



Strasbourg, 20 February 2020

CDL-REF(2020)014

Opinion No. 984 / 2020

Eng.Only.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

ARMENIA

**DRAFT LAW ON MAKING AMENDMENT AND SUPPLEMENTS
TO THE CODE ON ADMINISTRATIVE OFFENCES**

Article 1. In Article 189.13 of the Code of the Republic of Armenia on Administrative Offences of 6 December 1985 (hereinafter referred to as "the Code"):

(1) the title shall read as follows:

"Article 189.13. Failure to publish information on the sources of financial means received by the political party during the reporting quarter or failure to submit a statement on the means received and spent by the political party during the reporting year, as well as on the property to the authorized body or to publish it"

(2) Part 1 shall read as follows:

"1. Failure to publish information on the sources of financial means received by the political party during the reporting quarter or failure to submit a statement on the means received and spent by the political party during the reporting year, as well as on the property to the authorized body in accordance with the procedure and within the term provided for by law or to publish it in accordance with the procedure and within the term provided for by law — shall entail imposition of a fine on the official of the political party in the amount of fifty-fold to two-hundred-fold of the established minimum salary.

2. The same violation that has been committed repeatedly within one year following the imposition of administrative penalty measures — shall entail imposition of a fine in the amount of five-hundred-thousand-fold to one-million-five-hundred-thousand-fold of the established minimum salary.

Article 2. Article 189.15 of the Code shall read as follows:

"Article 189.15. Failure to make non-cash donations provided for by law to the political party or non-cash calculations of monetary payments of the political party exceeding the minimum amount provided for by law"

1. Failure to make non-cash donations provided for by law to the political party — shall entail imposition of a fine on the citizens making donations in the amount of thirty-fold to fifty-fold, and on the official of the political party — in the amount of two-hundred-fold to three-hundred-fold of the established minimum salary.
2. **Failure to make non-cash calculations of monetary payments of the political party exceeding the minimum amount provided for by law** shall entail imposition of a fine on the official of the political party in the amount of one-hundred-fifty-fold to three-hundred-fold of the established minimum salary.
3. Repeated commission — within one year — of the violations referred to in parts 1 and 2 of this Article — shall entail imposition of a fine on the citizens in the amount one-hundred-fold to two-hundred-fifty-fold, and on the official of the political party — in

the amount of five-hundred-fold to six-hundred-fold."

Article 3. The Code shall be supplemented with Article 189.19 which shall read as follows:

"Article 189.19. Exceeding the amount provided for by law for making a donation to a political party by means of circumvention

Exceeding the amount provided for by law for making a donation to a political party through recording it as a donation by other persons or by circumvention through other means —

shall entail imposition of a fine in the amount of the five-hundred-fold to one-million-fold of the established minimum salary.

The same violation that has been committed repeatedly within one year following the imposition of administrative penalty measures —

shall entail imposition of a fine in the amount of one-million-five-hundred-thousand-fold to two-million-fold of the established minimum salary."

Article 4. The Code shall be supplemented with Article 189.20 which shall read as follows:

"Article 189.20. Attracting illegal financing to a political party

Attracting illegal financing to a political party —

shall be punished by a fine in the amount of two-hundred-fold to five-hundred-fold of the minimum salary.

Article 5. Article 223.2 of the Code shall read as follows:

"Article 223.2. Commission for Prevention of Corruption

The Commission for Prevention of Corruption shall examine the cases on administrative offences provided for by Articles 189.13, 189.15, 189.16, 189.19 and 189.20 of this Code."