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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**ARMENIA**

**ADMINISTRATIVE OFFENCES CODE (\*)**

(\*) Translation provided by the Armenian authorities

**DRAFT****I. ADMINISTRATIVE OFFENCES CODE OF THE REPUBLIC OF ARMENIA****GENERAL PART****SECTION 1.  
GENERAL PROVISIONS****CHAPTER 1.  
MAIN PROVISIONS****Article 1. Subject matter of the Administrative offences code of the Republic of Armenia**

This Code prescribes the main principles of administrative liability, administrative offences (misdemeanours) and the types of administrative penalty provided therefor, the procedure for imposition and execution of administrative penalties, as well as the procedure for proceedings on administrative offences, the authorities competent to initiate and conduct proceedings for administrative offences.

**Article 2. Legislation on administrative offences and the aim thereof**

1. Administrative offences and liability therefor shall be prescribed only by this Code. Separate features of administrative offences prescribed by this Code may be prescribed by other laws and legal acts.

2. The proceedings on an administrative offence on the territory of the Republic of Armenia shall be regulated by the Constitution of the Republic of Armenia, international treaties of the Republic of Armenia, this Code, as well as other legal acts adopted in compliance with them.

3. Provisions of the Law of the Republic of Armenia "On fundamentals of administrative action and administrative proceedings" shall apply to the proceedings on administrative offences, unless otherwise provided by this Code.

4. The aims of the legislation on administrative offences shall be the defence of human and civil rights and freedoms, human dignity, the rights and legitimate interests of legal persons, property, environment, the procedure for governance, state and public order and security, correction of offenders, as well as prevention of administrative offences.

**Article 3. Operation of the Administrative offences code in space and according to the scope of persons**

1. On the territory of the Republic of Armenia, irrespective of the place of committing the

administrative offence, a person shall be subject to administrative liability in compliance with the provisions of this Code, unless otherwise provided by international treaties of the Republic of Armenia.

2. A person having committed an administrative offence on an airplane or another aircraft legally flying the flag of the Republic of Armenia or bearing the distinctive emblem thereof beyond the borders of the Republic of Armenia shall be subject to administrative liability in compliance with this Code, unless otherwise provided by international treaties.

3. In case of committing administrative offence on the territory of the Republic of Armenia, the issue of administrative liability of persons enjoying immunity pursuant to international treaties shall be solved in compliance with international treaties.

4. Foreigners or foreign legal persons shall be subject to liability for administrative offences committed on the territory of the Republic of Armenia through the general procedure provided for by this Code, unless otherwise provided by international treaties.

5. Within the meaning of this Code, the person prescribed by Article 2 of the Law of the Republic of Armenia "On foreigners" shall be considered a foreigner.

#### **Article 4. Operation of the Administrative offences code in time**

1. A person shall be subject to administrative liability in compliance with the law operating at the time of committing the administrative offence.

2. The time of committing an administrative offence shall be the exact moment of committing the administrative offence, and, in case of inaction, the moment when the relevant action had to be committed, but was not, regardless of the circumstance of occurred consequences.

3. In case of a continuing administrative offence, the time of committing an administrative offence shall be considered the moment of termination of the administrative offence by the perpetrator thereof or by virtue of other circumstances, and in case of a continuing offence - the moment of committing the last act.

4. Proceedings on an administrative offence shall be conducted in compliance with the law operating at the time of conducting the proceedings.

5. The law commuting or eliminating the liability for an administrative offence, as well as otherwise improving the condition of a person, shall have a retroactive effect, i.e. it shall apply to the person having committed an offence prior to the entry into force thereof where the administrative penalty imposed thereon has not been implemented prior to the entry into force of this Law.

6. The law prescribing liability for an administrative offence or restricting it, or otherwise aggravating the condition of a person, shall have no retroactive effect.

7. In case of committing an administrative offence with administrative complicity, each of the accomplices shall be subject to liability in compliance with the law operating at the time of committing the act thereby.

8. The law partially commuting and, at the same time, partially restricting the liability for an administrative offence shall have a retroactive effect only in respect of the part that commutes the liability.

## **CHAPTER 2. BASIC PRINCIPLES**

### **Article 5. Lawfulness**

1. The authorities competent to initiate and conduct proceedings on an administrative offence (hereinafter referred to as "authorities conducting proceedings on an administrative offence") must meet with the requirements of the Constitution of the Republic of Armenia, this Code, other laws and other legal acts adopted in compliance therewith.

2. When applying this Code within the meaning of the substantive law to the detriment of the person having committed an administrative offence, the analogy of right or law shall be prohibited.

3. The body conducting proceedings on an administrative offence shall be prohibited to impose different types or amounts of administrative penalty on persons having committed an administrative offence under similar factual circumstances. The authority conducting proceedings on an administrative offence must display an individual approach to persons having committed an administrative offence under essentially different factual circumstances.

4. Where the body conducting proceedings on an administrative offence has imposed a certain administrative penalty or an amount on persons having committed the same administrative offence with the same factual circumstances, in case when such administrative offence is committed in future, it must impose the same type and amount of administrative penalty. The authority conducting proceedings on an administrative offence may derogate from this restriction only in case of sufficient substantiation and having the intention to regularly impose the new type and amount of administrative penalty in future.

### **Article 6. Equality before the Law**

1. A natural person having committed an administrative offence shall be subject to administrative liability irrespective of gender, race, skin colour, ethnic or social origin, genetic features, language, religion, ideology, political or other views, belonging to a national minority, property status, birth, disability, or other personal or social circumstances thereof.

2. A legal person having committed an administrative offence shall be subject to administrative liability irrespective of location, organisational-legal form, legal state or location of founders (participants), type of activity performed, aims, issues or other circumstances.

**Article 7. Presumption of innocence**

1. A person shall be considered not having committed an administrative offence as long as it has not been proved by a decision rendered on the administrative offence by the body conducting proceedings on the administrative offence, having entered into force and having become inappealable, or it has not been proved by a judicial act delivered by the court and having entered into legal force that the person has committed an administrative offence.

2. A person shall not be obliged to prove his or her innocence. The existence of the fact of having committed an administrative offence may not be based on presumptions; it shall be proved by sufficient cumulation of admissible and relevant evidence. Unresolved doubts shall be construed in favour of the person the commitment of the administrative act is ascribed thereto.

**Article 8. Personal responsibility**

1. A natural person shall be subject to administrative liability only for the offence committed thereby.

**Article 9. Proportionality**

1. Types and amounts of the administrative penalty and supplementary coercive measures applied, imposed by the authorities conducting proceedings on an administrative offence must be in compliance with the administrative offence committed, circumstances commuting or aggravating the liability, the person having committed the administrative offence, be useful, necessary and moderate for correction thereof and for prevention of new administrative offences.

2. Types and amounts of the administrative penalty prescribed by this Code must be proportionate to the level of danger of the relevant administrative offence.

3. Types and amounts of penalty imposed on a legal person must not result in the compulsory liquidation thereof.

**Article 10. Impermissibility of being subject to administrative liability again for the same act**

1. A person may not be subject to administrative liability again for the same act. An administrative offence shall not be considered the same act where for the committal thereof again administrative liability is provided for by the Special Part of this Code.

2. In case where there are decisions —having become inappealable — on imposing an administrative penalty, dismissal of proceedings on an administrative offence, rejection of initiation of proceedings on an administrative offence, proceedings on an administrative offence may not be re-initiated, except for the case prescribed by this law or under newly emerged circumstances.

**Article 11. Applicability of other principles when conducting proceedings on an administrative offence**

Principles prescribed by this Code are not exhaustive and may not be a hindrance to the authorities conducting proceedings on an administrative offence for the application of other principles based on or deriving therefrom, or in compliance with the Constitution of the Republic of Armenia, international treaties of the Republic of Armenia, provided for by the Law of the Republic of Armenia “On fundamentals of administrative action and administrative proceedings” and in compliance with norms of international law.

## **SECTION 2.**

### **Administrative offence and administrative liability**

## **CHAPTER 3.**

### **Administrative offence**

#### **Article 12. The concept of administrative offence and the types thereof**

1. The illegal action of a natural person committed with guilty mind, or the illegal act committed by a legal person, for commitment thereof administrative liability is provided for by this Code, shall be an administrative offence.
2. Where criminal legislation provides also for criminal liability for offences prescribed by this Code, criminal liability shall be applied, and administrative liability shall emerge only for those types of the offences not containing elements of crime according to the amount of harm caused or other criteria.
3. A continuing administrative offence shall be the combination of two or more identical actions combined with joint intent.
4. An ongoing administrative offence shall be expressed through the prolonged, continuous failure to fulfil or improper fulfilment of an obligation resulting in an administrative offence imposed on a person by law.
5. An administrative offence may be manifested in action or inaction. An administrative offence committed by inaction shall give rise to liability where the person has been imposed by a judicial act with an obligation to fulfil an action, or that obligation arises from the professional duties, assumed obligations thereof, and where the person could have fulfilled the obligations thereof.
6. A terminated administrative offence, an attempt of an administrative offence, as well as being an accomplice of an administrative offence shall be considered an administrative offence.

#### **Article 13. Attempt of an administrative offence**

1. The action committed intentionally, aimed directly at committing an administrative offence shall be considered an attempt of committing an administrative offence where not completed due to circumstances beyond a person's control.
2. A person shall be subject to administrative liability for an attempt of an administrative offence only in cases directly provided for by the Special Part of this Code.

#### **Article 14. Combination of administrative offences**

1. Commitment of two or more administrative offences prescribed by different Articles or different Parts of the same Article of the Special Part of this Code, for none of which a person has been subject to liability, shall be considered a combination of administrative offences.

2. In case of a combination of administrative offences, a person shall bear liability for each administrative offence under the relevant Article or Part of Article of the Special Part of this Code.

#### **CHAPTER 4.**

#### **SUBJECTS OF ADMINISTRATIVE LIABILITY**

##### **Article 15. Subjects of administrative liability**

1. Natural persons and legal persons shall be subject to administrative liability.
2. Where the Special Part of this Code does not directly specify the liable person (natural or legal person), administrative liability shall be applicable both to natural and legal persons, except for the norms which, in their significance, concern and are applicable only to natural persons.
3. Where a legal person has been subject to liability, the natural person guilty of that administrative offence shall not be exempt from administrative liability, same way as being subject to liability of the natural person for that administrative offence shall not exempt the legal person from the administrative liability.

##### **Article 16. Administrative liability of natural persons**

1. Any sane natural person who has attained the age of 16 by the moment of committing an administrative offence, shall be subject to administrative liability.
2. A person having attained the age prescribed by Part 1 of this Article, but unable to realise the nature and significance of the action thereof or not capable of governing due to mental retardation, shall not be subject to liability.
3. An official shall be subject to administrative liability for the administrative offence pertaining to non-performance or improper performance of official duties thereof imposed thereon as prescribed by law and another legal act.
4. Within the meaning of this Code, a person holding any of the positions provided for by Article 4 of the Law of the Republic of Armenia "On Public Service" shall be considered an official subject to administrative liability.
5. Those holding service positions in republican executive bodies of defence, national security and the police of the Republic of Armenia, military servicemen, as well as conscripts called up for military round-ups, shall be subject to disciplinary liability for administrative offences. Persons referred to in this Part shall bear administrative liability for violating the rules of hunting, fishing and fishing reserves, violating customs rules, smuggling, violating the requirements of the legislation ensuring road traffic safety as prescribed by this Code. Administrative penalty shall not be applied to the mentioned persons for violating the rules of hunting, fishing and fishing reserves, violating customs rules, smuggling, and administrative



penalty shall not be applied to the referred persons for violating the requirements of the legislation ensuring road traffic safety where the administrative offence has been committed by means of service vehicles. Persons other than referred to in this Part, the disciplinary code or special disciplinary statutes apply thereto, shall bear disciplinary liability for administrative offences in cases directly prescribed thereby, and in the rest of cases — administrative liability on general grounds. In cases referred to in Part 1 of this Article, bodies conducting proceedings on an administrative offence may hand the materials on administrative offences to the relevant bodies for the settlement of the issue of subjecting the guilty to disciplinary liability.

**Article 17. Administrative liability of legal persons**

1. A legal person shall be subject to administrative liability where the administrative offence has been committed in favour of or for the benefit of that legal person by the natural person, who:

(1) has acted in the name of the head of the legal person or of the legal person, or is the proxy thereof, or;

(2) is the head of that legal person, or;

(3) is an employee of that legal person or an official thereof, imposed by law or the statute of the legal person, or another act of the legal person or the employment contract, with certain responsibilities non-performance or improper performance of which have resulted in the commitment of that administrative offence.

2. In case of reorganisation of a legal person, the legal successor thereof shall be subject to administrative liability.

3. In case of committing an administrative offence in the territory of the Republic of Armenia, a foreign legal person (a foreign organisation, the branch, representation, institution or another separated subdivision of a foreign or international organisation located in the territory of the Republic of Armenia) shall be subject to administrative liability on general grounds unless otherwise prescribed by international treaties of the Republic of Armenia.

4. Within the meaning of this Code, the person prescribed by Article 50 of the Civil Code of the Republic of Armenia, as well as the branch, representation, institution or another separated subdivision which is not a legal person, shall be a legal person.

5. This Article shall not apply to the Republic of Armenia, communities and state institutions.

6. In case of an administrative offence committed by a financial group controlled by the Central Bank of the Republic of Armenia (hereinafter referred to as "the Central Bank") , the legal person or legal persons included in the composition of the financial group upon the decision of the Central Bank shall be subject to administrative liability.

7. The administrative offence aimed at obtaining benefits of property and non-property nature for that legal person, including receiving income, increasing income levels, avoiding expenses,

decreasing expenses, exempting from another liability prescribed by law as a result of the administrative offence or hiding another offence, obtaining property rights or exemption from liabilities of property nature shall be considered committed in favour of or for the benefit (legitimate or illegitimate) of that legal person.

**Article 18. Complicity and types of accomplices**

1. Intentional joint participation of two or more persons in the committal of an intentional administrative offence shall be considered complicity.
2. Organiser, inciter and abettor together with the perpetrator shall be considered accomplices.
3. The person having directly committed an administrative offence or having directly participated in the committal thereof jointly with other persons (joint perpetrators), as well as has committed the administrative offence through the use of such persons who, in compliance with this Code, shall not be subject to administrative liability, or have committed the administrative offence negligently shall be a perpetrator.
4. The person having organised or led the commitment of an administrative act shall be organiser.
5. The person having incited another person to commit an administrative offence through persuasion, financial incentive, threat or other means, shall be an inciter.
6. The person having assisted in the committal of an administrative offence through provision of advice, instructions, information or means, tools or elimination of obstacles, as well as the person having initially promised to conceal the administrative offence, means or instruments of the administrative offence, traces or items obtained illegally, as well as the person having initially promised to acquire or realise such items, shall be an abettor.
7. Joint perpetrators shall be subject to administrative liability under the same Article of the Special Part of this Code.
8. The organiser, inciter and the abettor shall be subject to administrative liability under the Article defining the administrative offence committed with reference to this Article, except for cases where they have simultaneously been joint perpetrators of an administrative offence.
9. A person not considered a special subject of the administrative offence referred to in the Article of the Special Part of this Code, having participated in the committal of the administrative offence provided for by that Article, may be subject to liability for the offence concerned only as an organiser, inciter or abettor.
10. Accomplices shall be subject to administrative liability only due to the aggravating circumstances of the administrative offence which were realised thereby.
11. When subjecting accomplices to administrative liability, the nature and degree of participation of each of them in the administrative offence shall be taken into account.

**Article 19. Special subject of the administrative offence**

1. The special subject of the administrative offence shall be the person having committed the administrative offence, who, besides the features of the general subject of the administrative offence, is also vested with additional features prescribed by the Special Part of this Code, which provide grounds for subjecting him or her to administrative liability for the administrative offence prescribed by the Special Part of this Code.

2. A person shall not be subject to administrative liability for an administrative offence with a special subject where the person:

(1) has obtained the status of a special subject unlawfully and has committed an administrative offence with a special subject, or;

(2) has been vested with features of a special subject prior to the commitment of the administrative offence, but those features were absent at the moment of committing the administrative offence.

**CHAPTER 5.**

**GUILT**

**Article 20. Guilt**

1. The person having committed with guilt the administrative offence provided for by this Code shall be subject to administrative liability, except for the legal person.

2. An administrative offence shall be considered committed with guilt where the person realised the unlawfulness of the action thereof, i.e. that it contradicts the requirements of the legislation or, although did not realise, but could have done so.

3. An administrative offence may be committed intentionally or negligently.

4. The person having committed an administrative offence prescribed by this Code shall not be subject to liability on the ground of not having realised the unlawfulness of the action thereof only in the case where an authorised state or local self-government body or a person acting in the name thereof or an official has provided incorrect information in writing or has incorrectly interpreted the legal norm or the legal act has not been duly provided thereto or, by virtue of other circumstances, the person has not had an opportunity to realise the unlawfulness of the action thereof.

**Article 21. Committing an administrative offence intentionally**

1. Intention shall be manifested in direct or indirect intention.

2. An administrative offence shall be considered committed with direct intention where the person realised the factual circumstances of the action thereof serving as a feature of offence and the aim thereof has been the commitment of that action.

3. An administrative offence shall be considered committed with direct intention where the

person has realised the factual circumstances of the action thereof serving as a feature of offence and his aim has been the commitment of that action.

4. Where the termination of the administrative offence is connected to the occurrence of dangerous consequences, the administrative offence shall be considered committed with direct intention where those consequences have been the aim of the person or the inevitability of the occurrence thereof has been foreseen thereby.

5. Where the termination of the administrative offence is connected to the occurrence of dangerous consequences, the administrative offence shall be considered committed with direct intention where those consequences considered to be features of offence have been the aim of the person or the inevitability of the occurrence thereof has been foreseen thereby.

6. The aggravating consequences of the administrative offence prescribed by this Code shall be attributed to the person only in the case where those circumstances were realised thereby.

7. Where the negligent generation of consequences dangerous to the public have been prescribed as an aggravating consequence of an intentional administrative offence, that aggravating consequence shall be attributed to the person only in the case where there is negligence of the person towards those consequences.

#### **Article 22. Committing an administrative offence negligently**

1. Negligence shall be manifested in self-confidence or carelessness.

2. An administrative offence shall be considered committed with self-confidence where a person, realising the possibility of occurrence of dangerous consequences as a result of actions similar to that being committed thereby, is convinced without sufficient grounds that they will be prevented or will not occur.

3. An administrative offence shall be considered committed carelessly where a person has not foreseen the possibility of occurrence of dangerous consequences of the action thereof, although in the given situation ought to and might foresee them.

4. An action committed negligently shall be considered an administrative offence where it is provided for in the Special Part of this Code.

### **CHAPTER 6.**

#### **UNLAWFULNESS OF THE ACTION AND CIRCUMSTANCES EXCLUDING ADMINISTRATIVE LIABILITY, GRUNDS FOR EXEMPTING FROM ADMINISTRATIVE LIABILITIES**

#### **Article 23. Unlawfulness of the action and consequences exempting from administrative liability**

1. Unlawfulness of the action and consequences exempting from administrative liability shall be:

- 1) insanity;
- 2) necessary defence;
- 3) extreme necessity;
- 4) physical or mental coercion;
- 5) force majeure;
- 6) justified risk;
- 7) fulfilling an assignment;
- 8) fulfilling the requirements of the law or other legal acts;
- 9) implementation of professional functions.

**Article 24.        Insanity**

1. A person shall be insane where, as a result of mental and behavioural disorder, he or she could not realise the unlawfulness of the action thereof or manage it at the moment when the administrative offence was being committed.
2. A person having committed an administrative offence in a state of insanity, as well as having been declared insane after the committal of the administrative offence, shall not be subject to administrative liability.
3. A person shall be subject to administrative liability in the case where he or she puts himself or herself in a state of insanity with the aim of committing an administrative offence, or realises or had to realise the possibility of existence of the state of insanity at the moment when the administrative offence was being committed.
4. A sane person, who could not fully realise the unlawfulness of the action thereof or manage it when committing the administrative offence due to mental disorder, shall be considered having limited mental competence and be subject to liability.
5. Limited mental competence, as a commuting consequence, shall be taken into consideration when imposing an administrative penalty.

**Article 25.        Necessary defence**

1. The action committed in the state of necessary defence, i.e. defending the life, health, rights, freedoms, legal interests of a defendant or another person, or interests of the State or the society from unlawful encroachment or its real threat through causing harm to the encroacher where the necessary defence was not exceeded, shall not be considered an administrative offence.
2. A person shall be entitled to the right of necessary defence regardless of the possibility to avoid the unlawful action or to apply to the support of other persons or state authorities, as well as regardless of the professional or other special training, or the official position.
3. Intentional committal of such an action, which, obviously for the defender, does not

correspond to the nature and extent of danger of the unlawful encroachment, shall be considered excess of limits of necessary defence.

4. An action committed with excess of necessary defence shall be considered an administrative offence where it is provided for in the Special Part of this Code.

#### **Article 26. Extreme necessity**

1. The action committed in the state of extreme necessity, i.e. with the aim of eliminating an imminent danger to the life, health, rights, freedoms or legal interests of that person or other persons or to the interests of the public and the State, shall not be considered an administrative offence where it was impossible to eliminate that danger with other means and extreme necessity has not been exceeded.

2. Intentional committal of such an action, which is obviously disproportionate to the nature and degree of the threat and the circumstances of eliminating the threat, shall be considered excess of extreme necessity where equal or greater harm has been caused compared to the prevented harm.

3. Excess of extreme necessity shall be absent where equal or greater harm has been caused compared to the prevented harm in the case of an imminent threat to the life or health of the person or a close relative thereof. This provision shall not refer to persons the professional duties thereof include protection of lives, health, rights of other persons, of interests of the society or the State.

4. The state of extreme necessity shall be absent where the threat has been created as a result of an action committed by the person preventing it. In this case the efforts thereof aimed at prevention of the threat shall be taken into consideration as a circumstance commuting administrative liability.

5. Where the person causing harm in the state of extreme necessity does not succeed in preventing the threat, the latter shall be subject to administrative liability for negligently causing harm where he or she could have realised that the measures taken thereby were not sufficient for preventing the threat.

#### **Article 27. Force majeure, physical or mental coercion**

1. An action committed in force majeure circumstances shall not be considered an administrative offence.

2. An action committed under physical or mental coercion shall not be considered an administrative offence where, as a result thereof, the person could not realise or manage the action thereof.

3. A person may not be exempt from administrative liability on the grounds prescribed by Part 1 or Part 2 of this Article where, with the aim of committing an administrative offence, a force majeure was created thereby or another person was incited to apply physical or mental coercion thereon to later justify the commitment of an administrative offence thereby by force

majeure or physical or mental coercion.

**Article 28. Justified risk**

1. An action useful for a person, the society or the State, committed under justified risk to attain the lawful purpose, shall not be considered an administrative offence.
2. The risk shall be considered justified where the purpose prescribed in Part 1 of this Article could not have been attained without taking a risk, and the person having taken the risk has taken necessary measures to prevent causing harm.
3. The risk shall not be considered justified where it has obviously been accompanied with death of another person, threat of technogenic or natural disaster.

**Article 29. Fulfilling the requirements of the law or other legal acts**

1. Committal of an action by a person, who thus has fulfilled the duties or authorities imposed thereon by the law or other legal acts shall not be considered an administrative offence where the conditions for the fulfilment of those duties or authorities prescribed by law or other legal acts have been complied with.

**Article 30. Implementation of professional functions**

1. Committal of an action by a person while implementing the legal professional functions thereof shall not be considered an administrative offence.
2. Where a person has not complied with the rules prescribed by the legal professional activity, he or she shall be subject to administrative liability for the administrative offence committed.

**Article 31. Fulfilling an assignment**

1. Committal of an action by a person having acted in pursuance of a binding assignment issued thereto as prescribed shall not be considered an administrative offence. The person having issued the assignment shall be liable for that administrative offence.
2. Where a person realised the unlawfulness of the assignment issued under Part 1 of this Article and fulfilled it, he or she shall be subject to liability for an intentional administrative offence.
3. Non-fulfilment of an obviously illegal assignment shall exclude administrative liability.

**Article 32. Grounds for exempting from administrative liability**

1. The grounds for exempting a person having committed an administrative offence from administrative liability shall be:
  - 1) active repentance;
  - 2) change of situation;
  - 3) expiry of statute of limitations;
  - 4) committal of an administrative offence of less significance;

- 5) having been subjected to trafficking or exploitation in human beings.

**Article 33. Exempting from administrative liability on the ground of active repentance**

1. A person having committed an administrative offence for the first time may be exempt from administrative liability where he or she has voluntarily assisted in disclosing the administrative offence and has compensated or somehow settled the harm caused.

**Article 34. Exempting from administrative liability on the ground of a change of situation**

1. A person having committed an administrative offence shall be exempt from administrative liability where that person has ceased to be dangerous to the public as a result of a change of situation.

**Article 35. Exempting from administrative liability due to the expiry of the statute of limitations**

1. A person having committed an administrative offence shall be exempt from administrative liability where the statute of limitations for subjecting to administrative liability prescribed by this Code has expired.

2. A person having committed an administrative offence with complicity shall be exempt from administrative liability where the statute of limitations prescribed by this Code has expired from the day following the termination of the administrative offence by the committer.

**Article 36. Possibility of exempting from administrative liability in case of an administrative offence of less significance**

1. In case of an administrative offence of less significance the body conducting proceedings on an administrative offence may, confining itself with issuing a warning, exempt the person having committed the administrative offence from administrative liability taking into consideration the nature of the administrative offence and the identity of the committer of the administrative offence.

2. An administrative offence shall be considered of less significance where a warning or a fine the maximum amount thereof not exceeding AMD 10000 may be imposed by this Code as an administrative penalty for that administrative offence.

**Article 37. Exempting from liability of persons subjected to human trafficking or exploitation**

1. Persons subjected to human trafficking or exploitation shall be exempted from administrative liability for the administrative offence having committed under coercion and in the course of the human trafficking or exploitation against them.





**SECTION 3.**  
**ADMINISTRATIVE PENALTY, ITS TYPES, SUPPLEMENTARY AND OTHER**  
**MEANS OF ADMINISTRATIVE COERCION**

**CHAPTER 7.**  
**ADMINISTRATIVE PENALTY AND ITS TYPES**

**Article 38. The concept and aims of administrative penalty**

1. Administrative penalty shall be a means of administrative liability imposed on a person having committed an administrative offence as prescribed by this Code.
2. An administrative penalty shall be applied with the aim to correct the person and prevent the commitment of new administrative offences.

**Article 39. Types of administrative penalty**

1. Types of administrative penalty shall be:
  - (1) warning;
  - (2) administrative fine;
  - (3) socially useful labour;
  - (4) confiscation of an item or property being a tool or a direct object for administrative offence;
  - (5) suspension of a licence or authorisation;
  - (6) termination of a licence or authorisation;
  - (7) deprivation of the right to hold certain positions or to engage in certain activities;
  - (8) deprivation of the special right;
  - (9) termination of the activity of a legal person.
2. Administrative penalties referred to in Points 1-8 of Part 1 of this Article may be imposed on a natural person.
3. Administrative penalties referred to in Points 1-2, 4-6 and 9 of Part 1 of this Article may be imposed on a legal person.

**Article 40. Principal and supplementary administrative penalties**

1. Administrative penalties referred to in Points 1, 2 and 9 of Part 1 of Article 39 of this Code may be imposed only as principal administrative penalties.
2. The administrative penalty referred to in Point 4 of Part 1 of Article 39 of this Code may be imposed only as a supplementary administrative penalty.
3. Administrative penalties referred to in Points 5-8 of Part 1 of Article 39 of this Code may be imposed both as a principal and a supplementary administrative penalty.
4. The type of penalty referred to in Point 3 of Part 1 of Article 39 of this Code shall be a type of alternative penalty.
5. Only one principal administrative penalty may be imposed for one administrative offence,

except for cases prescribed by Part 6 of this Article.

6. In case of administrative offences prescribed by Chapter 45 of this Code one or several supplementary penalties may be imposed along with the principle penalty.

**Article 41. Warning**

1. A warning is an official notice on impermissibility of repetition of an administrative offence.
2. A warning shall be issued in writing.
3. A warning issued on administrative offences prescribed by Chapter 45 of this Code shall also issue an assignment to take necessary measures (control measures aimed at remedying the situation, such as meetings, correspondence, explanatory works) aimed at eliminating the committed administrative offence within the period prescribed by the Central Bank and (or) not repeating such an offence in future and (or) excluding such an offence in future. That assignment may also provide for termination of certain transactions and (or) operations concluded by persons having committed an offence and (or) modification of the conditions thereof and (or) instructions on implementation of other measures necessary for bringing their activities into compliance with laws and other legal acts.

**Article 42. Administrative fine**

1. An administrative fine (hereinafter referred to as "fine") shall be a forfeiture calculated in Armenian drams (hereinafter referred to as "dram") and imposed in cases and amounts provided for by this Code. In cases provided for by the Special Part of this Code, a fine may also be prescribed by other criteria.
2. A fine shall be imposed taking into consideration the property status of the person having committed an administrative offence.
3. Amounts of fine not exceeding fifty-fold of minimum salary at the moment when the administrative offence was committed shall not be interconnected with property status.
4. A fine shall be imposed on a minor where there is individual income or such a property which may be levied in execution.
5. The amount of fine for some types of administrative offences prescribed by Chapter 45 of this Code shall be prescribed by the Central Bank, where it is directly provided for by the relevant Article of Chapter 45 of this Code. When prescribing the amount of the fine the Central Bank shall take into consideration:
  - (1) nature of offence, existence of intent or negligence;
  - (2) existence of damage caused through offence to other persons and the amount thereof;
  - (3) the extent of unjust enrichment taking into account indemnities given to other persons;
  - (4) the circumstance whether the same person has previously committed the same or

another offence and has been subjected to liability for that;

(5) implementation of measures with the aim of excluding the offence aimed at remedying the situation created therefor and (or) as a result of application of the means of administrative fine warning, it shall not be for the person having committed the offence not to implement necessary and effective actions for elimination of the offences;

(6) the extent of the necessity to exclude future offences by the same or other persons, etc.

#### **Article 43. Socially useful labour**

1. Socially useful labour shall be works of socially useful nature, unpaid, not degrading, performed by the person having committed an administrative offence in the place determined by the competent authority during the time free of study or work.

2. Socially useful labour shall be imposed as an alternative to fine where the person being subjected to administrative liability submits a written application to the body conducting proceedings on the administrative offence before the decision on imposing a fine becomes inappealable.

3. Socially useful labour shall be imposed for a maximum period of up to four hundred hours as prescribed by the rules of calculation of Part 4 of this Article. The daily period of socially useful labour may not exceed 8 hours.

4. The body conducting proceedings on the administrative offence shall replace the fine with socially useful labour, building the calculations of each hour upon the amount of payment provided for one hour deriving from the amount of the minimum salary adopted by legislation. Where the period of socially useful labour exceeds four hundred hours as a result of calculations done for replacing the fine imposed for one administrative offence with socially useful labour, four hundred hours of socially useful labour shall be imposed.

5. Socially useful labour shall not be imposed on persons recognised as having first or second degree of disability as of the day of imposition of the administrative penalty, persons having a serious illness impeding the performance of socially useful labour, minors under the age of 18, persons having reached pension age, pregnant women, persons having a child under the age of 3 under care thereof, and military servicemen in temporary military service.

6. In case of malicious avoidance of socially useful labour, the body conducting proceedings on the administrative offence shall, based on the written notice of the executive body, replace the unperformed part of socially useful labour with a fine through the procedure and amount prescribed by Article 155 of this Code.

7. In cases of emergence of the limitations provided for by Part 5 of this Article, as well as impossibility to perform socially useful labour for good reasons, the body conducting proceedings on the administrative offence shall, based on the written notice of the executive body, replace the unperformed part of socially useful labour with a fine through the procedure and amount prescribed by Article 154 of this Code.

**Article 44. Confiscation of an item or property being a tool or a direct object for administrative offence**

1. Confiscation of an item or property being a tool or a direct object for administrative offence shall be the forced and uncompensated taking of an item or property being a tool or a direct object of administrative offence, belonging to the person having committed the administrative offence with the right of ownership, in favour of state or community ownership.

2. Confiscation of an item or property being a tool or a direct object for administrative offence, except for smooth bore hunting firearms and its cartridges, may not be applied where they are the basic means of living of the person having committed that administrative offence.

**Article 45. Deprivation of the right to hold certain positions or to engage in certain activities**

1. Deprivation of the right to hold certain positions shall be the prohibition to hold certain positions in state and local self-government bodies, state or community organisations, whereas deprivation of the right to be engaged in certain activities shall be the prohibition to be engaged in certain activities not requiring a license or authorisation.

2. Deprivation of the right to hold certain positions or to engage in certain activities shall be imposed for a period of 6 months to two years as a principal penalty, and for a period of 3 months to one year as a supplementary penalty.

3. Deprivation of the right to hold certain positions or to engage in certain activities may be imposed only in the case, where the administrative offence committed by the person is conditioned by the position or engagement in certain activities thereof, and the body conducting proceedings on the administrative offence, guided by the necessity to prevent such administrative offences in future, does not consider it possible to preserve the right thereof to hold certain positions or to engage in certain activities.

4. When imposing an administrative penalty prescribed by this Article, only the activity, as a result of implementation of which the administrative offence has been committed, may be prohibited. The decision on imposing an administrative penalty shall clearly define which particular activity shall be prohibited.

**Article 46. Suspension of a licence or authorisation**

1. Suspension of a licence or authorisation shall be the temporary deprivation of the person having obtained a licence or authorisation in cases and as prescribed by legislation of the right to implement the activity subject to licensing or authorisation, or separate functions of such activity or separate actions reserved by the licence.

2. The decision on imposing an administrative penalty prescribed by this Article shall clearly define the activity or function to be suspended, terms of suspension which may not exceed

the terms of suspension of a license or authorisation prescribed by the Law of the Republic of Armenia “On licensing” and other legislative acts.

**Article 47. Termination of a licence or authorisation**

1. Termination of a licence or authorisation shall be the deprivation of the person having obtained a licence or authorisation in cases and as prescribed by legislation of the right to implement the activity subject to licensing or authorisation, or separate functions of such activity or separate actions reserved by the licence.

2. Termination of a license imposed for administrative offences prescribed by Chapter 45 of this Code may be full or as per separate types of services. In case of terminating the license as per separate types of services, the person shall be deprived of the right to provide the given type of service, except for transactions directed to the fulfilment of obligations assumed thereby with regard to the provision of the given service, or realisation of the means and final distribution thereof. The Central Bank may define a certain term for the person having committed the administrative offence, during which the latter must eliminate the violations serving as a ground for imposition of the administrative penalty, prior to the imposition of the given administrative penalty.

**Article 48. Deprivation of the special right**

1. Deprivation of the special right shall be the temporary deprivation of the person of the driving license or the hunting license, as well as deprivation of the qualification certificate.

2. Deprivation of the driving license or the hunting license may be imposed for a term of 15 days to 2 years.

3. Deprivation of the right to hunt may not be imposed on those persons for whom hunting is the basic means for existence.

4. Deprivation of the driving license may not be imposed on the person who uses the vehicle due to the state of disability, except for the administrative offence committed in a drunken state.

5. The driver shall also be deprived of the special right in case of having accumulated 25 penalty points prescribed by Article 153 of this Code.

**Article 49. Termination of activities of a legal person**

1. Termination of activities of a legal person shall be the compulsory liquidation of the legal person having committed an administrative offence.

2. Where the norms of the Special Part of this Code do not provide for termination of the activities of the legal person, it may be imposed as a supplementary administrative penalty in cases where it is substantiated that the given legal person has been established to commit administrative offences, or where it abuses powers thereof to commit administrative offences,

or committal of administrative offences constitutes the basic part of the activities thereof and substantiates the ineffectiveness of imposing other administrative penalties.

3. Termination of activities of a legal person may not be imposed on the organisations peculiarities of termination of activities of which are prescribed by other laws.

## **CHAPTER 8. IMPOSING AN ADMINISTRATIVE PENALTY**

### **Article 50. Imposing an administrative penalty**

1. Administrative penalty shall be imposed in the manner and within the limits prescribed by this Code, for administrative offences prescribed by this Code.

2. The type and amount of the administrative penalty shall be determined taking into account the degree of danger of the administrative offence posed to the public and nature of the administrative offence, circumstances mitigating and aggravating the administrative liability, data characterising the person having committed the administrative offence.

3. When imposing an administrative penalty on accomplices, the nature and degree of involvement of each of them should be taken into account.

4. Imposing an administrative penalty shall not release the person having committed an administrative offence from performing the duties, for the failure to perform them resulted in the imposition of an administrative penalty.

5. In case two or more administrative offences are committed by the person under the same Article or the same part of the Article, an administrative penalty shall be imposed for each case separately. In this case the final penalty shall be determined by absorption of less severe penalty by more severe penalty or by adding the penalties imposed in full or partially so that it might not exceed the tenfold of the maximum amount of the fine prescribed by this Code for each administrative offence.

6. In case two or more administrative offences are committed by the person under different Articles of this Code or different parts of the same Article, administrative offence shall be imposed for each of them separately.

7. In case administrative offences are combined, one of supplementary penalties prescribed for any of administrative offences committed shall be joined to the main penalty.

8. The types and amounts of milder administrative penalty must be prescribed and imposed for a negligent administrative offence rather than for intentional committal of the same administrative offence.

9. In case there are circumstances mitigating administrative liability, and circumstances aggravating the administrative liability prescribed by this Code are absent, milder type and minimum amount or not more than one third of the minimum amount of an administrative penalty prescribed by the sanction of the Article of the Special Part of this Code shall be imposed.

10. Where there are circumstances aggravating the administrative liability prescribed by this Code, and circumstances mitigating the administrative liability are absent, a more severe type of an administrative penalty prescribed by the sanction of the Article of the Special Part of this Code may be imposed, whereas the amount of the type of the administrative penalty may be less than two thirds of the maximum amount of the type of the administrative penalty prescribed by the sanction of the Article of the Special Part of this Code.

11. Where circumstances both mitigating and aggravating the administrative liability are absent, more severe type or maximum amount of an administrative penalty prescribed by the sanction of the Article of the Special Part of this Code may not be imposed.

12. Where there are circumstances both mitigating and aggravating the administrative liability, a more severe type or minimum or maximum amount of an administrative penalty prescribed by the sanction of the Article of the Special Part of this Code may not be imposed.

#### **Article 51. Circumstances mitigating the administrative liability**

1. Circumstances mitigating the administrative liability shall be as follows:

- (1) surrendering by acknowledging guilt or actively repenting and assisting in detection of the administrative offence;
- (2) committing an administrative offence for the first time by casual coincidence of circumstances;
- (3) preventing, eliminating dangerous consequences or compensating for the damage resulting from the administrative offence;
- (4) by the person who is pregnant at the moment of committal of an administrative offence or imposition of administrative penalty;
- (5) committing an administrative offence by a minor;
- (6) committing an administrative offence under the influence of mental or physical coercion or financial, service or other dependence;
- (7) committing an administrative offence in the heat of passion or as a result of hard personal and family life;
- (8) committing an administrative offence by breaching the conditions of lawfulness of the circumstance that excludes the unlawfulness of an act or the administrative liability.

2. Other circumstances mitigating the administrative liability not indicated in part 1 of this Article may also be taken into consideration when imposing an administrative penalty.

3. The circumstances indicated in part 1 of this Article shall not be deemed mitigating circumstances where the norms of the Special Part of this Code prescribe them as elements of an administrative offence.

