple licence shall be obliged to send a written communication to bodies defined by the Government of the Republic of Armenia, stating the name and the registered office of the legal person holding the licence, the surname, name and place of residence of the natural person or individual entrepreneur as well as the place of activities (shall be indicated only when pursuant to this Law the activity subject to licensing must be carried out only in the place concerned), the requisites of the licence, and the date of commencing the activity subject to licensing.

6. Simple licences shall only be issued to carry out activities referred to in Article 43 of this Law.

Article 26. Licence Issued by Complex Procedure

The licence issued by complex procedure (hereinafter referred to as "the complex licence") is a permit granted by a licensing authority pursuant to licensing procedures to carry out an activity, which also defines mandatory requirements or conditions for carrying out such activities and by which control is exercised over compliance with such requirements and conditions in accordance with the procedure defined by law.

2. The complex licence shall be issued thirty days after submission by the applicant of all documents provided for by this Law, unless other time limit is provided for by law.

3. The complex licence shall be issued with no time limits, unless otherwise provided for by law.

4. In cases provided for by this Law, the complex licence may be issued by way of a tender conducted pursuant to licensing procedures.

5. Complex licences shall be issued based on the opinions of licensing commissions established by licensing authorities.

Opinions of licensing commissions shall be rendered in accordance with this Law and the statutes of the licensing commissions.

6. Complex licences shall only be issued to carry out activities referred to in Article 43 of this Law.

Article 27. Documents Required for Obtaining a Simple Licence

1. The applicant shall submit the following documents to a licensing authority to obtain a simple licence:

(1) A licence application stating:

(a) the name and legal form, the registered office and the place of activity for a legal person; the surname, the name, the place of residence and the place of activity for an individual entrepreneur or a natural person,

(b) the type of activity subject to licensing that the applicant intends to carry out,

(c) other information provided for by law,

(d) information on the taxpayer registration number for legal persons and on taxpayer registration number or social card number for an individual entrepreneur or a natural person;

(2) A copy of the statute and a copy of the state registration certificate for a legal person and a copy of the state registration certificate for an individual entrepreneur;

(3) Other documents provided for by law.

2. Documents required for obtaining a simple licence may be delivered to the licensing authority by hand or by mail.

(Article 27 supplemented by HO-12-N of 15 December 2005)

Article 28. Documents Required for Obtaining a Complex Licence

1. The applicant shall submit the following documents to a licensing authority to obtain a complex licence:

(1) A licence application stating:

(a) the name and legal form, the registered office and the place of activity for a legal person; the surname, the name, the place of residence and the place of activity for an individual entrepreneur or a natural person,

(b) the type of activity subject to licensing that the applicant intends to carry out,

(c) other information provided for by law or licensing procedures,

(d) information on the taxpayer registration number for legal entities and on taxpayer registration number and social card number for an individual entrepreneur or a natural person;

(2) A copy of the statute and a copy of the state registration certificate for a legal person and a copy of the state registration certificate for an individual entrepreneur;

(3) A document certifying the professional qualification of a person, if the submitted application concerns the type of activity requiring professional qualification;

(4) Other information provided for by law or licensing procedures.

2. Documents required for obtaining a complex licence may be delivered to the licensing authority by hand or by mail.

(Article 28 supplemented by HO-12-N of 15 December 2005)

Article 29. Rejection of a Licence Application

1. A licence application shall be rejected when:

(1) the documents submitted by the applicant are incomplete, obviously false or distorted;

(2) the submitted documents do not correspond to the requirements of this Law and the legislation of the Republic of Armenia;

(3) the applying legal person is not entitled pursuant to law or its statute to carry out the type of activity subject to licensing;

(4) the applying natural person has no right to carry out the activities subject to licensing applied for;

(5) in other cases provided for by law or licensing procedures.

2. The application for obtaining a simple licence shall be refused in written form within three days from the date of filing the application with the licensing authority.

The application for obtaining a complex licence shall be rejected in written form no later than within 30 days from the date of filing the application with the licensing authority, unless otherwise provided for by law.

Where the licence application is not rejected within the time period specified in this part, and the applicant has paid the state fee in the manner and in the amount established by law and has submitted to the licensing authority the document certifying the payment, the licensing authority shall be obliged to issue a licence to the applicant within five working days from the date mentioned in this part. The applicant shall be entitled to engage in the activity concerned subject to licensing on the next day after the licence has been delivered or sent to the applicant.

3. The decision on rejecting the licence application must clearly state the reasons and the legal grounds for rejection.

4. Where there are insignificant deficiencies (misprints, inaccuracies of non-legal nature, calculation mistakes and other similar omissions) in the licence application or in its accompanying documents, the licensing authority may grant the application with a reservation that the licence be issued to the applicant after the elimination of such deficiencies.

5. The licence application shall be rejected on the ground of deficiencies in the documents if the applicant fails to submit the required documents or materials within ten days after the licensing authority sends a notification thereon, in a due manner, to the applicant.

The licensing authority shall send a notification on deficiencies in the documents submitted for obtaining a simple licence within three days after the date of receiving the documents or within ten days in case of a complex licence.

6. Rejection of a licence application based on grounds not provided for by this Article shall be prohibited.

7. Where a licence application is rejected, the applicant shall have the right to submit a new application for obtaining a licence under the general procedure.

(Article 29 edited by HO-12-N of 15 December 2005)

Article 30. Renewal of a Licence Issued for a Definite Period of Time

1. The licensee shall have the right to file an application for renewal of a licence issued for a definite period of time with the licensing authority no more than three months before the expiry of the licence.

The licence shall be renewed for the validity period of the previous licence, unless otherwise provided for by law.

2. The period requested shall be indicated in the application for renewal of licence. Legal persons shall also attach to the application a statement by the state authorised body registering the legal person on any amendments to the statute of the legal person. In case of any amendments in the statute of the legal person, such amendments shall also be submitted.

3. The licence shall be renewed on the fifth day after the date of submission of the application and the required documents by the licensee.

The licence shall be renewed by making a corresponding note on the licence.

4. Decisions on applications on renewal of the licence shall be made without the decision of the licensing commission. However, in case of any grounds for rejecting the application or upon request of the applicant, a discussion of the application shall be conducted in the form of hearings.

5. The application on renewal of the licence may be delivered to the licensing authority by hand or by mail.

(Article 30 supplemented by HO-116-N of 22 February 2007)

Article 31. Rejection of an Application for Renewal of Licence

The application for renewal of a licence shall be rejected when:

- (1) the documents submitted by the applicant are incomplete, obviously false or distorted;
- (2) the submitted documents do not correspond to the requirements of this Law and the legislation of the Republic of Armenia;
- (3) the applying legal person has been deprived, pursuant to law or to its statute, of the right to carry out the type of activity claimed;
- (4) the applying natural person or individual entrepreneur has been deprived, pursuant to law, of the right to carry out the type of activity requested;
- (5) licensing requirements have been changed within the period following the acquisition of the licence;
- (6) other cases are provided for by law or by licensing procedures.

2. The application for renewal of a licence shall be rejected in written form within five days or, in case of a complex licence, within ten days after the application is filed with the licensing authority, unless other time limit is provided for by law. Where the application for renewal of a licence is not rejected within the mentioned time limits, the application shall be deemed to be granted and the licensing authority shall be obliged to renew the licence within one day.

3. The decision on refusal of the application for renewal of a licence shall state the reasons and the legal grounds of rejection.

4. Where there are insignificant deficiencies (misprints, inaccuracies of non-legal nature, and other similar omissions) in the licence application or in its accompanying documents, the licensing authority may grant the application with a reservation that the licence be issued to the applicant after the elimination of such deficiencies.

5. The application for renewal of a licence shall be rejected on the ground of deficiencies in the documents if the applicant fails to submit the required documents or materials within ten days after the licensing authority sends a notification thereon, in a due manner, to the applicant.

The licensing authority shall send a notification on deficiencies in the documents submitted for renewal of a simple licence within three days after the date of receiving the documents or within ten days in case of a complex licence.

6. Rejection of an application for renewal of a licence based on grounds not provided for by this Article shall be prohibited.

7. Where an application for renewal of a licence is submitted during the period of suspension of the licence, the renewal of the licence shall be considered only after the suspension is ended.

Article 32. Conversion of a Licence

1. In case of reorganisation of a legal person holding a licence or in case of any changes in its name or registered office, the licensee shall be obliged to file an application for conversion of a licence within fifteen days after such changes enter into force, attaching documents verifying the relevant information.

2. In case of any changes in the name or place of residence of an individual entrepreneur or a natural person, the licensee shall be obliged to file an application for conversion of a licence within fifteen days after such changes enter into force, attaching documents verifying the relevant information.

3. Where a legal person is reorganised through spin-off, the licence shall be issued to the successor (successors) spin-off of the legal person only in accordance with the procedure provided for obtaining the licence concerned.

4. Where a legal person is reorganised through division, the licence shall be issued to the divided legal persons only in accordance with the procedure provided for obtaining the licence concerned.

5. The licence shall be converted on the third day after the licensing authority files the relevant application of the licensee.

When converting the licence, the licensing authority shall make the corresponding modifications in the licence register.

6. An application for conversion of a licence shall be rejected in the cases and pursuant to the procedure for rejecting licence applications provided for by Article 29 of this Law, except for cases provided for by point 5 of part 1 of that Article.

7. Decisions on application for conversion of a licence shall be made without the decision of the licensing commission. However, if there are grounds for rejecting the mentioned application or upon the request of the applicant, an examination of the application must be conducted in the form of hearings.

8. With respect to changing the registered office of a licensee, this Article covers only those activities subject to licensing which, according to this Law, must be performed only in the place referred to in the licence.

Article 33. Change of Place of Activities or Engaging in the Same Activities Subject to Licensing in an Additional Place

1. To change the place of activities subject to licensing or to engage in the same activity subject to licensing in a new place, the licensee holding a simple licence shall submit an application to the licensing authority stating the requisites of the previously obtained licence and a written statement on amendments to the previously submitted documents. Attached to the application, legal persons shall also submit a statement by the authorised state body registering the legal person on amendments to the statute of the legal person. In case of any amendments to the statute of the legal person, such amendments shall also be submitted.

2. Any change of the place of activities subject to licensing or engagement in the same activities in a new place by a licensee holding a complex licence shall be carried out according to the procedure prescribed in part 1 of this Article if no special requirements concerning the place of activities are prescribed by law or the licensing procedure for issuing a licence to perform the activity concerned, unless otherwise provided for by law.

3. Where the law or the licensing procedure prescribes special requirements concerning the place of activities for issuing a licence to a licensee holding a complex licence to perform the activity concerned, the place of activities subject to licensing can be changed or the licensee concerned may perform such activities subject to licensing in a new place only when the documents, provided for by law or the licensing procedure and meeting the special requirements concerning the place of activities, are submitted.

Performance of activities subject to licensing in violation of the requirements of this Article shall be deemed to constitute performance of activities subject to licensing without a licence.

4. In cases provided for by parts 1 and 2 of this Article, the application to change the place of activities or to change the additional place of activities, or to perform activities in an additional place as well, shall be examined and granted on the third day after the application and necessary documents are submitted by the licensee.

In cases provided for by part 3 of this Article, the application to change the place of activities or performance of activities in an additional place shall be examined and granted within ten days after the application and necessary documents are submitted by the licensee.

5. The application to change the place of activities or to perform activities in an additional place shall be rejected in the cases and by the procedure provided for by Article 29 of this Law for rejecting licence applications, except for cases provided for by point 5 of part 1 of that Article.

6. Decisions on applications to change the place of activities or on performing the same activities in an additional place shall be made without the decision of the licensing commission. However, if there are grounds for rejecting the mentioned application or upon the request of the applicant, an examination of the application must be conducted in the form of hearings.

7. The requirement of this Article covers only such types of activities subject to licensing which, according to this Law, must be performed only in the place referred to in the licence.

8. If column 10 of the table of Article 43(2) contains the letter "P", then a separate licence shall be issued for performing activities in each place.

(Article 33 supplemented by HO-65-N of 25 December 2003)

Article 34. Suspension of a Licence

1. Suspension of a licence shall be the temporary deprivation of a licensee, for a certain period of time or under certain conditions, from the right to perform activities subject to licensing, particular functions of such activities or particular operations reserved by the licence.

2. The licensee shall have no right, during the period of suspension of the licence, to perform any activity, function or operation specified by the decision on suspension, except for those that are aimed at eliminating the reasons for suspension of the licence or implementing urgent measures stipulated by the decision on suspension.

3. Performance of activities, functions or operations prohibited by part 2 of this Article by a licensee during the period of suspension of the licence shall be deemed to constitute performance of activities subject to licensing without a licence and result in respective liability provided for by law.

4. The decision on suspension of the licence shall clearly state the suspended activities, functions or operations, as well as the reasons for suspension, legal grounds and time limits.

Where, depending on the character of the violation, it is possible to eliminate the violations or their consequences by temporarily depriving the licensee of the right to perform particular functions of activities subject to licensing or particular operations reserved by the licence, the suspension of the whole licence shall not be applied.

Where suspension of a licence directly harms national security and public safety, public order, health and morals of the public, the rights and freedoms of others or their honour and reputation, the decision on suspension of the licence shall provide guarantees for protecting the interests of third persons against the consequences of the suspension by the licensing authority of activities subject to licensing and indicate the procedure for compensating losses incurred or define a time limit for eliminating the consequences.

Decisions on suspension of a licence which do not include provisions provided for by this Article shall be invalid.

5. Where a licence is suspended based on more than one grounds provided for by this Law, a decision on suspension shall be made on the basis of each of the grounds.