#### **Article 52. Circumstances aggravating the administrative liability**

1. Circumstances aggravating the administrative liability shall be as follows:



- (1) continuing to commit an administrative offence by failing to comply with the demands of the competent person authorised to demand to stop it;
  - (2) involving persons, who obviously for a suspect, suffer from mental disorder or are in a state of intoxication or who have not attained the age prescribed for administrative liability;
  - (3) committing an administrative offence by a group of persons;
  - (4) committing an administrative offence taking advantage of martial law or state of emergency, natural or man-made disaster or mass disorders;
  - (5) committing an administrative offence for national, racial or religious hatred, revenge for other persons' lawful actions;
  - (6) committing an administrative offence for the purpose of concealing another crime or facilitating the committal thereof;
  - (7) committing an administrative offence against a woman obviously pregnant, a minor, helpless person or a person dependent from the criminal;
  - 8) committing an administrative offence under the influence of alcohol, narcotic drugs or other psychotropic substances;
  - (9) committing an administrative offence by the person having conviction.
2. Other circumstances aggravating the administrative liability that are not indicated in part 1 of this Article may not be taken into consideration when imposing an administrative penalty.
  3. The circumstances not indicated in part 1 of this Article shall not be deemed aggravating circumstances where the norms of the Special Part of this Code prescribes them as elements of an administrative offence.
  4. The body conducting administrative proceedings need not deem the circumstance aggravating the administrative liability prescribed by point 8 of part 1 of this Article to be aggravating based on the nature of the administrative offence.

**Article 53. Statute of limitations for subjecting to administrative liability**

1. The person may be subjected to administrative liability not later than within a two-month period after completing the administrative offence, in case of an administrative offence prescribed by Chapter 45 of this Code — not later than within one month upon detecting the administrative offence, in case of subjecting to administrative liability through judicial procedure — not later than within a two-month period after filing to court a statement of claim for subjecting to administrative liability through judicial procedure as prescribed by this Code.
2. In case of ongoing administrative offence the statute of limitations for subjecting to administrative liability (hereinafter referred to as "statute of limitations") shall be calculated upon stopping the administrative offence by the offender or by virtue of other circumstances, and in case of continuous administrative offence — upon committal of the last act.

3. Where the administrative offence could not be detected without conducting inspection, observation or examination in any other way in accordance with the law, the person may be subjected to administrative liability not later than within a two-month period after detecting the administrative offence through inspection, observation or examination in any other way.
4. The running of the statute of limitations shall be suspended:
  - (1) during the suspension of the proceedings on administrative offence — before resuming the proceedings on administrative offence;
  - (2) where the person has the right to inviolability — before the person is deprived of the right to inviolability or that right is terminated;
  - (3) the person having committed an administrative offence avoids the proceedings — prior to the arrest of the person or his or her appearance. In this case the person may not be held liable, where one year has elapsed since the day when the administrative offence is deemed completed, and the running of the statute of limitations has not been interrupted by a new kindred administrative offence committed by him or her.
5. The running of the statute of limitations shall be interrupted where the person commits a new administrative offence prior to the expiry of the mentioned time limits.
6. Where the institution of criminal prosecution is refused or the criminal case is dismissed and there are elements of administrative offence in the act of the person, the proceedings on administrative offence may be instituted not later than within a one-month period following the day the body conducting the proceedings on administrative offence receives the decision on refusing the institution of criminal prosecution or dismissing it.

## **CHAPTER 9.**

### **ADDITIONAL ADMINISTRATIVE COMPULSORY MEASURES AND ADMINISTRATIVE MEASURES OF INFLUENCE**

#### **Article 54. Additional administrative compulsory measures and administrative measures of influence**

1. Additional administrative compulsory measures shall be as follows:
  - (1) administrative arrest;
  - (2) educational supervision;
  - (3) attachment of property;
  - (4) banning from driving the vehicle and/or apprehending the vehicle to a special area;
  - (5) determining the state of soberness.
2. Additional administrative compulsory measures may be applied to the person who the administrative offence is incriminated to.
3. Solely additional administrative compulsory measures prescribed by point 3 of part 1 of this

Article may be applied to legal persons.

4. Attachment of property acquired through administrative offence shall be an administrative measure of influence which is applied when an administrative offence is committed as prescribed by this Code.

**Article 55. Administrative arrest**

1. Administrative arrest shall be the restriction of the right to liberty up to 3 hours without the decision of the court which may be accompanied by temporary restriction of rights and freedom of the person where other measures prescribed by law are unable to ensure the fulfilment of objectives prescribed by part 2 of this Article.

2. Administrative arrest may be applied to prevent the committal of an administrative offence by the person, to detect the identity of the person having committed the administrative offence, where the identification of the person through other measures is impossible, to draw up a protocol on administrative offence where it is impossible to draw it up in place and where it is mandatory to draw up a protocol.

3. The following persons may be arrested for more than 3 hours prescribed by part 1 of this Article, but not more than 48 hours:

(1) persons who are in the state of intoxication — until they sober up;

(2) persons who violated the frontier or customs regime or the regime of the checkpoints of the state border — until they are identified.

4. The term of administrative arrest is calculated upon de facto deprivation of the person from liberty.

5. The person may not be held in confinement longer than it is necessary to fulfil the objective, for the realisation of which the person has been arrested, but not more than the term prescribed by part 1 or 3 of this Article.

6. Administrative arrest may be conducted only by the Police of the Republic of Armenia adjunct to the Government of the Republic of Armenia (hereinafter referred to as the "Police"), border troops, customs bodies, senior official of military protection of the location of the protected object through the proceedings on administrative offence vested with them by this Code. Other bodies conducting proceedings on administrative offence may appeal to the Police to conduct the arrest.

**Article 56. Protocol of arrest**

1. Immediately after the arrested person is brought to the administrative building of the body conducting the proceedings on administrative offence the official having conducted the arrest shall draw up the protocol of arrest as prescribed by this Code.

2. The protocol of arrest shall include the following:

(1) name, surname, patronymic, date of birth, registration and actual residence address;

- (2) day, hour, minute, place, conditions for de facto deprivation of the arrested person from liberty, the Article of this Code which provides for the administrative offence the arrested person is suspected of;
  - (3) name, surname, position of the official conducting the arrest;
  - (4) name and description of objects and/or documents taken from the person during personal inspection carried out upon arrest or after bringing him or her to the body conducting the proceedings on administrative offence, if available;
  - (5) visible damages on the body or clothes of the arrested person, as well as his or her prima facie physical and mental condition;
  - (6) statements of the arrested person, including those related to point 5 of part 2 of this Article;
  - (7) day, hour and minute of bringing the arrested person to the administrative building of the body conducting the proceedings on administrative offence and of drawing up the protocol.
3. The protocol of the arrest shall be signed by the official conducting the arrest and the arrested person. The protocol shall be submitted for the arrested person to become familiar with it and sign it as prescribed by Article 104 of this Code. A copy of the Protocol shall be delivered to the arrested person in hand against his signature. Where the arrested person refuses to receive the copy of the protocol, an indication in relation thereto shall be made in the protocol and shall be submitted to the official entitled to revoke the decision on arrest.
  4. After the protocol of arrest is drawn up, the body conducting the proceedings on administrative offence shall render a decision on instituting the proceedings on administrative offence or dismissing the proceedings on administrative offence.
  5. The official having conducted arrest shall, immediately, but not later than within 1 hour, send the protocol to the prosecutor.

#### **Article 57. Rights and responsibilities of the arrested person**

1. The arrested person shall have the right to:
  - (1) be informed — verbally upon being de facto deprived of liberty, and also in writing upon entering the administrative building of the body conducting the proceedings on administrative offence — of his or her rights and responsibilities prescribed by this Article;
  - (2) know the grounds for depriving of liberty in the language he or she understands, file objections with regard thereto;
  - (3) remain silent;
  - (4) inform the person he or she have chosen of his or her whereabouts;
  - (5) to invite a counsel who acts as the representative of the arrested person and exercises the powers reserved thereto by the legislation;

- (6) receive medical aid and service, where necessary.
2. The arrested person shall exercise the rights prescribed by part 1 of this Article upon entering the administrative building of the body conducting the proceedings on administrative offence where it is obviously impossible to exercise those rights upon de facto deprivation of liberty.
3. The arrested person shall be obliged to follow the lawful orders of the person conducting the arrest and the person conducting the proceedings on administrative offence.

**Article 58. Responsibilities of the official conducting arrest**

1. The official conducting arrest shall be obliged to:
  - (1) explain to the arrested person his or her rights, responsibilities and the grounds for depriving from liberty, and provide him or her with the list of his or her rights and responsibilities after bringing him or her into the administrative building of that body;
  - (2) provide the arrested person with the opportunity to make a call to inform the person he preferred of his or her whereabouts or to invite a counsel or to inform through other available means of communication;
  - (3) ensure that he or she receives medical aid and service upon the request of the arrested person;
  - (4) ensure the presence of an interpreter where the arrested person does not have command of Armenian.
2. Where the arrested person is deaf or mute, the person conducting the proceedings on administrative offence shall be obliged to ensure the rights of the arrested person prescribed by part 1 of this Article with the help of the interpreter.

**Article 59. Releasing an arrested person**

1. The arrested person must be released upon the decision of the body conducting the proceedings on administrative offence where:
  - (1) it is no longer necessary to hold the person in confinement;
  - (2) the person has been deprived of liberty in violation of the procedure for arrest prescribed by this Code;
  - (3) the existence of the fact of de facto committal of an administrative offence has not been established;
  - (4) the maximum term for arrest prescribed by this Code has expired.
2. The copy of the decision of the body conducting the proceedings on administrative offence or the prosecutor on releasing the arrested person shall immediately be delivered to the person released. The decision shall state the grounds for and time of releasing (year, month, day, hour).

3. The body conducting the proceedings on administrative offence shall immediately send the decision of the body conducting the proceedings on administrative offence on releasing the arrested person to the prosecutor.

#### **Article 60. Educational supervision**

1. For the purpose of ensuring the good behaviour of the suspect, his or her appearance upon the notification of the body conducting the proceedings on administrative offence and exercise of other responsibilities provided for by this Code, the supervision over him or her shall be assigned to the parents of the minor, the trustee or the administration of the relevant institution he or she resides.

2. Where educational supervision is applied to the minor suspect as a additional administrative compulsory measure, the body conducting proceedings on administrative offence shall familiarise his or her parents, trustee, the representative of the administration of the relevant institution with the rendered decision delivering the copy thereof in hand against the signature and explaining the administrative liability envisaged for failure to execute or improper execution thereof and a protocol shall be drawn up with regard thereto.

3. Parents, trustees shall have the right to refuse to exercise educational supervision over the minor suspect, an indication with regard thereto shall be made in and the justification shall be attached to the protocol.

4. In the case provided for by part 3 of this Article the supervision over the minor suspect shall be assigned to guardianship and trusteeship bodies as prescribed by this Article.

#### **Article 61. Attachment of the property**

1. Attachment of the property (imposing attachment on the property) shall be applied to ensure the forfeiture of the object or property serving as a tool or direct object of administrative offence, as well as of the property acquired through an administrative offence.

2. Attachment may be imposed on the property, where there is reasonable suspicion that it may be alienated, hidden, damaged, destroyed or lost, which may later make it impossible to forfeit the object or property serving as a tool or direct object of administrative offence, as well as of the property acquired through administrative offence.

3. Attachment for the purpose of forfeiture of the object or property serving as a tool or direct object of administrative offence, as well as of the property acquired through administrative offence may be applied where there is reasonable suspicion that the attached property is a tool or direct object of administrative offence or has been acquired as a result of an administrative offence.

4. The body conducting the proceedings on administrative offence may impose attachment on the property acquired through administrative offence, as well as the property belonging to him or her by the right of ownership. In case of common or common shared ownership, attachment

shall be applied to the share of the suspect.

5. The property that may not be forfeited, levied or seized shall not be subject to attachment.
6. The body conducting the proceedings on administrative offence shall render a decision on attachment of property wherein the property subject to attachment, owner thereof, location of the property, type and size of the property, the justification for the necessity to render the decision are indicated.
7. The decision on attachment of property shall be enforced as prescribed by the Law of the Republic of Armenia “On judicial acts compulsory enforcement service”.
8. The property shall be under attachment until the enforcement of the decision on imposing an administrative penalty, and in case of rendering a decision on dismissing the proceedings on administrative offence — until the entry into force of the decision. Upon expiry of this term the decision shall be repealed. The term of attachment of property shall be suspended where the proceedings are suspended.
9. The body conducting the proceedings on administrative offence shall render a decision on lifting the attachment of property where such circumstances occur that come to witness the necessity to remove the attachment.

**Article 62. Banning from driving the vehicle and apprehending the vehicle to a special area**

1. The body conducting the proceedings on administrative offence may ban the person driving the vehicle from driving it, as well as apprehend the vehicle to a specially protected area, where:
  - (1) there is reasonable suspicion that the person driving the vehicle is in a state of intoxication;
  - (2) the person driving the vehicle does not have the right to drive a vehicle of that category or is deprived of the right to drive it or drives it without the documents prescribed by the legislation;
  - (3) the person driving the vehicle has committed administrative offences prescribed by parts 1-4, 6, 7 of Articles 447, 450, parts 10, 11 or 12 of Article 453 of this Code.
2. Apprehending the vehicle shall be an additional administrative compulsory measure of terminating the use of the vehicle which includes moving it to a special area. The vehicle shall be moved to a special area by the official of the body conducting the proceedings on administrative offence personally or with the help of another vehicle.
3. Banning from driving the vehicle, as well as moving the given vehicle to a special area, where necessary, shall be implemented as prescribed by the Law of the Republic of Armenian “On ensuring the road traffic safety”.
4. A protocol on banning from driving the vehicle and/or apprehending the given vehicle to a special protected area shall be drawn up as prescribed by this Code, wherein name, surname,

position of the person drawing it up, place, day, month, year of drawing up the protocol, data on the suspect and the vehicle, circumstances giving rise to doubts in case the suspect is in a state of intoxication, the list of the items in the vehicle are indicated.

5. The protocol prescribed by this Article shall be signed by the official drawing it up and the suspect. The protocol shall be submitted for the suspect to become familiar with and sign it as prescribed by Article 104 of this Code. In case the vehicle is apprehended to a specially protected area, the copy of the protocol shall also be provided to the person responsible for the protection of the vehicle in the special area.

### **Article 63. Determining the state of soberness**

1. The state of soberness shall be determined:

- (1) in cases prescribed by point 1 of part 1 of Article 62 of this Code;
- (2) when the committal of an administrative offence in a state of intoxication may be assessed as a circumstance aggravating the administrative liability;
- (3) when the state of intoxication is an element of administrative offence.

2. Examination of the state of soberness of the person shall be conducted as prescribed by the legislation.

3. Determining the state of intoxication of the driver through the content of pure alcohol in breath shall be implemented by technical means or medical expert examination as prescribed by the legislation. The state of intoxication — on the basis of the content of pure alcohol in the blood of the person or content of the narcotic drugs or psychotropic substances in the blood or urine — shall be determined by the medical opinion issued as prescribed by the legislation.

4. A protocol with regard to the examination of the state of intoxication shall be drawn up wherein name, surname, position of the person drawing it up, place, day, month, year of drawing up the protocol, circumstances giving rise to doubt over the suspect's state of intoxication are indicated. The protocol shall be signed by the official drawing up the protocol and the suspect. The protocol shall be submitted for the suspect to become familiar with and sign it as prescribed by Article 104 of this Code.

5. Where the person refuses to be subjected to the examination of the state of soberness, the examination shall be carried out forcibly.

6. In the case prescribed by point 1 of part 1 of Article 62 of this Code a joint protocol with regard to banning from driving the vehicle and subjecting to the examination of the state of soberness shall be drawn up in accordance with the requirements of the part 4 of Article 62 and part 4 of this Article of this Code.

### **Article 64. Forfeiture of the property acquired through an administrative offence**

1. Any property directly or indirectly generated, received or acquired as a result of an administrative offence, income received from the use of that property or other benefits, tools



and means used or envisaged for use to commit an administrative offence, as a result of which the property has been received, with the exception of the object or property serving as a tool or direct object of an administrative offence prescribed by Article 44 of this Code, and in case of their absence, the property amounting to them shall be subject to forfeiture for the benefit of the state, with the exception of the property of bona fide third party and the property necessary for the compensation for damages caused by an administrative offence.

2. Within the meaning of this Article, bona fide third party shall be deemed the person that — when transferring the property to another person — did not know or could not have known that the property was going to be used or envisaged to be used for the purposes of committing an administrative offence, as well as the person that — when acquiring the property from another person — did not know or could not have known that the property had generated, had been received or acquired through an administrative offence.

3. Within the meaning of this Article, property shall be deemed any kind of material benefits, movable and immovable objects of civil law, including financial (monetary) means, securities and property rights, documents certifying the property rights or interests or other means, interests received from the property or accrued thereto, dividends or other income, as well as related and patent rights.

4. Profit (income) received from the unsubstantiated increase in the prices of an economic operator participating in the Anti-competitive agreement shall be forfeited in the result that administrative offence was committed as prescribed by part 2 of Article 410 and part 2 of Article 411 of this Code.

5. The body conducting the proceedings on administrative offence shall appeal to the court to forfeit the property acquired through an administrative offence, whereon attachment is imposed as prescribed by this Code.

6. Property received through an administrative offence shall be disposed as prescribed by law.

**SECTION 4**  
**PROCEEDINGS ON ADMINISTRATIVE OFFENCE**

**CHAPTER 10.**  
**PERSONS PARTICIPATING IN THE PROCEEDINGS ON ADMINISTRATIVE**  
**OFFENCE**

**Article 65. Persons participating in the proceedings on administrative offence**

Persons participating in the proceedings on administrative offence shall be as follows:

- (1) participators in the proceedings on administrative offence;
  - a. the suspect — the person that is suspected in the committal of an administrative offence and is imputed with the committal of prima facie administrative offence;
  - b. the aggrieved party;
  - c. legal representatives and representatives of the suspect, aggrieved party;
- (2) persons supporting the proceedings on administrative offence — witnesses, experts, interpreters.
- (3) body conducting the proceedings on administrative offence.

**Article 66. Rights and responsibilities of the suspect**

1. The suspect shall have the right to:

- (1) be informed – in the language she or she understands – of the administrative offence he or she is imputed with, the facts and legal qualification of the acts he or she is imputed with;
- (2) to act on his or her own, through a representative or jointly with him in the proceedings on administrative offence;
- (3) have – upon instituting proceedings on administrative offence – counsel of his or her choice, waive a counsel or defend by himself or herself, have a counsel assigned at the expense of the state means in case he or she does not have means to pay for the services of the counsel;
- (4) give testimony or remain silent, be informed in writing – prior to giving testimony – of his or her right to refuse to give testimony against himself or herself, spouse and close relatives, including his or her right to refuse to provide materials;
- (5) produce evidence, file motions, seek recusal;
- (6) become familiar with the materials of the proceedings on administrative offence, take copies thereof and excerpt any information to any volume;
- (7) object to the actions of the body conducting the proceedings on administrative offence and request that his or her remarks thereon are included in the protocol of the proceedings on administrative offence;

- (8) become familiar with the protocols drawn up during the proceedings on administrative offence and submit remarks on accuracy and completeness of the records in protocols;
  - (9) make a speech in the native language and use the services of the interpreter free of charge, where he or she does not have command of Armenian;
  - (10) appeal against the actions (omission) and decisions of the body conducting the proceedings on administrative offence;
  - (11) withdraw the appeal filed by him or her or his or her counsel;
  - (12) receive compensation for the damage incurred as a result of illegal actions (omission) and decisions of the body conducting the proceedings on administrative offence;
  - (13) address questions to witnesses and other participants in the proceedings on administrative offence who gave testimonies against him or her;
  - (14) other rights provided for by law.
2. The suspect shall be obliged to:
    - (1) appear upon notification of the body conducting the proceedings on administrative offence;
    - (2) be subjected to personal inspection as provided for by law, medical examination upon the request of the official of the body conducting the proceedings on administrative offence;
    - (3) comply with other lawful requests of the official of the body conducting the proceedings on administrative offence.
  3. The official of the body conducting the proceedings on administrative offence shall — upon instituting the proceedings on administrative offence of the suspect — be obliged to explain his or her rights and responsibilities and provide an actual opportunity to defend himself or herself by all the remedies not prohibited by law.
  4. The suspect may not be compelled to give testimony or support the body conducting the proceedings on administrative offence in any other way.
  5. Rights and responsibilities of the suspect legal person shall be exercised by the representative of the legal person.
  6. Where the suspect consents to give testimony, he or she shall be obliged to give reliable testimonies.
  7. The suspect giving testimony shall be warned against the administrative liability for giving false testimony prescribed by this Code, which he or she certifies by his or her signature.
  8. Within the meaning of this Code, close relatives shall be deemed persons provided for by part 4 of Article 33 of the Administrative Procedure Code of the Republic of Armenia.

**Article 67. Aggrieved party**

1. The aggrieved party shall be the person that suffered or may have suffered physical, material and non-pecuniary damage resulting from the prima facie administrative offence.
2. The decision on declaring the person as the aggrieved party shall be rendered by the body conducting proceedings on administrative offence.
3. The person may apply to the body conducting proceedings on administrative offence with a motion to declare him or her as the aggrieved party within the scope of the proceedings instituted on administrative offence on the basis of which the body conducting proceedings on administrative offence renders — within a 3-day period — a decision on declaring the person as the aggrieved party or denying the motion.
4. The aggrieved party shall have the right to:
  - (1) act on his or her own, through a representative or jointly with him in the proceedings on administrative offence;
  - (2) give testimonies, be informed in writing – prior to giving testimony – of his or her right to refuse to give testimony against himself or herself, spouse and close relatives, including of his or her right to refuse to provide materials;
  - (3) produce evidence, file motions, seek recusal;
  - (4) become familiar with the materials of the proceedings on administrative offence, take copies thereof and excerpt any information to any volume;
  - (5) object to the actions of the body conducting the proceedings on administrative offence and request that his or her remarks thereon are included in the protocol of the proceedings on administrative offence;
  - (6) make a speech in the native language and use the services of the interpreter free of charge, where he or she does not have command of Armenian;
  - (7) become familiar with the protocols drawn up during the proceedings on administrative offence and submit remarks on accuracy and completeness of the records in protocols;
  - (8) appeal against the actions (omission) and decisions of the body conducting the proceedings on administrative offence;
  - (9) receive compensation for the damage caused by an administrative offence as prescribed by law;
  - (10) withdraw the appeal filed by him or her or the representative thereof;
  - (11) receive compensation for expenses incurred during the proceedings on administrative offence;
  - (12) regain the property and the originals of the documents taken therefrom by the body conducting the proceedings on administrative offence and owned by him or her;
  - (13) other rights provided for by law.
5. The aggrieved party shall be obliged to:
  - (1) appear upon notification by the body conducting proceedings on administrative

offence;

(2) give reliable testimonies upon the lawful request of the official of the body conducting the proceedings on administrative offence, with the exception of the cases prescribed by point 2 of part 4 of this Article.

(3) produce — upon the lawful request of the official of the body conducting the proceedings on administrative offence — evidence under his or her possession that is considered significant for determining the proceedings on administrative offence, with the exception of the cases prescribed by point 2 of part 4;

(4) comply with other lawful requests of the official of the body conducting the proceedings on administrative offence.

6. The official of the body conducting proceedings on administrative offence shall be obliged to explain to the aggrieved party his or her rights and responsibilities.

7. In case of death of the aggrieved party his or her rights and responsibilities shall be exercised — as prescribed by this Code — his or her heir (legal successor) or the close relative of the deceased who filed a motion to declare as the aggrieved party with the body conducting proceedings on administrative offence. In case of failure to file a motion, the body conducting proceedings on administrative offence shall declare one of the close relatives of the deceased as the aggrieved party by his or her consent.

8. The aggrieved party shall exercise the rights thereof and exercise the responsibilities thereof personally or through a representative, where this complies with the nature of the relevant rights and responsibilities. The rights of a minor aggrieved party or of the aggrieved party having no legal capacity shall be exercised by the legal representative thereof as prescribed by this Code.

9. Rights and responsibilities of the injured legal person shall be exercised by the representative of the legal person as prescribed by this Code.

10. The aggrieved party giving testimony shall be warned against the administrative liability for giving false testimony prescribed by this Code, which he or she certifies by his or her signature.

**Article 68. Legal representatives and representative of a natural person**

1. Legal representatives shall be parents, adopters, guardians or trustees who represent the lawful interests of the relevant minor aggrieved party or of the aggrieved party having no active legal capacity during the proceedings on administrative offence.

2. The body conducting the proceedings on administrative offence shall — upon his or her decision — allow, as legal representatives of the relevant aggrieved party or suspect, the participation of one of parents, adopters, guardians or trustees of each of them in the proceedings of administrative offence whose candidacy is supported by all other legal representatives in case his or her consent. Otherwise, the person participating in the

proceedings on administrative offence shall be selected by the body conducting proceedings on administrative offence. In case of absence of a legal representative, the body conducting criminal proceedings shall appoint a competent officer of the guardianship or trusteeship body as a legal representative of the aggrieved party or the suspect.

3. The body conducting proceedings on administrative offence shall have the right to deem the participation of the legal representative of a minor suspect in the proceedings on administrative offence to be mandatory.

4. The legal representative shall exercise the rights of the suspect or the aggrieved party provided for by this Code, except for the rights closely related to their persona, and shall assume responsibilities envisaged therefor by this Code.

5. The legal representative shall also have the right to:

(1) be notified of the represented person being summoned to the body conducting proceedings on administrative offence and accompany him or her;

(2) participate in other procedural actions carried out with the participation of the person represented.

6. In addition to the rights prescribed by part 5 of this Code, the legal representative of the witness shall also have the right to:

(1) make a motion;

(2) object to the actions of the body conducting proceedings on administrative offence and request that his or her remarks thereon are included in the protocol of the proceedings on administrative offence;

(3) become familiar with the records of testimonies of the witness, make remarks on the completeness and accuracy thereof, which shall be included in the protocol.

7. The legal representative shall not have the right to commit any action, that may contradict the interests of the one represented.

8. Representatives of the suspect, the aggrieved party or witness shall be the persons who are authorised by the suspect, aggrieved party or witness to represent their lawful interests during the proceedings on administrative offence.

9. The representative shall be allowed to participate in the proceedings on administrative offence upon the initiation of the proceedings on administrative offence or the arrest of the person.

10. The representative shall exercise the rights of the suspect, aggrieved party or witness provided for by this Code in the proceedings on administrative offence, except for the rights closely related to their persona, and shall assume responsibilities envisaged therefor by this Code. The representative shall not have the right to commit any action, that may contradict the interests of the one represented.

11. Advocate or other person holding the power of attorney granted by the aggrieved party or the legal representative thereof may participate as the representative of the aggrieved party.

Advocate may participate as the representative of the witness.

**Article 69. Representatives of legal persons**

1. In the proceedings on administrative offence rights and lawful interests of legal persons shall be exercised and defended by the representatives thereof.
2. The representative of the legal person shall be the person entitled to act on behalf of the legal person in the proceedings on administrative offence by virtue of the law or the power of attorney or the statute.
3. The representatives of the legal person shall submit the documents certifying his or her official status or authorisations to the body conducting proceedings on administrative offence.
4. The power of attorney shall be issued on behalf of the legal person with the signature of the head of the executive body thereof or the person authorised, in compliance with the statute, to represent the organisation without a power of attorney.
5. Representatives of the legal person shall exercise the rights and responsibilities of the suspect or the aggrieved party provided for by this Code.
6. The representative shall not have the right to commit any action, that may contradict the interests of the legal person.

**Article 70. Witness**

1. The witness may be any natural person who may know any factual circumstance subject to investigation within the scope of the proceedings on administrative offence.
2. The following persons may not act as witnesses:
  - (1) persons who are unable to correctly perceive or reproduce the circumstances subject to investigation because of their state of health;
  - (2) the counsel and advocates — with regard to circumstances that may be known to them in relation to providing legal assistance;
  - (3) the person, whom the information in relation to the given proceedings became known as a representative of the aggrieved part, in connection with the participation of the representative of the witness, except for the cases when they consent to give testimony;
  - (4) the ordained confessor — with regard to the circumstances that have become known to him or her during the confession;
  - (5) the Human Rights Defender — with regard to the circumstances the have become known to him in connection with exercising his or her responsibilities, except for cases when he or she consents to give testimony in favour of the suspect.
3. The witness shall have the right to:
  - (1) know in what proceedings on administrative offence he or she acts as a witness;
  - (2) refuse to give testimonies against himself or herself, his or her spouse or close relatives, including to provide materials;
  - (3) state his or her testimonies, when giving testimonies, make use — when giving testimonies —of the documents and his or her notes upon the permission of the body

conducting proceedings on administrative offence;

(4) become familiar with the records of his or her testimonies, make remarks on the completeness and accuracy thereof, which are included in the protocol;

(5) object to the actions of the body conducting proceedings on administrative offence and request his or her remarks thereon be included in the protocol of the proceedings on administrative offence;

(6) receive compensation for expenses incurred during the proceedings on administrative offence;

(7) appear upon notification by the body conducting proceedings on administrative offence;

(8) regain all the objects, documents and other materials taken therefrom by the body conducting the proceedings on administrative offence;

(9) use the services of the interpreter.

4. The witness shall be obliged to:

(1) give reliable testimonies;

(2) appear on the day and at the hour specified in the letter of notification by the invitation of the body conducting proceedings on administrative offence;

(3) comply with other lawful requests of the official of the body conducting proceedings on administrative offence.

5. The official of the body conducting proceedings on administrative offence shall be obliged to explain the rights and responsibilities to the witness.

6. The witness shall be warned against the administrative liability for giving false testimony as prescribed by this Code which he or she certifies by his or her signature.

#### **Article 71. Expert**

1. For the purpose of clarifying the issues arising during the proceedings on administrative offence and requiring special knowledge, the body conducting proceedings on administrative offence may — upon the motion of the participants in the proceedings of administrative offence or upon his or her initiative — order an expert examination, which may be assigned to the specialised expert examination institution or an expert.

2. The expert (expert examination institution) shall have the right to:

(1) request the required samples and other materials from the body conducting proceedings on administrative offence to issue an opinion;

(2) become familiar with the required materials and excerpt from the materials of the proceedings on administrative offence any necessary information;

(3) participate in the procedural actions, insofar as they relate to the subject of expert examination and are necessary for issuing an opinion;

(4) receive compensation for the expenses incurred during the proceedings on



administrative offence;

(5) become familiar with the protocol on procedural actions carried out with the participation thereof, as well as — in relation to the relevant part — submit remarks with regard to the completeness and accuracy of records of information or the actions provided by him or her.

3. The expert shall be obliged to:

(1) submit the documents certifying his or her special qualifications to the body conducting proceedings on administrative offence;

(2) to issue a substantiated and impartial opinion to questions put to him or her;

(3) refuse to conduct expert examination, where questions put forward are beyond the scope of his or her special knowledge, or materials submitted are not sufficient for answering those questions;

(4) submit the estimate of expenses incurred for conducting expert examination and a report on expenses incurred upon the lawful request of the body conducting proceedings on administrative offence;

(5) appear upon notification of the body conducting proceedings on administrative offence to clarify the content of the opinion;

(6) provide information on his or her relationship with the persons participating in the proceedings on administrative offence;

(7) not to disclose information that becomes known to him or her during the proceedings on administrative offence without the permission of the body conducting proceedings on administrative offence;

(8) comply with other lawful requests of the official of the body conducting proceedings on administrative offence;

4. The expert shall be warned against the administrative liability for giving false testimony prescribed by this Code which he or she certified by his or her signature.

## **Article 72. Interpreter**

1. The interpreter shall be appointed by the body conducting proceedings on administrative offence in case the person participating in the proceedings on administrative offence does not have a command of Armenian.

2. The interpreter shall be a person not interested in the proceedings on administrative offence who shall be invited by the body conducting proceedings on administrative offence for interpretation. Interpreter shall also be deemed to be the person that understands the signs of the mute and can express himself with the deaf by signs.

3. The interpreter shall have a good command of the language of the proceedings on administrative offence and the source language. Other persons participating in the

proceedings shall not be entitled to have an interpreter.

4. The interpreter shall be entitled to:

- (1) ask questions to the persons present during the interpretation for clarifying the interpretation;
- (2) get introduced to the notes of interpretation made with his or her participation, to make remarks on the completeness and accuracy thereof, which shall be entered in a protocol;
- (3) receive appropriate remuneration and compensation for costs incurred during the proceedings on administrative offence.

5. The interpreter shall be obliged to:

- (1) appear on notification by the body conducting proceedings on administrative offence to do interpretation;
- (2) submit the documents certifying his or her qualification as an interpreter to the body conducting proceedings on administrative offence;
- (3) inform on his or her relations with the persons participating in the proceedings on administrative offence;
- (4) do a complete, accurate and timely interpretation;
- (5) not to disclose information that becomes known to him or her during the proceedings on administrative offence without the permission of the body conducting proceedings on administrative offence;
- (6) obey other lawful requirements of an official of the body conducting proceedings on administrative offence;
- (7) confirm by signature the completeness and accuracy of the records of the interpretation made in the protocol of procedural action carried out with his or her participation, as well as the accuracy of the translation made in the documents to be delivered to the persons participating in the proceedings;

6. The interpreter shall be warned on administrative liability defined by this Code for incorrect interpretation, which he or she shall confirm by his or her signature.

**Article 73. Grounds and conditions of participation of a counsel, mandatory participation thereof**

1. The advocate shall participate in the proceedings on administrative offence as a counsel:

- (1) upon invitation of the suspect, his or her legal representative, close relative, as well as upon invitation of other persons upon written consent of the suspect;
- (2) upon appointment by the Chamber of Advocates of the Republic of Armenia based on the written request of the body conducting proceedings on administrative offence.

2. The body conducting proceedings on administrative offence shall request the Chamber of Advocates of the Republic of Armenia to appoint a counsel:

- (1) in case the participation of a counsel in cases provided for in this Code is mandatory immediately after emergence of an appropriate ground defined in part 7 of this Article that makes it mandatory whereas the suspect has no counsel;
- (2) upon motion of a suspect in case the suspect has no sufficient means for payment for the services of the counsel.
3. In the case provided for in point 1 of part 2 of this Article the body conducting proceedings on administrative office shall be obliged to offer the suspect to invite a counsel of his or her choice before initiating the appointment of the counsel.
4. The body conducting proceedings on administrative office shall not be entitled to recommend any advocate for inviting a counsel.
5. The counsel shall submit the following to the body conducting proceedings on administrative office for confirming the undertaking of counselling:
  - (1) an identification document;
  - (2) a document certifying the fact of being an advocate;
  - (3) a document confirming his or her powers and ratified by the signature of the person having the right to invite a counsel by this Code or a decision of a competent body on appointing a counsel.
6. The counsel may conduct counselling of several suspects during the same proceedings on administrative offence if there is no conflict of their interests.
7. The body conducting proceedings on administrative office shall not accept the refusal of the suspect of a counsel or shall take immediate measures to provide for participation of a counsel in the proceedings on administrative offence if:
  - (1) the suspect has difficulty to provide counselling on his or her own due to mental or physical disability, as well as due to obvious mental underdevelopment;
  - (2) the suspect is a minor when committing the administrative offence or is a military servant of fixed-term compulsory service.
  - (3) has been declared as having no active legal capacity by a judicial act having entered into legal force.

**Article 74. Termination of counsel's participation**

1. The counsel shall cease to participate in the proceedings on administrative offence if:
  - (1) the suspect or his or her legal representative have terminated the powers of the invited counsel;
  - (2) the body conducting proceedings on administrative office in cases and in a manner provided for by this Article has accepted the refusal of the suspect from the counsel save the cases when the participation of a counsel is mandatory.
2. A person's refusal of a counsel shall be a statement on conducting his or her counselling without legal assistance of any counsel. A protocol shall be drawn on the refusal of a counsel.

3. The refusal of a counsel shall be accepted by the body conducting proceedings on administrative office only in case when the person has declared thereon on his or her initiative, voluntarily and when he or she has been explained of his or her right to have a counsel. A person shall not be obliged to explain the reasons of refusal of a counsel. In case when the refusal of a counsel is conditioned by the insolvency of the suspect, the body conducting proceedings on administrative office shall immediately request to appoint a counsel on state funds in a manner provided for by this Code.

4. The suspect having refused of a counsel shall be entitled at any stage of the proceedings of administrative offence to change his or her viewpoint of refusing of a counsel. In this case the participation of a new counsel shall not be a ground to resume the proceedings of administrative offence. The expression of will of a suspect to have a new counsel shall not have mandatory effect for the body conducting proceedings on administrative office in case the person clearly abuses his or her right of having a counsel: in this case the body conducting proceedings on administrative office shall not accept the refusal of a counsel.

#### **Article 75. Rights and obligations of a counsel**

1. The counsel shall be entitled to the same rights defined for the suspect by this Code for rendering legal assistance to the suspect, and also:

- (1) to know about the administrative offence, factual side of the offence and legal qualification thereof;
- (2) to participate in obtaining testimony from the client;
- (3) to meet the client in private, in confidence and in an unimpeded way with no limitation on the duration thereof;
- (4) to participate in any action of the proceedings on administrative offence with the involvement of his or her client;
- (5) to obtain and present evidence with the view to enclose them to the materials on the proceedings on administrative offence and examine them;
- (6) to interrogate natural persons upon consent;
- (7) to obtain documents and information from state and local self-government bodies, natural and legal persons upon their consent in case they do not include secret protected by law;
- (8) withdraw any appeal filed thereby, save the cases provided for by this Code;
- (9) exercise other rights conferred thereupon by this Code and other laws.

2. The counsel shall not have the right to:

- (1) commit any action that may contradict the interests of the client;
- (2) accept his relation to the incident and guilt in committing it opposed to the position of the client,
- (3) disclose the information known to him when providing legal aid, where they may be

used against the interests of the client, save the cases provided for by law;

(4) terminate his or her powers on his or her own as such, save the cases provided for by law;

(5) hinder the invitation, appointment of another counsel or the latter's participation in the proceedings on administrative offence;

(6) re-authorise another person his or her powers of participating in the proceedings on administrative offence.

3. The counsel shall be obliged to:

(1) personally appear upon the call of the body conducting the proceedings on administrative offence with the view to render legal aid to the person;

(2) obey lawful orders of an official of the body conducting proceedings on administrative offence;

(3) inform the body conducting proceedings on administrative offence immediately after assuming the counselling;

(4) apply to the body conducting proceedings on administrative offence with a request to release him or her from the participation of the proceedings on administrative offence in case failure to do so will be detrimental to the lawful interests of his or her client.

**Article 76. Recusal or self-recusal, excluding from participation in the proceedings**

1. Recusal or self-recusal shall be sought based on circumstances excluding participation of appropriate persons in the proceedings on administrative offence.

2. Recusal, self-recusal or motion to release from participation in the proceedings should be factually substantiated. Recusal may be sought on the same factual ground against the same person only once.

3. A recusal may be sought at the stage of the administrative proceeding before conclusion, during which the person filing for the recusal becomes aware of the presence of any grounds prescribed by this Code.

4. The body conducting proceedings on administrative office, the counsel, the representative of the victim, the interpreter, the expert who become aware of the presence of circumstances excluding their participation in the proceedings, shall be obliged to report thereon to the body conducting proceedings on administrative office and in case, when they have suspicions over the proper examination of the case with their participation, shall file a self-recusal.

5. The body conducting proceedings on administrative office shall have the right to address the issue of recusal, self-recusal within his or her competence or in case of finding circumstances excluding the participation of an appropriate person in the proceedings on administrative offence to withdraw his or her participation in the proceeding on administrative offence on own initiative.

6. A decision shall be delivered on withdrawal from the recusal, self-recusal or the participation in the proceedings the copy whereof shall be sent to the persons participating in the proceeding on a given administrative offence.

7. The recusal, self-recusal of the official person of the body conducting proceedings on administrative offence, the grounds and procedure for impossibility to examine and settle the case thereby shall be regulated by Article 24-26 of the Law of the Republic of Armenia "On fundamentals of administration and administrative proceedings".

8. The counsel, the representative of the victim and the witness may not participate in the proceedings on administrative offence, if:

(1) he or she has kinship or other ties of personal, official dependency with the official person who is participating or has participated in the proceedings on administrative offence;

(2) he or she has participated in the proceedings on administrative offence as a body conducting proceedings on administrative offence, expert or witness;

(3) he or she has no right to act as a counsel or representative by law or a judicial act;

(4) he or she renders legal aid in relation to the proceedings on a given administrative offence or has rendered such services to the person whose interests contradict to the interests of the client as well as is he or she in kinship or other ties of personal dependency if the client does not object.

9. The translator and the expert may not participate in the proceedings on administrative offence, if:

(1) any of the circumstances defined by Articles 24-26 of the Law of the Republic of Armenia on "On fundamentals of administration and administrative proceedings" exists;

(2) he or she has no right to act as a translator or expert by law or a judicial act;

(3) is in kinship, personal, official or other ties of dependency with the body conducting the proceedings on administrative offence;

(4) he or she is in official dependency from the participant of the proceedings on administrative office, his or her legal representative or representative;

(5) circumstances questioning his or her professionalism or impartiality exist.

10. The former participation of a person in a proceedings on administrative offence as a translator or expert as such may not exclude his or her further participation, save where re-expertise is conducted based on a suspicion on the accuracy of the expert opinion.

**Article 77. Prosecutorial control over the legality of applying administrative enforcement measures during the proceedings on administrative offence**

1. The prosecutor conducting control over the proceedings on administrative offence in accordance with the Law of the Republic of Armenia "On the prosecutor's office" shall examine

the material on the proceedings on administrative offence, check the legality of the actions and decisions of the bodies conducting the proceedings on administrative offence which relate to imposition of additional administrative enforcement measures of depriving a persons from his or her freedom as well as the procedural action of apprehending.

2. Where detecting irregularities, the prosecutor shall file a motion to review these decisions or shall cancel them.

## **CHAPTER 11**

### **COMPETENCE TO CONDUCT PROCEEDINGS ON ADMINISTRATIVE OFFENCE AND SUBORDINATION**

#### **Article 78. Competence to initiate and conduct proceedings on administrative offence**

1. State or local self-government body or other competent body defined by law conducting inspection, control or supervision reserved to them by law over the implementation of the requirements or terms of laws and other legal acts in the respective fields of administrative offence defined by this special part of this Code shall be entitled to initiate and/or conduct proceedings on administrative offence.

2. The competence to initiate and conduct proceedings on administrative offence by the bodies provided for by part 1 of this Article in accordance with the rules of subordination defined by this Chapter shall be implemented by the official persons provided for by the by-laws or other respective legal acts of the mentioned bodies or through structural or other subdivisions thereof in case they are not provided for by this Code.

#### **Article 79. Administrative court**

1. The administrative court shall examine:

(1) the cases on administrative offence defined by Articles 348, 368, 553, 556-560 of this Code based on a statement of claim of the respective bodies (official persons) having competence to initiate proceedings on administrative offence;

(2) the case on administrative offence defined by Article 562 of this Code based on statement of claim of the state body (official person) ensuring the enforcement of a judgement, civil judgement or a judicial act;

(3) the cases on administrative offence defined by Articles 372, 531, 539, 545 of this Code based on statement of claim of natural or legal persons;

(4) the case on administrative offence defined by Article 555 of this Code based on statement of claim of human rights defender;

(5) the cases of administrative offence defined by Chapter 43 of this Code based on

statement of claim on Central Electoral Committee.

2. In case of imposing administrative penalty defined by points 4, 6, and 9 of part 1 of Article 39 of this Code the body (official person) having competence to initiate proceedings on administration offence in compliance with the rules of subordination provided for by Article 80-84 of this Code shall file a respective statement of claim to the Administrative Court within the timeframe defined by Article 109 of this Code as prescribed by the Code of Administrative Offence of the Republic of Armenia.

3. The proceedings on administrative offence shall be initiated against the person enjoying immunity from administrative liability by the body having competence to initiate proceedings on administrative offence in compliance with the rules of subordination provided for by Article 80-84 of this Code who — within the timeframe defined by Article 109 of this Code — has filed an statement of claim based on the results of conducting proceedings on administrative offence to the Administrative Court as prescribed by the Code of Administrative Offence of the Republic of Armenia.

#### **Article 80. Territorial administration and local self-government bodies**

1. The proceedings on administrative offence defined by Article 195, Articles 204, 211, 216-217, Articles 224-232, parts 2-4 of Article 233, parts 2-3 of Article 234, Articles 318-319, Article 320 (save part 4), part 1 of Article 321, Article 338, parts 2-3 of Article 339, Articles 341-342, Article 344, Article 349 (save parts 1-2, 4-5, 10-14, 16, 18-19, 20-22), Article 352, part 12 of Article 409, Article 427 save part 1, Articles 429-430 (on external ads), Article 470 of this Code shall be initiated and conducted by the territorial administration bodies – the regional governors (mazpets).

2. The proceedings on administrative offence defined by part 1 of Article 317, Article 318, part 4 of Article 320, part 2 of Article 321, part 4 of Article 339, part 2 of Article 340, part 2 of Article 381 shall be initiated and conducted by the local self government bodies – the community heads, and in Yerevan – by Yerevan mayor.

#### **Article 81. Commissions**

1. The proceedings on administrative offence defined by Article 426, Article 427 save part 2 (TV and radio sector), Article 429-430 (TV and radio sector), 568-570 Articles (TV and radio sector) of this Code shall be initiated and conducted by the National Commission on TV and Radio.

2. The proceedings on administrative offence defined by Articles 250-253 (with regard to water system), Articles 424-425, Article 461 of this Code shall be initiated and conducted by the Public Services Regulatory Commission.

3. The proceedings on administrative offence defined by Chapter 36 of this Code shall be initiated and conducted by the State Commission for the Protection of Economic Competition.

4. The proceedings on administrative offence defined by Articles 541-544 of this Code shall



be initiated and conducted by the Central Electoral Committee.

5. The proceedings on administrative offence defined by Article 526 of this Code shall be initiated and conducted by top level officials of Commission on Ethics.

**Article 82. Bodies under subordination of the ministries of the Republic of Armenia**

1. The proceedings on administrative offence defined by Article 359, Article 532, Article 554, Article 561 of this Code shall be initiated and conducted by the bodies of the Ministry of Justice of the Republic of Armenia.

2. The proceedings on administrative offence defined by Chapter 44, as well as Article 446, Articles 453-454, Part 1 of Article 455 (committed by the military servant drivers of transportation means of military forces of the Republic of Armenia and fix military servant drivers called for military drills) of this Code shall be initiated and conducted by the bodies of the Ministry of Defence of the Republic of Armenia.

3. The proceedings on administrative offence defined by Article 177-188, Article 515 of this Code shall be initiated and conducted by the bodies of the Ministry of Health of the Republic of Armenia.

4. The proceedings on administrative offence defined by part 5 of Article 350, Articles 431-440, Article 458, Article 460, part 1 of Article 472, Article 473 (with regard to railway transport), Article 475, 2nd part 1 of Article 477, Articles 478-489, Articles 491-509 of this Code shall be initiated and conducted by the bodies of the Ministry of Transport and Communication of the Republic of Armenia.

5. The proceedings on administrative offence defined by parts 16, -18-19, 21 of Article 349, parts 1-4 of Article 350, Article 361, Article 374, Article 513 of this Code shall be initiated and conducted by the bodies of the Ministry of Economy of the Republic of Armenia.

6. The proceedings on administrative offence defined by Article 191, Article 193-195, part 14 of Article 349, parts 3-4 of Article 551 of this Code shall be initiated and conducted by the bodies of the Ministry of Labor and Social Affairs of the Republic of Armenia.

7. The proceedings on administrative offence defined by Part 2 of Article 236, Articles 237-242, Part 2 of Article 243, Articles 244-245, Article 246 (save part 3), Articles 247-248, Article 263 (with regard to underground mineral waters), Articles 421-423 of this Code shall be initiated and conducted by the bodies of the Ministry of Energy and Natural Resources of the Republic of Armenia

8. The proceedings on administrative offence defined by Chapter 35 (save Part 12 of Article 409), Article 369, Article 373, Articles 375-377, Article 533 of this Code shall be initiated and conducted by the bodies of the Ministry of Finance of the Republic of Armenia.

9. The proceedings on administrative offence defined by Chapter 34, Part 2 of Article 317 of this Code shall be initiated and conducted by the customs bodies. The proceedings on

administrative offence defined by Chapter 32, Article 192, part 11 of Article 349, Articles 354-358, Articles 365-367, Articles 370-371, 385-386, Article 428, parts 1-3 of Article 599 (by persons licensed thereby) of this Code shall be initiated and conducted by the tax authorities.

10. The proceedings on administrative offence defined by Articles 196-199, Articles 202-203, Articles 205-210, 212-215, 249-259 (with regard to water system save Articles 250-253 of this Code), Articles 261-262 (with regard to water system), Parts 1-2, 4-5, 10, 12-13, 20, 22 of Article 349 of this Code shall be initiated and conducted by the bodies of the Ministry of Agriculture of the Republic of Armenia.

11. The proceedings on administrative offence defined by part 1 of Article 236, part 1 of Article 243, part 3 of Article 246, Article 351, part 1 of Article 445, Article 525, Article 530 of this Code shall be initiated and conducted by the bodies of the Ministry of Emergency Situations of the Republic of Armenia.

12. The proceedings on administrative offence defined by Article 190, Article 534-538 of this Code shall be initiated and conducted by the bodies of the Ministry of Education and Science of the Republic of Armenia.

13. The proceedings on administrative offence defined by part 1 of Article 317, Articles 322-337, Part 1 of Article 339, Article 340 (save Part 2), Article 343 of this Code shall be initiated and conducted by the bodies of the Ministry of Urban Development of the Republic of Armenia.

14. The proceedings on administrative offence defined by Articles 218-223, part 1 of Article 233, part 1 of Article 234, Article 247, Articles 249-259 (with regard to water resources), Article 260, Articles 261-262 (with regard to water resources), Articles 263-314, Articles 341-343, Article 552 of this Code shall be initiated and conducted by the bodies of the Ministry of Nature Protection of the Republic of Armenia.

15. The proceedings on administrative offence defined by Article 187 of this Code shall be initiated and conducted by the Ministry of Defense, Police of the Republic of Armenia and medical units of the National Security Services of the Republic of Armenia carrying out sanitary supervision.

### **Article 83. Bodies adjunct to the Government of the Republic of Armenia**

1. The proceedings on administrative offence defined by Article 189, Articles 200-201, Articles 345-348, Article 353, Articles 446-457, Article 459, Articles 462-469, Article 471, 472, part 2, Article 473 (save administrative offences committed in railway and air transport), Article 474, Articles 510-512, Article 514, Articles 516-524, Article 529, Article 540, Articles 544-550, part 1 and 2 of Article 551 of this Code shall be initiated and conducted by the Police.

2. The proceedings on administrative offence defined by Articles 442-444, part 2 of Article 445, part 2 of Article 473 (with regard to air transport), Article 476, part 2 of Article 477, Article 490 of this Code shall be initiated and conducted by The General Department of Civil Aviation adjunct to the Government of the Republic of Armenia.

3. The proceedings on administrative offence defined by Articles 418-420 of this Code shall be initiated and conducted by the State Nuclear Safety Regulatory Committee adjunct to the Government of the Republic of Armenia.

4. The proceedings on administrative offence defined by Article 235, Articles 315-316, Articles 362-364 of this Code shall be initiated and conducted by the State Committee of Real Estate Cadastre adjunct to the Government of the Republic of Armenia.

**Article 84. Other bodies**

1. The proceedings on administrative offence defined by Article 360 of this Code shall be initiated and conducted by the National Statistics Service of the Republic of Armenia.

2. The proceedings on administrative offence defined by Article 387 of this Code shall be initiated and conducted by appropriate supervisory body, save delivering decision on the administrative offence, which shall be done by the head of the supervisory body.

3. Where the appropriate supervisory body defined by part 2 of this Article does not exist, the proceedings on administrative offence defined by that Article, Article 388 as well as Chapter 45 shall be initiated and conducted by the Central Bank.

4. The proceedings on administrative offence defined by Article 527 of this Code shall be initiated and conducted by state bodies carrying out checks.

5. The proceedings on administrative offence defined by Article 528 of this Code shall be initiated and conducted by competent administrative body carrying out appropriate administrative proceedings.

**CHAPTER 12**

**TYPES OF EVIDENCE AND AVERMENT**

**Article 85. Concept of evidence and types**

1. In a proceedings on administrative offence evidence shall be any factual data based on which the body conducting proceedings on administrative offence as prescribed by law establishes the existence or absence of circumstances subject to averment as defined by this Code, as well as other circumstances having significance for the proceedings on administrative offence.

2. The following shall be evidence in the proceedings on administrative offence:

- (1) testimony of suspect;
- (2) testimony of victim;
- (3) testimony of witness;
- (4) expert opinion and testimony;
- 6) material evidence;
- (7) protocols drawn during the proceedings on administrative offence;
- 8) other documents.

3. The results of investigative actions may be used in the proceedings on administrative

offence as evidence if they comply with the requirements proposed for evidence by this Code.

**Article 86.       Attributability and permissibility of evidence**

1. The evidence that are not required to establish the facts having significance for the proceedings on administrative offence shall not be attributable and the body conducting the proceedings on administrative offence withdraws them from the composition of evidence.

2. The fact of evidence being attributable or impermissible shall be approved by the body conducting the proceedings on administrative offence by its own initiative or by the motion of the participant of the proceedings on administrative offence.

3. The evidence obtained during the proceedings on administrative offence, including the evidence presented to the participants of the proceedings on administrative offence shall be deemed to be permissible unless otherwise established by the body conducting the proceedings on administrative offence.

4. The data obtained by gross violation of law, as well as the data obtained as a result of proceedings action based thereon may not be used as evidence.

5. The data obtained as prescribed by law or other objects may not be used as evidence in case there is reasonable suspicion on being replaced or having changed their qualities or signs containing such qualities, which have not been excluded.

6. The data obtained with violation of the requirements of law or the principles defined by this Code permitted by the body conducting the proceedings on administrative offence may be used as evidence upon motion of the suspect, his or her counsel or legal representative. Such evidence may be used only in the interest of the given suspect.

7. The data may not be used as evidence that have been obtained:

(1) by the administrative body having no competence to conduct the given proceedings;

(2) with the participation of a person subject to recusal, in case he or she is aware or reasonable could have known about the existence of circumstances excluding his or her participation in the proceedings on administrative offence;

(3) in violation of the procedures of this Code, in case the consequences thereof may not be possible to remove by reasonably performing other procedural action or other action carried out in the course of proceedings on administrative offence;

(4) by the person who is not capable to accurately perceive to reproduce the circumstances subject to clarification by the proceedings on administrative offence;

(5) the framework of obtaining and using whereof is limited by law.

**Article 87.       Circumstances subject to averment**

1. The following circumstances by each case on administrative offence shall be subject to averment:

(1) the existence of administrative offence and the circumstances of committing it (time, place, method of committing, etc.);

(2) circumstances describing the person having committed administrative offence;

(3) qualities prescribed by the Code pertaining to administrative offence;

(4) existence or absence of circumstances mitigating and aggravating administrative liability;

(5) existence of circumstances excluding administrative liability;

(6) existence of circumstances releasing from administrative liability;

(7) other circumstances necessary for the proceedings on administrative offence.

2. The following shall be deemed to be proved in the proceedings on administrative offence:

1. facts of common knowledge;

(2) fact that is known to a person or could have been known in relation to professional or official duties defined by normative acts;

(3) facts confirmed by a judicial act on the merits having entered into legal force of a civil or administrative court with the participation of the same parties;

(4) the fact of committing certain actions established by judgement having entered into legal force on criminal case and the persons having committed thereof.

3. If one of the persons participating in the proceedings on administrative offence disputes the accuracy of facts defined by part 2 of this Article, the burden of proof thereof shall bear the disputing party.

#### **Article 88. Testimonies of suspect, victim and witness**

1. The testimonies of suspect, victim and witness shall be the data informed thereby orally or in writing and protocolled in a proper manner as defined by this Code during procedural action of receiving testimony on the circumstances having significance for the proceedings on administrative offence.

#### **Article 89. Expert opinion and testimony**

1. Expert opinion shall be the opinion substantiated in writing with the use of science, technology, art, handicraft or other fields of special science and skills on issues proposed by the body conducting proceedings on administrative offence, as well as other issues within his or her competence whereto the expert has arrived by way of examining the appropriate materials, objects of the proceedings on administrative offence, or the respective person involved in the administrative offence.

2. The expert's testimony shall be the data informed in writing or orally after submitting his or her opinion with the view to clarify or explain his or her opinion, as well as on the facts perceived by him or her when supporting the performance of procedural action within his or

her competence.

3. Expert's testimony may not replace expert opinion.

#### **Article 90. Material evidence**

1. Material evidence shall be:

- (1) the objects which have apparently served as a tool for administrative offence or have kept signs of administrative offence thereon;

- (2) money, securities, other valuables and other objects acquired prima facie by means of administrative offence;

- (3) the objects, which have been object of prima facie administrative offence;

- (4) the objects, including video, audio recordings, photo, which can serve as means for disclosing circumstances subject to averment.

2. The object mentioned in part 1 of this Article shall be recognized by the body conducting the proceedings on administrative offence with an appropriate protocol as material evidence and shall be attached to the case on administrative offence.

#### **Article 91. Storing and handling of material evidence**

1. The material evidence shall be stored with the case on administrative offence until the time for appealing the decision on administrative offence elapses, save the cases defined by this Article. The issue on handling the material evidence shall be solved as prescribed by this Article by decision on administrative offence 1 or 2 defined by part 1 of Article 116 of this Code.

2. Goods that are easily spoiled or other products that are material evidence and are hard to store or the expenses to store whereof are not reasonably justified, shall be returned to the legal holder by the decision of the body conducting proceedings on administrative offence. In case of impossibility to return to the legal holder, they shall be delivered for sale by the decision of the body conducting the proceedings on administrative offence and as prescribed by the legislation. The funds generated as a result of sale shall be transferred to the deposit account of the body conducting the proceedings on administrative offence until the time defined by part 1 of this Article.

3. If the material evidence foreseen by part 2 of this Article have been spoiled or lost their usefulness, they shall be destroyed by the decision of the body conducting the proceedings on administrative offence whereon a protocol shall be drawn.

4. In case keeping the material evidence for a long time may be dangerous for human life, health or the environment, it shall be delivered to technological processing or be destroyed by the decision of the body conducting the proceedings on administrative offence and as prescribed by the legislation, after an appropriate study has been conducted. A protocol shall be drawn on technological processing or destroying of the material evidence.

5. In case the material evidence cannot be stored with the case on administrative offence because it is big, numerous or for other reasons or the expenses related to its keeping are not reasonably justified, that evidence by the decision of the body conducting the proceedings on administrative offence shall be:

(1) returned to the legal holder, if it will not hurt proper averment or if not returning whereof will hurt the rights and legal interests of the legal holder or other persons;

(2) shot or video recorded, in case of possibility, also sealed and stored in a place defined by the decision of the body conducting the proceedings on administrative offence, and a document on the place, where the material evidence is stored, shall be enclosed to the case on administrative offence;

(3) delivered to sale as prescribed by legislation the funds generated whereof shall be transferred to the deposit account of the body conducting the proceedings on administrative offence within timeframe defined by part 1 of this Article.

6. Money, securities and other valuables deemed to be material evidence:

(1) shall be returned to the legal holder by the decision of the body conducting the proceedings on administrative offence if that will not hurt proper avertment if the individual qualities whereof have not significance for avertment;

(2) shall be delivered to bank or other credit organization for storage by the decision of the body conducting the proceedings on administrative offence;

(3) shall be kept together with the case on administrative offence, if the individual qualities whereof have not significance for avertment.

7. In case it is impossible to store the material evidence defined by this Article together with the case on administrative offence, the sample of a given material evidence shall be enclosed to the case.

8. If the dispute over the right over the material evidence enclosed to the case on administrative offence is subject to examination in a civil procedure, that object shall be stored together with the case on administrative offence until the civil judgement on administrative case enters into legal force.

9. The handling of material evidence shall be settled by the following rules:

(1) the tools of administrative offence belonging to the person having committed the administrative offence shall be confiscated and delivered to the appropriate institution or shall be destroyed, and in case of careless administrative offence - shall be returned to the owner;

(2) the object removed from circulation shall be delivered to the appropriate institution or shall be destroyed;

(3) the objects that have no value shall be given to an interested party upon his or her motion and in case there is no motion – shall be destroyed;

(4) the money, other valuables and property obtained through administrative offence, as well as the income generated therefrom shall be returned to the owner, save the cases

provided for by the legislation;

(5) the documents shall be kept in the case on administrative offence, and shall be given to an interested person upon his or her motion;

(6) other objects shall be delivered to the owner, and if the owner is not known, shall become state property;

(7) the property defined by Article 64 of this Code shall be subject to confiscation save the cases provided for by point 4 of this Part.

#### **Article 92. Protocols drawn during the proceedings on administrative offence**

1. The protocols drawn during the proceedings on administrative offence shall be the documents being drawn in writing provided for by this Code that reflect the circumstances having significance for the proceeding on administrative offence in the course of procedural actions or other actions carried out during proceedings on administrative offence, including the protocol on accepting the report on administrative offence.

2. The protocol on administrative offence shall not be evidence as such, save the cases of applying accelerated proceedings defined by Article 115 of this Code.

#### **Article 93. Other documents**

1. Document shall be any note in words, digits, graphics or other signs on paper, magnetic, electronic or other media, which includes data on factual circumstances having significance for the proceedings on administrative offence.

2. Where the document mentioned in part 1 of this Article includes the qualities defined by Article 90 of this Code, it shall be recognised as material evidence.

#### **Article 94. Storage of Documents**

1. A document on administrative offence shall be enclosed to the case on administrative offence by the body conducting the proceedings on administrative offence and shall be stored together with the case.

2. Where the documents enclosed to the case on administrative offence are needed by the legal holder, the body conducting proceedings on administrative offence shall temporarily provide him or her those documents or shall permit to photocopy them.

3. When the decision on administrative offence becomes unappealable, the originals of the documents available in the case on administrative offence with the request of their legal holders shall be returned thereto. In that case the copies of the documents shall be stored in the case on administrative offence, the authenticity whereof is verified by the body conducting the proceedings on administrative offence.



**Article 95. AVERMENT**

1. Averment shall be collecting, verification and evaluation of evidence with the view to disclose the circumstances having significance for the settlement of the proceedings on administrative offence.

2. The evidence collected during the proceedings on administrative offence shall be subject to comprehensive and objective check through analysis of acquired evidence, comparison thereof with other evidence, collection of new evidence, checking the sources of acquiring the evidence.

3. Every piece of evidence shall be subject to assessment as to the relevance, admissibility, credibility and the whole body of evidence shall be subject to assessment as to the sufficiency for the settlement of the proceedings on administrative offence.

4. The body conducting the proceedings on administrative offence shall assess them as a body of evidence with the internal assurance based on comprehensive, complete and objective examination.

5. No evidence shall have a power of an evidence proven in advance. No evidence shall be given more or less significance over another by the body conducting the proceedings on administrative offence until their examination within proper legal framework.

**CHAPTER 13.**

**PROCEEDINGS ON ADMINISTRATIVE OFFENCE**

**Article 96. INITIATION OF PROCEEDINGS ON ADMINISTRATIVE OFFENCE**

1. Reasons for initiating proceedings on administrative offence shall be:

(1) reports of natural or legal person on prima facie administrative offence;

(2) reports of state or local self-governmental bodies (including foreign) or the officials thereof on prima facie administrative offence;

(3) discovering of the fact relating to the administrative offence by the body conducting the proceedings on administrative offence while exercising his or her powers, including through special technical means.

2. In case there are reasons prescribed by part 1 of this Article for initiating proceedings on administrative offence, the body conducting proceedings on administrative offence shall be obliged to initiate proceedings on administrative offence.

3. The information publicised by means of mass media on prima facie administrative offence may be a reason for the body conducting proceedings on administrative offence to initiate proceedings on administrative offence.

4. Proceedings on administrative offence shall be initiated:

(1) upon drawing up a protocol on administrative offence on the spot;

(2) upon delivering a decision on initiating proceedings on administrative offence;

(3) upon arresting a person as prescribed by this Code;

(4) in case of discovering a fact of administrative offence as a result of verification and examination in cases and as prescribed by law - upon drawing up a inspection report.

5. Before initiating proceedings on administrative offence the body conducting proceedings on administrative offence may, with the aim of verification of authenticity of the fact of committal of the prima facie administrative offence, conduct preliminary examinations, including it may request and receive information, that may not enclose such actions that violate or limit rights and freedoms of natural and legal persons. Preliminary examinations shall be conducted as prescribed by Law of the Republic of Armenia "On organisation and conduct of inspections in the Republic of Armenia" to the extent it does not contradict this Code.

6. Proceedings on administrative offence may not be initiated, where the report on administrative offence has been received from sources not provided for by part 1 of this Article, including from unknown or undiscovered source.

#### **Article 97. Protocol on administrative offence**

1. Protocol on administrative offence shall be drawn up immediately following discovering the administrative offence in the case prescribed by point 3 of part 1 of Article 96 of this Code, save for cases prescribed by points 3 and 4 of part 4 of Article 96 of this Code.

2. In the case prescribed by part 1 of this Article, the protocol on administrative offence may also be drawn up on the spot in the place of committal of the administrative offence in the presence of the suspect.

3. The protocol on administrative offence shall specify the following:

(1) date, year, place and time of drawing up a protocol;

(2) name of the body conducting proceedings on administrative offence, the position, name, patronymic name, and surname of the person drawing up a protocol;

(3) name (name of legal person), surname, place of residence (place of location) of the suspect (in case of legal person - of representative), and in case of administrative offences prescribed by Chapter 32 of this Code - the TIN, where such exists, in case of VAT payers - the registration number of the VAT payer as well, where the information is known at the moment of drawing up a protocol;

(4) place and time (year, month, day, time) of committing an administrative offence and the description thereof, the Article or the part of the Article of this Code, that provides for liability for the given administrative offence, the reason for initiating proceedings on administrative offence;

(5) names, surnames and addresses of victims and witnesses, where such exist;

(6) testimony of the suspect (in case of legal person - of representative), other information necessary for the proceedings on administrative offence.

4. When drawing up a protocol prescribed by this Article, the rules prescribed by Article 104 of this Code are observed by taking into account peculiarities of this Article.

5. Where the victim is also present at drawing up a protocol prescribed by this Article, the rules relating to the suspect prescribed by Article 104 of this Code shall refer to the victim as well. In case the victim is not present, the copy of the protocol shall be forwarded to him or her within 3 days following drawing up thereof.

6. Within 3 days following drawing up a protocol prescribed by this Article it shall be forwarded to the body authorised for the examination of the case on the given administrative offence.

#### **Article 98. Reports of natural and legal persons**

1. The report of a natural person on prima facie administrative offence may be in writing or orally. Separate protocol on oral report shall be drawn up, which shall be signed by the person submitting a report and the official receiving the report.

2. The report shall indicate the name, surname, patronymic name, date of birth, address of residence of the person submitting a report, his or her connection to the administrative offence and the source of information, as well as information on identification documents filed by him or her.

3. Where a natural person submitting a report has attained the age of 16, he or she shall be warned of the administrative liability, prescribed by this Code, for false report, confirming the latter by his or her signature.

4. The report of a legal person must be in writing, in the form of an official letter stated in the numbered form and must be signed by the executive body of the legal person. The report must contain the full name and address of the person submitting the report, as well as the connection of the legal person to the administrative offence and must reveal the source of information, save for cases provided for by law.

5. Written report may be sent by post as well. Written report shall be in the form of a letter, certified telegram, telephone, radio message, e-mail or other common form of communication.

6. Materials confirming the committal of administrative offence, including photos, video recordings, audio and video recordings etc. may be attached to the report.

7. This article shall also, save for part 3, extend to the report on the administrative offence committed by the person submitting the report.

8. Where the report is submitted by mass media, it shall be submitted in the manner prescribed by this Article.

#### **Article 99. Report by a state or local self-government body or the official thereof**

1. The report of a state or local self-government body or the official thereof must be in

the form of an official letter or a certified telegram, telephone or radio message, e-mail or other common form of reports - stated in the numbered form and confirmed with a seal. The materials confirming the report may be attached thereto.

2. The report must contain the name and address of the state and local self government body submitting thereof or the name, surname and position of the relevant official, as well as must reveal the activity of the relevant body or official, in the course of carrying out whereof, he or she has found out the fact of prima facie administrative offence. Materials confirming it, including photos, video recordings, audio and video recordings etc. may be attached to the report.

3. In case of delivering a decision on not initiating a criminal prosecution or on dismissing the criminal proceedings, where there are elements of administrative offence in the activities of the person, the body conducting criminal proceedings shall send it to the administrative body not later, than within 3 days upon delivering such a decision, according to jurisdiction.

#### **Article 100. Decisions adopted as a result of consideration of reports**

1. In each case of receiving a report, one of the following decisions shall be adopted on:

- (1) initiating proceedings on administrative offence;
- (2) rejecting initiating proceedings on administrative offence;
- (3) sending the report according to jurisdiction.

2. In case of delivering a decision provided for by point 1 of part 1 of this Article, the copy of the decision shall, within 3 days, be forwarded to the participants of the proceedings on administrative offence.

3. In case of delivering a decision provided for by points 2 or 3 of part 1 of this Article, the copy of the decision shall, within 3 days, be forwarded to the person submitting the report.

#### **Article 101. Decision on initiating proceedings on administrative offence**

1. Decision on initiating proceedings on administrative offence shall specify the following:

- (1) name of the body conducting proceedings on administrative offence;
- (2) place and time of drawing up a decision (year, month, day);
- (3) position, name, surname and patronymic name of the official drawing up a decision;
- (4) the reason for initiating proceedings on administrative offence;
- (5) evidence (where available) attesting to the fact of administrative offence;
- (6) place and time (year, month, day, time) of committing an administrative offence and

the description thereof, the Article or the part of this Code, that prescribes liability for the given administrative offence;

(7) name (name of legal person), surname, place of residence (place of location) of the suspect (in case of legal person - of representative), and in case of administrative offences prescribed by Chapter 32 of this Code - the TIN, where such exists, in case of VAT payers - the registration number of the VAT payer as well, where the information is known at the moment of drawing up a protocol;

(8) names, surnames and addresses of victims and witnesses, where such exist;

(9) other data necessary for the proceedings on administrative offence.

**Article 102. Documentation of the course of proceedings on administrative offence and materials of proceedings on administrative offence**

1. The course of proceedings on administrative offence and the results thereof shall be documented in protocols.

2. When documenting the course of proceedings on administrative offence, photographing, audio and video recording, as well as inventory and measurement may be carried out. The photos, audio and video recordings, the charts and plans that have been drawn up shall be attached to the protocol.

3. All materials of the proceedings on administrative offence, including decisions on administrative offence, decisions and protocols on applying supplementary administrative coercive measures, the protocols on administrative offence and protocols on procedural actions shall be kept in the case on administrative offence.

4. Materials of the proceedings on administrative offence shall be kept in one or more than one registers, with relevant notes on each cover and list of materials contained therein.

5. The items and documents that may not be kept in the case on administrative offence due to their nature and large scale, shall be kept apart from the case as an integral part of it, and the list thereof shall be attached to the case on administrative offence.

**Article 103. Joinder and separation of proceedings on administrative offence**

1. The body conducting proceedings on administrative offence may, upon its decision, join the proceedings on more than one administrative offences committed by the same person and on similar or the same administrative offence committed by more than one person in the scope of one proceedings, where it may not affect negatively the jurisdiction of the bodies conducting proceedings on administrative offence prescribed by this Code as well as thoroughness and the objectivity of the proceedings on administrative offence.

2. The proceedings on an administrative offence initiated by more than one person or with regard to more than one administrative offences shall be separated upon the decision of the body conducting proceedings on administrative offence, where it is necessary due to the circumstances of the proceedings and may not affect negatively the jurisdiction of the bodies conducting proceedings on administrative offence prescribed by this Code as well as

completeness and the objectivity of the proceedings on administrative offence.

3. The participants of the proceedings on administrative offence shall, within 3 days, be notified of the decisions on joining and separating the proceedings on administrative offence.

**Article 104. Protocols drawn up in the course of proceedings on administrative offence**

1. The minute drawn up in the course of proceedings on administrative offence shall specify the following:

- (1) date, year, place and time of drawing up the minute;
- (2) place, day, month, year, the starting time and time of completion of procedural action or another action performed in the course of proceedings on administrative offence;
- (3) name of the body conducting proceedings on administrative offence, the position, name, patronymic name, and surname of the person drawing up a protocol;
- (4) surname, name, patronymic name, year and date of birth, status and where necessary, the address and other data of each person participating in procedural action or another action performed in the course of proceedings on administrative offence.

2. Information shall be specified in the protocol on technical means applied during drawing up thereof, the manner and conditions of their use, on the objects with regard thereto the technical means have been applied and the final outcome, as well as on notifying the persons participating in the administrative proceedings of applying technical means.

3. The protocol shall be drawn up in handwritten form or through computer. The text of the protocol must be simple, clear and legible. The erasures, supplements and corrections as well as comments in the text of protocol must be with footnotes, there should not be left blank and incompleted spaces envisaged for further completion or other corrections without footnotes.

4. The actions performed in the course of the proceedings on administrative offence shall be described in the protocol in succession they have taken place. The protocol shall also specify the circumstances obtained as a result of relevant action and significant for the proceedings on administrative offence and shall state the comments of participants of the procedural action or another action performed in the course of the proceedings on administrative offence.

5. The protocol shall be presented to the persons participating in procedural action or another action performed in the course of the proceedings on administrative offence for notification. The people mentioned shall be explained about their right to make comments in the protocol. All the statements on making comments in the protocol shall be signed by the persons having participated in the above mentioned action.

6. All the pages of the protocol shall be signed by the person drawing it up and persons participating in procedural action or another action performed in the course of proceedings on

administrative offence.

7. In case any person having participated in procedural action or another action performed in the course of the proceedings on administrative offence refuses to sign the protocol, the person drawing it up shall make a relevant record thereabout in the protocol. The person having refused to sign the protocol shall be provided with an opportunity to explain the reasons for refusal or the refusal to explain the reasons, which is also recorded. Where due to physical defects or health condition or illiteracy the participant of procedural action or another action performed in the course of the proceedings on administrative offence did not have the opportunity to sign the protocol personally, the protocol shall be presented to the respective person for examination in the presence of the other participants of that action, who shall confirm by their signatures that the content of the protocol corresponds to reality and the respective person have been unable to sign it.

8. The protocol shall contain records with regard to explaining to the participants of procedural action or another action performed in the course of the proceedings on administrative offence their rights and responsibilities, clarifying the consequences of failure to fulfil obligations, which shall be verified by signatures of the participants of procedural action or another action performed in the course of the proceedings on administrative offence.

9. The official drawing up the protocol shall explain the suspect about his or her rights and responsibilities while drawing up the protocol by indication thereabout in the protocol. The protocol shall be provided to the suspect for examination, and he or she shall also be explained about the right of making comments in the protocol, which in case of being made shall be recorded in the protocol. Where the suspect refuses to sign the protocol, a relevant record with regard thereto shall be made. The person refusing to sign the protocol shall have the right to explain the reasons of refusal, which shall be included in the protocol, as well as he or she shall have the right to attach comments to the protocol referring to the content of the protocol. Where due to physical defects or health condition or illiteracy, a suspect is deprived of opportunity to sign the protocol personally, it shall be indicated in the protocol about the impossibility of signing thereof. Following drawing up the protocol one copy of it shall immediately be transferred to the suspect in hand. Where the suspect refuses to receive the copy of the protocol, it shall be indicated in the protocol.

10. Additional requirements for the protocol of a specific procedural action or another action performed in the course of the proceedings on administrative offence may be provided for by the norms regulating the procedure of performing procedural action or other actions performed in the course of the proceedings on administrative offence.

**Article 105. Circumstances precluding the proceedings on administrative offence and grounds for dismissing the proceedings on administrative offence**

1. Proceedings on administrative offence may not be initiated, and the initiated

proceedings on administrative offence shall be subject to dismissal, where:

- (1) the case and the corpus delicti of the administrative offence is missing;
- (2) criminal proceedings have been initiated with regard to the same act or the person has been subjected to criminal liability for the same act;
- (3) the suspect is subject to release from administrative liability by virtue of provisions of general or Special Part of this Code;
- (4) the suspect has not attained the age prescribed for administrative liability at the moment of committing the administrative offence;
- (5) the relevant norm of the Special Part of this Code prescribing administrative liability for the given administrative offence has been repealed;
- (6) the statute of limitations for subjecting to administrative liability has expired;
- (7) there is a decision, with regard to the suspect, on imposing administrative penalty for the same offence, on dismissing the proceedings on administrative offence or instituting criminal prosecution, that has not been cancelled;
- (8) the suspect has died, save for cases, where the proceedings on administrative offence are necessary for reinstatement of rights of the deceased person;
- (9) the legal person has been liquidated;
- (10) the proceedings on administrative offence have been initiated on the basis of the report received from a source not provided for by this Code;
- (11) the person enjoys immunity from being subjected to administrative liability and the competent body, as a result of proper legal procedure, has not deprived him or her of that immunity.

2. The proceedings on administrative offence shall also be dismissed, where a year has passed from the day of suspending the proceedings on administrative offence in the manner prescribed by this Code, save for cases prescribed by point 6 of part 1 of Article 106 of this Code.

3. The body conducting proceedings on the administrative offence shall deliver a decision on dismissing the proceedings on administrative offence, that shall, within 3 days, be forwarded to the participants of the proceedings on administrative offence.

#### **Article 106. GROUNDS FOR SUSPENSION OF PROCEEDINGS ON ADMINISTRATIVE OFFENCE**

1. The body conducting proceedings on the administrative offence shall be obliged to suspend the proceedings on administrative offence fully or for the relevant part, where:

- (1) the person having committed the administrative offence is unknown;
- (2) the person is hiding or his or her place of residence or location is not found out for other reasons, where carrying out the proceedings on administrative offence without his or her participation is impossible;



(3) the person is suffering from such a serious illness or is out of borders of the Republic of Armenia, due to which he or she is not able to participate in the proceedings with regard to the administrative offence, where carrying out the proceedings on administrative offence without his or her participation is impossible;

(4) the person enjoys immunity from being subjected to administrative liability;

(5) there is force majeure, that temporarily obstructs the course of the proceedings with regard to administrative offence;

(6) the adoption of a decision as a result of the proceedings with regard to the given administrative offence is impossible, until delivering a decision on the case being examined that is considered under constitutional, administrative, civil or criminal procedure;

(7) more time is needed for issuing an expert opinion, than the expiry of the period of limitation prescribed by this Code, until the relevant expert opinion is received.

2. The body conducting proceedings with regard to administrative offence may suspend the proceedings with regard to administrative offence in other cases provided for by this Code as well.

3. The proceedings with regard to administrative offence may be suspended after performing all the possible actions necessary for the proceedings with regard to the administrative offence.

4. The proceedings with regard to administrative offence shall be suspended till the circumstances serving as a ground for suspending thereof are eliminated. Following the elimination thereof the proceedings with regard to administrative offence shall be resumed upon the decision of the body conducting proceedings with regard to administrative offence.

**Article 107. Transferring the materials of the proceedings with regard to administrative offence to the criminal prosecution body**

1. Where the body conducting proceedings on administrative offence in the course of the proceedings on administrative offence arrives to the conclusion that the act committed contains prima facie elements of a crime, it shall suspend the proceedings on administrative offence and along with a reasoned decision immediately transfer the materials of the proceedings, in the manner prescribed by Article 105 of this Code, to the relevant criminal prosecution body. The copy of the decision shall, within 3 days upon delivering, be forwarded to the participants of the proceedings on administrative offence.

2. Where the criminal prosecution body refuses to institute criminal prosecution in the manner prescribed by the legislation, the suspended proceedings on administrative offence shall be resumed upon receiving the decision by the criminal prosecution body, in the manner prescribed by Article 106 of this Code.