6. A licence shall be deemed suspended on the day after the decision of the licensing authority thereon is duly delivered to the licensee or filed by the licensing authority, unless a later time period is provided for by the decision on suspension of the licence or by law.

7. The suspension of a licence shall be deemed ended on the day after the period of suspension expires. Where the period of suspension of a licence is stipulated to end before the reason for violation is eliminated, the suspension of the licence shall be deemed ended on the fifth day after the statement of the licensee on elimination of the violations (accompanied by appropriate supporting documents) is filed with the licensing authority, unless the licensing authority makes another decision or specifies a shorter time period and notifies the licensee thereof in a due manner.

The suspension of a licence in the case provided for in Article 36(1)(11) of this Law shall be deemed ended from the day after the date of fulfilling the liabilities related to the annual state fee for the licence as well as the amounts of penalties for the delay in payment of those fees.

(Article 34 supplemented by HO-65-N of 25 December 2003)

Article 35. Procedure for Suspension of a Licence

1. The licensing authority shall have the right to suspend a licence for violations of the requirements of the legislation only pursuant to the opinion of the licensing commission of the licensing authority.

Where a licensee commits violations of law, licensing procedures or licensing conditions and requirements which directly threaten the national security and public safety, public order, the life of persons, health or morals of the public, the rights and freedoms of others or their honour or reputation, the licensing authority shall have the right to immediately prohibit, on temporary basis, the performance of activities subject to licensing or particular functions of such activities or particular operations reserved by the licence. A decision shall be made on prohibiting the performance of activities subject to licensing or particular functions of such activities or particular operations reserved by the licence, which shall enter into force from the moment the decision is delivered to the licensee in a due manner.

Where, within five days from the date of the decision to prohibit the performance of activities subject to licensing or particular functions of such activities or particular operations reserved by the licence, no decision is made on suspension of the licence, or the relevant decision does not substantiate the need to prohibit the performance of activities or particular functions of such activities or particular operations reserved by the licence, the decision on prohibition shall be deemed invalid. In such cases the licensing authority shall be obliged to compensate the licensee for losses incurred as a result of prohibition.

2. The licensing commission shall examine the matter on suspension of licence and render an opinion pursuant to the procedure provided for by this Law and the statute of the commission.

3. A licence may be suspended for violation of the requirements of the legislation no later than within three months after the violation was committed or, in case of a continuing or persistent violation, within three months from the day such a violation is disclosed.

4. Where no decision on suspension of a licence is delivered or sent to the licensee, in a due manner, within 15 days after the licensing commission renders its opinion concerning the examination of the matter on suspension of the licence, the matter on suspension of the licence shall be deemed rejected. In such cases the licensing authority shall have no right to raise the matter of suspension or withdrawal of the licence on the same grounds for a second time.

Article 36. Cases of Suspension of a Licence

1. A licence may be suspended in the following cases:

(1) the licensee has transferred the licence to another person, or pledged it as collateral or alienated in cases not provided for by law;

(2) the licensee does not inform the licensing authority in good time about changes in cases provided for by this Law;

(3) while performing the activity subject to licensing there were gross violations of the licence requirements and conditions or of requirements of legislation regulating the activity subject to licensing;

(4) the licensee commits systematic violations;

(5) the licensee hinders the inspection carried out in accordance with the legislation by persons responsible for the control over the activity subject to licensing or fails to submit the required documents;

(6) the licensee has missed by more than ten days the deadline for submission of reports provided for by law and deriving from the activity subject to licensing, provided that another liability measure for this violation has not been established for the licensee by the law regulating that field;

(7) the licensee is temporarily deprived of the right to perform the activity subject to licensing;

(8) there is no person with professional background or professional qualifications required under the licence requirements or conditions - only with regard to that person;

(9) upon the application of the licensee;

(10) upon submission of an application by the licensing authority to withdraw the licence in cases provided for by this Law;

(11) failure to pay annual state fees;

(12) other cases provided for by law.

2. In the cases provided for by points 2, 3, 4, 5, 6, 7, 8 and 11 of part 1 of this Article, the licence shall be suspended until the reason for violation is eliminated.

3. In the cases provided for by point 1 of part 1 of this Article, the licence shall be suspended for a period of two months.

4. Applications provided for by point 9 of part 1 of this Article shall be examined at the licensing authority within 15 days from the day of their receipt. Where the application is not examined within 20 days from the day the request is received or no decision is made, such requests shall be deemed granted, and the licence shall be deemed suspended for the period specified by the licensee.

5. Request of the licensee on suspension of the licence may be rejected if so provided for by law or licensing procedures or if national security and public safety, public order, health and morals of the public, the rights and freedoms or the honour and reputation of others will be directly harmed as a result of suspension of the licence.

6. In the cases provided for by point 9 of part 1 of this Article, the licence shall be suspended for the period specified by the licensee.

7. In the cases provided for by point 11 of part 1 of this Article, the licence shall be suspended for the period provided for by law.

8. For the grounds provided for by points 1, 2, 3, 4, 5, 6, 8, 9, 10 and 12 of part 1 of this Article, the licence shall be suspended by the decision of the licensing authority, unless otherwise provided for by law.

9. For the grounds provided for by point 7 of part 1 of this Article, the licence shall be deemed suspended from the day the act on the temporary deprivation of the licensee of the right to perform an activity subject to licensing enters into force.

10. For the ground provided for by point 11 of part 1 of this Article, the licence shall be deemed suspended from the licence issue date mentioned on the licence issued as a result of delivery of services and implementation of activities constituting an object for levying annual state fee.

(Article 36 supplemented by HO-42-N of 03 March 2004, edited by HO-12-N of 15 December 2005)

Article 37. Withdrawal of a Licence

1. A licence may be withdrawn in the following cases:

(1) false or distorted information essential in terms of issuing the licence is discovered in the documents submitted for obtaining the licence;

(2) the legal person performing the licensed activity is liquidated, or the activity of the individual entrepreneur is terminated, or the natural person dies;

(3) serious harm was caused as a result of performing an activity subject to licensing;

(4) the licensee has committed malicious violations;

(5) the licence was suspended pursuant to Article 36(1) to (6) of this Law not less than twice during one year;

(6) performing a suspended activity or a particular function of that activity or a particular operation reserved by the licence during the period of suspension of the licence in violation of the requirements of the suspension;

(7) upon the application of the licensee;

(8) the licence has expired;

(9) other cases provided for by law.

The licence shall be withdrawn by repealing the licence.

2. An application for withdrawal of a licence due to violation of legislative requirements may be submitted no later than within one year from the day the violation is committed, or in case of a continuing or persistent violation within one year from the day the violation is revealed, and in cases provided for by point 1 of part 1 of this Article, within 15 days from the day the false or distorted information is revealed.

3. Where violations referred to in points 3, 4, 5 and 6 of part 1 of this Article are revealed, the licensing authority shall be entitled to suspend the licence before a court judgment on the application to withdraw the licence enters into force. In such cases, the licensing authority shall be obliged to file with the court an application to withdraw the licence within ten days from the day the licence is suspended. Where the application is not filed within such period, the suspension of the licence shall be deemed ended.

4. Where a licence is withdrawn on the grounds provided for by points 1, 3, 4 and 5 of part 1 of this Article, the person shall have the right to apply for a new licence only one year after the withdrawal of the licence.

5. On the grounds provided for by points 1, 3, 4, 5, 6 and 9 of part 1 of this Article, a licence shall be withdrawn by a court order on the basis of the application of the licensing authority.

6. On the grounds provided for by points 1, 3, 4, 5, 6 and 9 of part 1 of this Article, a licence shall be deemed withdrawn from the day after the relevant court judgment enters into force, unless a later period is provided for by the court judgment.

7. On the grounds provided for by points 2 and 7 of part 1 of this Article, the licence shall be withdrawn by the decision of the licensing authority.

8. The requests provided for by point 7 of part 1 of this Article shall be examined at the licensing authority within 15 days from the day of their receipt. Where a request is not examined or no decision is made within 20 days from the day of its receipt, the request shall be deemed granted and the licence shall be deemed withdrawn.

An application of the licensee to withdraw the licence may be rejected if provided for by law or licensing procedures.

9. The licensing authority may set a later time limit than that stated in the application to withdraw the licence if the withdrawal of the licence will result in direct harm to national security and public safety, public order, health and morals of the public, the rights and freedoms or the honour and reputation of others.

10. Where withdrawal of a licence directly harms national security and public safety, public order, health and morals of the public, the rights and freedoms or honour and reputation of others, the court judgment or the decision of the licensing authority shall provide guarantees for protecting the interests of third persons against the consequences of terminating the activity subject to licensing by the person holding a licence, or indicate procedures for compensating losses incurred by such termination, or define a time limit for eliminating the consequences.

11. On the grounds provided for by point 7 of part 1 of this Article, a licence shall be deemed withdrawn from the day after the decision of the licensing authority is delivered to the licensee, or the day after the decision is filed with the licensing authority, unless the application of the licensee provides for a later date.

On the grounds provided for by point 2 of part 1 of this Article, a licence shall be deemed withdrawn from the day the legal person holding the licence is liquidated, or the activity of the individual entrepreneur is terminated, or the natural person dies.

12. On the grounds provided for by point 8 of part 1 of this Article, the licence shall be deemed withdrawn from the day after the date of expiry referred to in the licence.

Article 38. Procedure for Entry into Force of Licences, Decisions on Renewal of a Licence, and Registered Changes

1. Licences, decisions on renewal of a licence or registered changes shall enter into force on the day following the day they are delivered or sent to the licensee in a due manner.

2. The documents mentioned in part 1 of this Article shall be sent to the business address of the licensee, unless another address is indicated in the application concerned.

Article 39. Appealing Rejection of Applications, Decisions on Suspension of a Licence or Results of Qualification Tests

1. Decisions on rejecting an application for obtaining a licence, or renewing a licence, or converting a licence, or providing a copy of the licence or of licence transcript, or changing the place of activities or performing the same activity subject to licensing in an additional place, decisions on suspension of a licence, decisions of a licensing authority on not abolishing the decision on suspension of a licence, as well as the results of the qualification test may be appealed in court or to higher authorities.

2. The applicant or the licensee shall have the right to appeal the decisions of the licensing authorities on rejection of applications within one month after the day the rejection concerned is received.

3. The licensing authorities shall examine appeals in commissions established for that purpose or in the form of hearings.

Appeals Commissions shall examine the appeals pursuant to the procedure prescribed by Articles 40 and 41 of this Law.

Examinations of appeals in the form of hearings shall be carried out pursuant to Article 42 of this Law.

4. Appeals shall be examined within ten days after the appeal is filed with the licensing authority.

CHAPTER VI

PROCEDURE FOR EXAMINING MATTERS BY COMMISSIONS ESTABLISHED BY LICENSING AUTHORITIES AND ON CONDUCTING HEARINGS

Article 40. Procedure for Examination of Matters by Commissions

1. The commissions shall examine the matters during their sittings.

Commission sittings shall have a quorum if more than half of the commission members participate in the sitting.

Commissions shall adopt decisions by a simple majority of votes of members participating in the sitting by closed secret ballot. In case of a tie, the decision shall be deemed to be adopted in favour of the applicant or the licensee (hereinafter referred to as "the summoned person").

2. During examination of matters, the chairperson of the commission sitting shall declare the matter to be examined and introduce persons summoned to the examination, explain the rights and responsibilities of the persons participating in the examination of the matters, and disclose the contents of the application and other documents being examined.

3. The summoned persons shall be given a notice, in a due manner, not later than seven days before the examination of the matter and shall be informed about the place (address), date and time of the examination.

The commission shall publish information in the press about the place and time of its regular sitting and matters to be examined no later than five days before the day of the sitting.

4. The failure of the summoned person to participate in the examination of matters shall not be a ground for not examining or rejecting the matters, unless the summoned person asks to hold the examination at another time. Such a request of the summoned person may be granted if the summoned person has a good reason for being unable to participate in the examination, and if the deferment of the examination will not violate the time limits for examinations provided for by this Law.

5. The summoned person shall have the right to call a specialist, an expert, an auditor, a lawyer or a translator to participate in the examination. The summoned person or his/her advocate shall have the right to deliver speeches, answer the questions of commission members and file motions.

6. Examinations of matters shall be open to the public. Only examination of matters relating to information containing state, service or bank secrets shall be held behind closed doors.

Upon the request of the summoned person, the examination may be held behind closed doors if any information containing commercial secrets is to be disclosed during the examination of the matters.

Journalists, specialists, officials and other persons may participate during the open public examination of matters. The process of public sittings may be filmed or video and audio recorded.

7. The commission shall make its decision after the examination of the matter in a separate room behind closed doors. Only commission members may be present in that room while the commission makes its decision.

8. The opinions of the commission shall be made public and delivered or sent to the summoned person in a due manner.

9. The opinion of the commission shall be delivered to the head of the licensing authority on the day it has been rendered. The authorised body shall be obliged to make a decision on the basis of the opinion of the commission within two days after the opinion is rendered. Where no decision is taken during such period, the decision of the commission becomes a decision of the authorised body except for the case provided for by Article 39 of this Law.

10. Opinions of the commission rendered in violation of the requirements of this Article shall have no legal effect.

Article 41. Minutes of the Commission Sittings

1. Minutes shall be drawn up during the examination of matters by the commission, stating:

- (1) date and venue of the commission sitting;
- (2) type and composition of the commission;
- (3) content of the matter examined;
- (4) information on persons participating in the examination;
- (5) explanations of persons participating in the examination of the matter, their motions and the findings of the examination thereof;
- (6) documents and other evidence scrutinized during the examination of the matter;
- (7) content of the commission's opinion;
- (8) information on the publication of the adopted opinion.