3. Where the criminal prosecution body initiates criminal proceedings in the manner prescribed by the legislation, the suspended proceedings on administrative offence shall be

subject to dismissal in the manner prescribed by Article 105 of this Code upon receiving the decision by the criminal prosecution body. In case of dismissing the initiated criminal proceedings concerned, in the manner prescribed by the legislation, where there are elements of administrative offence in the actions of the person, the body conducting criminal proceedings shall, not later than within 3 days upon delivering such a decision, forward it to the administrative body according to jurisdiction for resuming the proceedings on administrative offences that have been dismissed in the manner prescribed by Article 105 of this Code.

**Article 108. Decision on forwarding materials of proceedings on administrative offence according to jurisdiction**

1. Where the body conducting proceedings on administrative offence finds out the fact of not being vested with the competence of conducting proceedings on the given administrative offence, it shall immediately deliver a decision on forwarding the materials of the proceedings on administrative offence according to jurisdiction by specifying the body conducting proceedings on administrative offence, where the given proceedings are sent to, as well as it shall forward the copy of the decision, within 3 days upon delivering thereof, to the participants of the proceedings on administrative offence.

**Article 109. Decision on filing with the court a statement of claim regarding subjecting to administrative liability through judicial procedure**

1. The body conducting proceedings on administrative offence shall, within one month upon initiating proceedings on administrative offence, deliver a decision on filing with the court a statement of claim regarding subjecting to administrative liability through judicial procedure, in cases prescribed by Article 79 of this Code.

2. The statement of claim prescribed by part 1 of this Article shall be filed with the court following performing other actions regarding procedural or administrative offences necessary for the proceedings on administrative offence.

3. As prescribed by this Article, the examination of the statement of claim filed for subjecting to administrative liability through judicial procedure shall be conducted in the manner prescribed by Administrative Procedure Code of the Republic of Armenia.

**Article 110. Decision on appointing examination of the case on administrative offence**

1. Decision on appointing an examination of the case on administrative offence shall contain data on proceedings with regard to administrative offence, the list of persons invited and the status thereof, information on the place and time of examination of the case, on consequences of failing to appear at the examination of the case and, in cases prescribed by

this Code, on conducting an examination behind the closed doors.

2. The copy of the decision prescribed by this Article shall be forwarded to the persons participating in the proceedings on administrative offence at least 10 days before the examination of the case on administrative offence.

II.

**Article 111. Publicity of examination of the case on administrative offence**

1. The examination of the case on administrative offence shall be open to public, save for cases provided for by part 2 of this Article.

2. The examination of the case on administrative offence or the part thereof may be conducted behind closed doors for the purpose of protecting public order, state security, morals, the secret protected by law, private life of participants or of protecting minors.

3. The decisions of the body conducting proceedings on the administrative offence shall in all cases be publicised. In case the examination of the case on administrative offence is conducted behind closed doors, the parts of the decision having served as a basis for carrying out the examination behind closed doors, shall not be publicised.

**Article 112. Place of examination of the case on administrative offence**

1. The case on administrative offence shall be examined as of the place of the administrative offence or as of the place of location of the body examining the case on administrative offence. In case of alternative territorial jurisdiction, the case on administrative offence may, by the motion of the suspect, be examined as of the place of location thereof.

2. The cases on administrative offence prescribed by Articles 446-466 or 469 of this Code may also be examined as of the transport means or the place of registration of the persons driving them.

**Article 113. Consequences in case of failure of appearance of participants of the proceedings on administrative offence in the examination of the case on administrative offence and postponing the examination of the case on administrative offence**

1. The case on administrative offence shall be examined with the participation of participants of the proceedings on administrative offence.

2. The case on administrative offence may be examined in their absence only in cases, when they have filed a motion for examining the case in their absence on the basis of documents and materials submitted or by being notified of the time and place of the examination of the case they have not filed a motion for postponing the examination of the case or that motion has been rejected.

3. As necessary the body conducting proceedings on administrative offence may, upon

its initiative or upon the motion of the participant of the proceedings on administrative offence, postpone the examination of the case on administrative offence under a reasoned decision by notifying the persons participating in the proceedings on administrative offence.

4. In case the persons supporting the proceedings on administrative offence do not appear in the examination, the body conducting proceedings on administrative offence shall, by listening the opinions of the participants of the proceedings on administrative offence on possibility of examining the case on administrative offence without their presence, deliver a decision on continuing the examination of the case on administrative offence or postponing the examination of the case on administrative offence.

5. The persons participating in the proceedings on administrative offence shall be duly notified of the time and place of further examination of the case on administrative offence.

#### **Article 114. Procedure for examination of the case on administrative offence**

1. During the examination of the case on administrative offence:

(1) it shall be announced who examines the case (in case of panel of judges - what is the composition of the court examining the case), what a case is being examined, who the suspect is;

(2) it is found out the fact of presence or absence of the participants of the proceedings on administrative offence and of the persons supporting the proceedings on administrative offence who have been summoned for examination, on the basis whereof a decision on examining the case on administrative offence in their absence or on postponing the examination of the case on administrative offence shall be adopted in the manner prescribed by this Code;

(3) documents certifying the powers of the representative and counsel of participants of the proceedings on administrative offence shall be verified;

(4) the persons participating in the examination of the case on administrative offence shall be explained about their rights and responsibilities;

(5) motions filed and the recusals sought by the participants of the proceedings on a administrative offence shall be considered and resolved;

(6) the protocol on administrative offence, the inspection act or the decision on initiating proceedings on administrative offence shall be publicised;

(7) the evidence is being examined;

(8) the participants of the proceedings on administrative offence shall be heard;

(9) as necessary, upon the decision of the body conducting proceedings on administrative offence, the actions provided for by this Code shall be performed.

2. A protocol on the examination of the case on administrative offence shall be drawn up, which shall be signed by the official (officials) examining the case on administrative offence. The protocol should be drawn up at least within 3 days following the examination of

the case. The persons participating in the proceedings on administrative offence may become familiar with the protocol and make comments.

**Article 115. Accelerated proceedings on administrative offence**

1. Where the suspect, after becoming familiar with the protocol on administrative offence drawn up according to the Article 97 of this Code, the body conducting proceedings on administrative offence may, by accelerated procedure, deliver a decision on administrative offence immediately after drawing up the protocol on administrative offence, where the suspect does not object thereto.

2. The procedure prescribed by this Article shall not be applied:

(1) where it may impact on thoroughness and objectivity of the proceedings on administrative offence;

(2) except for types of administrative penalties - warning and fine, another type of administrative penalty, for the given administrative offence, is prescribed by the Special Part of this Code;

(3) where the person enjoys immunity from being subjected to administrative liability.

4. When delivering a decision on administrative offence by accelerated procedure, an examination of evidence prescribed by common procedure shall not be conducted, and the substantiation of guilt is not subject to appeal, which is clarified in written form to the suspect.

5. As a result of delivering a decision on administrative offence by accelerated procedure, the type of the maximum mild administrative penalty or the minimum amount thereof prescribed by Special Part of this Code shall, for the given administrative offence, be imposed on the suspect.

III.

**Article 116. Decisions on administrative offence**

1. As a result of examination of the case on administrative offence, the body conducting proceedings on administrative offence shall adopt one of this decisions on:

(1) imposing an administrative penalty;

(2) dismissing the proceedings on administrative offence;

(3) forwarding the proceedings according to jurisdiction.

2. Where grounds for suspending the proceedings on administrative offence prescribed by this Code are discovered during the examination of the case on administrative offence, as a result of examination of the case on administrative offence, the body conducting proceedings on administrative offence shall deliver a decision on suspending the proceedings on administrative offence in the manner prescribed by this Code or on suspending the proceedings on administrative offence and transferring the materials to the criminal prosecution body.

3. The decision prescribed by this Article shall be signed by the official examining the

case on administrative offence and the decision of collegial body - by the members who are present at the session.

4. The concluding part of the decision prescribed by this Article shall be publicised immediately following the examination of the case on administrative offence. The copy of the decision shall, within 3 days following the publication thereof, be forwarded to the participants of the proceedings on administrative offence .

## **CHAPTER 14. PROCEDURAL ACTIONS**

### **Article 117. Common procedure of giving testimony**

1. Taking testimony shall be carried out in the place of committal of the administrative offence or in the body conducting proceedings on administrative offence. Where the appearance of the person in the body conducting proceedings on administrative offence is impossible due to age or an illness, the testimony shall be taken in the place of location of the person giving testimony.

2. Taking testimony from a deaf, mute, or blind person shall be carried out with the participation of an interpreter understanding his or her signs of communication or capable of communicating with her/him by means of signs.

3. The fact, course and results of giving the testimony shall be reflected in the protocol drawn up in the manner prescribed by this Code.

4. The testimony and the answers to the questions put forward shall be recorded in the first person and to the extent possible word for word. The questions, the answers thereto, as well as the reasons for refusing to answer the questions shall be recorded in the same succession, they have been said during giving testimony.

5. The person giving testimony shall have the right to give testimony orally or to write his or her testimonies by his or her hand, which is indicated in the protocol. Following becoming familiar with the written testimony, the official conducting proceedings on administrative offence may ask additional questions to him or her. The questions and the answers given shall be included in the protocol.

6. Following the completion of giving testimony, the protocol shall be submitted to the person giving testimony for becoming familiar therewith and signing it in the manner prescribed by Article 104 of this Code.

7. Taking testimony may not last more than three consecutive hours and in case of a minor as well as of a person suffering from mental or other severe disease - more than two hours. The official of the body conducting proceedings on administrative offence may, on the basis of medical opinion, may define shorter time limits than the ones provided for by this

Article.

**Article 118. Procedure for giving testimony of the suspect**

1. The suspect shall give testimony on other circumstances having significance for the administrative offence regarding him or her and the proceedings on administrative offence.

2. Before taking testimony, the official conducting proceedings on administrative offence shall clarify for the suspect his or her right to give testimony in the presence of the counsel or to waive the counsel, save for cases of mandatory participation of a counsel prescribed by this Code, and provide, by signature, the list of his or her rights and responsibilities prescribed by this Code, where it has not been provided prior to it.

3. The official conducting proceedings on administrative offence shall explain to the suspect about his or her right to silence and shall clarify that exercising that right may not be interpreted to the detriment of him or her, as well as the official informs that his or her testimony may be used as an evidence. Where the suspect expresses an intention to give testimony, the official conducting proceedings on administrative offence shall inform him or her of the obligation of giving true testimony and warns of the administrative liability prescribed by this Code for giving false testimony. That fact shall be confirmed by signature of the suspect.

4. The official conducting proceedings on administrative offence shall be obliged to immediately take testimony from the suspect arrested. Prior to giving testimony the suspect, at his or her will, shall be provided with an opportunity of private, confidential and unimpeded visits with his or her counsel.

5. While taking testimony from a minor suspect, his or her legal representative may be present.

**Article 119. Procedure for giving testimony of a witness**

1. A witness shall, upon his or her initiative or the motion of the participant of the proceedings on administrative offence, be summoned with a subpoena by the body conducting proceedings on administrative offence to give testimony. .

2. The person summoned for giving testimony shall be obliged to appear to the body conducting proceedings on administrative offence within fixed time limit with an identification document or inform him or her in advance about the reasons for failure to appear. In case of failure to appear without a valid reason the person shall be warned of being apprehended as prescribed by this Code, thereafter in case of failing again to appear he or she may be apprehended in the manner prescribed by this Code.

3. Testimony on the circumstance having significance for the proceedings on administrative offence, including on the suspect, victim and other witnesses may be taken from the witness.

4. A witness shall give testimony apart from other witnesses.

5. Prior to giving testimony the official conducting proceedings on administrative offence shall be ascertained of the witness's identity and informs of the proceedings therefor he or she has been summoned. The witness shall be warned of the obligation of giving true answers to the questions, and of administrative liability, prescribed by this Code, for refusing to give testimony and for giving a false testimony. It shall be clarified for the witness that the testimony given by him or her may be used as evidence and that he or she shall not be obliged to give testimony on himself or herself, spouse or a close relative. Afterwards, the body conducting proceedings on the administrative offence shall clarify the nature of relationship of the witness with the suspect and victim and begins to ask questions.

6. Where a witness appears for giving testimony with an advocate invited by a witness for the purpose of granting him or her legal aid, the advocate shall have the right to be present at taking the testimony and give consultation to the witness, but it shall not be entitled to interpret his or her answers. In cases of asking questions or performing actions that violate the rights of a witness provided for by this Code, the advocate shall have the right to make statements which shall be included in the protocol drawn up in the manner prescribed by this Code.

7. Where the witness having been duly notified of his or her right to appear with an advocate for giving testimony have appeared without an advocate, the official conducting proceedings on administrative offence shall not be obliged to postpone taking the testimony on grounds of inviting an advocate.

8. In case when the witness is considered to be a suspect in other proceedings relating to the given proceedings, taking the testimony from the witness shall be carried out in the manner prescribed by Article 116 of this Code.

9. Testimony may, irrespective of age, be taken from a minor witness, where he or she is able to give information significant for the proceedings on administrative offence.

10. The obligation to truly tell everything about the circumstances relating to the proceedings on administrative offence shall be explained to a witness not having attained the age of 16, but he or she shall not be warned of the liability prescribed by this Code for refusal or avoidance to testify or for giving false testimony. Testimony from a witness not having attained the age of 16 shall be taken in mandatory presence of his or her legal representative.

11. When taking testimony from a minor witness, his or her legal representative shall be entitled to be present as well.

#### **Article 120. Procedure for giving testimony of a victim**

1. Taking testimony from a victim, as well as from a minor victim shall be carried out for taking testimony from a witness, and from a minor witness according to the rules prescribed by Article 119 of this Code.

2. Where a victim appears with a representative for giving testimony, the representative



shall have the right to be present at taking the testimony and give consultation to him or her, but is not entitled to interpret his or her answers. In cases of asking questions or performing actions that violate the rights of a victim provided for by this Code, the representative shall have the right to make statements which shall be included in the protocol drawn up in the manner prescribed by this Code.

3. In case when the victim — within the scopes of the proceedings on administrative offence — has a status of suspect, taking the testimony from that victim shall be carried out in the manner prescribed by Article 118 of this Code.

**Article 121. Procedure for giving testimony of an expert**

1. Prior to giving testimony the official conducting proceedings on administrative offence shall be ascertained of the identity of the expert, and inform that he or she has been invited for the proceedings on administrative offence and shall warn of the obligation of giving true answers to the questions, and of administrative liability, prescribed by this Code, for refusing to give testimony and for giving a false testimony. It is also clarified for the expert that his or her testimony may be used as evidence.

**Article 122. Appointing an expert examination**

1. An expert examination is appointed and conducted where special knowledge is required in the field of science, techniques, art and craft, including in the field of relevant research methodology for the purpose of finding out the circumstances significant for the proceedings on administrative offence.

2. The expert examination shall be conducted irrespective of possession of special knowledge by the persons participating in the proceedings on administrative offence.

3. The body conducting proceedings on administrative offence shall deliver a decision on appointing an expert examination. The following must be specified in the decision on appointing an expert examination:

(1) the brief description of prima facie administrative offence in relation to which the expert examination shall be conducted;

(2) the grounds for appointing an expert examination;

(3) the name of the expert institution or the name and surname of the person to whom conducting of the expert examination is assigned;

(4) questions addressed to the expert;

(5) materials of the proceedings on administrative offence necessary for the expert examination.

4. The body conducting proceedings on the administrative offence shall forward the decision on appointing an expert examination delivered thereby and the materials of the proceedings on administrative offence necessary for the expert examination to the head of

expert institution, and in case the expert examination is conducted outside the institution - to the expert.

5. Where an expert examination is conducted outside the expert institution, the body conducting proceedings on administrative offence shall, following delivering a decision on appointing an expert examination, summon the person to whom the expert examination is assigned, ascertain himself or herself of his or her identity and competence, shall find out the relationship of the expert with the suspect and the victim and shall verify whether there are grounds for recusing the expert.

6. The head of the expert institution, and where the expert examination is conducted outside the expert institution - the official conducting proceedings on administrative offence shall introduce the expert his or her rights and responsibilities provided for by this Code, shall warn of the administrative liability, prescribed by this Code, for refusing to issue an expert opinion or for giving a false testimony, shall organise the conduct of an expert examination, but it shall not be entitled to issue instructions — predetermining the course of the examinations and the content of conclusions — to the expert.

7. Prior to forwarding the decision for execution, the body conducting proceedings on administrative offence shall introduce it to the suspect and the victim and explain their rights prescribed by part 8 of this Code.

8. When appointing and conducting an expert examination the suspect and the victim shall have the right to:

- (1) recuse the expert;
- (2) file a motion for appointing an expert from among the persons indicated by him (her);
- (3) file a motion for appointing an supplementary or a repeated expert examination in case of disagreement with the expert opinion;
- (4) pose additional questions to the expert;
- (5) be present at the conduct of the expert examination;
- (6) provide clarifications to the expert;
- (7) become familiar with the expert opinion;
- (8) participate in taking testimony from the expert carried out on his or her motion.

8. The questions put forward before an expert and the given opinion may not fall outside of the scope of special knowledge of an expert.

9. Following carrying out necessary examinations the expert shall draw up an opinion in writing and shall certify it by his or her signature, which shall be forwarded to the person appointing the expert examination.

10. The expert opinion shall specify when, where, by whom (name, surname, patronymic, education, profession, professional work experience, academic degree and title, position held) and on what basis the expert examination has been conducted, who has

participated, which materials of the proceedings the expert has used or examined, what examinations have been conducted, what kind of methods have been applied, the reasoned answers to the questions put forward, the circumstances significant for the proceedings having been found out at the initiative of the expert.

11. The material evidences, samples and other materials examined, as well as photos, schemes and other technical means or means of document clarifying the conclusions of the expert shall be attached to the expert opinion.

12. Where all the materials presented are insufficient and the opportunities to supplement them on the motion of the expert are exhausted or the solution of the question is beyond the expert's special knowledge, the expert opinion shall contain substantiation of impossibility to answer to all or certain questions put forward.

13. Where the body conducting proceedings on administrative offence does not agree to the expert opinion, for the reason that the latter is not sufficiently clear or complete, and the testimonies of the expert are not sufficient for ensuring the necessary clarity, he or she may appoint a supplementary expert examination by assigning the conduct thereof to the same or another expert.

14. A repeated expert examination shall be conducted when the expert opinion is not substantiated or raises doubts or the evidence the opinion is based on has been declared unreliable or the rules prescribed for the conduct of expert examination have been violated. While appointing a repeated expert examination the expert may be assigned a task to scientifically substantiate methods applied during the previous examinations. The decision on conducting a repeated expert examination shall specify the grounds for disagreeing to the results of the previous expert examination. The experts having conducted the previous expert examination, may be present at the repeated expert examination, provide clarifications, but they shall not participate in the examination and in drawing up of the opinion.

15. Based on the complexity of the examination a commission expert examination may be appointed, that shall be conducted by several experts possessing special knowledge and skills in the same field.

16. A complex expert examination shall be appointed where finding out of any circumstance significant for the proceedings on administrative offence is possible only on the basis of simultaneous application of special knowledge and skills in various fields or different research methodologies of different fields.

17. Where the conduct of an expert examination is assigned to expert institution without a request of a commission or complex expert examination, the head of the institution shall, upon the consent of the body conducting proceedings on administrative offence, be competent to organise a commission or complex expert examination, and in case experts are not available - to involve experts.

18. In case of coming to a unified conclusion, when conducting a commission expert

examination, the opinion shall be signed by all the experts having conducted the expert examination. In case of disagreement each expert shall draw up a separate opinion by including therein the questions giving rise to disagreements.

19. Each of the experts shall — based on combination of the circumstances found out in the course of complex expert examination — participate in formation of a common opinion within the scope of his (her) special knowledge and skills. Each expert shall sign the part of the expert opinion, that falls within the scope of his or her scientific competence.

### **Article 123. Taking samples for expert examination**

1. The body conducting proceedings on administrative offence or the expert, upon his or her assignment shall, prior to appointing an expert examination or in the course of conduct thereof, be competent to take samples characterising features of manufactured product, raw material, goods, substances, handwritings, signature, weapon, cartridge, as well as other materials and objects, where there are necessary for the conduct of the expert examination.

2. The body conducting proceedings on administrative offence shall deliver a reasoned decision, wherein, after receiving the following, it specifies the position, name and surname of the person having delivered the decision, the position, name and surname of the person receiving the samples, from whom the sample must be received, in what amount, what the specific samples are to be taken, when and to whom the person shall appear to for taking samples, where, to whom and for what purpose the samples must be presented as well as other circumstances conditioned by issues of the expert examination.

3. The body conducting proceedings on administrative offence shall, in the presence of the participants of the proceedings on administrative offence, carry out all the necessary actions and shall take samples. As necessary the samples may be taken with the participation of the expert. The samples shall be packed and sealed.

4. A relevant protocol on taking samples shall be drawn up in the manner prescribed by this Code, which shall also specify types of samples taken, the methods and means applied, as well as all the actions taken for receiving samples shall be described therein in the succession they have been carried out. The samples received shall be attached to the protocol.

### **Article 124. Procedure for submitting an item, document or transport means for identification**

1. The body conducting proceedings on administrative offence shall — by having sufficient grounds to believe that the suspect, victim or witness may confirm the identification of some object, item, document or transport means within the scope of the proceedings on administrative offence — submit it for identification.

2. In case there arises a necessity of submitting some object for identification, the body

conducting proceedings on administrative offence shall in advance take testimony on the signs of the object and the circumstances thereof from the identifier in the manner prescribed by this Code. Following taking testimony, the object that is subject to identification shall, to the extent possible, be presented to the identifier along with other similar objects, it is suggested to point out one of them and explain by which signs and peculiarities he or she has identified it, save for the objects similar whereto is impossible or difficult to obtain. The objects similar whereto is impossible or difficult to obtain shall be presented for identification in one example. The conditions for presenting for identification should be, as far as possible, close to the conditions wherein the identifier has seen object presented for identification, and in case of necessity, it may be cleaned from secondary materials.

3. A protocol on presenting for identification and the results shall be drawn up in the manner prescribed by this Code, which shall specify the description of the object having been presented for identification by stating in detail the features upon which they have been identified. The protocol shall be signed and submitted to the identifier to become familiar with and sign it in the manner prescribed by Article 104 of this Code.

#### **Article 125. Personal inspection**

1. The body conducting proceedings on the administrative offence shall — by having sufficient grounds to believe that items, materials or documents relating to the prima facie administrative offence may be found out in the clothes, belongings and on the body of the person — conduct personal inspection for the purpose of discovering thereof. Personal inspection shall only be conducted in case of committal of prima facie administrative offences prescribed by this Code, as well as when arresting a person in the manner prescribed by this Code.

2. Personal inspection shall be conducted by an official of the body conducting proceedings on administrative offence who is of the same gender with the person being subjected to inspection.

3. As a result of personal inspection a protocol in the manner prescribed by this Code shall be drawn up, which shall also specify items, materials or documents relating to administrative offence that have been discovered and taken as a result of personal inspection by specifying their quantity, size, weight, individual features and other peculiarities. The protocol shall be signed and submitted to the person having been subjected to inspection to become familiar with and sign it in the manner prescribed by Article 104 of this Code.

4. A copy of the Protocol shall be delivered to the person having been subjected to inspection in hand by his or her signature, and in case of refusing to receive it, an indication thereon shall be made in the protocol.

**Article 126. Inspection of an item, document, locality, premise and vehicle**

1. Inspection of an item (assets, materials, goods), document, locality, premise and vehicle shall be visual examination and research thereof for the purpose of revealing the circumstances considered significant for proceedings on administrative offence.

2. Inspection shall be carried out by the bodies conducting proceedings on administrative offence.

3. Inspection of vehicle shall be conducted without destruction of its structural integrity. Where goods deemed as direct objects of infringement of customs rules or specially designed caches that are used for secret carriage of goods across the customs border of the Republic of Armenia, are concealed in vehicles, customs bodies shall be entitled to inspect them as well.

4. Inspection of an item or a document which is at the disposal of a natural person shall be conducted in the presence thereof, and inspection of an item or a document belonging to a legal person shall be conducted in the presence of the representative of a legal person. Where possible, inspection of a locality, premise, items and documents in the territory thereof shall be carried out in the presence of its owner or his or her representative, whereas inspection of a locality, premise or items and documents therein — in the presence of his or representative. Inspection of vehicle shall be carried out in the presence of its owner or his or her representative or by persons authorised to use it as prescribed by law, whereas inspection of vehicle belonging to a legal person — in the presence of his or her representative.

5. Where appropriate, measurements of the inspected item, locality, premise and separate objects shall be carried out, plans, drafts, schemes, which shall be indicated in the protocol, shall be drawn during the inspection, and shall be attached to the protocol.

6. As a result of the inspection, protocol shall be drawn up as prescribed by law, which shall also indicate everything detected indicating the quantity, size, weight, individual features and peculiarities thereof, data about the person in possession whereof the inspected vehicle is, type, brand, model, registration number plate of the vehicle, other identification marks, nature and quantity of the vehicle, as well as requisites of the documents detected during the inspection of the vehicle. The protocol shall be signed, submitted to the persons involved in the inspection for becoming familiar with it and signing it as prescribed by Article 104 of this Code.

7. A copy of the Protocol shall be delivered to the person prescribed by part 4 of this Article in hand against his or her signature, and in case of refusing to receive it, an indication thereon shall be made in the protocol.

**Article 127. Withdrawal of items and documents**

1. The tool or direct object of the offence, items acquired through an administrative offence (assets, materials, goods) detected during the inspection carried out by the bodies

conducting proceedings on administrative offence as prescribed by Article 126 of this Code, as well as documents considered significant for the proceedings on administrative offence shall be subject to withdrawal.

2. Withdrawal shall be carried out in the presence of the person at whose premises the withdrawal is carried out and his or her representative, where it is possible to ensure the presence of the representative.

3. A person shall not have the right to refuse to give the items, documents or copies thereof subject to the withdrawal prescribed by this Article, which were required by the bodies conducting proceedings on administrative offence. Where the required item or document is in other materials of criminal, civil, administrative proceedings or proceedings on another administrative offence, photo of the given item or copy of the document, where appropriate, may be granted to the body conducting proceedings on administrative offence.

4. In case of committing an administrative offence prescribed by this Code, for which "deprivation of the right to drive a vehicle" administrative penalty may be imposed in accordance with this Code, driver's licence shall be suspended until decision with regard to the case on administrative offence is taken, and a temporary licence for driving a relevant type of vehicle shall be issued which shall be indicated in the protocol on administrative offence. In case of taking a decision on deprivation of the right to drive a vehicle, driving licence shall not be returned, and the temporary licence for driving a relevant type of vehicle shall have effect until the entry into legal force of the decision on imposing an administrative penalty.

5. Driving licences of the offenders prescribed by Chapter 39 of this Code issued by the foreign state and having effect in the Republic of Armenia shall be withdrawn until the performance of the decision taken in respect of the case.

6. Withdrawal of documents containing state, official or other secrets protected by law shall be implemented as prescribed by law.

7. Protocol on withdrawal shall be drawn up as prescribed by this Code, in which quantity, type and requisites of the withdrawn documents, quantity, size, weight, other individual features, description and peculiarities of the withdrawn items shall also be indicated. The protocol shall be signed, submitted to the persons involved in the withdrawal for information and signing as prescribed by Article 104 of this Code. A copy of the Protocol shall be delivered to the person prescribed by part 2 of this Article in hand against his or her signature, and in case of refusing to receive it, an indication thereon shall be made in the protocol.

8. During the withdrawal, where necessary, photo, audio, video recording and any other type of recording may be used, which shall be indicated in the protocol. They shall be attached to the protocol.

9. Withdrawn items and documents shall be packed and sealed in the place of the withdrawal thereof.

10. After the end of the proceedings on administrative offence the withdrawn items and documents shall be kept, returned or confiscated, or destroyed as prescribed or disposed as prescribed by article 91 of this Code.

11. Assessment of the items withdrawn in accordance with this Article shall be carried out on the basis of the current prices of the Republic of Armenia, and in case of absence of such information — on the basis of expert opinions.

12. Foreign currency seized in accordance with this Article shall be converted into the Armenian Dram pursuant to the average exchange rate formed in currency markets and published by the Central Bank of the Republic of Armenia on the day of detection of administrative offence.

### **Article 128. Apprehension**

1. Apprehension of the suspect, witness, victim, legal representative, expert, translator who has failed to appear to the body conducting proceedings on administrative offence without good reason shall be forcibly presenting him or her to the body conducting administrative offence for the purpose of fulfilling the responsibilities prescribed by this Code, which may be accompanied by temporary restriction of rights and freedom of the apprehended person.

2. The apprehended person may not be held in confinement longer, until performing the obligation for the honouring whereof the person was apprehended, but not more than 3 hours.

3. Person shall be released immediately in case it is no longer necessary to confine him or her or in case the maximum time period prescribed by this Article has lapsed. The grounds for and time of release shall be indicated in the protocol prescribed by part 4 of this Article.

4. Immediately after the apprehension, protocol shall be drawn up as prescribed by this Code which shall indicate also the time (year, month, day, hour, minute), place, ground (grounds) and objective of the drawing up thereof, data on the apprehended person. The protocol shall be signed, submitted to the apprehended persons for becoming familiar with it and signing it as prescribed by Article 104 of this Code. A copy of the Protocol shall be delivered to the apprehended person in hand against his or her signature, and in case of refusing to receive it, an indication thereon shall be made in the protocol.

5. Apprehension protocol shall be immediately sent to the prosecutor.

6. Bodies competent to conduct proceedings on administrative offence provided for by this Code shall be entitled to apprehend a person through the cases on administrative offence reserved to them by this Code. Where apprehension by the bodies competent to conduct proceedings on administrative offence is impossible they may appeal to the Police.

7. The persons prescribed by part 1 of this Article shall inform the body conducting proceedings on administrative offence about the available good reasons impeding their



appearance.

8. It shall be forbidden to apprehend minors under the age of 16, pregnant women and persons suffering from severe disease.

## **CHAPTER 15.**

### **CONFIDENTIALITY PROTECTION IN THE PROCEEDINGS ON ADMINISTRATIVE OFFENCE, TIME LIMITS FOR THE PROCEEDINGS ON ADMINISTRATIVE OFFENCE AND NOTIFICATION THEREOF**

#### **Article 129. Confidentiality protection in the proceedings on administrative offence**

1. The bodies conducting proceedings on administrative offence may receive confidential information on the participants in the proceedings on administrative offence protected by law only in the cases provided for and as prescribed by law.

2. During the proceedings on administrative offence measures provided for by law shall be undertaken to preserve information containing secret protected by law. In the course of the proceedings on administrative offence, information containing secret protected by law shall not be collected, stored, used and disseminated unless it is necessary by law. Information containing secret protected by law shall be examined behind closed doors by the initiative of the body conducting proceedings on administrative offence or upon the motion of the participant in the proceedings on administrative offence.

3. The persons participating in the proceedings on administrative offence whom the body conducting proceedings on administrative offence offers to report or submit information containing secret protected by law in accordance with the provisions of this Code, may not refuse to fulfil that request by citing the necessity of keeping the secret protected by law.

4. The persons participating in the proceedings on administrative offence, as well as other persons to whom information containing secret protected by law is submitted or otherwise reported at the request of the body conducting proceedings on administrative offence shall be obliged not to disclose the mentioned information for which they sign a gag order. In case of refusing to sign, the counsel and representatives, except for a legal representative, shall be excluded from participation in the proceedings on administrative offence. The obligation of the person participating in the proceedings on administrative offence for non-disclosure shall not impede him or her to file a motion for examining the information containing secret protected by law behind closed doors.

#### **Article 130. Time limits for the proceedings on administrative offence and calculation thereof**

1. Time limit for the proceedings on administrative offence shall be the period (time)

during which (from the time of the occurrence whereof) the bodies conducting proceedings on administrative offence, persons participating in the proceedings on administrative offence shall have the right to or shall be obliged to perform certain actions or to abstain from performing them.

2. The time limits prescribed by this Code shall be calculated in hours, days, months and years. While calculating time limits, the time and the day from which the running of the time limit starts shall not be taken into account.

3. While calculating in days the running of the time limit shall start at 24.00 of the first day and expire at 24.00 of the last day. While calculating the time limit in months or years the time limits shall expire on the corresponding day of the last month and where the month concerned does not have the corresponding day, the time limit shall expire on the last day of that month. Where the expiry of the time limit coincides with a non-working day, the day of expiry of the time limit shall be considered the next working day following it.

4. The time limit shall not be deemed to be missed where the appeal or other document is taken to a post office until 24:00 of the last day of the period prescribed by law, and for persons in medical institution, where the complaint or other document is delivered to the administration of a medical institution — before the end of the working time of the last day of the period. The time for taking appeal or other document to a post office shall be determined by a postal seal, and the time for delivering the appeal or other document to the administration of a medical institution — by an indication mad by offices or officials of the institutions.

5. The observance of the time limit by officials shall be confirmed in procedural documents with a relevant indication. The fact of receipt of documents subject to be submitted to persons participating in proceedings on administrative offence shall be confirmed by their signature attached to the case, and in case they are sent by post — by receipt notification.

**Article 131. CONSEQUENCES OF MISSING TIME LIMITS AND PROCEDURE FOR RESTORATION THEREOF**

1. After the expiry of the time limits actions of or decisions taken by the bodies conducting proceedings on administrative offence shall be invalid.

2. An interested person shall file a motion or request to the body conducting proceedings on administrative offence for restoring the time limits missed.

3. The time limits missed with a good reason shall be restored by a decision of the body conducting proceedings on administrative offence by the motion of an interested person.

4. The execution of a decision which is appealed against by missing the prescribed time limits may be suspended by the motion of the interested person until the issue of restoring the missed time limits is decided.

5. After elimination of the reason (reasons) due to which time limits for appeal were missed, persons participating in the proceeding on administrative offence may submit an

appeal within 15 days by indicating the reason (reasons) of missing the time limits. The administrative body conducting administrative proceeding shall restore the missed time limits and shall consider the appeal on merits and settle it, where it is proved by the appeal or during the consideration of the appeal that the fact of missing time limits for appeal was due to reasons beyond the control of the appellant (the absence of the appellant's fault).

6. One year after the expiry of the time limits for appeal person participating in the proceedings on administrative offence shall be deprived of the right to appeal on the grounds of missing the time limits for good reasons, except for the cases, when the missing of the time limits for appeal is due to the consequences occurred by force major.

7. Refusal of the body conducting proceedings on administrative offence to restore the missed time limits shall be appealed against to its superior body or to court.

**Article 132. Delivering documents (notifying) in the proceedings on administrative offence**

1. Documents (decisions, protocols, letters of notification, etc.) in the proceedings on administrative offence shall be delivered to the persons participating in the proceedings in hand against their signature or as prescribed by the Law of the Republic of Armenia "On special delivery of documents" or as provided for by the Law of the Republic of Armenia "On public and individual notices via the internet" unless other procedure for delivery is provided for by this Code.

2. In case of impossibility to deliver (notify) (address is not known, person does not live at that address, etc.) as provided for by part 1 of this Article, the person shall be notified by posting the letter of notification on the official website of public notifications of the Republic of Armenia.

3. The persons participating in the proceedings on administrative offence may give their consent to other methods of notification (by fax, electronic mail, telephone, telegram).

4. Natural persons shall be notified at the address indicated in the State Register of Population, and legal persons — at the address indicated in the State Register of Legal Persons, where there is no motion for notifying at their preferable address.

5. The persons participating in the proceedings on administrative offence shall be obliged to inform the body conducting proceedings on administrative offence about the change of their address during the proceedings on administrative offence.

6. The person shall be summoned to the body conducting proceedings on administrative offence by a letter of notification. The letter of notification shall indicate the following:

- (1) name, surname, address and status of the summoned person;
- (2) name and address of the body conducting proceedings on administrative offence;
- (3) place and time for appearing, as well as the procedural action or other action

performed during the proceedings on administrative offence, for participating wherein the person is invited;

(4) place and time (year, month, day, time) of committing an administrative offence and the description thereof, the Article or part of the Article of this Code, that provides for liability for the given administrative offence;

(5) legal consequences of failure to appear.

7. The letter of notification shall be delivered no later than 5 days before the day indicated in it. The letter of notification shall be delivered personally to the summoned person against his or her signature and the time of the receipt thereof shall be indicated in the separate place for signature. The person submitting the notification shall, in the absence of the summoned person, make an indication thereon in the separate place of the notification for signature, as well as shall indicate his or her location and possible time limits for returning, and shall return the notification to the body conducting proceedings on administrative offence. Where the summoned person refuses to accept the notification, the person submitting the notification shall make an indication thereon in the separate place of the notification for signature and shall return the notification to the body conducting proceedings on administrative offence.

## **SECTION 5.**

### **APPEAL AND REVIEW PROCEEDINGS**

#### **CHAPTER 16.**

#### **APPEAL AGAINST THE DECISION ON ADMINISTRATIVE OFFENCE**

#### ***Article 133.* Procedure for appealing against and reviewing of the decision on administrative offence**

1. Decision on the merits on administrative offence rendered by the body conducting proceedings on administrative offence, as well as action or inaction (hereinafter referred to in this Chapter as "Decision", except for the Articles, by which action and inaction are separated from the Decision) may be appealed through administrative procedure prescribed by this Code or through judicial procedure prescribed by the Administrative Procedure Code of the Republic of Armenia.

2. Decision shall be appealed through administrative procedure in the superior administrative body of the body conducting proceedings on administrative offence or in another competent administrative body in cases provided for by law.

3. In case when the body conducting proceedings on administrative offence does not have a superior administrative body, decision shall be appealed only through judicial procedure.

4. Where the decision has been appealed through administrative and judicial procedure simultaneously, the appeal shall be subject to court examination, and the proceedings on administrative offence shall be subject to dismissal.

5. Where the appeal is submitted to the body conducting proceedings on administrative offence, the latter shall, within a period of 3 days after receiving the appeal, together with other materials of the proceedings on administrative offence send it to its superior.

6. In case of the missed time limits for appeal, the administrative body competent for examining the appeal shall render a decision on rejecting the institution of the appeal proceedings, where a motion for restoring the time limits has not been filed or that motion has been rejected.

7. In case of absence of the appeal against the decision the superior administrative body of the administrative body who has rendered the decision shall have the right to review decision rendered by the subordinate administrative body through the procedure for supervision and by its initiative where there are grounds prescribed by part 1 of Article 141 of this Code.

**Article 134. Persons who have the right to submit an appeal through administrative procedure**

1. The following shall have the right to submit an appeal through administrative procedure against the decisions of the body conducting proceedings on administrative offence, including interim decisions:

(1) participants in the proceedings on administrative offence, where it is considered that his or her rights and freedoms enshrined by the Constitution of the Republic of Armenia, international treaties or other legal acts has been violated or may be directly violated by the decision rendered by the body conducting proceedings on administrative offence;

(2) persons who are not participants in the proceedings on administrative offence on the rights and responsibilities whereof the body conducting proceedings on administrative offence has rendered a decision.

**Article 135. Terms for submitting an appeal through administrative procedure**

1. Appeal submitted through administrative procedure except for the cases on the basis of the new or newly emerged circumstances, shall be lodged:

(1) within two months following the entry into force of the decision;

(2) within one month following the day of taking any action by the body conducting proceedings on administrative offence;

(3) within two months following the day of any inaction by the body conducting proceedings on administrative offence.

2. Interim decisions of the body conducting proceedings on administrative offence may

be appealed through administrative procedure within a period of 5 days following the entry into force of the decision.

3. The missed time limits may be restored as prescribed by Article 131 of this Code.

4. For the persons provided for by point 2 of part 1 of Article 134 of this Code time limits prescribed by this Article shall run from the day when they have known or might have known about rendering the decision.

**Article 136. Contents of the appeal submitted through administrative procedure**

Վարչական կարգով ներկայացվող բողոքը կազմվում է գրավոր և պետք է բովանդակի՝

(1) name of the body, the appeal is submitted to;

(2) data on the person having lodged the appeal (name, surname, address of the natural person lodging the appeal, while in case of legal person — name, place of location of the legal person, name, surname and position of the person lodging the appeal on behalf of the legal person);

(3) year, month, day of rendering the appealed decision and name of the body (official) who has rendered the decision;

(4) the subject matter of the appeal;

(5) request of the person lodging the appeal;

(6) list of the documents attached to the appeal;

(7) signature of the person having lodged the appeal, while in case of legal person — signature of the person lodging the appeal on behalf of the legal person and the seal of the legal person.

**Article 137. Consequence of submitting an appeal through administrative procedure**

1. Submitting an appeal through administrative procedure shall suspend the execution of that decision, except for the cases, when immediate execution with written substantiation of the body conducting proceedings on administrative offence is necessary for public interests, including the cases when it has resulted in danger or may result in danger to life, health or property of persons, and for the prevention of such danger the body conducting proceedings on administrative offence will have to take disproportionate measures.

**Article 138. Time limits for instituting administrative proceedings on the basis of the appeal submitted through administrative procedure**

The proceedings on administrative offence on the basis of the appeal submitted through administrative procedure shall be instituted within a period of 3 days following the day when the administrative body received the appeal. Within that period, in case of not rejecting

the institution of the appeal proceedings, the body conducting proceedings on administrative offence shall render a decision on instituting proceedings on administrative offence.

**Article 139. Procedure for examination of the appeal submitted through administrative procedure and time limits thereof**

1. The appeal submitted through administrative procedure shall be examined in accordance with the provisions prescribed by section 4 of this Code, unless otherwise is provided for by this Chapter, and that provisions are applicable to the appeal proceedings.

2. The appeal shall be subject to examination within 15 days following the day of its receipt by the administrative body examining the appeal, and with regard to the proceedings requiring additional study and check — within a period of 30 days.

3. While considering the appeal the administrative body examining the appeal shall be guided by the evidences of the case, as well as by additionally submitted evidences.

**Article 140. Decisions taken as a result of examination of the appeal**

1. As a result of the examination of the administrative appeal, the administrative body examining the appeal shall take one of the following decisions:

(1) reject the appeal and leave the decision unchanged. In case when the decision is reasoned incompletely or incorrectly the body examining the appeal shall reason the decision which has been left unchanged;

(2) grant the appeal completely or partially by reversing and amending the decision completely or partially. In case when the appeal has been submitted by the suspect, the decision shall be amended in such a way as not to increase the imposed administrative penalty or not to worsen his or her status otherwise.

(3) reverse the decision completely or partially and dismiss the proceedings on administrative offence completely or partially, where any of the circumstances excluding the proceedings on administrative offence prescribed by Article 105 of this Code is available, and leave the decision with non-reversed part unchanged;

(4) reverse the decision and forward the case for a new examination, where the examination of the case carried out by the body examining the appeal is not sufficient for rendering any of the decisions provided for by point 2 or 3 of this Part.

(5) satisfy the appeal completely or partially by recognizing the appealed action as completely or partially unlawful by terminating that action, where it continued on the moment of admission of application concerning the appeal;

(6) satisfy the appeal completely or partially and, correspondingly, perform the requested action completely or partially.

2. While forwarding the case for a new examination according to point 4 of part 1 of this Article the official of the body conducting proceedings on administrative offence may not

examine it or participate in its examination.

**Article 141. GROUNDS FOR AMENDING OR REVERSING THE DECISION**

1. The grounds for amending and reversing the decision shall be the following:

(1) the body conducting the proceedings on administrative offence has not applied the law or the international treaty of the Republic of Armenia or other legal act which it should have applied, and it has caused erroneous resolution of the case;

(2) the body conducting the proceedings on administrative offence has applied the law or the international treaty of the Republic of Armenia or other legal act which it should not have applied, and it has caused erroneous resolution of the case;

(3) the body conducting the proceedings on administrative offence has incorrectly interpreted the law or the international treaty of the Republic of Armenia or other legal act, and it has caused erroneous resolution of the case;

(4) the case has been examined by an administrative body who was not authorised for it (as well as in case when it has been carried out by collegial body in which there was an official who did not have the right to participate in the proceedings) or by its official, or the relevant official has not recused himself or herself in case of the mandatory grounds provided for by this Code;

(5) the decision is not signed by the official (officials) who has (have) conducted the proceedings on administrative offence or is signed by official (officials) who was (were) not authorised to sign it;

(6) the proceedings on administrative offence has been conducted in the absence of one of the persons participating in the proceedings on administrative offence, who has not been duly notified of the time and place of the examination of the case;

(7) the decision touches upon the rights and responsibilities of persons who have not become participants in the case;

(8) the grounds provided for by this Code for excluding proceedings on administrative offence and dismissing it are available;

(9) the decision has been taken on the basis of forged documents or information, or if it is apparent from the submitted documents that actually another decision should have been made.

(10) the decision does not clearly show, or it is not obviously clear therefrom which administrative body has made it, whom it is addressed to, or it is unknown what issue it regulates;

(11) an unlawful duty is imposed upon or unlawful right is granted to the suspect.

2. The correct decision on the merits of the body conducting proceedings on administrative offence may not be reversed only for formal reasons.



**Article 142.      Appealing of the interim decisions of the body conducting proceedings on administrative offence**

1. The rules of this Chapter shall extend to the procedure for appealing interim decisions taking into account the peculiarities prescribed by this Article.

2. The administrative appeal shall be subject to examination within 5 days following the institution of appeal proceedings.

CHAPTER 17.

**REVIEW OF THE DECISIONS ON ADMINISTRATIVE OFFENCE WITH NEWLY EMERGED CIRCUMSTANCES AND NEW CIRCUMSTANCES**

**Article 143.      Procedure for reviewing the decisions on administrative offence with new or newly emerged circumstances**

1. Decision on administrative offences disposing of a case on the merits which has become non-appealable (hereinafter referred to in this Chapter as "decision") shall be reviewed with new or newly emerged circumstances by the body conducting proceedings on administrative offence who has rendered the decision or the superior body thereof or by another competent body provided for by law.

2. The body conducting proceedings on administrative offence shall review the decision with new or newly emerged circumstances on the basis of the application or by its initiative.

3. While reviewing decisions with newly emerged or new circumstances competent administrative bodies shall examine the case on administrative offence in accordance with the rules prescribed by this Code, unless other rules are prescribed by this Code.

**Article 144.      Review of the decision on administrative offence with newly emerged circumstances**

1. The decision shall be reviewed with newly emerged circumstances, where:

(1) it is confirmed by the judicial act or the decision on administrative offence entered into legal force that testimonies of a witness, victim are forged, as well as the translation made by a translator is obviously false or the expert opinion is forged;

(2) unlawful actions or inaction of an official of the body conducting proceedings on administrative offence are confirmed by the judicial act entered into legal force which he or she has committed while examining the case;

(3) other circumstances unknown to the body conducting proceedings on administrative offence have emerged which per se or together with circumstances discovered before that prove innocence of the person or non-compliance of the acts committed by him or

her with the administrative offence for which administrative liability has been imposed on him or her, or prove guilt of the persons the proceedings on administrative offence against whom have been dismissed and that the evidences are forged, which have resulted in rendering unlawful decision.

**Article 145.** Review of the decision on administrative offence with new circumstances

1. The decision shall be reviewed with new circumstances, where:

(1) the Constitutional Court of the Republic of Armenia has recognised the provision of the law, applied by the body conducting proceedings on administrative offence in respect of the given case or of other legal act as contradicting to the Constitution and as invalid or has recognised it as complying with the Constitution but when revealing its constitutional-legal nature at the final part of the decision has found that the given provision in law enforcement practice has been applied with an interpretation contradicting to the Constitution;

(2) the international court acting with the participation of the Republic of Armenia delivered judicial act, which has confirmed the fact that the person's right provided for by the international treaty of the Republic of Armenia has been violated within the framework of the given proceedings on administrative offence;

(3) a law removing or mitigating administrative liability for the relevant act has entered into force;

(4) the administrative court, as prescribed by law, has rendered a decision which recognised the judicial act having been applied while rendering decision on the given case, and any norm thereof as invalid.

2. The decision may be reviewed on the bases provided for by point 3 of part 1 of this Article, where the imposed administrative penalty has not been implemented.

3. In the case provided for by point 2 of part 1 of this Article the calculation of the period of three months shall commence from the day of receipt of the judicial act having entered force, of an international court with the participation of the Republic of Armenia, by the person having applied to that court as prescribed by the regulations of that court.

**Article 146. Persons having the right to submit an application and time limits thereof**

1. The following shall have the right to submit an application for reviewing a decision with newly emerged or new circumstances:

(1) participants in the proceedings on administrative offence, as well legal successors thereof, where the disputed legal relationship allows for a legal succession;

(2) persons who are not participants in the proceedings on administrative offence on the rights and responsibilities whereof the body conducting proceedings on administrative offence has rendered a decision.

2. The person upon the applications whereof a judicial act serving as a new circumstance has been delivered by the Constitutional Court of the Republic of Armenia or by the international court acting with the participation of the Republic of Armenia shall have the right to submit applications, as well as the person who:

(1) as of the day of taking of the decision by the Constitutional Court on the issue of constitutionality of the provision of law, in accordance with the Law of the Republic of Armenia "On Constitutional Court", has had a possibility to implement that right or has been deprived from the possibility of examination of their case in the Constitutional Court by the Law of the Republic of Armenia "On Constitutional Court".

(2) at the moment of delivering the relevant judicial act by the international court acting with the participation of the Republic of Armenia, has had the right to apply to the international court in accordance with the international treaty.

3. Review of the decision due to the emergence of such circumstances which prove innocence of a natural person or failing to commit the given administrative offence by a legal person shall not be restricted by time limits.

4. An application for reviewing a decision with newly emerged or new circumstances may be submitted within a period of 3 months following the moment when the person having submitted the application has become aware or might have become aware of their emergence.

5. Review of the decision on dismissing the proceedings on administrative offence shall be allowed only where statutes of limitation for imposing administrative liability have not expired.

6. Death of the natural person having committed administrative offence or liquidation of a legal person shall not be an impediment for reviewing the decision for the purpose of proving innocence or restoring rights of other persons. In that case the legal successor shall act in the proceedings on administrative offence.

7. The legal successor of the person deemed to be a participant in the proceedings on administrative offence shall submit an application for reviewing the decision within a period of three months after being recognised as a legal successor, where the legal successor has not implemented the right to submit an application for the reason of death or liquidation within a period prescribed by part 4 of this Article.

8. An application for reviewing a decision may not be submitted where 10 years have passed after the entry into legal force of the decision.

#### **Article 147. Requirements for application**

1. The application for reviewing the decision with new circumstances or newly-emerged circumstances shall include:

(1) name, surname, address of place of residence or place of work, position of the person having submitted the application;

- (2) name of the administrative body whom the application is addressed to;
- (3) year, month, day of rendering the decision subject to review;
- (4) wording of the new circumstance or newly-emerged circumstance serving as the basis for the review of the decision;
- (5) request of the person having submitted the application;
- (6) list of the documents attached to the application;
- (7) signature of the person having submitted the application

2. Materials and other necessary materials proving the new circumstance or newly-emerged circumstance shall be attached to the application.

3. The person having submitted the application shall properly deliver the copy of the application together with copies of materials proving the new emerged circumstance or new circumstance to the participants in the proceedings on administrative offence.

4. Authorised person of the person having the right to submit an application prescribed by Article 146 of this Code shall have the right to submit an application for instituting proceedings for reviewing decision, who together with an appeal shall also submit a document certifying his powers.

**Article 148. Instituting proceedings for reviewing decision on administrative offence and examination of the case**

1. The decision shall be reviewed with new or newly emerged circumstances on the basis of the decision on instituting review proceedings.

2. The relevant body conducting proceedings on administrative offence shall, no later than within a period of 10 days following the day of receiving the application, render a decision on instituting review proceedings or rejecting instituting proceedings the copy whereof shall be delivered to the participants in the proceedings on administrative offence within a period of 3 days upon rendering the decision.

3. The body conducting proceedings on administrative offence shall, in case of instituting proceedings by its initiative, deliver the copy of the decision on instituting proceedings to the participants in the proceedings no later than within a period 3 days.

4. The institution of review proceedings shall be rejected, where:

- (1) the application does not comply with the requirements of Article 147 of this Code;
- (2) a new or newly emerged circumstance is prima facie missing;
- (3) no evidence has been presented proving the new or newly emerged circumstance serving as the basis for reviewing the decision, and where the body conducting proceedings on administrative offence is unaware of the existence of such a circumstance;

(4) the application has been submitted in violation of the time limits provided for by this Code and no motion for restoring it has been filed.

5. The decision on rejecting the institution of review proceedings may be appealed in

the general manner prescribed by this Code.

6. As a result of the proceedings for reviewing the decision shall be reversed or amended, where it is approved, that the newly emerged or new circumstance has affected lawfulness of the decision.

**SECTION 6.**  
**ENFORCEMENT PROCEEDINGS**

**CHAPTER 18.**  
**ENFORCEMENT OF DECISIONS ON IMPOSITION OF AN ADMINISTRATIVE  
PENALTY**

**Article 149. Compulsory nature of a decision on imposition of an administrative penalty**

1. The enforcement of a decision on imposition of an administrative penalty shall be binding for state and local self-government bodies, officials, legal and natural persons.

**Article 150. Enforcement of a decision on imposition of an administrative penalty**

1. In case of failure to voluntarily enforce a decision on imposing an administrative penalty, the decision shall be subject to become inappealable for compulsory enforcement, and in case of being appealed - following the day of the entry into force of the final act of a court or administrative body examining the appeal (hereinafter referred to as "the day of enforcement"), as prescribed by this Chapter.

2. The decision on imposition of an administrative penalty shall be enforced by the body having rendered that decision, except for cases provided for by legislation.

3. Where enforcement of a decision on imposition of an administrative penalty is reserved for another body, the body having rendered the decision shall, within a 3-day period following the day of enforcement, forward the decision to the body with the competence to enforce it.

4. Where the decision on imposition of an administrative penalty has been rendered by the court, the court shall, within a 3-day period following entry into force of the judicial act, forward it to the body conducting proceeding on administrative offence having appealed to court in order to secure enforcement, as prescribed by this Code.

5. A decision on imposing an administrative penalty shall not be subject to enforcement, where one year has passed since the day of enforcement.

**Article 151. Termination of proceedings on enforcement of a decision on imposition of an administrative penalty**

1. The administrative body having rendered a decision on imposition of an administrative penalty shall terminate the proceedings on enforcement of the decision in the following cases:

(1) the legal norm defining administrative liability for a respective act has been repealed;

(2) the natural person subjected to administrative liability has died or has been recognised as dead, as prescribed by law;

(3) term of enforcement of a decision prescribed by this Code has expired;

(4) the legal person subjected to administrative liability has been liquidated or recognised as bankrupt.

2. A decision on termination of proceedings on enforcement of a decision on imposition of an administrative penalty shall be adopted, which, in the case provided for by part 3 of Article 150 of this Code, shall be forwarded to the body with the competence to enforce the decision.

**Article 152. Enforcement of a decision on imposition of a warning**

The decision on imposition of a warning shall be considered as enforced, where, as prescribed by this Code, it has been submitted to the person against whom the decision on imposition of a warning has been rendered.

**Article 153. Enforcement of a decision on imposition of a fine**

1. In case of failure to voluntarily enforce a decision on imposition of a fine, it shall be subject to enforcement as prescribed by the Law of the Republic of Armenia "On fundamentals of administrative action and administrative proceedings".

2. Where the body conducting proceeding on administrative offence does not forward the decision to the body with the competence for compulsory enforcement following expiry of the terms prescribed by law, the proceedings on enforcement of the decision on imposition of a fine shall be considered as completed.

3. Where a person applies to the body having rendered the decision with the request to defer the payment of the fine on the basis conditioned by property status on the day preceding the day of expiry of the term provided for in part 1 of this Article, the body having rendered the decision shall, by its decision, defer the payment for the term referred to in the application, but no more than 6 months. In case of failure to pay the amount of the fine in that period, the body conducting proceeding on administrative offence shall, on the day of expiry of the term, forward the decision for compulsory enforcement, as prescribed by the Law of the Republic of Armenia "On compulsory enforcement of judicial acts".

4. The amount of the fine imposed by state bodies shall be paid to the State Budget, and the amount of the fine imposed by local self-government bodies-to the community budget. The account to which the amount of the fine is to be paid is specified in the decision.

5. Penalty points shall be fixed by the following calculation for a person having committed an administrative offence from the moment of forwarding for compulsory enforcement as prescribed in part 1 of this Article, in case of administrative offences prescribed by Chapter 39 of this Code:

(1) in case of committing an administrative offence fixing a fine from AMD 10 to 30 thousand-1 point;

(2) in case of committing an administrative offence fixing a fine from AMD 30 to 50 thousand-2 points;

(3) in case of committing an administrative offence fixing a fine from AMD 50 to 100 thousand-3 points;

(4) in case of committing an administrative offence fixing a fine from AMD 100 and over 100 thousand-4 points;

6. In case of not committing administrative offences provided for by Chapter 39 of this Code, penalty points shall, within one year from the moment of defining points, be nullified for the person having committed an administrative offence.

7. In case of collecting the maximum number of penalty points prescribed by Article 48 of this Code, a driver shall be deprived of a driving licence, as prescribed by Article 158 of this Code.

IV.8. A person may pay the fine imposed as prescribed by Article 115 of this Code at the scene of committal of the administrative offence. **In this case, the person shall be given a receipt of levying of fine of a model defined by the Government of the Republic of Armenia, which is a strict financial reporting document.**

#### **Article 154. Enforcement of a decision on imposition of publicly beneficial works**

1. Implementation of publicly beneficial works shall be ensured by the Subdivision for Enforcement of Alternative Punishments of the Penitentiary Department of the Ministry of Justice of the Republic of Armenia.

2. A person shall be obliged to present himself or herself to the authority ensuring implementation of publicly beneficial works within seven days following receipt of a written notification about replacement of a fine imposed against him or her with publicly beneficial works.

3. The start of the term for implementation of publicly beneficial works shall be calculated from the moment of factually engaging the person subjected to administrative liability in the publicly beneficial works.

4. A person subjected to administrative liability shall, during the whole period of implementation of publicly beneficial works, be obliged to follow the internal working disciplinary rules of the bodies or organisations where he or she implements publicly beneficial works, work in places determined for him or her, as well as inform the body enforcing the decision about change of place of residence.

5. In cases of emergence of the limitations provided for by part 5 of Article 43 of this Code or impossibility to perform publicly beneficial works for good reasons, the body enforcing the decision shall notify the body having imposed an administrative penalty about that in



writing in order to replace the unperformed part of publicly beneficial works with an imposed fine, by calculating the difference between the unperformed part of publicly beneficial works and the imposed fine, or by releasing from the unperformed part of works, taking into consideration the level of gravity of the specified limitations and the reasons for impossibility of performance of publicly beneficial works.

6. In case of compulsory call up for military service or alternative service of the person subjected to administrative liability, the execution of the administrative penalty for publicly beneficial works shall be suspended for the term of military service or alternative service.

**Article 155. Evasion of implementation of publicly beneficial works**

1. In case of evasion by a person of implementation of publicly beneficial works, the body ensuring implementation of publicly beneficial works shall notify the body having imposed administrative penalty about that in writing in order to replace the amount of the previous fine imposed for publicly beneficial works with the 10 percent added to that amount.

2. The person evading a penalty in the form of publicly beneficial works shall be deemed to be the person who:

(1) has performed less than 90% of publicly beneficial works provided for him or her during one month with no good cause;

(2) has crudely violated the internal rules of working discipline of the respective body or organisation twice or more within one month;

(3) has not appeared to the performing body for no good reason more than twice upon being notified.

**Article 156. Enforcement of a decision on confiscation of an item or property being a tool or a direct object for administrative offence**

1. In case of failure to voluntarily enforce the decision on confiscation of an item or property being a tool or a direct object for administrative offence, the body conducting proceedings on administrative offence shall, within a 10-day period following the day that the decision becomes inappealable, forward it for compulsory enforcement, as prescribed by the Law of the Republic of Armenia "On compulsory enforcement of judicial acts".

2. The confiscated items or properties being a tool or a direct object for administrative offence shall be possessed as prescribed by law.

**Article 157. Enforcement of a decision on deprivation of the right to hold certain positions or to be engaged in certain activities**

1. The body conducting proceedings on administrative offence shall, within a 10-day period following the day that the decision on deprivation of the right to hold certain positions or to be engaged in certain activities becomes inappealable, forward the decision to the

administration of the workplace of the person subjected to administrative liability or to the bodies granting the right to be engaged in such activities for enforcement.

2. The administration of the workplace of a person subjected to administrative penalty and the body with the competence to grant the right to be engaged in certain activities shall, within a 5-day period following receipt of the copy of the decision, take measures to deprive the person subjected to administrative penalty of all the rights and privileges connected with holding prohibited offices or being engaged in prohibited activities, informing the body conducting proceedings on administrative offence about that in writing within a 3-day period.

3. The calculation of the period for deprivation of the right to hold certain offices or to be engaged in certain activities shall start from the day of enforcement.

#### **Article 158. Enforcement of a decision on deprivation of a special right**

1. The decision on deprivation of a special right shall be enforced by means of taking the certificate certifying that right after the decision becomes inappealable, except for the case prescribed by part 4 of this Article.

2. The calculation of the period for deprivation of a special right shall start from the day of enforcement.

3. The person subjected to administrative penalty shall, within a 5-day period following receipt of a notification from the body conducting proceedings on administrative offence, submit to the body conducting proceedings on administrative offence the certificate certifying the right. In case of failure to perform this obligation, the period of deprivation of the special right shall, except for deprivation of the certificate of qualification, be extended by the period of failure to perform the obligation provided for by this Article.

4. Where a person is deprived of the right to drive means of transport, the certificate shall not be taken, but it shall be noted therein the right of driving the types of means of transport he or she is deprived of and for what period. In this case, the person subjected to administrative liability shall, through the procedure provided for by part 3 of this Article, be obliged to submit to the body conducting proceedings on administrative offence the certificate for making a note.

5. The certificate certifying the special right shall be returned to the person subjected to administrative penalty immediately after the expiry of the term for deprivation of the special right.

#### **Article 159. Enforcement of a decision on suspension or termination of a licence or authorisation**

1. The body conducting proceedings on administrative offence shall, within a 3-day period after the decisions on suspension of a licence or authorisation and on termination of a licence or authorisation become inappealable, submit to a licensing or authorising body a

motion for suspension or termination of a licence or authorisation, where it is endowed with the authorisation to suspend or terminate the corresponding licence or authorisation.

2. The licensing or authorising body shall notify the body conducting proceedings on administrative offence about the results of enforcement of the decision in writing within a 3-day period.

3. A licence or authorisation shall be considered as suspended or terminated from the day following the day that the decision of the licensing or authorising body is properly submitted to the licensed or authorised person or is filed with him or her, unless a later date is provided for by the decision on suspension or termination of a licence or authorisation.

4. The suspension of a licence or authorisation shall be considered as ended on the day after the period of suspension expires.

5. A licence or authorisation shall be terminated by means of repealing the licence or authorisation as prescribed by legislation.

**Article 160. Enforcement of a decision on the termination of activities of a legal person**

1. The decision on the termination of activities of a legal person shall be submitted to the body carrying out state registration of liquidation of legal persons for registering the liquidation of a legal person within a 3-day period after the decision becomes inappealable.

2. State registration of the liquidation of a legal person shall be carried out as prescribed by legislation.

3. The body carrying out state registration of the liquidation of legal persons shall notify the body conducting proceedings on administrative offence about the results of enforcement of the decision within a 3-day period.

**SECTION 7.****SPECIAL PROCEEDINGS ON ADMINISTRATIVE OFFENCES OF A SPECIAL TYPE****CHAPTER 19.****PECULIARITIES OF SPECIAL PROCEEDINGS ON ADMINISTRATIVE OFFENCES OF A SPECIAL TYPE****Article 161. Application of the norms regulating the peculiarities of special proceedings on administrative offences of a special type**

1. The peculiarities of special proceedings on administrative offences of a special type shall be defined by this Section.

2. Special proceedings on administrative offences of a special type shall be carried out through the general procedure provided for by this Code insofar as other rules are not provided for by this Section.

**CHAPTER 20.****PROCEEDINGS ON ADMINISTRATIVE OFFENCES IN THE SPHERE OF ECONOMIC COMPETITION****Article 162. Scope of regulation**

The norms of this Chapter shall extend to the proceedings on administrative offences prescribed by Chapter 36 of this Code.

**Article 163. Peculiarities of proceedings on administrative offence**

1. When imposing an administrative penalty, the body conducting proceedings on administrative offence shall also take into consideration the possible or factual influence of an administrative offence on the competitive situation or the interests of consumers in the market, the committal by a suspect of violations of the Law of the Republic of Armenia "On economic competition" in the past, the sphere and/or history of activity of a suspect and the type of anti-competitive agreement (horizontal, vertical, mixed).

2. In case of administrative offence prescribed by part 1 of Article 412 of this Code, the body conducting proceedings on administrative offence may adopt a decision on releasing an economic entity from administrative liability, where, prior to initiation by the body conducting proceedings on administrative offence of proceedings on the administrative offence in relation to the respective agreement, the economic entity, by its own initiative, is the first to apply to the body conducting proceedings on administrative offence and voluntarily becomes obliged to terminate its participation in that anti-competitive agreement and later exclude it, submitting at the same time such proofs relating to the respective anti-competitive agreement that,

according to the body conducting proceedings on administrative offence, serve as a sufficient ground for initiation of proceedings on administrative offence. The economic entity shall be released from administrative liability, where it reports its name and address, as well as provides the following proofs to the body conducting proceedings on administrative offence:

- (1) names of all the economic entities participating (having participated) in the anti-competitive agreement and other information relating thereto;
- (2) detailed description of the anti-competitive agreement, including its purpose, manner of demonstration, the product comprising the subject matter of the agreement, date of entering into (making), duration, venue of the anti-competitive agreement and other data relating to the proceedings on administrative offence;
- (3) names, positions, addresses of all persons who are involved, have been involved or may be involved in the process of entering into (making) the anti-competitive agreement;
- (4) other evidence at the disposal of the applicant regarding the anti-competitive agreement.

3. An economic entity may not, as prescribed by part 2 of this Article, be released from administrative liability, where it has not met any one of the following conditions:

- (1) the economic entity, starting from the moment of submission of an application, does not properly assist in the disclosure of the anti-competitive agreement during the proceedings on administrative offence being conducted by the body conducting proceedings on administrative offence-in particular, does not submit the information (evidence) relating to the anti-competitive agreement at its disposal and/or does not provide them in an operative manner, does not provide the opportunity to receive relevant information from its employees, has not reasonably impeded the elimination, falsification of information (evidence) relating to the anti-competitive agreement, dissemination or disclosure of them or of the data existing in its application, prior to the adoption of a decision by the body conducting proceedings on administrative offence or the consent of the body conducting proceedings on administrative offence;
- (2) the economic entity does not terminate its participation in the anti-competitive agreement immediately after submitting an application.

3. When imposing an administrative penalty for an administrative offence prescribed by Article 412 of this Code, the body conducting proceedings on administrative offence shall also apply the liquidation (dissolution, termination) means of administrative and legal influence as prescribed by the legislation on prohibited concentration or the legislation on prohibited concentration placed into circulation.

## **CHAPTER 21.**

### **PROCEEDINGS IN THE SPHERE OF VIOLATIONS OF ROAD TRAFFIC RULES**

## **DETECTED BY VIDEO OR PHOTO CAMERAS**

### **Article 164. Scope of regulation**

1. The norms of this Chapter shall extend to the proceedings on administrative offences prescribed by Chapter 39 of this Code, where the administrative offence has been detected by video or photo cameras (except when the administrative offence has also been detected by an employee of the authorised state administration body responsible for ensuring road traffic safety and when proceedings on administrative offences have been conducted, irrespective of the fact that the administrative offence is fixed by technical means).

### **Article 165. Conducting cases of administrative offence, proofs, maintaining them and providing them for familiarisation**

1. The evidence substantiating the administrative offences prescribed by Article 164 of this Code (hereinafter referred to as "the administrative offence") is the video or photograph that has fixed the offence and that also contains data recorded by technical means.

2. The images of other persons in the video or photograph having fixed the administrative offence are darkened (except for the person having committed the administrative offence) and are kept with that image in the case for proceedings on administrative offence, on the website and in the general archives of the Police. The images of persons in a scene of the video or in the photograph having fixed the administrative offence (including the video or photograph posted on the website of the Police) recorded in the decision on administrative offence submitted to the suspect, shall be darkened.

3. The carrier of a video or photograph shall be wrapped and sealed with the seal of the body conducting proceedings on administrative offence after expiry of the term for appeal, as prescribed by this Code.

4. From the moment of being informed about the decision on imposition of an administrative penalty, the body conducting proceedings on administrative offence shall, based on the application of the person having committed the administrative offence or his or her representative, provide them with the copy of the video within three days following the day of being entered into the relevant body. Photocopying shall be carried out on the carriers provided by the applicant. The copy of the video shall be submitted personally, and the fact of submission shall be fixed with a note made in the application by the person having committed the administrative offence or his or her representative. Where the person having committed the administrative offence or his or her representative has not appeared in the prescribed period after applying in written form, the failure of appearance shall be fixed with a note made in the application. The failure of appearance shall not be a ban on applying to the administrative body again with the request for provision of the copy of the video.

5. The body conducting proceedings on administrative offence shall be obliged to provide the

copy of the video on general grounds, unless it has not been eliminated as prescribed.

6. Cases of administrative offence shall be conducted electronically-by means of databases for the registration of administrative offences.

7. Proofs shall be kept in the electronic case of administrative offence along with the decision on administrative offence.

8. The electronic cases of administrative offence shall be kept in the current section of the database until the end of the proceedings on administrative offence, shall be transferred to the archive of the database after the end and shall be eliminated (removed from the database) after the end of the period for maintenance in archives prescribed by legislation.

**Article 166. Peculiarities of proceedings on administrative offence**

1. The elements of an administrative offence shall be considered as clarified, where, as a result of synthesis of the elements of the act fixed in the video or photograph and the elements of the administrative offence, their compatibility does not cast doubt, and in case of doubt-are interpreted in favour of the suspect.

2. Proceedings on administrative offences shall be limited to the adoption of a decision on an administrative offence based on the results of synthesis of the elements of the fixed act and the elements of an administrative offence, without drawing up a protocol on the administrative offence.

3. The elements of an administrative offence shall be clarified within 15 days. The body conducting proceedings on administrative offence shall be obliged to accept the decision on an administrative offence within 2 days after clarifying the elements of the administrative offence, and in case of implementing an inquiry provided for by part 5 of this Article-within 5 days following receipt of the response provided for by the same part.

4. Administrative proceedings shall not be initiated with regard to administrative offences committed with means of transport subject to furnishing with blue flashing beacon light and detected with technical means defined by the Government of the Republic of Armenia and provided for by Article 164 of this Code.

5. Where the administrative offence has been committed via a means of transport fixed to (pertaining to) a state organisation (state body, state governmental institution, state institution or state organisation with any other status) or community organisation (community governmental institution or community organisation with any other status), except for the means of transport provided for by part 4 of this Article, for the purpose of clarifying the person having committed the administrative offence, after clarifying the elements of the administrative offence, within a five-day period, the body conducting proceedings on administrative offence shall enquire the relevant organisation in writing. The inquiry may also be forwarded to the official electronic mail of the organisation. The head of a state or community organisation or his or her authorised official having received the inquiry shall, within a five-day period, be

obliged to inform the body conducting proceedings on administrative offence in writing about who was driving the means of transport at the moment of committal of the administrative offence. The name, last name, office held, place of residence, series and number of driving licence of the person shall be indicated in the written or electronic response, the copy of the employment contract and document for attachment of means of transport shall be attached.

6. The materials of the proceedings of the Ministry of Defence of the Republic of Armenia, the Police and the National Security Service of the Republic of Armenia on administrative offences committed with means of transport not provided for by part 4 of this Article and detected by technical means shall, within a 15-day period, be forwarded to the relevant state administration body in order to solve the issue of disciplinary liability.

7. The owner of a means of transport shall bear administrative liability for an administrative offence, and where the means of transport is the property of a legal person or individual entrepreneur-the legal person or individual entrepreneur, respectively, where it is not proved that another person has committed the administrative offence. The fact that another person has committed the administrative offence may be proved through a complaint lodged by the owner of the means of transport or the person having committed the administrative offence in the time limit and manner prescribed by this Code or by responding to the inquiry provided for by part 5 of this Article, as prescribed by the same part.

8. The complaint provided for by part 7 of this Article, except for the compulsory elements provided for by this Code, must also contain the name, last name, address of the place of residence, series and number of the driving licence of the person driving the means of transport at the moment of committal of the administrative offence, except for the cases when the means of transport has been out of his or her control as a result of the illegal actions of other persons, as well as the copies of documents of registration of means of transport, if available-also the consent for driving a means of transport certified by signature. Where the means of transport is used on the basis of a contract, the copy of the contract must also be attached.

9. In case of lodging a complaint provided for by part 7 of this Article or in case the fact that the means of transport was driven by another person is confirmed, as well as in the cases provided for by part 5 of this Article, the period of limitation for subjecting to administrative liability prescribed by this Code shall start from the day when the fact that the means of transport was driven by another person is confirmed or when the response to the inquiry provided for by part 5 of this Article is received.

10. The decision on imposition of administrative penalty shall entail:

- (1) account number for payment of imposed fine;
- (2) personal password(sequence of digital and/or letter symbols that the suspect can enter on the website of the Police to view the decision and watch (download) the video attached to the administrative offence);



(3) photograph, where the administrative offence has been fixed through photographing, or scene in video, where the administrative offence has been fixed through video recording;

(4) other data necessary for the proceedings on administrative offence.

11. The decision on imposition of administrative penalty shall enter into force on the 15th day from the moment of receipt by the suspect, where he or she does not disagree with that decision in that period. Where the suspect disagrees in the specified time period, the examination of the proceedings on administrative offences shall be carried out through the general procedure defined by this Code.

**Article 167. Peculiarities of proceedings on administrative offences committed through means of transport not registered in the Republic of Armenia**

1. The proceedings on administrative offences committed through means of transport not registered in the Republic of Armenia shall be carried out as prescribed by this Chapter, unless otherwise provided for by this Article.

2. The person crossing the border of the Republic of Armenia as a driver of a means of transport shall bear liability for administrative offences.

3. Where an administrative offence has been committed by foreign nationals, the decision on administrative offence, as well as the note of an established form upon the order of the Head of Police of the Republic of Armenia on the procedure for enforcement and the legal consequences of failure to enforce the decision shall be submitted to the addressee when crossing the border from the Republic of Armenia to another country (including without a means of transport), prior to granting of permission to cross the border, and in the case when the decision on administrative offence has been taken after crossing the border from the Republic of Armenia to another country-during the crossing of the border from another country to the Republic of Armenia the next time, prior to the granting of permission to cross the border, where, prior to that, the decision on administrative offence has not been submitted as prescribed by this Code.

4. In the cases provided for by part 3 of this Article, the period for enforcement of a decision on administrative offence prescribed by part 5 of Article 150 of this Code shall be calculated from the day of submission of the decision, as prescribed by part 3 of this Article.

**CHAPTER 22.**

**PROCEEDINGS ON COMPULSORY INSURANCE ARISING FROM THE USE OF MOTOR VEHICLES**

**Article 168. Scope of regulation**

1. Parts 3-8 of Article 165 of this Code and the peculiarities prescribed by this Chapter shall extend to the proceedings on administrative offences provided for by Article 466 of this Code (hereinafter referred to as "the administrative offence").
2. The norms of this Chapter shall not extend to the administrative offences that were recorded by the employee of the authorised state administration body responsible for ensuring road traffic safety, and proceedings on administrative offences have been conducted, irrespective of the fact that the respective administrative offence has been detected based on the information received also from the information system.

**Article 169. Proofs and maintaining them**

1. The proof substantiating an administrative offence is the information received from the information system about the absence of the contract on compulsory insurance against liability arising from the use of motor vehicles (hereinafter referred to as "the CILUMV" in this Chapter) and the registration of a motor vehicle in the database for state registration and state recording (re-recording) of the right of ownership to motor vehicles in the given period.
2. The proofs provided for by part 1 of this Article shall be maintained and provided as prescribed by parts 3-5 of Article 165 of this Code.
3. When conducting proceedings on administrative offence, the body conducting proceedings on administrative offence shall compare the information provided by the information system and the data in its database for the purpose of clarifying the presence or absence of elements of an administrative offence.
4. The person subject to administrative penalty shall have the right not to pay the fine imposed for administrative offences provided for by Article 466 of this Code, where, within a 30-day period following the entry into force of the decision on imposition of an administrative penalty, he or she submits to the authorised state administration body responsible for ensuring road traffic safety the CILUMV contract signed before the day of the alleged administrative offence and valid for the relevant period.

**CHAPTER 23.**

**PROCEEDINGS ON CUSTOMS OFFENCES**

**Article 170. Scope of regulation**

1. The norms of this Chapter shall extend to the proceedings on administrative offences provided for by Chapter 34 of this Code.
2. The actions of the proceedings on administrative offence shall be carried out through the general procedure defined by this Code, taking into consideration the peculiarities defined in this Chapter.

**Article 171. Inspection of luggage of natural persons**

1. The official of a regional customs office or customs point shall have the right to carry out inspection of the luggage by opening it, when there are sufficient grounds to suspect that the natural person is conveying across the customs border of the Republic of Armenia such goods which are subject to control, registration or customs payments by other state authorities, as well as goods, carriage of which is prohibited or limited.
2. Customs authorities shall have the right to carry out inspection of luggage of natural persons in transit through the customs territory of the Republic of Armenia, when there are sufficient grounds to suspect that the luggage contains goods prohibited for transit.
3. Inspection of the luggage of a natural person shall be carried out only in his or her presence or in the presence of his or her authorised representative. In the absence of a natural person or his or her authorised representative, inspection of luggage shall be carried out in the presence of a representative of the organisation carrying out the shipment, delivery or storage of the luggage.
4. Where a natural person or his or her authorised representative is absent, inspection of luggage shall be carried out:
  - (1) when there are sufficient grounds to suspect that the luggage contains goods endangering human life and health, animals and plants or causing material damage to persons;
  - (2) when a natural person or his or her authorised representative fails to appear within 30 days upon receipt of the luggage;
  - (3) in case of delivery of goods through international postal delivery.

**Article 172. Examination of a person**

1. Examination of a person shall be carried out only in the case when it is impossible to prevent smuggling or the violation of other customs rules by other means.
2. It shall be permitted to carry out examination of a person upon written decision of the head or his or her deputy of the regional or specialised customs office, customs point, when there are sufficient grounds to suspect that a natural person crossing the customs border of the Republic of Armenia or in the customs control zone or in the transit zone of an international airport conceals goods that are objects of smuggling or goods which are direct objects of infringement of customs rules or transit of which through the territory of the Republic of Armenia is prohibited.
3. Prior to examination, the official of the regional customs office or customs point shall be obliged to introduce the written decision of the head or his or her deputy of the regional or specialised customs office or customs point to the natural person, to familiarise him or her with his or her rights and obligations in the course of examination and suggest to voluntarily

surrender the concealed goods.

4. Examination of a person shall be carried out in an isolated room meeting sanitary-hygienic requirements with the participation of an official of the regional or specialised customs office or customs point of the same sex as the person under examination. The entry to that room shall be forbidden for natural persons not participating in the examination. Examination of a person's body shall be carried out only by a medical officer. Actions endangering human life and health shall be prohibited in the course of examination.

5. Examination of natural persons lacking legal capacity, as well as of natural persons under the age of 16 shall be carried out in the presence of their legal representatives.