2. The Chairperson and the Secretary of the sitting shall sign the minutes of the commission's sittings.

Article 42. Procedure for Hearings

1. Examination of applications in the form of hearings shall be held by persons authorised by the licensing authority.

2. With a view to examining the application in the form of hearings, the time limit for examining the application provided for by this Law may be extended by seven days.

3. The applicant shall be summoned to the examination of the application in the form of hearings. The applicant shall be given a notice, in a due manner, on examination of the application at least five days before the date of examination and informed about the place (address), date and time of the examination.

4. When examining the application in the form of hearings, the application to be examined and the persons summoned to the examination shall be announced; the rights and responsibilities of the applicant shall be explained; the content of the application as well as of other documents being examined shall be disclosed.

The failure of the applicant to participate in the examination of the application shall constitute a ground for not examining the application, unless the applicant requests to conduct the examination of the application at another time. Such a request of the applicant may be granted if the applicant has a good reason for being unable to participate in the examination, and if the deferment of the examination will not violate the time limits for examination of applications provided for by this Law.

5. The applicant shall have the right to call a specialist, an expert, an auditor, a lawyer or a translator to participate in the examination. The applicant and/or his/her advocates shall have the right to deliver speeches, answer questions of the members of the working group, file motions and make recommendations.

6. Examinations of applications shall be open to the public. Only examination of applications relating to information containing state, service or bank secrets shall be held behind closed doors.

Upon the request of the summoned person, the examination may be held behind closed doors if any information containing commercial secrets is to be disclosed during the examination of the application.

CHAPTER VII

TYPES OF ACTIVITIES SUBJECT TO LICENSING

Article 43. List of Types of Activities Subject to Licensing

1. An activity shall be deemed to be subject to licensing if it is included in the table of this Article.

2. Table of types of activities subject to licensing

	Type of activity subject to licensing	Licensing authority	Type of Licence	Sphere	Expert Examination Requirement	Through Tender Procedure	Qualification Requirement	Reporting Requirement	
1	2	3	4	5	6	7	8	9	10
	1. SECURITY								
1.	Production of explosive materials or explosive devices	GRA	C	-	E	-	Q	R	P
2.	Trade in explosive materials or explosive devices	AB	C	-	-	-	-	R	P

3.	Performance of blasting operations	AB	C	-	-	-	Q	R	-
4.	Production, import of or trade in pyrotechnical articles	AB	S	-	-	-	-	-	-
5.	Production of arms	GRA	C	-	E	-	-	R	P
6.	Trade in arms	AB	C	-	E	-	-	R	P
7.	Narcotic drugs and psychotropic substances:								
	- production or preparation	GRA	C	-	E	-	Q	R	P
	- development of new narcotic drugs and psychotropic substances	GRA	C	-	E	-	Q	R	P
	- storage	GRA	C	-	-	-	-	R	P
	- transfer	GRA	C	-	-	-	-	R	-
	- distribution, release and sales	GRA	C	-	-	-	Q	R	P
	- acquisition for the purpose of production, preparation, reprocessing, sales or use (including medical)	GRA	C	-	-	-	-	R	-
	- use for scientific and educational purposes	GRA	C	-	-	-	Q	R	P
	- reprocessing for generating preparations included in the lists	GRA	C	-	E	-	Q	R	P
	- conducting expert examination through use	GRA	C	-	-	-	Q	R	P
	- export or import	GRA	C	W	-	-	-	R	-
8.	Coinage, preparation or production of state medals and orders	GRA	C	-	E	-	-	R	P
9.	Preparation or production of state seals and stamps	GRA	C	-	E	-	-	R	P
10.	Printing of documents of state significance requiring special protection	GRA	C	-	E	-	Q	R	P
	2. TRADE								
1.	Trade in, import, export and transportation of natural diamonds, whether processed or not, but not mounted or set, belonging to the codes 710210000, 710221000, 710231000 of the Goods Nomenclature of Foreign Economic Activity (GN FEA)	AB	S	W	-	-	-	-	-
	3. HEALTH								
1.	Production of medicines	AB	C	-	E	-	-	R	P

2.	<i>(point 2 repealed by HO-116-N of 22 February 2007)</i>								
3.	<i>(point 3 repealed by HO-116-N of 22 February 2007)</i>								
4.	Pharmaceutical activities	AB	C	-	-	-	Q	-	P
5.	Medical aid and services by undertakings or individual entrepreneurs	AB	C	-	-	-	Q	-	-
6.	Genetic engineering	GRA	C	-	E	-	Q	R	-
7.	Implementation of professional and postsecondary medical education programmes	AB	C	-	E	-	-	-	-
4. CURRENCY REGULATION									
1.	Trade in foreign currency as a dealer/broker	CBA	C	-	-	-	Q	R	P
2.	Trade in foreign currency	CBA	C	-	-	-	Q	R	P
3.	Holding foreign currency auctions	CBA	C	-	-	-	-	R	P
5. SECURITIES TURNOVER									
1.	<i>(point 1 repealed by HO-116-N of 22 February 2007)</i>								
2.	Provision of investment services according to the types of investment services established by the Law of the Republic of Armenia on Securities Market	CBA	C	-	-	-	Q	R	-
3.	Activities of regulatory market operator	CBA	C	-	E	-	Q	R	-
4.	Activities of central depository	CBA	C	-	E	-	Q	R	-
6. BANKING AND FINANCIAL-CREDIT UNDERTAKINGS									
1.	Banking	AB	C	-	E	-	Q	R	-
2.	Organisation of pawnshops	CBA	C	-	-	-	-	R	P
3.	Activities of investment funds	CBA	C	-	E	Q	R	-	
4.	Performing life assurance according to classes and subclasses established under the Law of the Republic of Armenia on Insurance and Insurance	CBA	C	-	E	-	Q	R	-

	Activities								
4.1.	Performing non-life insurance according to classes and subclasses established under the Law of the Republic of Armenia on Insurance and Insurance Activities	CBA	C	-	E	-	Q	R	-
5.	Provision of collection services	AB	C		-	-	Q	-	-
6.	Insurance brokerage activities	CBA	C	-	E	-	Q	R	-
7.	(point 7 moved to section 18 by HO-513-N of 26 December 2002)								
8.	Activities of credit undertakings	CBA	C	-	-	-	Q	R	P
9.	Performing cash transfers	CBA	C	-	-	-	Q	R	
10.	Processing and clearing of payment instruments and settlement documents	CBA	C	-	-	-	Q	R	
11.	(point 11 repealed by HO-156-N of 24 November 2004)								
12.	(point 12 repealed by HO-156-N of 24 November 2004)								
11.	Performing life reinsurance	CBA	C	-	E	-	Q	R	
12.	Performing non-life reinsurance	CBA	C	-	E	-	Q	R	
	7. AGRICULTURE								
1.	Veterinary	AB	S	W	-	-	-	-	-
2.	(point 2 repealed by HO-116-N of 22 February 2007)								
3.	Production of biological vaccines used in veterinary practices	AB	C	-	E	-	Q	R	P
4.	Veterinary-sanitary examination	AB	C	-	E	-	Q	R	P
5.	Production of and/or trade in chemical and biological substances for plant protection	AB	C	-	E	-	Q	R	P
	8. ENERGY								
1.	Transportation, distribution, import and export of natural gas; construction of transportation and distribution networks	PSRC	C	W	-	-	-	R	P

2.	Construction and rehabilitation of power stations; production (including combined production of thermal and electric energy), transmission, distribution, export and import of electric energy; construction of networks for transmission and distribution	PSRC	C	W	-	-	-	R	P
3.	Construction and rehabilitation of thermal stations; production, transportation, distribution of thermal energy; construction of networks for transportation and distribution	PSRC	C	W	-	-	-	R	P
4.	Services of operators of electric energy and gas supply systems	PSRC	C	W	-	-	-	R	P
5.	Services rendered to the energy market	PSRC	C	W	-	-	-	R	-
	9. EDUCATION								
1.	Implementation of pre-school education programmes	AB	C	W	-	-	-	-	-
2.	Implementation of general elementary educational programmes	AB	C	W	-	-	-	-	-
3.	Implementation of basic general education programmes	AB	C	W	-	-	-	-	-
4.	Implementation of secondary (complete) general education programmes	AB	C	W	-	-	-	-	-
5.	Implementation of special general education programmes	AB	C	W	-	-	-	-	-
6.	Implementation of preliminary vocational (technical) educational programmes	AB	C	W	-	-	-	-	-
6.1.	Implementation of postsecondary education programmes other than postsecondary medical education programmes	AB	C	W	-	-	-	-	-
6.2.	Implementation of professional education programmes other than professional medical education programmes	AB	C	W	-	-	-	-	-

	10. TELECOMMUNICATIONS (ELECTRONIC COMMUNICATION)								
1.	Public electronic communication network	PSRC	C	W	E	-	Q	R	P
2.	Provision of voice services	PSRC	S	W	-	-	Q	R	P
3.	Provision of mobile communication services	PSRC	S	W	-	-	Q	R	P
4.	<i>(point 4 repealed by HO-116-N of 22 February 2007)</i>								
5.	Provision of data transmission and Internet access services	PSRC	S	W	-	-	Q	R	P
6.	Broadcasting of radio and television programmes	NCTR	C	-	-	T	-	-	P
	10 ¹ . POSTAL COMMUNICATION								
1.	Provision of postal communication services other than the postal transportation of funds	AB	C	W	-	-	-	-	-
	Type of activity subject to licensing	Licensing Authority	Type of Licence	Sphere	Expert Examination Requirement	Qualification Requirement	Reporting Requirement		
1	2	3	4	5	6	7	8	9	
	11. CUSTOMS								
1.	Storage of goods under customs control in customs warehouses	AB	C	-	-	-	R	P	
2.	Sales of goods under customs control in duty-free shops	AB	C	-	-	-	R	P	
3.	Storage of goods in free customs warehouses	AB	C	-	-	-	R	P	
4.	Customs mediation	AB	C	W	-	Q	R	-	
5.	Activities of customs carrier	AB	C	W	-	-	R	-	
6.	Organisation of customs control areas	AB	C	-	-	-	R	P	
7.	Utilisation of free economic areas	AB	C	-	-	-	R	P	
8.	Organisation of free economic areas	AB	C	-	-	-	R	P	
	Type of activity subject to licensing	Licensing authority	Type of Licence	Sphere	Expert Examination Requirement	Through Tender Procedure	Qualification Requirement	Reporting Requirement	
1	2	3	4	5	6	7	8	9	10
	12. NUCLEAR ENERGY USE								

1.	Site selection for:								
	- nuclear installations								
	- radioactive waste storage facilities								
	- radioactive waste disposal sites	NEURB	C	-	E	-	Q	R	P
2.	Design of:								
	- nuclear installations								
	- radioactive waste storage facilities								
	- radioactive waste disposal sites	NEURB	C	-	E	-	Q	R	P
3.	Construction of:								
	- nuclear installations								
	- radioactive waste storage facilities								
	- radioactive waste disposal sites	NEURB	C	-	E	-	Q	R	P
4.	<i>(point 4 repealed by HO-116-N of 22 February 2007)</i>								
5.	Exploitation of:								
	- nuclear installations								
	- radioactive waste storage facilities								
	- radioactive waste disposal sites	NEURB	C	-	E	-	Q	R	P
6.	Withdrawal of:								
	- nuclear installations								
	- radioactive waste storage facilities								
	- radioactive waste disposal sites	NEURB	C	-	E	-	Q	R	P
7.	Provision of other services and performance of activities subject to licensing not envisaged by the initial design of nuclear facility and referred to in points 1 to 6 of the second column of the table	NEURB	C	-	E	-	Q	R	P
8.	Import or export of:								
	- nuclear substances								
	- radioactive substances or devices containing radioactive substances or radiation generating sources								
	- radioactive waste								
	- special substances								
	- special devices								

	- special technologies	GRA	C	-	-	-	-	R	-
9.	Performing works with nuclear substances								
	- <i>(the row deleted by HO-116-N of 22 February 2007)</i>								
	- utilization								
	- transportation								
	- storage								
	- <i>(the row deleted by HO-116-N of 22 February 2007)</i>								
10.	Performing works with radioactive substances or devices containing radioactive substances or radiation generating sources								
	- production								
	- utilization								
	- repair								
	- assembly and adjustment								
	- transportation								
	- storage	NEURB	C	-	E	-	Q	R	P
11.	Performing works with radioactive waste:								
	- <i>(the row deleted by HO-73-N of 19 March 2009)</i>								
	- processing								
	- storage								
	- <i>(the row deleted by HO-116-N of 22 February 2007)</i>								
12.	Physical protection of nuclear installations and nuclear substances	NEURB	C	-	E	-	Q	R	P
13.	Performing works with devices, equipments and systems important in terms of the safety of items used for nuclear power:								
	- design								
	- preparation	NEURB	C	-	E	-	Q	R	P
14.	Expert examination of designs and other documentation of facilities utilising nuclear energy	NEURB	C	-	-	-	Q	R	P
15.	Activities of natural persons occupying positions important in terms of ensuring safety in the field of nuclear power utilisation	NEURB	C	-	-	-	Q	R	P