6. Examination of a person shall be carried out upon the written decision referred to in point 2 of this Article, wherein the grounds for subjecting a person to examination shall be mentioned, and those subjects for discovering whereof the examination is carried out. When a natural person refuses to voluntarily surrender the goods or objects subject to declaration but undeclared or after surrendering those goods or objects the official of the customs office or customs point has substantiated suspicions that the natural person has not completely surrendered the goods or objects subject to declaration but undeclared, the examination of the person may be initiated, in the course of which the examining person may carry out personal search and take objects and documents that are in the clothes, articles or on the body of the person under examination, which may be of probative value for the case.

7. The protocol on subjecting a person to examination shall be drawn up and submitted for familiarisation, as prescribed by Article 104 of this Code.

8. When objects of smuggling or objects which are subjects of infringement of customs rules or transit whereof through the territory of the Republic of Armenia is prohibited, are discovered with the person under examination, for the purpose of obtaining value of material evidence in the future, they shall be described in detail, packaged and sealed so as to exclude the possibility of replacing an item, changing the peculiarities and features thereof.

9. A separate protocol shall be drawn up on description, packaging and sealing of the goods, objects or articles discovered in the course of examination of the person or voluntarily surrendered, which shall be attached to the protocol on subjecting the person to examination. The protocol referred to in this part shall be drawn up in three copies, one of which shall be handed to the person under examination. The discovered objects or articles shall be attached to the protocol on subjecting the person to examination.

10. When undeclared objects or those prohibited as prescribed by law are not discovered with the person under examination, the official carrying out examination shall apologise, and the damage caused to the natural person due to examination shall be compensated, as prescribed by law.

**Article 173. Withdrawal of goods, means of transport and documents**

1. Goods deemed to be direct objects of infringement of customs rules, means of transport used for their carriage across the customs border, caches prepared for the purposes of carriage of goods across the customs border of the Republic of Armenia, as well as documents necessary for examination in the proceedings of a case regarding infringement of customs rules, shall be subject to withdrawal. Withdrawal shall be carried in the presence of the person from whom the withdrawal is being carried out and in the presence of his or her representative, where the presence of the representative may be ensured. Withdrawal shall be executed with the participation of a translator and a specialist, where necessary.

2. In order to execute withdrawal, officials of customs authorities shall be entitled to demand the opening of closed premises and warehouses, and in case the demand is not satisfied - open on their own and enter there. The procedure for the entry of officials of customs authorities into apartments of natural persons shall be established by law. All the withdrawn goods, means of transport and documents shall be presented to the participants of the withdrawal procedure, described in detail in the protocol drawn up in accordance with this Code, and where necessary, be sealed.

3. After withdrawal, a relevant protocol shall be drawn up as prescribed by part 7 of Article 127 of this Code. A copy of the protocol shall be delivered to the person prescribed by part 1 of this Article in hand by his or her signature, and in case of refusing to receive it - an indication thereon shall be made in the protocol.

**Article 174. Postponing the examination of the case**

1. Based on the effectiveness of the examination of a case, the head of the superior customs authority may take the examination of the case from one customs authority and assign it to a customs authority of another region.

2. The competent official of the body conducting proceedings on administrative offence may assign the execution of separate operations of proceedings to the official of another customs authority for execution through the regional procedure.

3. The fulfilment of the assignment defined by part 2 of this Article shall be binding within a 5-day period from the moment of its receipt.

**CHAPTER 24.**

**PROCEEDINGS ON ADMINISTRATIVE OFFENCES IN THE SPHERE OF  
ACTIVITY OF ENTITIES LICENSED, REGISTERED, RECORDED OR CONTROLLED BY  
THE CENTRAL BANK**

**Article 175. Scope of regulation**

1. The norms of this Chapter shall extend to the proceedings on administrative offences prescribed by Chapter 45 of this Code.

**Article 176. Peculiarities of proceedings on administrative offence**

The peculiarities of the proceedings on offences prescribed by Article 175 of this Code are defined by the Law of the Republic of Armenia "On the Central Bank of the Republic of Armenia", as well as by other regulatory acts regulating the relations arising in the sphere of activity of entities licensed, registered or recorded by the Central Bank, in accordance with the Law of the Republic of Armenia "On the stock market", entities controlled by the Central Bank.

**SPECIAL PART**

**SECTION 8.**

**CHAPTER 25.**

**ADMINISTRATIVE OFFENCES IN HEALTHCARE SECTOR**

**Article 177. Violating the requirements for provision of medical assistance and service**

1. Provision of medical assistance and service by a person lacking relevant professional education, qualification, specialisation or a continuing professional development certificate in the sector of healthcare, except for cases prescribed by law, shall:

entail a fine from AMD 100 000 to AMD 200 000 against a natural person.

2. Authorising a person — lacking professional education, qualification, specialisation or a continuing professional development certificate, except for persons with a relevant professional education, qualification and specialisation, carrying out professional activities for the first time — to provide medical assistance and service, authorising a person, holding a certificate with a reservation, to provide independent medical assistance and services, shall:

entail a fine from AMD 200 000 to AMD 300 000 against a legal person.

3. Charging of a fee for medical assistance and service — by providers of medical assistance and service — from a person having the right to free of charge medical assistance and service or refusing to provide medical assistance or service, where there is a contract on state-guaranteed free of charge medical assistance and service shall:

entail a fine from AMD 200 000 to AMD 300 000.

4. Failing to provide information in an accessible manner to a person or legal representative thereof on his/her health, results of examinations, methods of diagnosis or treatment, related risk, possible variants of medical intervention, consequences or treatment results shall:

entail a fine of AMD 30 000.

5. Communicating to another person about the fact of consulting a doctor, health of a person, information revealed during examination, diagnosis and treatment without his or her consent or consent of the representative thereof, except for cases prescribed by legislation, shall:

entail a fine from AMD 100 000 to AMD 200 000.

6. Failing to comply with or duly comply with the requirements prescribed by the procedure for patient management, the criteria guaranteed by the state for organisation of medical assistance and service shall:

entail a fine from AMD 150 000 to AMD 250 000.

7. Failing to maintain medical documents (except for temporary disability leave) or

violating the requirements with regard to completion or circulation thereof shall:

entail a fine from AMD 150 000 to AMD 250 000.

8. Violation of the procedure for completion of a temporary disability leave or provision thereof, prescribed by the legislation, by medical assistance and service providers shall:

entail a fine from AMD 150 000 to AMD 200 000.

9. Violating the procedure for conducting medical expert examination, (except for pathological expert examinations) prescribed by the legislation, shall:

entail a fine from AMD 200 000 to AMD 300 000, depriving of the right to hold certain positions or engage in certain activities for the period of up to one year or without it.

10. Violating the procedure for conducting pathological autopsies, expert examinations or examinations, prescribed by the legislation, shall:

entail a fine from AMD 200 000 to AMD 300 000, depriving of the right to engage in certain activities for the period of up to six months or without it.

11. Committing one of the acts prescribed by parts 1-8 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

12. Committing one of the acts prescribed by parts 9-10 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article, depriving of the right to hold certain positions or engage in certain activities for the maximum period prescribed by the relevant part of this Article.

**Article 178.** Violating the procedure for transplantation of organs and tissues into humans

1. Violating the procedure for transplantation of organs or tissues into humans, prescribed by the legislation, shall:

entail a fine from AMD 200 000 to AMD 300 000.

2. Violating the procedure for taking organs or tissues from a deceased donor, prescribed by the legislation, for the purpose of transplantation, shall:

entail a fine from AMD 300 000 to AMD 400 000.

3. Violating the procedure for taking organs or tissues from a living donor, prescribed by the legislation, for the purpose of transplantation, shall:

entail a fine from AMD 400 000 to AMD 500 000.

4. Committing one of the acts prescribed by parts 1-3 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.



**Article 179. Violating the procedure for donation of human blood and its components and transfusion medicine support**

1. Violating the procedure for provision of information on donors recorded in the blood registry shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Collecting blood from a blood donor, not complying with the requirements prescribed by the legislation, shall:

entail a fine from AMD 100 000 to AMD 150 000.

3. Violation of the frequency, prescribed for donating blood or blood components, by an authorised public administration body in the field of healthcare, shall:

entail a fine from AMD 80 000 to AMD 100 000 against a legal person.

4. Violating the procedure for providing information to blood donor or obtaining consent thereof, prescribed by the legislation, shall:

entail a fine from AMD 30 000 to AMD 50 000.

5. Violating the procedure for collecting blood or its components or the procedure for carrying out blood test, prescribed by the legislation, shall:

entail a fine from AMD 80 000 to AMD 100 000.

6. Violating the procedure for storage or transportation of blood or its components, prescribed by the legislation, shall:

entail a fine from AMD 150 000 to AMD 200 000.

7. Violating the procedure for production or circulation of donor blood products, prescribed by the legislation, shall:

entail a fine from AMD 150 000 to AMD 200 000.

8. Failing to ensure privileges, envisaged for the donor as prescribed by the legislation, shall:

entail a fine from AMD 30 000 to AMD 50 000.

9. Violating the procedure for providing transfusion medicine support, prescribed by the legislation, shall:

entail a fine from AMD 80 000 to AMD 100 000.

10. Violating the procedure for export or import of blood or its components, prescribed by the legislation, shall:

entail a fine from AMD 150 000 to AMD 200 000.

11. Failure to ensure the minimum blood bank by organisations providing medical assistance and service shall:

entail a fine from AMD 150 000 to AMD 200 000 against a legal person.

12. Failing to establish internal procedure of quality of blood or its components, prescribed by the legislation, or violation of the requirements of that procedure shall:

entail a fine from AMD 200 000 to AMD 300 000.

13. Committing one of the acts prescribed by parts 1-12 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

#### **Article 180. Violating the procedure for maintenance of human reproductive health**

1. Violating the procedure for carrying out induced termination of pregnancy or medical sterilization, prescribed by the legislation, shall:

entail a fine from AMD 200 000 to AMD 300 000, with a suspension of the validity of a license.

2. Violating the procedure for applying assisted reproductive technology, prescribed by the legislation, variety of methods or medical practice, shall:

entail a fine from AMD 300 000 to AMD 400 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

#### **Article 181. Violating the procedure for providing psychiatric support**

1. Violating the procedure for providing psychiatric support, prescribed by the legislation — where the act does not contain elements of administrative offence, prescribed by parts 2 or 3 of this Article — shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Violating the procedure for voluntary hospitalisation of a person suffering from mental disorder, prescribed by the legislation, shall:

entail a fine from AMD 200 000 to AMD 250 000.

3. Violating the procedure for non-voluntary hospitalisation of a person suffering from mental disorder, prescribed by the legislation, shall:

entail a fine from AMD 400 000 to AMD 500 000.

4. Committing one of the acts prescribed by parts 1-3 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

#### **Article 182. Violating the procedure for circulation of drugs**

1. Import, production, storage, distribution, realisation or application of drugs, not

registered in the Republic of Armenia (except for cases prescribed by the legislation of the Republic of Armenia), or registration of which has been suspended as prescribed by the legislation, or in violation of the legislation, shall:

entail a fine in case of up to 10 packages of a drug of each name from AMD 100 000 to AMD 150 000, in case of 10-30 packages – from AMD 150 000 to AMD 300 000, in case of 30 and more packages — from AMD 300 000 to AMD 500 000.

2. Production, import, realisation, storage or distribution of drug substances, herbal raw materials, examined pharmaceutical products in violation of the legislation, shall:

entail a fine from AMD 150 000 to AMD 200 000 for a product of each name.

3. Failing to ensure the minimum range in accordance with the list of the main drugs, subject to realisation or issuing from pharmacies, shall:

entail a warning.

4. Keeping expired drugs in trading halls or waiting rooms of pharmacies shall:

entail a fine from AMD 80 000 to AMD 100 000.

5. Preparing solutions for drip infusion in pharmacies — except for cases prescribed by the legislation — shall:

entail a fine from AMD 200 000 to AMD 300 000.

6. Realisation of a prescription drug without a prescription shall:

entail a fine of AMD 5 000 for a drug of each name.

7. Completing prescriptions, issuing or realization of prescription drugs on forms, not prescribed by the legislation, shall:

entail a fine of AMD 5 000.

8. Violating the requirements of formulation confirmed as prescribed by the legislation or violating the requirements of the quality, design, packaging, labelling, storage, realisation of prepared drugs or issuing drugs prepared in a pharmacy without indicating the expiry date shall:

entail a fine from AMD 150 000 to AMD 200 000.

9. Failure to inform about the cases recorded with regard to adverse side effects of the drugs registered by the right holder of the drug registration certificate or disclosing information with regard thereto without previously or simultaneously informing the authorised public administration body in the field of healthcare shall:

entail a fine from AMD 100 000 to AMD 200 000.

10. Including the name of the supplier of drugs in the Republic of Armenia or trademark in the marking of drugs, general characteristic and leaflet shall:

entail a fine from AMD 200 000 to AMD 300 000.

11. Introducing medical indications on the package or in the instruction for use of any product not considered a drug, including beauty (cosmetic) products, bioactive additives, shall:

entail a fine from AMD 80 000 to AMD 100 000 for a product of each name.

12. Violating the requirements for packaging, labelling or marking of drugs, drug substances, herbal raw materials or the examined pharmaceutical product, shall:

entail a fine from AMD 100 000 to AMD 150 000 for a drug or product of each name.

13. Realisation of drugs in violation of the procedure prescribed by the legislation — without a leaflet in Armenian — shall:

entail a fine of AMD 20 000 for each name.

14. Failing to inform in writing the authorised public administration body in the field of healthcare about any new datum or change revealed or made during the post registration period with regard to safety, effectiveness, quality of the product registered by the right holder of the drug registration certificate shall:

entail a fine from AMD 400 000 to AMD 500 000.

15. Use of expired drugs by providers of medical assistance and service shall:

entail a fine from AMD 400 000 to AMD 500 000.

16. Failing to stop the circulation of drugs, drug substances, herbal raw materials, the examined pharmaceutical products or withdraw them from circulation (failing to recall) as prescribed by the legislation shall:

entail a fine from AMD 500 000 to AMD 600 000 for a drug or product of each name.

17. Failing to provide comprehensive information on all the mutually replaceable drugs of the same dose and dosage form, containing the same active element of the prescription drug available in the pharmacy shall:

entail a fine from AMD 30 000 to AMD 50 000.

18. Failing to comply with the decisions of the body, regulating the prices of drugs, shall:

entail a fine from AMD 50 000 to AMD 100 000.

19. Failure to provide a report, prescribed by the legislation, by those carrying out production of drugs or wholesale trade shall:

entail a fine from AMD 100 000 to AMD 200 000.

20. Violating technical or professional requirements for drug delivery shall:

entail a fine from AMD 100 000 to AMD 150 000.

21. Exchanging or taking back drugs of the required quality, that were sold to a buyer (consumer) in pharmacies or pharmacy stores, shall:

entail a fine of AMD 20 000.

22. Providing non-pharmacological consultation in pharmacies shall:

entail a fine from AMD 50 000 to AMD 100 000.

23. Committing one of the acts prescribed by parts 1-22 (except for part 3) of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the

relevant part of this Article.

24. Committing the act prescribed by part 3 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine of AMD 5 000 for a drug of each name.

**Article 183. Violating the procedure for clinical trial of drugs**

1. Violating the procedure for clinical trial of drugs, prescribed by the legislation, where it did not harm the health of the person, undergoing it, shall:

entail a fine from AMD 300 000 to AMD 550 000.

2. Failing to provide reports on the results of clinical trials of drugs shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Committing the act prescribed by part 1 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 184. Violating the procedure for advertising in the sector of healthcare, as well as of special purpose food, alcoholic beverages and tobacco**

1. Advertising of medical equipment or therapeutic method by an advertiser without the permission of the authorised public administration body in the field of healthcare or in violation of permit conditions shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Advertising of donation of blood or its components or transfusion medicine for commercial purposes by the advertiser shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Advertising of special purpose food by the advertiser, without documents substantiating the safety or without coming to an agreement with the authorised public administration body in the field of healthcare shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Advertising of alcoholic beverages by the advertiser in violation of the procedure for advertising of that product, prescribed by the legislation, shall:

entail a fine from AMD 200 000 to AMD 300 000.

5. Advertising of tobacco by the advertiser in violation of the procedure for advertising of that product, prescribed by the legislation, shall:

entail a fine from AMD 300 000 to AMD 500 000.

6. Failure to indicate the number and date of issue of the license of the activity — by the advertiser — of the organisation or individual entrepreneur in the advertisement of those providing medical assistance and service, pharmaceutical activities, production of drugs,

medical secondary vocational educational programme and higher educational programs, shall:

entail a fine from AMD 100 000 to AMD 200 000.

7. Advertising of milk formulae intended for infants or children of early age or any food, intended for 6-month infants, which is not milk formula, or related goods, shall:

entail a fine from AMD 50 000 to AMD 100 000.

8. Advertising of complementary baby food, in violation of the procedure for advertising of that product, prescribed by the legislation, shall:

entail a fine from AMD 150 000 to AMD 200 000.

9. Committing one of the acts prescribed by parts 1-8 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

#### **Article 185. Violating the requirements for advertising of drugs and information on drugs**

1. Advertising of a drug by the advertiser, without the permission of the authorised public administration body in the field of healthcare or in violation of the permit conditions, or outdoor advertising of the drug, shall:

entail a fine from AMD 100 000 to AMD 200 000 for a drug of each name.

2. Advertising of a drug, not registered by the advertiser in the Republic of Armenia or registration of which has been suspended as prescribed by law, or which contains narcotic drugs or psychotropic (psychoactive) substances or is controlled or prepared according to a prescription or formulations in a pharmacy or that of a drug which requires special prescription of a physician, shall:

entail a fine from AMD 150 000 to AMD 200 000 for a drug of each name.

3. Advertising of any product as a remedy — by the advertiser — which is not considered a drug, or direct provision of a drug to the consumer by the advertiser for advertising purposes or provision of free samples of drugs for advertising purposes to a person, engaged in medical practice, shall:

entail a fine from AMD 150 000 to AMD 200 000.

4. Disseminating information — through mass media — about drugs, realised or issued on prescription, shall:

entail a fine from AMD 250 000 to AMD 300 000 for a drug of each name, against the person disseminating the information.

5. Committing one of the acts prescribed by parts 1-4 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant

part of this Article.

**Article 186. Employing or permitting for work a person, not having undergone compulsory medical examination or having medical contraindications**

1. Employing or permitting for work a person, not having undergone compulsory medical examination or having medical contraindications, shall:

entail a fine from AMD 50 000 to AMD 100 000 for each person.

2. Committing the act prescribed by part 1 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed by part 1 of this Article.

**Article 187. Violating sanitary rules and hygienic norms**

1. Violating sanitary rules or hygienic norms in the field of healthcare, prescribed by the legislation, shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed by part 1 of this Article.

**Article 188. Violating rules for encouragement of breast-feeding of children and circulation of baby food**

1. Sale of baby food or related products by healthcare facilities shall:

entail a fine from AMD 200 000 to AMD 300 000.

2. Sale or realisation of baby food and related products by a health worker, engaged in maternal and child health sector, shall:

entail a fine from AMD 150 000 to AMD 200 000.

3. Compiling or disseminating written, audio or video informational or instructive materials on nutrition of infants and children of early age, baby food or related products in violation of the procedure prescribed by the legislation, shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Violating the procedure for labelling of baby food or related products, prescribed by the legislation, shall:

entail a fine from AMD 100 000 to AMD 200 000.

5. Selling any food that is not milk formulae intended for infants under 6 months, or presenting it as suitable for feeding infants under 6 months, shall:

entail a fine from AMD 100 000 to AMD 300 000.

6. Sale of baby food or related products by a point of sales, consumer goods market, itinerant trade point or trade centre, lacking conditions for storage thereof, shall:

entail a fine from AMD 100 000 to AMD 300 000.

7. Committing one of the acts prescribed by parts 1-6 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

#### **Article 189. Use of narcotic drugs or psychotropic (psychoactive) substances without prescription of a physician**

1. Use of narcotic drugs or psychotropic (psychoactive) substances without prescription of a physician shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed by part 1 of this Article.

3. A person who has voluntarily applied to a relevant medical facility for medical assistance in connection with use of narcotic drugs or psychotropic substances without prescription of a physician, shall be exempted from the administrative liability prescribed by this Article.

### **CHAPTER 26.**

#### **ADMINISTRATIVE OFFENCES IN EDUCATION AND LABOUR SECTORS**

##### **Article 190. Violating the requirements of legislation in the field of education**

1. Failing to implement curricula or syllabuses, annual programmes of educational development or teaching and educational activities, as well as failing to comply with annual academic schedules or class timetables in educational institutions, shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Violating the procedure for assessment or evaluation of knowledge, abilities and skills of learners or graduates of the educational institutions or that of final attestation, prescribed by the legislation, shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Violating the procedure for admission, transfer, shift, release or graduation of learners of the educational institution, prescribed by the legislation, shall:

entail a fine from AMD 30 000 to AMD 50 000 for each learner.

*4. Violating the procedure for issuing graduation state documents of the educational institution, prescribed by the legislation, shall:*

*entail a fine of AMD 20 000 to AMD 30 000.*

*5. Failing to ensure assessment or promulgation of the annual self-analysis of the activity*



*of the educational institutions, implementing programmes of general education or primary professional (vocational) education, shall:*

*entail a fine of AMD 20 000.*

6. Violating the procedure for providing paid educational services, prescribed by the legislation, shall:

entail a fine from AMD 50 000 to AMD 150 000.

7. Violating the procedure for organisation of education for learners with special needs in the educational institution, prescribed by the legislation, shall:

*entail a fine from AMD 40 000 to AMD 100 000.*

### **Article 191. Violating the requirements of labour legislation**

1. Conclusion of employment contract by the employer with a person under the age of fourteen in sectors not prescribed by law or without the written consent of one of the parents or the adopter or custodian or custody and guardianship authority, or with a person aged 14-16 without the written consent of one of the parents or the adopter or custodian, shall:

entail a fine from AMD 70 000 to AMD 100 000.

2. Failure to pay dismissal benefit by the employer in cases and manner (amount) prescribed by the legislation or failure to pay compensation for the damage in cases and manner (amount) prescribed by the legislation, or failure to observe the time limits for notification prescribed by the employment contract or collective agreement with regard to rescission of an employment contract, shall:

entail a fine from AMD 80 000 to AMD 100 000.

3. Failure — by the employer — to immediately inform the insurer, the Police of the Republic of Armenia and State Labour Inspectorate of the Republic of Armenia in case of death of an employee at the workplace, as well as failure to carry out official investigation of the accident in the manner and within time limits prescribed, shall:

entail a fine from AMD 100 000 to AMD 130 000.

4. Failure — by the employer — to submit, during the official investigation into occupational diseases (poisoning), the information or documents necessary for the investigation to the relevant commission carrying out official investigation, or failure to ensure the conditions necessary for the activity of the commission, or failure to comply with the written assignment entrusted by the commission based on the results of the official investigation, or failure to inform the commission within the prescribed time limit on fulfilling the written assignment, shall:

entail a fine from AMD 100 000 to AMD 130 000.

5. Failure — by the employer — to keep accurate records of the daily or weekly working time of the employees, failure to confirm work and rest schedules, violation of the confirmed schedule, violation of the requirements prescribed by the legislation for the duration of daily or

weekly working time or rest time of the employee, shall:

entail a fine from AMD 50 000 to AMD 150 000.

6. Conclusion — by the employer — of employment contract for a fixed time limit in cases not prescribed by the legislation, violating the procedure prescribed by the legislation for concluding employment contract for a fixed time limit or setting a probation period while concluding employment contract, shall:

entail a fine from AMD 50 000 to AMD 150 000.

7. Failure to pay the employees at least twofold of the amount of the hourly (daily) pay rate or task rate, in case they are engaged in work by the employer on rest days not provided for by the work schedule, on non-working days – holidays and commemoration days – prescribed by law, or failure to grant another paid rest day within a month to the employee, or failure to add that day to the annual leave, except for cases prescribed by the legislation, violation of the time prescribed by the legislation for the maximum duration of daily or weekly working time, shall:

entail a fine from AMD 50 000 to AMD 150 000.

8. Failure — by the employer — to grant annual leave as prescribed by the legislation, failure to extend the annual leave in cases prescribed by the legislation, failure to pay average salary for annual leave within the time limit prescribed by the legislation, replacement of the annual unused leave with monetary compensation or failure to grant monetary compensation for the unused annual leave by the employer in cases and manner prescribed by the legislation, shall:

entail a fine from AMD 50 000 to AMD 150 000.

9. Establishment — by the employer — of less favourable conditions for the employees than those provided for by the legislation or collective agreement or failure to keep employment record books or keeping them in violation, shall:

entail a fine of AMD 100 000 for each violation.

9. Forcing — by the employer — the employee to participate in a strike or to refuse to participate therein, shall:

entail a fine from AMD 50 000 to AMD 150 000.

10. Committing one of the acts prescribed by parts 1-8 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

## **Article 192. Employing a person in violation of the procedure prescribed by legislation**

1. Employment — by the employer — of a person without concluding employment contract or individual legal act on accepting for employment (unregistered employee) or

employment of a person based on employment contract or individual legal act on accepting for employment which does not include the mandatory requirements prescribed by the legislation for the content of employment contract or individual legal act on accepting for employment, shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine from AMD 150 000 to AMD 250 000.

3. Within the meaning of this Article, "unregistered employee" shall be deemed to be the person who performs certain work for the benefit of the employer based on a contract for provision of prima facie services, however, the administrative body justifies by relevant and admissible evidence that the provision of services is merely a formality, the person basically performs work typical for the position confirmed by the individual act of the employer, performs the work in compliance with the work schedule confirmed by the employer, by the shift schedule (where they are available), avails himself or herself of the rest schedule (daily and weekly), adheres to internal disciplinary rules of the employer, or the work, performed by that person, is an integral component of the work in stages organised by the employer, lack of which shall inevitably result in the distortion of the entire process of the work.

#### **Article 193. Failure by the employer to calculate or pay salary**

1. Failure — by the employer — to calculate or pay salary in the manner and time limits prescribed by the legislation, paying less, failure to make the relevant payment during the idleness ensuing through no fault of the employee or establishment of a salary less than the minimum salary rate, prescribed by law, shall:

entail a fine in the amount of 1/4 of the salary that has not been paid, has been paid less or established less with regard to each employee, respectively.

2. Committing the act prescribed by part 1 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine in the amount of 1/2 of the salary that has not been paid, has been paid less or established less with regard to each employee, respectively.

#### **Article 194. Violating the requirements for ensuring labour safety and protection of health**

1. Failure — by the employer — to adopt internal legal acts with regard to ensuring labour safety and protection of health of the employees, failure to provide the employees with operational safety training or instruction or collective or individual safety measures, shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Engagement of a person under eighteen — by the employer — in work prohibited

by the labour legislation, engagement of pregnant women or women taking care of a child under the age of one in work prohibited by the labour legislation, as well as engagement in work under conditions of harmful or hazardous factors of work, shall:

entail a fine from AMD 150 000 to AMD 200 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

*shall entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.*

## **CHAPTER 27.**

### **ADMINISTRATIVE OFFENCES IN VETERINARY-SANITATION AND AGRICULTURAL SECTORS**

#### **Article 195. Damage of sowing, damaging, destroying the collected yield of agricultural crops in the field, or damaging seedlings**

1. Damage of sowing by pets (domestic animals or poultry) or damaging or destroying the collected yield of agricultural crops in the field or damaging seedlings, shall:

entail a fine of AMD 10 000 against the owner of the pets.

2. Driving agricultural equipment or self-propelled agricultural machinery or other means of transport (property posing threat) through sowing area or seedlings shall:

entail a fine of AMD 30 000.

#### **Article 196. Violating the procedure for neutralisation of plant quarantine pests or regulated non-quarantine pests**

1. Violating the procedure for neutralisation of plant quarantine pests, prescribed by the legislation, shall:

entail a fine of AMD 10 000 against a natural person, AMD 20 000 against a legal person and AMD 50 000 against an official.

2. Violation of the procedure for neutralisation of regulated non-quarantine pests by land users shall:

entail a fine of AMD 5 000 against a natural person, AMD 10 000 against a legal person and AMD 40 000 against an official.

#### **Article 197. Bringing out materials that have not undergone quarantine inspection or relevant processing**

1. Bringing out — from border railway stations, bus stations, airports and other points

— materials exported from foreign countries that have not undergone quarantine inspection or relevant processing, shall:

entail a fine of AMD 30 000.

**Article 198. Selling prohibited, expired, bad-quality pesticides or agrochemicals, violating the rules for selling pesticides or agrochemicals or exceeding the maximum permissible residual quantities of pesticides or agrochemicals**

1. Selling prohibited, expired or bad-quality pesticides or agrochemicals shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Violating the rules for selling pesticides or agrochemicals, prescribed by the legislation, shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Exceeding — by land user — the maximum permissible residual quantities of pesticides or agrochemicals in the soil or goods of plant origin shall:

entail a fine from AMD 20 000 to AMD 50 000.

**Article 199. Violating the procedure for issuing phytosanitary passport**

1. **Violating the procedure for issuing phytosanitary passport shall:**

entail a fine from AMD 20 000 to AMD 50 000.

**Article 200. Violating the procedure for control of sowings that contain narcotic drugs**

1. Failing to carry out control of hemp or opium poppy sowings, yield depositories of corps thereof or processing thereof prescribed by the legislation or violating the procedure for performance thereof prescribed by the legislation or violating the procedure for elimination of residues of mowed fields containing narcotic drugs or production wastes shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 201. Sowing or growing plants, containing narcotic drugs, psychotropic (psychoactive) substances, prohibited for cultivation**

1. Sowing or growing — in small amounts — plants, containing narcotic drugs or psychotropic (psychoactive) substances, prescribed by Annex 2 of this Code, shall:

entail a fine from AMD 50 000 to AMD 80 000.

2. Sowing or growing — in significant amounts — plants, containing narcotic drugs or psychotropic (psychoactive) substances, prescribed by Annex 2 of this Code, shall:

entail a fine from AMD 100 000 to AMD 150 000.

3. Within the meaning of this Article, small and significant amounts of plants, containing narcotic drugs and psychotropic (psychoactive) substances, shall be deemed to be

the amounts, prescribed by Annex 2 of this Code.

**Article 202. Failing to submit the agricultural equipment for registration according to the procedure or within the time-limits prescribed or exploitation thereof without relevant driving license**

1. Failure by the owner to submit factory production or home-built agricultural equipment (self-propelled agricultural machinery) for registration within the defined time-limits or exploitation of agricultural equipment not registered according to the prescribed procedure shall:

entail a fine of AMD 10 000 against a natural person and AMD 20 000 against a legal person.

2. Exploitation of the agricultural equipment, prescribed by part 1 of this Article, by the exploiter, without relevant driving license shall:

entail a fine of AMD 20 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

*entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.*

**Article 203. Violating the procedure for carrying out veterinary activity**

1. Failure — by the person engaged in veterinary activities — to make records, as prescribed by the legislation, in the registers of anti-stock-epidemy measures and veterinary activities shall:

entail a fine of AMD 10 000.

2. Failure — by the person engaged in veterinary activities — to submit veterinary passport data of each newly registered farm animal to the authorised body within the defined time-limit, shall:

entail a fine of AMD 20 000.

3. Failure — by the person engaged in veterinary activities — to immediately notify the authorised body in case of danger of emergence of infectious animal diseases, animal morbidity or death or make relevant instructions aimed at prevention and elimination of diseases shall:

entail a fine from AMD 80 000 to AMD 100 000.

4. Failure — by the person engaged in veterinary activities — to inform the owners of the animals about the impact of violations in use of veterinary drugs, fodder saturated with medical products or period of termination on the health of animals shall:

entail a fine from AMD 30 000 to AMD 50 000.

5. Failure — by the person engaged in veterinary activities — to immediately inform

the authorised body about cases of discovering violations in the procedure for collection, elimination or burial of dead animals shall:

entail a fine from AMD 50 000 to AMD 100 000.

6. Failure — by the person engaged in veterinary activities — to apply hormone products aimed at medical treatment of animals or for zootechnical purposes, violation of the procedure prescribed by the legislation for use of beta-antagonists, thyrostatic or other veterinary drugs or veterinary means, shall:

entail a fine of AMD 20 000.

7. Committing one of the acts prescribed by parts 1-6 of this Article again within a year, after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twofold of the amount of the fine prescribed for the given act by the relevant part of this Article.

#### **Article 204. Failure to perform or improper performance by the veterinarian servicing the community, of duties prescribed by legislation**

1. Failure of a veterinarian servicing the community, to implement preventive vaccinations against contagious animal diseases included in the state annual programme of animal anti-epidemic measures, take blood for diagnostic examinations or other veterinary measures prescribed by legislation shall:

entail a fine from AMD 10 000 to AMD 50 000.

2. Failure of a veterinarian servicing the community, to implement registration of animals, numbering or to keep animal passports, a register of animal registration and veterinary measures prescribed by legislation shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Failure of a veterinarian servicing the community, to provide information on implemented animal anti-epidemic measures, identified contagious and non-contagious diseases to the authorised body shall:

entail a fine of AMD 30 000.

4. Failure of a veterinarian servicing the community, to conduct a pre and post-slaughter inspection of farm animals shall:

entail a fine from AMD 30 000 to AMD 50 000.

5. Failure of a veterinarian servicing the community, to provide information on violations of requirements of the legislation regulating the veterinary field to the authorised body shall:

entail a fine of AMD 30 000.

6. Failure of a veterinarian servicing the community, to implement veterinary medicine activities aimed at the protection of animals shall:

entail a fine from AMD 30 000 to AMD 50 000.

7. Failure of a veterinarian servicing the community, to provide accompanying documents for products subject to state veterinary control, transported in the territory of the Republic of Armenia shall:

entail a fine from AMD 10 000 to AMD 50 000.

8. Committing one of the acts prescribed by parts 1-7 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 205. Failure to perform or improper performance by a person carrying out activities in all stages of circulation of products subject to veterinary control, of responsibilities prescribed by legislation**

1. Removal or relocation of productive animals not having been exposed to measures prescribed by directives of annual animal anti-epidemic and of prevention and elimination of contagious animal diseases, by a person carrying out activities in stages of circulation of products subject to veterinary control shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Removal of individual ear tags or other types of numbering of farm animals or deletion of beehive marks by a person carrying out activities in stages of circulation of products subject to veterinary control shall:

entail a fine of AMD 20 000.

3. Relocation of productive animals without accompanying veterinary documents and, in case of cattle and one-hoofed animals, also without passport, by a person carrying out activities in stages of circulation of products subject to veterinary control shall:

entail a fine of AMD 20 000.

4. Stock raising, breeding or feeding of animals in specially allocated places of waste collection, by a person carrying out activities in stages of circulation of products subject to veterinary control shall:

entail a fine of AMD 20 000.

5. Relocation of sick or potentially infected animals by a person carrying out activities in stages of circulation of products subject to veterinary control, except for cases where it is implemented upon the written instruction of a veterinarian or the permission of the authorised body, shall:

entail a fine from AMD 80 000 to AMD 100 000.

6. Feeding animals with food remains, except for animals bred for fur production, by a person carrying out activities in stages of circulation of products subject to veterinary control, shall:



entail a fine of AMD 20 000.

7. Use of common pastures or watering points for unnumbered animals or productive animals not having been included in annual anti-epidemic measures, by a person carrying out activities in stages of circulation of products subject to veterinary control, shall:

entail a fine of AMD 50 000.

8. Raising pasture grass-fed pigs or pasture fertilisation with processed animal proteins, by a person carrying out activities in stages of circulation of products subject to veterinary control, shall:

entail a fine from AMD 30 000 to AMD 50 000.

9. Application of veterinary medicines by a person not having veterinary education shall:

entail a fine of AMD 20 000.

10. Skinning of dead animals, autopsy or sanitary slaughter or butchering of animals sick with diseases prohibited by directives of fighting contagious animal diseases and preventing thereof, by a person carrying out activities in stages of circulation of products subject to veterinary control, shall:

entail a fine from AMD 80 000 to AMD 100 000.

11. Application of active or other substances being a veterinary medicine, intended for production of veterinary medicines, by a person carrying out activities in stages of circulation of products subject to veterinary control, shall:

entail a fine from AMD 30 000 to AMD 50 000.

12. Production, import or export of dog or cat leather by a person carrying out activities in stages of circulation of products subject to veterinary control, shall:

entail a fine from AMD 30 000 to AMD 50 000.

13. Committing one of the acts prescribed by parts 1-12 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 206. Violation of the procedure for production, processing, keeping, removal, trade, sale, utilisation and destruction of raw materials and food of animal origin**

1. Violation of the requirements, prescribed by legislation, for the hygiene of food of animal origin or products of animal origin not intended for consumption by the population, shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Production of raw materials or food of animal origin intended for consumption by people, from animals not exposed to veterinary examination, pre and post-slaughter

inspection or originating from animal epidemically unsafe places or exposed to cases of animal quarantine and highly contagious diseases or exposed to bans or restrictions as a result of suspicions thereof, shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Production, processing or sale of raw materials or food subject to consumption by people, by a person not registered in the authorised body as prescribed by law, shall entail a fine from AMD 100 000 to AMD 150 000.

3. Implementation of production, sale or placing on the market of raw materials or food of animal origin derived from extraneous products of animal origin, not subject to consumption by people, outside institutions registered in the authorised body as prescribed by law, shall entail a fine from AMD 100 000 to AMD 150 000.

#### **Article 207. Violation of the procedure for circulation of raw materials or food of animal origin**

1. Production, processing, trade or sale of products derived from animals treated with a veterinary medicine and having received a thyrostatic or a beta agonist —before the expiry of the period of suspension of their impact, or from milch animals treated with somatotroph hormonal substances or from animals with pathogens of contagious diseases, or an excess of maximum permissible dose of residue of veterinary medicine discovered, by a person producing, processing, trading or selling raw materials, food of animal origin, shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Application of hormonal veterinary medicines, thyrostatics or beta agonists for remedial or zootechnical purposes shall, as prescribed by legislation, entail a fine from AMD 100 000 to AMD 150 000.

3. Implementation of transportation of such products, for which a person is not considered a registered transporter in the authorised body implementing transportation of raw materials and food of animal origin, and extraneous products of animal origin, implementation of transportation of raw materials and food of animal origin by irrelevant means of transport, violation of the procedure for transportation prescribed by legislation, shall:

entail a fine from AMD 100 000 to AMD 150 000.

#### **Article 208. Violation of the procedure for implementation of measures to fight diseases contagious for animals or people when keeping animals**

1. When keeping animals, failure to create necessary conditions for implementation of measures prescribed by legislation to fight diseases contagious for animals or people or failure to provide reports on implemented animal anti-epidemic measures prescribed by law, data on artificial insemination, registration, movement of the livestock, information on food or raw materials of animal origin, processed feed, as well as failure of a person implementing

transportation, storing and selling supplements, to provide the documents prescribed by law to the state veterinary inspector or failure to show those animals thereto, shall:

entail a fine of AMD 10 000 against a natural person, and of AMD 30 000 against a legal person or an official.

**Article 209. Sale of food or raw materials of animal origin, processed feed, supplement feed, fungi used in food, which have not passed veterinary-sanitary expertise**

1. Sale of food or raw materials of animal origin, processed feed, supplement feed or fungi used in food, which have not passed veterinary-sanitary expertise, shall:

entail a fine of AMD 20 000 against a natural person, and of AMD 30 000 against a legal person or an official.

**Article 210. Production, processing of food or raw materials of animal origin, processed feed, supplement feed, which have not passed veterinary-sanitary expertise, production, sale of veterinary medicine not having acquired state registration or sale of veterinary medicine having acquired state registration without documents certifying the origin and acquisition thereof**

1. Production, processing of food or raw materials of animal origin, processed feed, supplement feed, which have not passed veterinary-sanitary expertise, production, sale of veterinary medicine not having acquired state registration or sale of veterinary medicine having acquired state registration without documents certifying the origin and acquisition thereof, shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 150 000 to AMD 200 000 against a legal person or an official.