	13. ENVIRONMENT CONSERVATION								
1.	Hazardous waste: - processing - neutralisation - storage - transportation and emplacement	GRA	C	W	E	-	Q	R	P
2.	Measurement of emissions of pollutants from motor vehicles	AB	C	-	E	T	-	R	P
	14. QUALITY, STANDARDISATION, CERTIFICATION, METROLOGY								
1.	Production of measuring instruments	AB	C	W	E	-	-	-	-
	15. LOTTERIES, GAMBLING								
1.	Operation of lotteries	AB	C	-	-	-	-	R	-
2.	Gambling	AB	C	-	-	-	-	R	P
2.1.	Internet gambling	AB	S						P
3.	Operation of casinos	AB	C	-	-	-	-	R	P
	16. TRANSPORT								
1.	Regular air service	AB	C	-	E	-	Q	R	-
2.	Organising railroad transport activity	AB	C	W	E	-	Q	R	-
3.	Technical examination of transportation means	AB	C	-	-	T	-	R	P
4.	Organisation of regular transportation by passenger motor vehicles designated for general use	AB	C	-	-	-	-	-	-
5.	Organisation of passenger transportation by passenger taxi								
	- organisation, by sole entrepreneurs, of passenger transportation by a single passenger taxi	AB	C	-	-	-	-	-	-
	- organization of passenger transportation by more than one passenger taxis - by sole entrepreneurs and by organisations (irrespective of the number of motor	AB	C	-	-	-	-	-	-

	vehicles)								
	17. URBAN DEVELOPMENT								
1.	Elaboration of urban development documents or, expert examination or construction works in the following fields of urban development:								
	- residential (with the exception of individual residential houses, garages, auxiliary premises constructed for non-commercial purposes, as well as works not requiring construction authorisation), public and industrial (with the exception of works not requiring construction authorisation)	AB	C	-	-	-	-	-	-
	- transportation	AB	C	-	-	-	-	-	-
	- hydro-engineering	AB	C	-	-	-	-	-	-
	- power engineering	AB	C	-	-	-	-	-	-
	- communication	AB	C	-	-	-	-	-	-
2.	Technical control of construction quality in the following fields of urban development:								
	- residential (with the exception of individual residential houses, garages, auxiliary premises constructed for non-commercial purposes, as well as works not requiring construction authorisation), public and industrial (with the exception of works not requiring construction authorisation)	AB	C	-	-	-	Q	R	-
	- transportation	AB	C	-	-	-	Q	R	-
	- hydro-engineering	AB	C	-	-	-	Q	R	-
	- power engineering	AB	C	-	-	-	Q	R	-
	- communication	AB	C	-	-	-	Q	R	-
3.	Engineering surveys	AB	C	-	-	-	Q	-	-
4.	Examination of the technical condition of buildings and premises	AB	C	-	-	-	Q	R	-
	17.1. TOURISM								

1.	The activity of tour guides, except for those who carry out the work of tour guide exclusively for the tourism facility employing them		AB	W	-	-	Q	-	-
2.	The activity of escort, except for those who carry out the work of escort exclusively for the tourism facility employing them	AB	C	W	-	-	Q	-	-
	17.2 SOCIAL PROTECTION								
1.	Organisation of orphanages, day-care services for children, and temporary child-care services	AB	C	-	-	-	-	R	P
2.	Organisation of services and care for the elderly and disabled persons	AB	C	-	-	-	-	R	P
	18. OTHER SECTORS OF ACTIVITIES								
1.	Statutory expert examination on types of activities subject to licensing	AB	C	-	E	-	-	-	-
2.	<i>(point 2 repealed by HO-116-N of 22 February 2007)</i>								
3.	Implementation of activities of bankruptcy administrator	AB	C	W	-	-	Q	-	-
4.	Site and cadastre mapping	AB	C	W	-	-	Q	-	-
5.	Appraisal of real estate	AB	C	W	-	-	Q	-	-
5.1.	Expert examination of movable cultural property	AB	C	-	-	-	Q	-	-
6.	Realtor activity	AB	C	W	-	-	Q	-	-
7.	Food production, including:								
7.1.	Production of distilled alcoholic beverages (except for liqueurs classified under code 220870 of the General Nomenclature of Foreign Economic Activity (GN FEA) classifier, other spirituous beverages with an alcoholic strength by 9% vol. or less as classified under code 220890, as well as production of distilled alcoholic beverages with an alcoholic strength by 40% vol. or more made from fruits and berries only (except for grapes) as	AB	S	W	-	-	-	-	-

	classified under code 2208); and production of ethyl spirit from fermentation substances								
7.2.	Production of liqueurs classified under code 220870 of the General Nomenclature of Foreign Economic Activity (GN FEA) classifier, and other spirituous beverages with an alcoholic strength of 9% vol. or less as classified under code 220890	AB	S	W	-	-	-	-	-
7.3.	Production of distilled alcoholic beverages with an alcoholic strength of 40% vol. or more made from fruits and berries only (except for grapes) and classified under code 2208 of the General Nomenclature of Foreign Economic Activity (GN FEA)	AB	S	W	-	-	-	-	P
7.4.	Production of wines from grapes, apples or other fruits or berries	AB	S	W	-	-	-	-	-
7.5.	Beer production	AB	S	W	-	-	-	-	-
8.	Auditing services	AB	C	-	-	-	Q	R	-
9.	Hallmarking and determination of fineness of articles of precious metals	AB	C				Q	R	P
10.	Refining of precious metals, the production of bank gold and standardized bullions	AB	C						

3. Natural and legal persons shall be entitled to perform without limitation types of activities not specified in the table of this Article, if such activity is not prohibited by law.

4. The abbreviations in the third column of the table of this Article define the authorities issuing licences. The abbreviations stand for:

GRA - Government of the Republic of Armenia

CBA - Central Bank of the Republic of Armenia

PSRC - Public Services Regulatory Commission of the Republic of Armenia

(the row deleted by HO-252-N of 08 December 2005)

NCTR - National Commission on Television and Radio of the Republic of Armenia

AB - Public Administration Body or bodies authorised by the Government of the Republic of Armenia

NEURB - Nuclear Energy Utilisation Regulatory Body

All simple licences shall be issued by the single public administration body authorised by the Government of the Republic of Armenia, except for the licences issued through simple procedures referred to in point 10 of the table of this Article.

5. The abbreviations in column 4 of the table of this Article define types of licences. The abbreviations in the table stand for:

S - licence issued through simple procedure;

C - licence issued through complex procedure.

6. Types of activities designated with the letter “W” in the fifth column of the table of this Article shall not require a licence if such activities are performed for non-entrepreneurial (economic) purposes.

7. The law or licensing procedures may require expert examination opinions for goods, items, equipment as well as for documents submitted for licensing only for types of activities designated with the letter “E” in the sixth column of the table of this Article.

8. The licence for types of activities designated with the letter “T” in the seventh column of the table of this Article shall be issued only through a tender.

9. The testing of professional qualification of natural persons may be carried only for issuing a licence for types of activities designated with the letter “Q” in the eighth column of the table of this Article.

10. Licensing authorities shall have the right to demand reports or information related to the licensed activity only from licensees performing types of activities designated with the letter “R” in the ninth column of the table of this Article.

11. Only the licensees performing types of activities designated with the letter “P” in the tenth column of the table of this Article shall be obliged to perform activities subject to licensing only in the place stated in the licence.

12. The clarifications of the types of activities subject to licensing shall be presented in accordance with the relevant laws of the Republic of Armenia and the General Classifiers of Economic Activities.

(Article 43 edited by HO-202 of 27 July 2001, amended by HO-295 of 6 February 2002, edited and amended by HO-307 of 20 February 2002, edited by HO-439-N of 23 October 2002, edited and supplemented by HO-364-N of 29 May 2002, HO-488-N of 11 December 2002, amended by HO-513-N of 26 December 2002, supplemented by HO-525-N of 31 March 2003, HO-2-N of 13 December 2003, amended and supplemented by HO-65-N of 25 December 2003, supplemented by HO-12-N of 17 December 2003, edited, amended and supplemented by HO-52-N of 16 March 2004, supplemented by HO-167-N of 8 December 2004, edited by HO-92-N of 8 June 2004, edited and supplemented by HO-101-N of 11 June 2004, edited by HO-113-N of 28 September 2004, supplemented by HO-180-N of 6 December 2004, amended and supplemented by HO-112-N of 28 September 2004, edited and amended by HO-156-N of 24 November 2004, edited by HO-127-N of 25 May 2005, supplemented by HO-48-N of 14 December 2004, HO-100-N of 5 May 2005, amended by HO-252-N of 8 December 2005, supplemented by HO-138-N of 25 May 2005, amended, edited and supplemented by HO-31-N of 16 December 2005, edited by HO-196-N of 4 October 2005, supplemented by HO-237-N of 15 November 2005, HO-86-N of 23 May 2006, amended and supplemented by HO-65-N of 25 May 2006, supplemented by HO-249-N of 20 December 2006, supplemented and amended by HO-242-N of 5 December 2006, supplemented by HO-150-N of 13 June 2006, edited, amended and supplemented by HO-116-N of 22 February 2007, edited and amended by

HO-84-N of 22 February 2007, supplemented by HO-230-N of 29 October 2006, HO-239-N of 5 December 2006, edited by HO-43-N of 25 December 2006, supplemented by HO-24-N of 25 December 2006, amended by HO-53-N of 25 December 2006, supplemented by HO-190-N of 9 April 2007, edited, supplemented and amended by HO-206-N of 1 October 2007, edited by HO-68-N of 19 May 2008, amended by HO-69-N of 19 May 2008, edited by HO-156-N of 21 August 2008, HO-179-N of 22 October 2008, supplemented by HO-140-N of 21 August 2008, amended by HO-73-N of 19 March 2009, supplemented by HO-194-N of 22 October 2008, HO-1-N of 26 December 2008)

CHAPTER VIII

LIABILITY FOR VIOLATION OF THE REQUIREMENTS OF THIS LAW

Article 44. Liability of the Licensing Authority for Issuing Licences in Violation of the Requirements of this Law

Where the licensing authority issues a licence in violation of the requirements of legislation, as a result of which the licensee causes damage to natural or legal persons, the Republic of Armenia shall bear joint liability together with the licensee.

Article 45. Liability of Officials for Violation of the Requirements of this Law

Violation of the requirements of this Law shall result in liability provided for by law.

The State shall be obliged to compensate the applicant or the licensee for the losses incurred as a result of unlawful rejection of applications for obtaining or converting the licence, renewing the licence, changing the place of activities or performing the same activities subject to licensing in an additional place or receiving a copy of the licence or its transcripts, or unlawful suspension of the licence.

Article 46. Performance of Activity Subject to Licensing Without a Licence

1. It is prohibited to perform activities subject to licensing under this Law without a licence.

Performance of an activity subject to licensing under this Law without a licence shall result in liability provided for by law.

2. The absence of an indication on the licensed type of activity in the statute or the state registration certificate of the licensee may not be deemed a violation of the licence requirements or conditions, nor may it result in any liability.

Article 47. Settlement of Disputes Arising During the Period of Effectiveness of this Law

Disputes arising during the period of effectiveness of this Law shall be settled under judicial procedures prescribed by this Law.

CHAPTER IX

TRANSITIONAL PROVISIONS

Article 48. Transitional Provisions

1. This Law shall enter into force from the moment of its publication.

This Law shall - with respect to types of activities subject to licensing provided for by Article 43, which were not deemed types of activities subject to licensing by law or other legal acts before the entry into force of this Law - enter into force after six months from the moment of the publication of the Law.

2. Licences issued in accordance with the legislation of the Republic of Armenia before the entry into force of this Law shall be valid until the expiry of those licences.

3. New activity may be declared as licensed not earlier than six months after the publication of the relevant law.

4. Any change in the conditions and requirements of the licence which limits the rights of the licensee or provides for new responsibilities for the licensee shall become effective not earlier than six months after the publication of the respective change.

5. Where there are any changes in the licensing conditions and requirements, the formerly issued licences shall remain legally effective for the period provided for by this Law.

6. Until this Law enters into force, the licensing procedures adopted by the Government of the Republic of Armenia, the Central Bank of the Republic of Armenia, the Energy Regulatory Commission of the Republic of Armenia, the Securities Commission of the Republic of Armenia, and the National Commission on Television and Radio of the Republic of Armenia shall be effective to the extent they do not contradict the requirements of this Law.

In such cases where, according to this Law, the licence must be issued pursuant to a licensing procedure, and no such procedure has been prescribed by authorities provided for by this Law, the licence shall be issued according to the simple procedure, until the relevant procedures are prescribed.

7. Until the Government of the Republic of Armenia specifies the authorised bodies issuing licenses for particular types of activities according to this Law, the relevant types of licences shall be deemed non-licensable.

8. Licences issued in accordance with Article 43(18)(7)(7.1) and (7.3) ("Other Sectors of Activity") of this Law shall be subject to conversion before 15 July 2004 pursuant to the place of activity and with regard to activities of production of distilled alcoholic beverages (except for liqueurs classified under code 220870 of the General Nomenclature of Foreign Economic Activity (GN FEA), other spirit beverages of an alcoholic strength with 9% vol. or less as classified under code 220890), and ethyl spirit from fermentation substances, as well as beer production. This conversion shall not be subject to the state fee established by law for licence conversion.

9. After 15 July 2004, the state fee established by the law of the Republic of Armenia on State Fee for licence conversion shall be levied for conversion of licence pursuant to the place of activity established by part 8 of this Article.

10. The provision on removing the requirement for the place with regard to banking activity as established by Article 43(2)(6)(1) of the Law shall extend only to relations arising after 1 January 2003.

(Article 48 supplemented by LA-65-N of 25 December 2003)

President of the Republic of Armenia

R. Kocharyan

Yerevan

27 June 2001

LA-193