**Article 211. Violation of decisions of territorial administration bodies on setting quarantine in respect of the fight against animal epidemics**

1. Violation of decisions of territorial administration bodies on setting quarantine in respect of the fight against animal epidemics shall:

entail a fine of AMD 10 000 against a natural person, and of AMD 30 000 against a legal person or an official.

**Article 212. Violation of the procedure for international transportation of animals, raw materials and food of animal origin, other cargo subject to state veterinary control**

1. When implementing international transportation (import, export or transit) of animals, raw materials or food of animal origin, other cargo subject to state veterinary control, failure to subject thereof to veterinary-sanitary expertise or violation of other veterinary rules shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Transportation, acceptance, storage or sale of goods (cargo), subject to state veterinary control, without accompanying veterinary documents, shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 213. Violation of slaughter, sanitary slaughter, butchering of animals, and of the procedure for transportation of farm animals**

**1. Violation of slaughter, sanitary slaughter, butchering of animals, and of the procedure for transportation of farm animals prescribed by legislation, shall:**

entail a fine of AMD 20 000 against a natural person, and from AMD 30 000 to AMD 50 000 against a legal person or an official.

**Article 214. Violation of the procedure for implementation of animal anti-epidemic preventive and mandatory measures and veterinary service works**

1. Violation of the procedure for implementation of animal anti-epidemic preventive and mandatory measures, veterinary service works prescribed by legislation, shall:

entail a fine of AMD 30 000 against a natural person, and from AMD 50 000 to AMD 70 000 against a legal person or an official.

**Article 215. Violation of the procedure for production, storage, transportation or reproduction of crop seeds**

1. Violation of the procedure for preservation of documentation on sort purity, sort and class pertaining of seeds prescribed by legislation, by a person producing, storing, transporting, reproducing, selling crop seeds or implementing the process of certification, or failure to ensure the precise implementation of requirements of the certification process, seed production sequencing, technical regulations, state criteria or the requirements prescribed by seed production legislation, and to formulate relevant documentation, shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Violation of compliance of sort purity, sort or class pertaining recorded in the documentation on the quality of seeds, with the relevant indexes in the certificate of seeds being sold, causing changes in the indicators of sort purity, sort or class pertaining of seeds, failure to provide relevant information to the authorised body on changes in quality indicators of seeds within the period prescribed or causing non-compliance of the indexes enshrined in the certificate with the relevant factual indicators of the seed batch, by a person producing, storing, transporting, reproducing, selling certified crop seeds, shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 216. Violation of rules of keeping pets in the territory of urban communities**

1. Violation of the procedure, prescribed by legislation, for keeping pets in the territory of urban communities shall:

entail a fine of AMD 5 000.

2. The act prescribed by part 1 of this Article, in the result whereof damage of the assets or health of another person has been caused, shall:

entail a fine of AMD 30 000.

**Article 217. Keeping farm animals in prohibited places**

1. Keeping farm animals in prohibited places prescribed by legislation, by the owner thereof, shall:

entail a fine of AMD 10 000.

**CHAPTER 28.**

**ADMINISTRATIVE OFFENCES IN THE SPHERES OF MANAGEMENT OF LAND RESOURCES, ENVIRONMENT, GEODESY AND CARTOGRAPHY, PROTECTION OF MONUMENTS OF HISTORY AND CULTURE**

**Article 218. Rendering a decision on permitting activities subject to expertise, without environmental impact assessment and positive expertise examination opinion**

1. Rendering a decision on permitting an activity subject to expertise, without an environmental impact assessment and a positive expertise examination opinion, shall:

entail a fine against an official from AMD 150 000 to AMD 200 000.

**Article 219. Performing activities without environmental impact assessment and positive expertise examination opinion**

1. Implementation of types of activity of category A, subject to environmental impact expertise, without a positive expertise examination opinion, shall:

entail a fine from AMD 200 000 to AMD 300 000 against a natural person, and from AMD 300 000 to AMD 500 000 against a legal person.

2. Implementation of types of activity of category B, subject to environmental impact expertise, without a positive expertise examination opinion, shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 200 000 to AMD 400 000 against a legal person.

3. Implementation of types of activity of category C, subject to environmental impact expertise, without a positive expertise examination opinion, shall:

entail a fine from AMD 100 000 to AMD 150 000 against a natural person, and from AMD 150 000 to AMD 300 000 against a legal person.

**Article 220. Violation of legislation requirements for objects and characteristics of the environment under observation in the process of environmental impact assessment and expertise**

1. Violation of legislation requirements for objects and characteristics of the environment under observation in the process of environmental impact assessment and expertise shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, from AMD 200 000 to AMD 300 000 against an official, and from AMD 300 000 to AMD 500 000 against a legal person.

**Article 221. Failure to inform about activities subject to environmental impact assessment and expertise, failure to publish fundamental and project documentation, violation of the procedure for holding public discussions**

1. Failure to notify the public of the application filed by the initiator, reports or expertise opinion projects, through the prescribed procedure or within the prescribed time limit, shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Failure to notify the public of a fundamental document and the envisaged activity and the assessment of the impact thereof shall:

entail a fine from AMD 80 000 to AMD 100 000.

3. Failure to publish the notification prescribed by parts 1 or 2 of this Article, fundamental and project documents, on the official website of the authorised body through the prescribed procedure or within the prescribed time limit, shall:

entail a fine from AMD 50 000 to AMD 80 000.

4. Failure to implement public discussions during the process of the environmental impact assessment and expertise shall:

entail a fine from AMD 100 000 to AMD 150 000.

5. Violation of the procedure or time limits for the organisation and implementation of public discussions during the process of the environmental impact assessment and expertise shall:

entail a fine from AMD 80 000 to AMD 100 000.

6. When approving the expertise opinion, failure to consider the substantiated opinion expressed by the public during the process of the environmental impact assessment and expertise shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 222. Violation of the procedure and time limits for submitting reports of nature protection sphere**

1. Failure to submit administrative statistical reports of the sphere of nature protection or calculation-reports of environmental and nature use payments, within the time limits and through the procedure prescribed by legislation, shall:

entail a fine of AMD 70 000.

**Article 223. Failure to comply with nature protection requirements during exploitation, decommissioning of buildings and premises**

1. Failure to comply with nature protection requirements, prescribed by legislation, during territorial planning, urban zoning, area planning, architectural-constructional designing, construction, capital repair, reconstruction, putting into operation, exploitation or decommissioning of buildings, premises and other objects of capital construction, shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 50 000 to AMD 100 000 against an official, and from AMD 200 000 to AMD 300 000 against a legal person.

**Article 224. Violation of targeted, operational significance of land parcels, and of the legal regime for land types**

1. Violation of requirements of a land parcel according to the target or operational significance or of the requirements, prescribed by legislation, for the use of land types, shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 80 000 to AMD 100 000 against a legal person.

2. Arbitrary change of the target or operational significance of a land parcel shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 150 000 against a legal person.

3. Failure of the competent administrative body to prevent the arbitrary change of the target or operational significance of a land parcel shall:

entail a fine from AMD 80 000 to AMD 100 000.

4. Failure of a community head to inform the authorised body about the change of targeted significance of a land parcel within the prescribed time limit or through the prescribed procedure shall:

entail a fine from AMD 50 000 to AMD 80 000.

**Article 225. Violation of the procedure for drawing up land construction documents**

1. Violation of the procedure, prescribed by the legislation, for drawing up documents on a land constructing technical task or of land constructing documents shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 226. Violation of requirements of intra-economic land construction plans prescribed by legislation**

1. Failure to comply with or improper compliance with the requirements, prescribed by legislation, for intra-economic land construction plans, shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 80 000 to AMD 120 000 against a legal person.

2. Changing the requirements of intra-economic land construction plans without the consent of the authorised body shall:

shall entail a fine from AMD 30 000 to AMD 50 000 against a natural person, and from AMD 50 000 to AMD 80 000 against a legal person.

**Article 227. Violation of the procedure for elaboration of land zoning and use schemes**

1. Elaboration of temporary schemes of land use or land zoning, use schemes in violation of the norms or the procedure prescribed by legislation shall:

entail a fine from AMD 50 000 to AMD 80 000.

**Article 228. Violation of boundaries of land use and destruction of boundary marks**

1. Violation of boundaries of land use, as well as destruction of or failure to place boundary marks shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 100 000 to AMD 120 000 against a legal person.

**Article 229. Violation of the procedure for maintaining cadastres, state registration, monitoring, assessment of land parcels**

1. Violation of the procedure, prescribed by legislation, for maintaining cadastres, for state registration, monitoring, assessment of land parcels, shall:

entail a fine against an official from AMD 40 000 to AMD 80 000.

**Article 230. Violation of mandatory servitude of land parcels**

1. Violation of the regime of mandatory servitude of the land parcel prescribed for public necessities shall:

entail a fine from AMD 50 000 to AMD 80 000.



**Article 231. Production of agricultural products on contaminated land parcels or sale thereof**

1. Producing agricultural products on a useless land parcel having been contaminated as a result of technogenic, epidemic or other harmful phenomena, for getting production complying with the prescribed norms, shall:

entail a fine from AMD 80 000 to AMD 120 000 against a natural person, and from AMD 200 000 to AMD 300 000 against a legal person.

2. Sale of agricultural products produced on a useless land parcel, having been contaminated as a result of technogenic, epidemic or other harmful phenomena, for getting production complying with the prescribed norms, shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 300 000 to AMD 400 000 against a legal person.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 232. Violation of the procedure for alienation, provision for use of land parcels belonging to the State or community with the right to ownership**

1. Violation of the procedure for alienation or provision for use of a land parcel belonging to the State or community with the right to ownership or of a land parcel occupied by a state or community-owned building or a premise shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Violation of the procedure for conducting a tender for the purpose of allocating a state or community-owned land parcel under the right to leasehold, construction, shall:

entail a fine from AMD 200 000 to AMD 300 000.

**Article 233. Failure to fulfil the requirements of soil protection**

1. Failure of the owner or user of the land parcel to comply with the requirements of soil protection from erosion by water, wind, from washing out, swamping, salification, littering with production and consumption wastes, polluting with chemical substances, desertification, landslides or other impacts deteriorating soil condition, shall:

entail a fine from AMD 100 000 to AMD 120 000 against a natural person, and from AMD 150 000 to AMD 180 000 against a legal person.

2. Failure of the owner or user of the land parcel to comply with the requirements of soil protection from pollution with radioactive substances, contamination with parasitic-bacterial, quarantine pests, from weeds, bushes or other impacts deteriorating soil condition,

shall

entail a fine from AMD 100 000 to AMD 120 000 against a natural person, and from AMD 150 000 to AMD 180 000 against a legal person.

3. Failure of the owner or user of the land parcel to fulfil the requirements of increasing soil fertility shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 100 000 to AMD 150 000 against a legal person.

4. Failure to comply with the requirements of land protection during designing, exploiting, reconstructing buildings, premises or during introduction of new technologies shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 150 000 against a legal person.

#### **Article 234. Violation of the procedure for protection and registration of fertile layers of soil**

1. Violation of the procedure, prescribed by legislation, for removing, storing, transporting, using, maintaining the fertile layer of soil, by the land user, shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 200 000 to AMD 300 000 against a legal person.

2. Selling the fertile layer of soil shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 250 000 to AMD 300 000 against a legal person.

3. Keeping a data recording register on removing, storing, transporting, using or maintaining the fertile layer of soil in violation of the prescribed procedure shall:

entail a fine from AMD 30 000 to AMD 50 000.

#### **Article 235. Violation of the procedure for state registration of rights over land parcels**

1. Violation of the procedure, prescribed by legislation, for state registration of rights over a land parcel or immovable property fixed thereon shall:

entail a fine from AMD 40 000 to AMD 80 000.

#### **Article 236. Implementation of subsoil use without the right to use**

1. Implementation of geological exploration without a work plan endorsed by the authorised body or a permit or an agreement or a subsoil use contract shall:

entail a fine from AMD 400 000 to AMD 700 000.

2. Use of the subsoil for the purpose of extracting minerals without a permit or a contract or a mining allotment act or geological expertise or technical safety expertise shall:

entail a fine from AMD 500 000 to AMD 800 000.

**Article 237. Violation of the procedure for transfer of the subsoil use right**

1. Transfer of the subsoil use right to another person by the subsoil user without the consent of the authorised body shall:

entail a fine from AMD 300 000 to AMD 600 000, with a suspension of the validity of a license.

**Article 238. Violation of the procedure for possession, use and disposal of separate areas of subsoil**

1. Sale, otherwise alienation or use of subsoil areas as a pledged item shall:

entail a fine from AMD 300 000 to AMD 600 000, with a suspension of the validity of a license.

2. Use of separate areas of the subsoil in such land parcels, where there are cemeteries, natural, historical and cultural monuments, plants registered in the Red Book of the Republic of Armenia, habitats of animals or migration routes of animals, shall:

entail a fine from AMD 300 000 to AMD 400 000, with or without a suspension of the validity of a license.

3. The action prescribed by part 2 of this Article, which has been committed negligently, shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. The use of subsoil for purposes other than specified shall:

entail a fine from AMD 400 000 to AMD 600 000, with or without a suspension of the validity of a license.

5. Failure to inform the authorised body about the detection of accumulation of minerals not mentioned in the subsoil use right, or presence of objects of rare and scientific-cultural significance, or the emergence of unforeseen ecological risks, shall:

entail a fine from AMD 100 000 to AMD 150 000.

6. Committing one of the acts prescribed by parts 2, 4-5 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 600 000 to AMD 800 000, with or without a suspension of the validity of a license or with or without termination thereof.

**Article 239. Violation of the procedure for pledging the subsoil use right**

1. Violation of the procedure, prescribed by legislation, for pledging the subsoil use right or the compulsory alienation of the subsoil use right subject to pledge shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 240. Violation of the procedure for granting the right of geological exploration of subsoil**

1. Violation of the procedure, prescribed by legislation, for granting a permit for or an agreement on geological exploration or for concluding a contract shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Violation of the procedure, prescribed by legislation, for granting a special permit to acquire a subsoil use right for the purpose of geological exploration of radioactive raw materials shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 241. Violation of the procedure for implementation of the right of geological exploration of subsoil**

1. During the implementation of geological exploration, violation of the procedure prescribed by an agreement or a permit or a contract shall:

entail a fine from AMD 200 000 to AMD 500 000, with or without a suspension of the validity of a license or with or without termination thereof.

2. Violation of the procedure, prescribed by legislation, for rendering a decision on extending the area allocated for the geological exploration of the subsoil for the purpose of extraction of minerals shall:

entail a fine from AMD 80 000 to AMD 100 000.

3. Violation of the procedure prescribed by legislation for extending the area allocated for the geological exploration of the subsoil for the purpose of extraction of minerals shall:

entail a fine from AMD 200 000 to AMD 300 000.

4. Violation of the procedure prescribed by legislation for amending the geological exploration work plan shall:

entail a fine from AMD 80 000 to AMD 100 000.

5. Transportation of minerals from the subsoil area allotted for geological exploration or implementation of experimental extraction and transportation from the area, unless implemented for the purpose of defining the value of the minerals and conduct expertise thereof, shall:

entail a fine from AMD 200 000 to AMD 400 000.

6. Committing one of the acts prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 400 000 to AMD 600 000, with or without a suspension of the validity of a license or with or without termination thereof.

**Article 242. Violation of the procedure for possession, use and disposal of separate geological information**

1. Possessing, using, disposing of geological information having passed state geological expertise, in violation of the restrictions deriving from the right to use of the subsoil, or failure to provide that information to the authorised body through the prescribed procedure and within the prescribed time limit shall:

entail a fine from AMD 100 000 to AMD 250 000.

2. Revealing geological information to a third person shall:

entail a fine from AMD 150 000 to AMD 200 000.

3. Committing the act prescribed by part 2 of this Article negligently shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 243. Violation of the procedure for granting the right to extraction of minerals and extension of subsoil area**

1. Violation of the procedure, prescribed by legislation, for conclusion of a subsoil use contract for the purpose of extraction of minerals, granting a permit, granting a mining allotment act, conducting subsoil expertise or technical safety expertise, shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Violation of the procedure prescribed by legislation for rendering a decision on extending the area allocated for extraction of minerals shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 244. Violation of the procedure for amending minerals extraction conditions**

1. Amending a project of extraction of minerals without agreeing with the authorised body shall:

entail a fine from AMD 300 000 to AMD 400 000, with or without a suspension of the validity of a license or with or without termination thereof.

2. Violation of the procedure, prescribed by legislation, for extension of the term of subsoil use permit for the purpose of extraction of minerals, or rendering a decision on amending a project of extraction shall:

entail a fine from AMD 80 000 to AMD 100 000.

3. Extension of the subsoil area allocated thereto, by a subject having the right to extract minerals, without the decision of the authorised body, shall:

entail a fine from AMD 500 000 to AMD 800 000.

4. **Violation of the procedure, prescribed by legislation, for waiving the right to geological exploration of the subsoil** or waiving the subsoil area shall:

entail a fine from AMD 80 000 to AMD 100 000 against an official, and from AMD

100 000 to AMD 150 000 against a legal person.

**Article 245. Violation of the procedure for re-cultivation of lands disturbed as a result of subsoil use**

1. Failure to conduct or improper conduct of works for re-cultivation of lands disturbed as a result of subsoil use shall:

entail a fine from AMD 500 000 to AMD 800 000.

2. Failure to make allocations for environmental protection assets within the prescribed time limit or through the prescribed procedure or in the prescribed amount shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 246. Violation of the requirements of extraction of minerals**

1. Selective processing of rich mining areas or incomplete exaction of mineral deposits or non-complex use of main, jointly located minerals or excessive losses of minerals during extraction or allowing excessive impoverishment or failure to comply with the requirements of storing and maintaining minerals shall:

entail a fine from AMD 500 000 to AMD 800 000, with or without a suspension of the validity of a license or with or without termination thereof.

2. Unauthorised construction of mineral mine surfaces or the use thereof in violation of legislation, a contract or the procedure prescribed thereby or for purposes not provided for by the permit shall:

entail a fine from AMD 400 000 to AMD 600 000, with or without a suspension of the validity of a license or with or without termination thereof.

3. Failure to comply with the requirements of stuffing, isolating, enclosing rock pits or with the requirements of protection of mineral mines from fire, flood or from processes decreasing the quality of minerals and the industrial value of mines shall:

entail a fine from AMD 400 000 to AMD 600 000, with or without a suspension of the validity of a license or with or without termination thereof.

4. Destruction or damage of drill holes of groundwater monitoring observations or Marksheider or geodetic marks shall:

entail a fine from AMD 100 000 to AMD 200 000.

5. During the implementation of extraction, violation of the contract or project of extraction or of the standards, norms or safety rules of extracting, transporting or processing minerals by a subject having obtained the right to extract minerals shall:

entail a fine from AMD 300 000 to AMD 500 000, with or without a suspension of the validity of a license or with or without termination thereof.

6. Implementation of subsoil use for the purpose of extraction of minerals without an environmental management plan or a mine closure programme shall:

entail a fine from AMD 200 000 to AMD 300 000.

7. Violation of the requirements of the environmental management plan or monitoring programme or the mine closure programme shall:

entail a fine from AMD 150 000 to AMD 200 000, with or without a suspension of the validity of a license.

8. Committing one of the acts prescribed by parts 1-2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 600 000 to AMD 800 000, with or without a suspension of the validity of a license or with or without termination thereof.

**Article 247. Failure to reappraise quality requirements and resources in mines and to keep register of geological, Marksheider and other documentary and of movement of resources**

1. Failure to reappraise quality requirements and resources in exploited mines (areas) in a time limit and manner prescribed and to submit them to the authorised body for re-approval shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Failure to keep or maintain a register of daily movement of geological, Marksheider and other documentary and of mineral resources shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Failure to collect or maintain data on explored, extracted mineral resources as well as on ones lost in subsoil, on components contained therein, quality and quantity shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 248. Failure to comply with requirements on termination of subsoil use activities**

1. Failure to perform or improper performance of the requirements of mine closure programme by a subsoil user when decommissioning of the mining complex shall:

entail a fine from AMD 300 000 to AMD 500 000.

2. Violating the procedure, prescribed by legislation, for rock pits or conservation of structures related to extraction of minerals shall:

entail a fine from AMD 300 000 to AMD 500 000.

3. Failure to make prescribed payments — in the manner, extent and time limits prescribed — for monitoring, on the purpose of ensuring the safety of extracted area of minerals, location of industrial heaps having been generated during extraction or safety and health of population of communities residing in the adjacent area thereto shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 249. Violating the procedure for notifying the public of the acts adopted with regard to water resources**

1. Violating the procedure, prescribed by legislation, for notifying the public of national water policy or National Programme or management plans or permits or standards or tariff policy projects shall:

entail a fine from AMD 40 000 to AMD 80 000.

**Article 250. Utilization of water resources and water system without a permit**

1. Utilization of water resources without a water use permit shall:

entail a fine from AMD 50 000 to AMD 200 000 against a natural person, and from AMD 200 000 to AMD 400 000 against a legal person.

2. Utilization of water system by a non-competitive water supplier, reconstruction of a new water system or reconstruction of an existing water system without a permit shall:

entail a fine from AMD 300 000 to AMD 500 000.

**Article 251. Violating the procedure for issuing permits for water use and water system use**

1. Violating the procedure, prescribed by legislation, for issuing a permit for water use and water system use shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 252. Violating requirements for permit for free water use, special water use or water system use**

1. Free water use that violates water standards or utilization of water, envisaged for free water use, with the aim of getting profit shall:

entail a fine from AMD 100 000 to AMD 120 000 against a natural person, and from AMD 150 000 to AMD 200 000 against a legal person.

2. Violating the requirements for permit for water use or water system use shall:

entail a fine from AMD 50 000 to AMD 200 000 against a natural person by suspension of the validity of a permit or without it or by termination of the validity of a permit or without it and from AMD 200 000 to 400 000 against a legal person by suspension of the validity of a permit or without it or by termination of the validity of a permit or without it.

3. Selling a permit for water use or transferring thereof in another way in violation of the procedure prescribed by legislation shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 200 000 to AMD 400 000 against a legal person.

4. Violating the procedure, prescribed by legislation, for transferring the right of water



system use shall:

entail a fine from AMD 80 000 to AMD 100 000.

5. Modifying rivers, fountains, lakes or other water resources or altering the flow, coasts or brims thereof by subjects having the right to use water system not provided for by the water use permit shall:

entail a fine from AMD 200 000 to AMD 400 000.

6. Committing the act prescribed by part 2 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 150 000 to AMD 300 000 against a natural person by termination of the validity of a permit or without it and from AMD 300 000 to 500 000 against a legal person by termination of the validity of a permit or without it.

7. Committing the act prescribed by part 5 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 300 000 to AMD 500 000 by termination of the validity of a license or without it.

#### **Article 253. Failure to perform duties provided for by contracts on water use and water system use**

1. Failure to provide the regime, quality or quantity for water suppliers and water users prescribed by a water system user, to record the water received and allocated shall:

entail a fine from AMD 300 000 to AMD 500 000.

#### **Article 254. Violating the procedure for registering documents confirming rights to water resources and water systems**

1. Registering the permit for water use, permit for water system use or the contract on transfer of the right to water use or use of water systems, the amendments therein, servitude in violation of the procedure prescribed or failure to submit them for registration in the time limit prescribed shall:

entail a fine from AMD 80 000 to AMD 100 000.

#### **Article 255. Violating the procedure for providing floodplains of rivers and water lands for use to create water protection and sanitary zones**

1. Providing floodplains of rivers and water lands for use to create water protection and sanitary zones — in violation of the procedure prescribed by water use permit or water system use permit — by the subject having the right to use water systems for the purpose of performing economic activities shall:

entail a fine from AMD 300 000 to AMD 500 000.

**Article 256. Violating standards for water quality when utilizing water**

1. Utilizing water in violation of standards for water quality shall:  
entail a fine from AMD 300 000 to AMD 500 000.
2. Violating the standards for quality of drinking water supply shall:  
entail a fine from AMD 200 000 to AMD 400 000.
3. Violating the procedure, prescribed by legislation, for reprocessing or treatment of drinking water shall:  
entail a fine from AMD 80 000 to AMD 120 000.

**Article 257. Violating requirements for quantity and quality of land plot and for water going to water resources**

1. Violating the procedure, prescribed by legislation — by exceeding the limits prescribed — for water intake from natural water resources or preliminary recording of quantity of water taken from water resources or going to therein or for determining the quality of water going to water facility shall:  
shall entail a fine from AMD 150 000 to AMD 300 000.

**Article 258. Performing actions aggravating qualitative features of water resources**

1. Failure to protect the water resource from littering, pollution, contamination and exhaustion, to carry out overflow of wastewater into water resources without a permit, to perform works, not provided for by legislation, within the territory of water protection zone of water resources or emitting of radioactive, hazardous wastes into water resources as well as overflow and burial thereof or performing blasting operations with nuclear or other technologies accompanied by overflow of radioactive, toxic substances in water resources shall:  
entail a fine from AMD 300 000 to AMD 500 000, by suspension of the validity of a permit or without it or by termination of validity of a permit or without it.
2. Utilizing water resources or the parts thereof where receiving of wastewater or drainage waters is banned or building absorbent drill holes or wells shall:  
entail a fine from AMD 150 000 to AMD 300 000.
3. Committing one of the acts prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:  
entail a fine from AMD 400 000 to AMD 600 000, by termination of the validity of a license or without it.
4. Committing the act prescribed by part 2 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 300 000 to AMD 500 000.

**Article 259. Violating the legal regime of sanitary protection of water resources and water systems and of inalienable zones**

1. Forming sanitary protection zones of mineral mines and aquifers of underground waters in violation of requirements prescribed or drilling of drill holes shall:

entail a fine from AMD 200 000 to AMD 300 000.

2. Failure to agree the project of forming sanitary protection zones of mineral mines and aquifers of underground waters with an authorised body shall:

entail a fine from AMD 50 000 to AMD 80 000.

3. Failure to perform volunteer works affecting the condition of water system shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 100 000 to AMD 150 000 against a legal person.

4. Violating the legal regime of sanitary protection and inalienable zones shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 200 000 to AMD 250 000 against a legal person.

**Article 260. Violating the procedure for irrigating agricultural lands with wastewater**

1. Violating the procedure, prescribed by legislation, for irrigating agricultural lands with wastewater shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Transferring the lands irrigated with wastewater for use or utilizing without a monitoring system of underground water regime shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 261. Utilizing a water system without devices or means protecting water resources from adversely affect**

1. Transferring a water system, utility or other industrial facilities for use or operation thereof without devices for preventing littering, pollution of water and other adversary affect, means of recording of the waters taken or going to therein, without fish protection devices, structures for protecting water resources and catchment areas from pollution, sanitary zones envisaged for the sector of agricultural or livestock production activities shall:

entail a fine from AMD 300 000 to AMD 500 000.

2. Committing one of the acts prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 400 000 to AMD 600 000, by termination of the validity of a

license or without it.

**Article 262. Violating safety rules for hydro-technical constructions**

1. Failure to comply with the safety rules when building, utilizing, renovating, reconstructing, conserving, withdrawing from use or demolishing hydro-technical constructions shall:

entail a fine from AMD 200 000 to AMD 300 000.

2. Failure to perform or improper performance of the measures, prescribed by legislation, on preventing disasters occurring as a result of emergency of hydro-technical constructions shall:

entail a fine from AMD 100 000 to AMD 300 000.

**Article 263. Failure to record water resources as prescribed by legislation**

1. Failure to record water resources as prescribed by legislation shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 264. Performing banned activities affecting ecosystem of lake Sevan**

1. Performing activities, banned by legislation, affecting the ecosystem of the lake in the central, directly or indirectly affected zones of lake Sevan shall:

entail a fine from AMD 500 000 to AMD 800 000, with confiscation of an item or property having been a tool or a direct object of administrative offence or without it.

2. The utilization of highly toxic substances for aquatic organisms, not highly toxic substances transmitted through food chains and accumulated in plant and animal organisms, slowly decomposable toxic substances in lake Sevan or in the water of rivers, fountains going to therein, hazardous substances for ecosystem of lake Sevan, biogenic elements exceeding the permissible norms, heavy metals or combinations thereof in ecosystem of lake Sevan shall:

entail a fine from AMD 300 000 to AMD 600 000.

**Article 265. Violating the procedure for transferring and disposing of hazardous and other wastes**

1. Failure to inform — in the time limit or manner prescribed — the authorised state body of the beginning and end of transferring by the person responsible for transferring hazardous or other wastes shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 80 000 to AMD 150 000 against a legal person.

2. Failure to inform — in the time limit or manner prescribed — the authorised state body of receiving and disposal thereof by the person responsible for disposal of hazardous or

other wastes shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 80 000 to AMD 120 000 against a legal person.

**Article 266. Violating the procedure for circulation of hazardous and other wastes**

1. Violating the procedure, prescribed by legislation, for circulation of hazardous and other wastes shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 150 000 to AMD 200 000 against a legal person.

**Article 267. Failure to agree waste certificates**

1. Failure to agree waste certificates — drawn up by waste producers — with the authorised public administration body shall:

entail a fine from AMD 50 000 to AMD 80 000.

**Article 268. Failure to submit registry registration card of wastes and recording of registry registration of wastes**

1. Failure to submit, in the manner and time limit prescribed, the registry registration card of disposal areas of wastes or the recording of registry registration of the facilities of waste generation, recycling and utilisation to the authorised public administration body shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 269. Failure to submit normatives of waste generation and projects of emplacement limits thereof for approval**

1. Failure to submit, in the manner or time limit prescribed by legislation, normatives of waste generation or projects of emplacement limits thereof for approval to the authorised public administration body shall:

entail a fine from AMD 50 000 to AMD 80 000.

**Article 270. Violating the procedure for waste emplacement**

1. Emplacement of unapproved normatives of waste generation or emplacement limits thereof shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Emplacement of wastes out of specially allocated places shall:

entail a fine from AMD 80 000 to AMD 100 000.

3. Waste emplacement in violation of approved waste emplacement limits shall:

entail a fine from AMD 100 000 to AMD 150 000 against a natural person by

suspension of the validity of a permit or without it or by termination of the validity of a permit or without it and from AMD 200 000 to 300 000 against a legal person by suspension of the validity of the validity of a permit or without it or by termination of the validity of a permit or without it.

4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 150 000 to AMD 300 000 against a natural person by termination of the validity of a permit or without it and from AMD 300 000 to 500 000 against a legal person by termination of the validity of a permit or without it.

**Article 271. Violating the procedure for keeping state cadastre, monitoring and registry of wastes**

1. Violating the procedure, prescribed by legislation, for keeping state cadastre, monitoring and registry of wastes shall:

entail a fine from AMD 50 000 to AMD 80 000.

**Article 272. Producing, importing and exporting of ozone-depleting substances**

1. Producing or importing ozone-depleting substances, transit from non-contracting parties of Vienna Convention for the Protection of Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer and export thereto, as well as transit of ozone-depleting substances through the territory of the Republic of Armenia, where those substances have been delivered from a non-contracting party or to non-contracting party shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 200 000 against an official, from AMD 200 000 to AMD 400 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 273. Violating the procedure for recording the ozone precursor substances**

1. Violating the procedure, prescribed by legislation, for recording the ozone precursor substances shall:

entail a fine of AMD 100 000 and of AMD 200 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this

Article.

**Article 274. Emission of pollutants in ambient air without a permit of the authorised body or exceeding limit values of hazardous physical impacts on ambient air by exceeding limit values**

1. Emission of pollutants in ambient air without a permit of state bodies authorised for ambient air maintenance shall:

entail a fine from AMD 100 000 to AMD 120 000 against a natural person, and from AMD 400 000 to AMD 600 000 against a legal person.

2. Exceeding the emission limit values of pollutants in ambient air, exceeding the limit values of hazardous physical impacts polluting the ambient air or violating the conditions or requirements provided for by permits shall:

entail a fine from AMD 50 000 to AMD 80 000 against a natural person, and from AMD 300 000 to AMD 500 000 against a legal person.

3. Failure to record the types, sizes of hazardous physical impacts on the state of ambient air or recording thereof in violation of the procedure, prescribed by legislation, shall:

entail a fine from AMD 80 000 to AMD 100 000.

4. Failure to have or to use structures, equipment for cleaning and controlling the emissions polluting the ambient air or violating the rules for their operation shall:

entail a fine from AMD 200 000 to AMD 400 000.

5. Committing one of the acts prescribed by parts 1-4 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 275. Building or operating a building or other facilities not meeting the requirements of ambient air maintenance**

1. Building or operating a building or other facilities not meeting the requirements of ambient air maintenance shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 200 000 to AMD 400 000 against a legal person.

**Article 276. Failure to take measures, prescribed by legislation, for preventing dust emissions in the course of construction of facilities being built, reconstructed, demolished in the territory of the Republic of Armenia**

1. Failure to comply with the requirements, prescribed by legislation, for atmospheric air protection in the course of construction of facilities being built, reconstructed, demolished by failing to fence the construction sites for preventing dust emissions, to cover the buildings

with a non-transparent cover of the height of the construction, to keep the construction site damp in case of positive temperature of air, to use devices, technologies excluding dust emissions when performing grinding work, to store bulk materials in close areas or to cover them with non-transparent covers or to wash the tires of vehicles leaving the construction site shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 100 000 to AMD 200 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 277. Violating requirements for ambient air maintenance during transmitting construction materials and waste through transport means**

1. Transmitting sand, plaster, cement, bulk materials or construction waste through transport means without non-transparent covers for dust, as well failure to transmit the construction waste through the route established by the head of the community or failure to place thereof in the place assigned in the manner prescribed shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 150 000 to AMD 200 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 278. Putting transport means, other vehicles or installations into operation or permitting thereof by exceeding content of pollutants in ambient air and noise limit values**

1. Putting transport means, other vehicles or installations into operation or permitting thereof, in the emissions of which the content of pollutants in the ambient air or the level of the noise generated during the work exceed the prescribed limit values shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 279. Putting transport means or other vehicles or installations into operation by exceeding limit values of the content of pollutants in their emissions or noise limit values**

1. Putting transport means, other vehicles or installations into operation, in the emissions of which the content of pollutants or the level of the noise generated during the work



exceed the prescribed limit values shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 80 000 to AMD 100 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 280. Failure to make measurements of emissions of pollutants from transport means, other vehicles or violating the procedure for measurement**

1. Issuing a conformity certificate of limit values of emissions of the pollutants from those means by organisations holding licence for making measurements of emissions of the pollutants from transport means and other vehicles without making measurements or violating the procedure for measurement prescribed by legislation shall:

shall entail a fine from AMD 100 000 to AMD 200 000 against a legal person.

**Article 281. Violating the rules for storing production and consumption wastes, for production, transportation, storage and utilization of plant protection measures, growth additives thereof, chemical substances, mineral fertilisers and other preparations**

1. Violating the rules, prescribed by legislation, for storing production and consumption wastes, for production, transportation, storage and utilization of plant protection measures, growth additives thereof, chemical substances, mineral fertilisers and other preparations shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 100 000 to AMD 200 000 against a legal person.

**Article 282. Violating the procedure for state recording of emissions of the pollutants in the ambient air**

1. Violating the procedure, prescribed by legislation, for state recording of emissions of the pollutants in the ambient air shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 283. Setting production and consumption wastes on fire in natural environment, residential areas**

1. Setting production and consumption wastes as well as wastes from defoliation on fire in natural environment, residential areas or in boiler rooms, ovens and other devices not designated for it shall:

entail a warning or a fine from AMD 10 000 to AMD 30 000.

**Article 284. Setting stubbles, vegetative remains and areas with dried vegetations, the vegetation of pasture and hayfields in agricultural, close to forest areas, lands on forestry and specially protected nature areas on fire**

1. Setting stubbles, vegetative remains and areas with dried vegetations, the vegetation of pasture and hayfields in agricultural, close to forest areas, lands on forestry and specially protected nature areas on fire shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 285. Utilizing forest lands for other purposes without a permit, unauthorized occupation of forest areas as well as the use of forest not in compliance with the purposes provided for by documents entitling the use of forest**

1. Utilization of forest lands without a permit including building of roads, pipe-lines, buildings and constructions exploitation of mines or utilizing thereof for other purposes as well as unauthorised occupation of forest areas shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 200 000 against a legal person.

2. Use of forest not in compliance with the purposes and requirements provided for by documents entitling the use of forest shall:

entail a fine from AMD 100 000 to AMD 300 000.

**Article 286. Violating the procedure for cutting out forest plantations and for harvesting and removing timber shall:**

1. Violating the procedure, prescribed by legislation, for cutting out forest plantations and for harvesting and removing timber shall:

entail confiscation of an item or property serving as a tool for administrative offence and a fine from AMD 200 000 to AMD 300 000 against a natural person, from AMD 300 000 to AMD 500 000 against a legal person.

**Article 287. Cutting out, unrooting, destructing of trees and bushes or destructing state or community-owned vegetation cover or damaging to the extent of growth retardation**

1. Cutting out, unrooting or destructing of trees and bushes or destructing state or community-owned vegetation cover or damaging to the extent of growth retardation in land parcels as well as in the areas not considered a forest land shall:

entail a fine from AMD 200 000 to AMD 400 000 through confiscation of an item or

property serving as a tool for administrative offence.

**Article 288. Acquiring, maintaining, transmitting, alienating or bartering the illegally acquired timber and the products produced from them**

1. Acquiring, maintaining, transmitting, alienating or bartering the illegally acquired timber and the products (whole timber, beam, board, firewood, crude parquet, oddments, wood charcoal) produced from them shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 289. Violating the procedure for harvesting non-timber and secondary forest product**

1. Violating the procedure, prescribed by legislation, for harvesting secondary forest product (stump, bark, dry branches, twigs, resin) shall:

entail a fine from AMD 20 000 to AMD 50 000 through confiscation of an item or property serving as a tool for administrative offence.

2. Violating the procedure, prescribed by legislation, for harvesting non-wood forest product (wild fruits, berries, nuts, mushrooms, edible and medical herbs, technical raw material) shall:

entail a fine from AMD 20 000 to AMD 50 000 through confiscation of an item or property serving as a tool for administrative offence.

**Article 290. Violating the rules for afforestation, restoration and improvement of forests or utilization of mature timber stocks**

1. Failure to perform the prescribed works of restoration of forests, afforestation of forest lands not covered with forests, improvement of the state of forests or composition of species, as well as violating the rules for foresting projects, rules, directives, restoration and improvement of forests or utilization of mature timber stocks shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 291. Unauthorised haymaking in forests and state forest lands, cattle grazing or violating the rules thereof**

1. Unauthorised haymaking in forests or state forest lands or cattle grazing or violating the rules for carrying out thereof shall:

entail a fine from AMD 50 000 to AMD 150 000.

**Article 292. Damaging or destructing of fertile soil layer of forest lands**

1. Damaging or destructing of fertile soil layer of forest lands shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 293. Damaging of irrigation system in state forests or forest lands**

1. Damaging of irrigation system in state forests or forest lands shall:  
entail a fine from AMD 100 000 to AMD 200 000.

**Article 294. Polluting forests and forest lands with wastes and industrial wastewaters**

1. Polluting forests and forest lands with household remains shall:  
entail a fine of AMD 5000 for each one square metre having been polluted.

2. Polluting forests or forest lands with production wastes, industrial emissions or industrial wastewaters shall:

entail a fine of AMD 15 000 for each one square metre having been polluted.

3. Polluting forests or forest lands with wastes generated from demolishing construction or land cover shall:

entail a fine of AMD 15 000 for each one square metre having been polluted.

4. Polluting forests or forest lands with chemical or radioactive substances shall:  
entail a fine of AMD 25 000 for each one square metre having been polluted.

**Article 295. Destructing or damaging systems and paths of marsh lands and drainage channels in state forest lands**

1. Destructing or damaging systems or paths of marsh lands or drainage channels in state forest lands shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 296. Destructing or damaging foresting and other restricting signs in forest lands**

1. Destructing or damaging foresting and other restricting signs in forest lands shall:  
entail a fine from AMD 80 000 to AMD 100 000.

**Article 297. Destructing or damaging forest by negligence**

1. Destructing or damaging trees, bushes, saplings, crops or vegetation cover as a result of negligent treatment towards fire, explosives or other source of ultimate danger, where a large-scale property damage has not been caused to the lawful interests of a person, organisation, society or the State, shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Violating the rules for fire safety in forests, where it has not caused consequences prescribed by part 1 of this Article, shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Large scale and particularly large scale (inflicted damage or property damage) shall be deemed in this Code the amount (value) of large scale and particularly large scale (inflicted damage or property damage) prescribed by the Criminal Code of the Republic of Armenia.

**Article 298. Utilizing green areas of common use in residences without a permit, issuing a permit for utilization for other purposes, as well as occupying those areas**

1. Utilizing green areas of common use in residences without a permit or occupying those areas shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Issuing a permit for utilization for other purposes in green areas of common use in residences shall:

shall entail a fine from AMD 100 000 to AMD 300 000.

**Article 299. Illegal cutting out, unrooting, destroying of trees and bushes of areas of common use in residences or violating the rules for pruning as well as destroying vegetation cover**

1. Illegal cutting out, unrooting, destroying of trees or bushes of areas of common use in residences or violating the rules for pruning as well as destroying vegetation cover shall:

shall entail a fine from AMD 150 000 to AMD 250 000.

**Article 300. Polluting green areas of common use in residences with wastes**

1. Polluting green areas of common use in residences with household wastes shall: entail a fine of AMD 5000 for each one square metre having been polluted.

2. Polluting green areas of common use in residences with production wastes shall: entail a fine from AMD 10 000 to AMD 30 000 for each one square metre having been polluted.

3. Polluting green areas of common use in residences with wastes generated from demolishing construction or land cover shall:

entail a fine from AMD 20 000 to AMD 40 000 for each one square metre having been polluted.

4. Polluting green areas of common use in residences with hazardous and radioactive wastes shall:

entail a fine from AMD 30 000 to AMD 50 000 for each one square metre having been polluted.

**Article 301. Damaging hayfields, grazing lands in natural pastures owned by the state or community, unauthorised haymaking or cattle grazing**

1. Damaging hayfields, grazing lands in natural pastures owned by the state or

community, unauthorised haymaking or cattle grazing or violating the rules for carrying out thereof shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 200 000 to AMD 300 000 against a legal person.

**Article 302. Polluting natural hayfields or grazing lands with wastes**

1. Polluting natural hayfields or grazing lands with wastes shall:

entail a fine of AMD 5000 for each one square metre having been polluted.

2. Polluting natural hayfields or grazing lands with production wastes shall:

entail a fine of AMD 10 000 for each one square metre having been polluted.

4. Polluting natural hayfields or grazing lands with wastes generated from demolishing construction or land cover shall:

entail a fine of AMD 15 000 for each one square metre having been polluted.

5. Polluting natural hayfields or grazing lands with hazardous or radioactive wastes shall:

entail a fine from AMD 30 000 to AMD 50 000 for each one square metre having been polluted.

**Article 303. Unauthorised gathering or destruction of plants registered in the Red Book of plants of the Republic of Armenia**

1. Unauthorised gathering, destruction of the plants or the parts thereof (roots, flowers, yields of plants) registered in the Red Book of plants of the Republic of Armenia or performing actions causing reduction of the number thereof or deterioration of the growth area or acquiring transmitting, preserving and alienating thereof in violation of the procedure prescribed by legislation, where it has not lead to extermination (elimination) of the population thereof shall:

entail a fine from AMD 200 000 to AMD 300 000.

**Article 304. Violating the legal regime of**

1. Burning of species of flora or utilization of mineral fertilizers, pesticides causing damage to them or damaging them with chemical substances or combinations, wastewaters and wastes or import of plant species or the organs of generation thereof into the Republic of Armenia, acclimatization or use thereof for selective purposes or utilization of living modified organisms obtained through biological technologies causing damage to flora in violation of the procedure prescribed by legislation shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Violating the procedure, prescribed by legislation, for utilizing the species of flora — considered to be the state-owned — for scientific research, aesthetic, educational,

environmental, social or other purposes shall:

entail a fine from AMD 150 000 to AMD 250 000, by suspension of the validity of a license or by termination of the validity of a license or without it.

**Article 305. Violating the rules for protection of flora, including fish resources, for hunting, fishing as well as for making use of the fauna and hunting of other species**

1. Violating the rules for fauna including violating the rules for the protection of resources of fish and water animals, where it has not caused serious consequences shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person through confiscation of an item or property serving as a tool for administrative offence and deprivation of a hunting license for a term of up to 1 year and from AMD 100 000 to AMD 200 000 against an official through confiscation of an item or property serving as a tool for administrative offence and deprivation of a hunting license for a term of up to 1 year and from AMD 200 000 to 400 000 against a legal person through confiscation of an item or property serving as a tool for administrative offence.

2. Violating the rules for hunting or fishing and for hunting of other fauna species - hunting without a permit thereof or in forbidden areas or at forbidden time, where it has not caused large-scale property damage or through forbidden tools or means or attempting to violate shall:

entail a fine from AMD 80 000 to AMD 150 000 against a natural person through confiscation of an item or property serving as a tool for administrative offence and deprivation of a hunting license for a term of up to 2 years and from AMD 400 000 to AMD 600 000 against a legal person through confiscation of an item or property serving as a tool for administrative offence.

3. Acquiring, procuring, transmitting or alienating the results of hunting or fishing prescribed by parts 1 or 2 of this Article shall:

entail a fine from AMD 100 000 to AMD 200 000 against a natural person and from AMD 200 000 to AMD 400 000 against a legal person.

**Article 306. Destructing or damaging fauna, as well as violating rules for protection of species of fauna and aquatic biological resources, cruelty to animals**

1. Damaging or destructing habitats of animals, including ant hills, abodes, dens or other habitats, where it has not lead to their mass destruction or to another serious consequence shall:

entail a fine from AMD 50 000 to AMD 150 000.

2. Utilization of mineral fertilizers, pesticides causing damage to fauna or damaging and destructing fauna with chemical substances, combinations, wastewaters or wastes, where it has not lead to their mass destruction or another serious consequence shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Violating rules for the protection of species of fauna and habitat of aquatic biological resources or migration routes, where it has not lead to their mass destruction or another serious consequence shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 150 000 against an official, and from AMD 150 000 to AMD 300 000 against a legal person.

4. Cruelty to animals that has lead to their maim shall:

entail a fine from AMD 50 000 to AMD 150 000.

**Article 307. Violating the rules for resettlement, climate adaption and interbreeding of species of fauna**

1. Violating the rules for resettlement, climate adaption and interbreeding of species of fauna, including fish resources shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 200 000 against an official, from AMD 150 000 to AMD 300 000 against a legal person.

**Article 308. Violating the rules for creating or replenishing or protecting, utilizing, recording, transmitting, exporting or importing biological collections**

1. Violating the rules for creating, replenishing, protecting, utilizing, recording, transmitting, exporting or importing biological collections shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 150 000 against an official, and from AMD 150 000 to AMD 300 000 against a legal person.

**Article 309. Illegal import of animals and plants into the Republic of Armenia that cause damage to the the protection of animal species registered in the Red Book of the Republic of Armenia**

1. Illegal import of animals or plants into the Republic of Armenia that cause damage to the the protection of animal species registered in the Red Book of the Republic of Armenia shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, from AMD 150 000 to AMD 150 000 against an official, from AMD 200 000 to AMD 400 000 against a legal person.



**Article 310. Destructing or damaging animals registered in the Red Data Book of animals of the Republic of Armenia**

1. Destructing the types of rare or disappearing animals registered in the Red Data Book of animals of the Republic of Armenia or protected by international treaties, their abodes, areas for laying eggs, eggs, migration routes or nests or other ware, as well as committing other acts that may cause or have caused the decline of such animals, the reduction of their number, the violation of habitat or migration routes, where that has not led to the extermination (elimination) of the population of those organisms, shall:

entail confiscation of an object or property serving as a tool for administrative offence and a fine from AMD 150 000 to AMD 300 000 against a natural person, from AMD 300 000 to AMD 500 000 — against an official, from AMD 400 000 to AMD 800 000 — against a legal person.

**Article 311. Violating the rules of international trade in endangered species of wild fauna and flora**

1. Violating the rules for export from the Republic of Armenia and import to the Republic of Armenia of the animals or plants (living or deceased), the parts or derivatives thereof included in the appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 200 000 — against an official, from AMD 200 000 to AMD 300 000 — against a legal person.

**Article 312. Violating the biosafety rules for the use of genetically modified organisms**

1. Illegal receipt, testing, multiplication, keeping, unauthorised use, destruction or neutralisation, as well as import, export or transit transfer of genetically modified organisms, shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 200 000 —against an official, from AMD 200 000 to AMD 300 000 — against a legal person.

**Article 313. Violating the procedure for keeping wild animals in captive and semi-captive conditions**

1. Violating the procedure for keeping wild animals in captive and semi-captive conditions prescribed by law shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 100 000 to AMD 50 000 —against a legal person.

**Article 314. Violating the rules for the protection of specially protected nature areas and other natural objects specially protected by the State, violating the rules for the protection and use of the natural resources of those areas**

1. Violating the rules for the protection of specially protected nature areas and other natural objects specially protected by the State, as well as the rules for the protection and use of the natural resources of those areas, where that has not caused large damage to property or other major damage, shall:

entail confiscation of an object or property serving as a tool of administrative offence and a fine from AMD 200 000 to AMD 300 000 against a natural person, from AMD 500 000 to AMD 600 000 — against a legal person.

2. Committing any one of the acts prescribed by Articles 285-313 of this Code in specially protected nature areas, Dendroparks or forest parks, shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by the relevant Article.

**Article 315. Violating the rules for implementation of geodesic and cartographic activities**

1. In performing geodesic or cartographic tasks, violating the regulatory technical rules prescribed by legislation, shall:

entail a fine from AMD 50 000 to AMD 80 000.

2. Violating the rules prescribed by legislation for recording, examining or protecting the borders of the geodesic points or administrative and territorial units of an area shall:

entail a fine from AMD 80 000 to AMD 100 000.

3. Violating the procedure prescribed by legislation for metrological provision of geodesic activities or maintenance of the standards of certification shall:

entail a fine from AMD 80 000 to AMD 100 000.

4. Violating the procedure prescribed by legislation for the demarcation or delimitation of the state border and administrative and territorial units of the Republic of Armenia shall:

entail a fine from AMD 80 000 to AMD 100 000.

5. Specifying geographical names on maps and plans in performing cartographic tasks of state significance incorrectly shall:

entail a fine from AMD 30 000 to AMD 50 000.

6. Violating the procedure prescribed by legislation for the creation of thematic maps or atlases shall:

entail a fine from AMD 30 000 to AMD 50 000.

7. Destructing external signs at geodesic points or reestablishing centres without the permission of an authorised body shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 316. Violating the procedure for protecting and providing geodesic materials and data**

1. Violating the procedure prescribed by legislation for the protection of state or local geodesic, cartographic-geodesic funds, or the multiplication, use and provision of materials and data, shall:

entail a fine from AMD 50 000 to AMD 80 000.

**Article 317. Violating the procedure for the protection and use of immovable historical and cultural monuments and the import or export of cultural values**

1. Violating the procedure prescribed by legislation for the protection and use of immovable monuments of history and culture shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Violating the procedure prescribed by legislation for the import or export of cultural values to and from the Republic of Armenia shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 318. Violating the rules for garbage disposal**

1. Throwing garbage out of refuse chutes, trash collection chambers, waste containers, waste bins and garbage trucks in places and sites that are not set or prescribed for that, as well as out of landfills organised or envisaged as prescribed by law, shall:

entail a fine from AMD 30 000 to AMD 50 000.

**CHAPTER 29.**

**ADMINISTRATIVE OFFENCES IN THE SPHERES OF URBAN DEVELOPMENT  
AND THE HOUSING AND COMMUNAL ECONOMY**

**Article 319. Failure to comply with the mandatory norms for maintenance of property in shared ownership of a multi-apartment building**

1. Failure by a natural person or legal person management body or community head or responsible official appointed by him or her to comply with the mandatory norms for maintenance of property in shared ownership of a multi-apartment building prescribed by legislation in the prescribed manner or time limits shall:

entail a warning.

2. Failure by a natural person or legal person management body or community head or responsible official appointed by him or her to comply with the mandatory norms prescribed

by legislation for maintenance of property in shared ownership of a multi-apartment building in the manner and period prescribed by a state authorised body following the adoption of a decision on imposing an administrative penalty imposed by part 1 of this Article shall:

entail a fine from AMD 10 000 to AMD 20 000.

3. Committing the act prescribed in part 1 of this Article, which has endangered the property in shared ownership, the life, health of owners of structures or other persons, the properties of persons and the environment, shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 320. Failure to perform or improper performance by the management bodies of a multi-apartment building of duties prescribed by legislation**

1. Failure by the natural person or legal person management body of a multi-apartment building to publish or provide reports, or notifications subject to mandatory publication in the manner or time limits prescribed by legislation shall:

entail a fine of AMD 1 000.

2. Failure by a natural person or legal person management body of a newly created multi-apartment building or by a natural person or legal person management body having terminated its powers as prescribed by legislation to notify the owners of a multi-apartment building or community head about that in the prescribed time limits shall:

entail a fine of AMD 4 000.

3. Failure or improper performance by a community head or his or her appointed responsible official to carry out the functions or powers of the management body of a multi-apartment building in the prescribed manner or cases, shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 321. Use of buildings and structures for a non-designated purpose**

1. The use of buildings and structures for a non-designated purpose shall:

entail a fine from AMD 20 000 to AMD 50 000 against a natural person, from AMD 50 000 to AMD 100 000 — against a legal person.

2. Failure by a community head or a responsible official prescribed by his or her decision to take measures prescribed by legislation for preventing the use of buildings or structures for non-designated purpose by way of violation of the requirements prescribed by legislation shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 322. Drafting urban development documents or a positive expert opinion thereon by violations of legislation and the requirements in regulatory and technical documents, as well as granting by a project design contractor of a recommendation letter in cases prescribed by legislation**

1. Drafting urban development documents, giving a positive expert opinion thereon by violations of legislation and the requirements in regulatory and technical documents, as well as granting by a project design contractor of a recommendation letter in cases prescribed by legislation shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Committing the act prescribed by part 1 of this Article, as a result of which the regulatory indicators for the tenacity, sustainability or reliability of a building or structure have reduced, shall:

entail a fine from AMD 200 000 to AMD 300 000 and suspension of a licence for carrying out urban development activities.

3. Committing the act prescribed by part 1 of this Article, as a result of which a technical accident has taken place during construction, shall:

entail a fine from AMD 400 000 to AMD 600 000, with termination of the validity of a license.

4. Committing any one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by the relevant part of this Article and termination of the validity of a licence.

**Article 323. Failure to end construction in the time limits prescribed for urban development activities**

1. Failure to end construction in the time limits prescribed by relevant urban development norms, except for construction in rural areas and individual residential houses, shall:

entail a warning.

2. Failure to apply to the body granting permission for construction for extension of the time limit for construction within a one-month period following adoption of the decision on imposing the administrative penalty imposed by part 1 of this Article, or failure to alienate the object for urban development activities pertaining to it by right of ownership, or failure to end construction in the new prescribed time limit, shall:

entail a fine from AMD 200 000 to AMD 250 000.

3. Committing the act prescribed by part 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 300 000 to AMD 500 000.

**Article 324. Failure to ensure copyright supervision during construction**

1. Failure to ensure copyright supervision during construction in the cases prescribed by legislation shall:

entail a fine of AMD 30 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 40 000 to AMD 60 000.

**Article 325. Violating the procedure for implementation of technical control of construction quality during construction**

1. Violation by the person implementing technical control of the procedure prescribed by legislation for implementation of technical control of construction quality during construction shall:

entail a fine from AMD 60 000 to AMD 80 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 120 000 to AMD 160 000.

**Article 326. Failure to ensure implementation of technical control of construction quality during construction**

1. Failure by a developer to ensure the implementation of technical control of construction quality during construction in the cases and manner prescribed by legislation shall:

entail a fine from AMD 30 000 to AMD 50 000.

Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from 0.5 percent to 2.0 percent taken out of the estimated value for construction and installation of an object.

**Article 327. Violating the design, regulatory and technical documents approved during construction, as well as the standards set under technical regulations**

1. Violating the design, regulatory and technical documents approved during construction, as well as the standards set under technical regulations, where they have not had an influence on the tenacity, sustainability or reliability of a building or structure, are not dangerous for people or the surrounding environment and may be eliminated without termination of construction in the given site, shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article, where that may have an influence on the tenacity, sustainability or reliability of a building or structure, is not dangerous for people or the surrounding environment and may be eliminated without termination of construction in the given site, shall:

entail a fine from AMD 200 000 to AMD 300 000 and suspension of a licence.

3. Committing the act prescribed by part 1 of this Article, where that has led to technical accidents, shall:

entail a fine from AMD 300 000 to AMD 500 000 with or without termination of the validity of a licence.

4. Committing the act prescribed by part 1 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by part 1 of this Article.

5. Committing any one of the acts prescribed by parts 2 or 3 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by the relevant part of this Article and termination of the validity of a licence.

**Article 328. Failure by the persons implementing technical control of construction quality to inform the state inspectorate for urban development about technical accidents during construction in the prescribed time limit**

1. Failure by the persons implementing technical control of construction quality to inform the state inspectorate for urban development about technical accidents during construction within 48 hours shall:

entail a fine from AMD 60 000 to AMD 80 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 120 000 to AMD 160 000.

**Article 329. Implementing construction subject to licensing through a person lacking a relevant licence**

1. Implementing construction subject to licensing through a person lacking a relevant licence, as prescribed by legislation, shall:

entail a fine from AMD 200 000 to AMD 300 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by part 1 of this Article.

**Article 330. Providing architectural/planning task by violations of the procedure prescribed by legislation**

1. Providing an architectural/planning task by violations of the procedure prescribed by legislation shall

entail a fine from AMD 100 000 to AMD 150 000 against an official.

2. Providing an architectural/planning task not meeting the requirements of the approved chief layout or urban development zoning project shall:

entail a fine from AMD 400 000 to AMD 500 000 against an official.

3. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 250 000.

4. Committing the act prescribed by part 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 550 000 to AMD 700 000.

**Article 331. Agreeing on the designs not complying with the architectural/planning task or violating the procedure for agreeing on the designs complying with the architectural/planning task**

1. Agreeing on the designs not complying with the architectural/planning task (permission for design) shall:

entail a fine from AMD 100 000 to AMD 200 000 against an official.

2. Violating the procedure prescribed by legislation for agreeing on designs not complying with an architectural/ planning task (permission for design) shall:

entail a fine from AMD 80 000 to AMD 100 000 against an official.

3. Committing any one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 332. Violating the procedure for granting permission for construction and demolition (dismantling)**

1. Violating the procedure prescribed by legislation for granting permission for construction and demolition (dismantling) shall:

entail a fine from AMD 100 000 to AMD 150 000 against an official.



2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:  
entail the imposition of a fine from AMD 150 000 to AMD 200 000.

**Article 333. Violating the procedure for documenting the exploitation of completed construction**

1. Violating the procedure for documenting the exploitation of completed construction shall:

entail a fine from AMD 100 000 to AMD 150 000 against an official.

**Article 334. Exploitation by a developer of buildings and structures without documenting the acceptance of exploitation of completed construction as prescribed**

1. Exploitation by a builder of buildings and structures without documenting the acceptance of exploitation of completed construction as prescribed, except for individual residential houses and domestic and auxiliary buildings and structures, shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 335. Alienating land parcels of state or community ownership or granting them by right to construction by way of violation of the procedure for urban development activities prescribed by legislation**

1. Alienating land parcels of state or community ownership or granting them by right to construction, as well as giving a positive opinion on the proposal for allocation of land by violation of urban development planning documents, requirements of the mandatory norms for urban development or in case of absence of urban development planning documents, shall:

entail a fine from AMD 400 000 to AMD 500 000 against an official.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by part 1 of this Article, depriving of the right to hold certain positions or engage in certain activities for up to a one-year period.

**Article 336. Violation by the services carrying out engineering service of the procedure for providing technical conditions for designing engineering infrastructures**

1. Violation by the services carrying out engineering service of the procedure for providing technical conditions for designing engineering infrastructures of an object prescribed

by legislation shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 337.** Failure to inform the public about changes to be made in the living environment as prescribed by legislation

1. Failure to inform the public about changes to be made in the living environment as prescribed by legislation shall:

entail a fine from AMD 20 000 to AMD 30 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed by part 1 of this Article.

**Article 338. Violating the rules for improvement in areas for common use and failure to implement mandatory improvement**

1. Violating the rules for improvement prescribed by legislation in areas for common use shall:

entail a fine from AMD 10 000 to AMD 30 000.

2. Failure by the owner or possessor of immovable property located within the administrative boundaries of municipal communities to implement mandatory improvement of immovable property at his or her disposal and of the adjacent area for common use, as prescribed by legislation, shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 339. Failure to take measures for protection of green zones in areas for common use, destructing or damaging green zones in areas of residences for common use**

1. Failure by an official to take measures for the protection of green zones at his or her disposal shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Destructing or damaging green zones in areas of residences for common use shall:  
entail a fine from AMD 50 000 to AMD 80 000.

3. Violation of the rules for protection and use of green areas for common use shall:  
entail a fine from AMD 100 000 to AMD 200 000.

4. Violation of the rules for protection and use of green areas for common use in the city of Yerevan shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 340. Failure by developers to maintain the conditions prescribed by legislation for reducing the influence of construction works on the surrounding environment, for ensuring safety and sanitary state**

1. Implementation by a developer of construction works by way of violation of the conditions for reducing the influence on the surrounding environment shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Failure by developers to maintain additional urban development conditions or to follow the rules for urban development in the city of Yerevan shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Failure by a developer to maintain the conditions for traffic on the streets or the safety of passage of pedestrians during the implementation of works shall:

entail a fine from AMD 50 000 to AMD 100 000.

4. Failure to maintain the conditions for separating construction squares and maintaining the sanitary state in facilities under construction shall:

entail a fine from AMD 70 000 to AMD 100 000.

**Article 341. Failure by developers to make buildings and structures appropriate for accessibility and use by persons with disabilities and groups of the population with limited mobility**

1. Failure by owners or developers to make buildings and structures appropriate for accessibility and use by persons with disabilities and groups of the population with limited mobility shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 342. Committing violations in the spheres of organising funerals, of exploiting cemeteries and crematoria**

1. Failure by those organising funerals to perform or improper performance of the functions for exploitation or protection of cemeteries, including violation of urban development norms, shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Violating the procedure for organising or implementing funerals as prescribed by legislation shall:

entail a fine from AMD 10 000 to AMD 20 000 against a natural person, and from AMD 20 000 to AMD 40 000 — against a legal person.

3. Provision by a local self-government body or its authorised person or community non-commercial organisation of land parcels exceeding the prescribed sizes and provided for

free or on paid basis for managing a place for tombs and family tombs at community cemeteries shall:

entail a fine from AMD 400 000 to AMD 500 000.

4. Committing the act prescribed by part 3 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by part 3 of this Article.

5. Carrying out funerals outside of areas envisaged for the management of a cemetery shall:

entail a fine from AMD 300 000 to AMD 500 000 against a natural person, and from AMD 500 000 to AMD 800 000 — against a legal person.

6. Allocation of a burial site within closed cemeteries shall:

entail a fine from AMD 400 000 to AMD 500 000 against an official.

7. Violation by local self-government bodies of the norms prescribed by legislation in the case of provision of land parcels for managing new cemeteries or crematoria shall:

entail a fine from AMD 400 000 to AMD 500 000.

8. Implementation of any action contradicting the goal and operation in the land parcels provided for the management of cemeteries shall:

entail a fine from AMD 300 000 to AMD 500 000.

9. Violation by bodies organising funerals at cemeteries of the procedure prescribed by legislation for registering burial sites, maintaining registers of funerals or granting certificates of tombs shall:

entail a fine from AMD 50 000 to AMD 80 000.

10. Violation of the procedure prescribed by legislation for the organising and exploitation of private cemeteries shall:

entail a fine from AMD 80 000 to AMD 100 000.

11. Committing the act prescribed by part 10 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by part 10 of this Article.

12. Implementing reburial by violation of the requirements prescribed by legislation shall:

entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 150 000 to AMD 200 000 — against a legal person.

13. Issuance of construction permits for the construction of private cemeteries by violation of the requirements prescribed by legislation in urban development documents shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 343. Failure to inform competent bodies about the start of construction** in the prescribed manner and time limit

**1. Failure by a developer to inform competent bodies about the start of construction in the manner and time limit prescribed by legislation shall:**

entail a fine from AMD 30 000 to AMD 50 000.

**2. Failure by an official to submit to the state inspectorate for urban development the photocopies of authorisation in the prescribed time limit following receipt by the developer of notification about the start of construction, destruction or dismantling shall:**

entail a fine from AMD 80 000 to AMD 100 000.

### **CHAPTER 30.**

#### **ADMINISTRATIVE OFFENCES AGAINST OWNERSHIP**

**Article 344. Failure to stop unauthorised seizure of land parcels owned by the state or community and to eliminate the consequences thereof, as well as failure to stop construction of unauthorised buildings, constructions and to demolish illegal constructions**

**1. Failure to stop unauthorised seizure of land parcels owned by state or community and failure to eliminate the consequences thereof, as well as unauthorised implementation of construction of destruction by major violations of the conditions or urban development norms or rules prescribed with or without permission in the land parcel not allocated for that purpose as prescribed by law and other legal acts or failure to destruct an illegal structure, shall:**

entail a fine from AMD 50 000 to AMD 300 000.

**2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:**

entail a fine from AMD 100 000 to AMD 500 000.

**Article 345. Destructing or damaging property, causing harm to property, as well as using another's property illegally**

**1. Destructing or damaging another's property intentionally, by which the damage caused is not of large scale, shall:**

entail a fine from AMD 150 000 to AMD 400 000.

**2. Destructing or damaging another's property not of large scale carelessly, which has been committed as a result of carelessly using fire or another more dangerous source, except for an automobile or other means of mechanical transport, shall:**

entail a fine from AMD 100 000 to AMD 300 000.

3. Causing damage to property not of large scale through trickery, misuse of trust or dissemination of false information or by other illegal means to an owner or other legal possessor of property, shall:

entail a fine from AMD 150 000 to AMD 400 000.

4. Imposing a person to enter into a transaction or refuse to enter into a transaction, to assume liability or commit another act, the damage caused by which is not of large scale, shall:

entail a fine from AMD 250 000 to AMD 450 000.

5. Using the property of an owner or other legal possessor contrary to his or her will or by ignoring his or her will or by means of threat, the damage caused by which is not of large scale, shall:

entail a fine from AMD 200 000 to AMD 400 000.

**Article 346. Illegal connection to natural gas, oil or water tubes or electric network or means of telecommunication or electronic communication**

1. Illegal connection to the natural gas, oil or water tubes or electric network or means of telecommunication or electronic communication pertaining to another person or illegally changing the indications on the devices envisaged for measuring them, or disturbing the normal operation thereof, the damage caused by which is not of large scale, shall:

entail a fine from AMD 50 000 to AMD 200 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of two-fold of the fine prescribed for the given act by part 1 of this Article.

**Article 347. Negligent implementation of powers for managing property, as well as failure to perform or improper performance of duties for protection of property**

1. Failure or improper performance by a person having been assigned to manage another's property and endowed with corresponding powers therefor to perform or improperly perform the duties deriving from those powers as a result of a negligent or unfaithful attitude towards them, which has carelessly caused a large amount of damage to the owner or other legal possessor, shall:

entail a fine from AMD 500 000 to AMD 800 000.

2. Improper performance by the person with duties for maintenance or protection of property or failure to perform those duties as a result of negligent or unfaithful attitude towards them, where stealing, damage or loss not of large scale of that property has taken place as a result of the carelessness of that person, shall:

entail a fine from AMD 200 000 to AMD 400 000.

**Article 348. Infringement of copyright and related rights**

1. Appropriating copyright or illegal use of the object of copyright or related right or realising a creation without the consent of the holder of copyright or related rights, where, as a result, damage of large scale has not been caused to the author or other holder of rights, shall:

entail a fine from AMD 100 000 to AMD 400 000.

**CHAPTER 31.**

**ADMINISTRATIVE OFFENCES IN THE SPHERE OF ECONOMIC ACTIVITY**

**Article 349. Violating the rules for doing trade (provision of services)**

1. Realising goods without an expiry date, expired goods, goods with illegible expiry date, goods with double labelling of expiry date, goods with labelling of false expiry date, goods with deleted original expiry date indicated by producer and with indication of new date, goods with Armenian indication posted on original expiry date indicated by producer or placing the goods in a visible place for the purpose of realising, shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Selling goods (providing services) without the labelling of a conformity mark, goods subject to mandatory certification with a certificate or registered declaration, shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Failure to provide a sign meeting the requirements defined by legislation in facilities for trade, public catering or household services and in places for commerce shall:

entail a fine of AMD 20 000.

4. Based on the peculiarities of the given trade facility, failure to provide the trading facility with equipment ensuring conditions for the acceptance, maintenance and sale of goods or commercial and technological accessories, premises required for the preparation for storage, administration, domestics or sale of goods, shall:

entail a fine of AMD 20 000.

5. Failure to provide the public catering facility with relevant equipment ensuring the technological process or with items designed for implementing public catering activity shall:

entail a fine of AMD 20 000.

6. Showing samples of goods for mourning ritual ceremonies outside of a trade facility, as well as failure to provide the display windows of and entrances to facilities selling products for mourning ritual ceremonies with curtained or tinted glasses in a way that the samples of the goods sold are not seen from the outside shall:

entail a fine from AMD 30 000 to AMD 50 000.

7. Hiring or engaging a barman, cook, confectioner or waiter without a diploma or certificate certifying relevant professional education or professional readiness at public catering facilities shall:

entail a fine from AMD 30 000 to AMD 50 000.

8. Hiring or engaging a person providing household services without a diploma or certificate certifying relevant professional education or professional readiness or without at least two years of relevant work experience in the cases prescribed by legislation at household services facilities shall:

entail a fine of AMD 30 000.

9. Failure by an employer to provide employees of trading facilities and public catering facilities involved with sale of foods with uniforms shall:

entail a fine of AMD 10 000.

10. Failure to provide a laboratory equipped with relevant equipment for the purpose of inspecting the quality of agricultural products requiring expert examination in the markets of agricultural products shall:

entail a fine from AMD 50 000 to AMD 100 000.

11. Provision by the organiser of a trading centre of sales outlets to sellers for the purpose of paid or free use of sales outlets without the signing of a contract or upon a contract signed by violations of the mandatory requirements prescribed by legislation, as well as provision of sales outlets to a natural person at a trading centre (except for markets of agricultural products, animal markets or fairs (flea markets)), shall:

entail a fine from AMD 100 000 to AMD 200 000 for each spot provided.

12. Selling (realising) goods prohibited by legislation at trading centres and public catering facilities, in the markets of consumer goods, agricultural products and animal markets and kiosks, shall:

entail a fine of AMD 20 000.

13. Failure to ensure the sale of food or non-food products, as well as agricultural products at a trade facility in separate divisions, according to groups of products, and to ensure the sale of food, non-food products or agricultural products in a trading centre in separated divisions, according to groups, shall:

entail a fine from AMD 30 000 to AMD 50 000.

14. Failure by an employer to ensure the bearing by an employee of a nominal card in the manner or procedure prescribed by legislation in the spheres of trade, public catering and household services shall:

entail a fine from AMD 20 000 for each employer not bearing a nominal card.

15. Failure by the organiser of a trading centre to, in accordance with legislation, provide sellers (except for sellers of trading and public catering facilities operating within the territory of a trading centre) with trade and technological equipment, as well as other items



designed for carrying out the given commercial activity, shall:

entail a fine of AMD 20 000.

16. Failure by an organiser to provide a price tag on the type of good displayed for sale, except for goods being sold or displayed for sale in the markets of consumer goods, agricultural products and animal markets, in fairs (flea markets) or in places for organising exhibition-sales (except for trade facilities operating in specified places), shall:

entail a fine of AMD 10 000.

17. Retailing liquefied fuel, technical fluids or liquefied gases outside of the retail outlets, except for bordering and high mountainous residences included in the list prescribed by the Government of the Republic of Armenia, shall:

entail a fine from AMD 50 000 to AMD 100 000.

18. Failure to provide a trade, public catering or household service outlet and trading centre with approved and verified types of measurement or verified means of measurement or to violate the metrological norms, shall:

entail a fine from AMD 50 000 to AMD 100 000.

19. Use of the trademark or firm name pertaining to another person or protected in the Republic of Armenia on signs, on display windows and in other means of provision of information, where there is no permission granted by the right holder for that, as prescribed by law, shall:

entail a fine from AMD 100 000 to AMD 200 000.

20. Failure to provide trading centres, retail outlets for the sale of liquefied fuel, compressed natural or liquefied oil gases with paid or free public restrooms built in accordance with the legislation, shall:

entail a fine from AMD 30 000 to AMD 50 000.

21. Failure to mark the weight of one unit of bread and the permissible amounts of deviations therefrom on the price tag for wrapped or unwrapped bread on sale shall:

entail a fine of AMD 10 000.

22. Failure to provide information to an authorised body about the operations being carried out in the stages of production and circulation of foods or food additives in prescribed time limits and the areas of implementation thereof shall:

entail a fine from AMD 50 000 to AMD 80 000.

23. Failure by a seller (consigner) to include relevant information on a sign in case of doing trade (wholesale trade) of products in accordance with the consignment contract at trade facilities and in a trading centre shall:

entail a fine from AMD 10 000 to AMD 40 000.

24. Failure by a seller doing outdoor trade to provide equipment ensuring the conditions for maintenance and sale of products permitted for sale, in accordance with legislation, shall:

entail a fine from AMD 15 000 to AMD 30 000.

25. Failure to ensure the marks prescribed by legislation on the package or inserted labels of foods weighed and packaged or on sale shall:

entail a fine of AMD 10 000.

26. Failure to post a list of prices of provided services in a place that is visible for consumers in household services outlets shall:

entail a fine of AMD 10 000.

27. Selling alcoholic drinks in trade or public catering facilities operating within educational institutions, children's or medical and preventive organisations shall:

entail a fine of AMD 20 000.

28. The absence of indication of the hour of removal of a product from the heater or weight of the product in the settlement document accompanying the bread or other bakers' wares being delivered shall:

entail a fine of AMD 30 000 against a natural person, from AMD 40 000 to AMD 50 000-against a legal person.

29. Selling products not complying with the requirements of technical regulations, where the products do not contain other elements of administrative offence prescribed by this Article, shall:

entail a fine from AMD 50 000 to AMD 100 000.

30. Doing trade in unspecified places shall:

entail a fine from AMD 30 000 to AMD 50 000.

31. Doing trade of agricultural products of plant origin, except for products classified under codes 0803-0805, 081050 000 in unspecified places, shall:

entail a fine of AMD 15 000.

32. Committing one of the acts prescribed by parts 1-31 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

33. The provisions of this Article shall not extend to the violations of the requirements prescribed by legislation in the phases of food production.

**Article 350. Violation of the requirements of technical regulations, selling a product subject to mandatory certification of compatibility without a registered compatibility certificate or registered compatibility declaration, application of means for unapproved and unverified measurement of the type in the spheres of state metrological control and supervision**

1. Violation of the requirements of technical regulations (except for the administrative offences prescribed by Article 349 of this Code), evasion of submitting products, or necessary

data or documents during the realisation (delivery), use (exploitation), keeping, transport and benefit of a product, as well as for implementing state control, shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 200 000 — against a legal person.

2. Realisation of a product (including imported product) subject to mandatory compatibility certification without a registered compatibility certificate or registered compatibility declaration or by indication of a compatibility mark (performing a task, providing a service) or violation by certification bodies and responsible persons of experimental laboratories of the procedures for compatibility certification or performing compatibility certification tasks without an accreditation certificate registered as prescribed by legislation (except for administrative offences prescribed by Article 349 of this Code), shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 200 000 — against a legal person.

3. Failure to carry out the instructions of competent bodies defined by legislation for state control over compatibility of products and services in accordance with the requirements of the technical regulations in the prescribed time limit shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 200 000 to AMD 300 000 — against a legal person.

4. Application of means of unapproved type, of measurement not verified in the spheres subject to state metrological supervision and control, violation of the requirements for the release of means of measurement of unapproved types shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 200 000 — against a legal person.

5. The filling of gas of a motor vehicle lacking a coupon indicating the period of regular certification of gas tanks on the windshield or with an expired coupon at a gas station shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 351. Violating the requirements of sector of ensuring technical safety**

1. Failure to carry out a technical safety expertise, as prescribed by legislation, shall:

entail a fine from AMD 200 000 to AMD 1 000 000.

2. Drawing up an unreliable expert opinion by an expert (expert group) as a result of technical safety expertise shall:

entail a fine from AMD 500 000 to AMD 1 000 000.

3. Failure to submit — by the exploiter of a dangerous production object to the authorised body — the information prescribed by legislation shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Failure to submit a dangerous production object for registration in the registry as prescribed by legislation shall:

entail a fine from AMD 800 000 to AMD 1 000 000.

5. In case of changes relating to enlargement, reconstruction, re-equipment, place of location or the exploiter, failure to inform the authorised body of it, in the manner prescribed, shall:

shall entail a fine from AMD 400 000 to AMD 500 000.

6. Failure to execute the order of the authorised body on prohibiting the exploitation of a dangerous production object shall:

entail a fine from AMD 1 500 000 to AMD 200 000.

7. Failure to execute the order of the authorised body on prohibiting the exploitation of separate technical means or technological equipment located in a dangerous production object shall:

entail a fine from AMD 800 000 to AMD 1 000 000.

**Article 352. Performing activities in trade sector, public food and household services without a relevant permit**

1. Selling alcoholic beverages or tobacco or realising alcoholic beverages or tobacco in public food facilities without a permit shall:

entail a fine of AMD 30 000.

2. Exploitation of the facilities of trade and public food, place of entertainment, facilities of games of chance or operation of lotteries as well as casinos and bathhouses (saunas) after 00:00 a.m. without a permit shall:

entail a fine from AMD 100 000 to AMD 300 000.

3. Doing outdoor trade without a permit shall:

entail a fine of AMD 15000 against a natural person, and from AMD 30000 to AMD 50000 against a legal person;

4. Selling liquefied fuels or natural compressed or liquefied oil gases or technical fluids in the centres of retail trade of liquid fuels, natural compressed or liquefied oil gases without a permit shall:

entail a fine of AMD 30 000 against a natural person, and from AMD 50 000 to AMD 100 000 against a legal person.

5. Selling technical fluids in shops and booths without a permit shall:

entail a fine of AMD 20 000.

6. Purchasing and selling items made from precious metals at retail without a relevant permission shall:

entail a fine from AMD 80 000 to AMD 100 000.

7. Organisation or realisation of public food without a permit shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, and from AMD 50 000 to AMD 80 000 against a legal person.

8. Playing loud music in open facilities in residential areas or in areas adjacent thereto shall:

entail a fine from AMD 100 000 to AMD 150 000.

9. Committing one of the acts prescribed by parts 1-8 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

10. Selling ice-cream made by home-made equipments or cold drinks or different kinds of snacks in outdoor conditions shall:

entail a fine from AMD 30 000 to AMD 50 000 through confiscation of an item or property having been a tool or a direct object for administrative offence.

11. Committing the act prescribed by part 10 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 10 of this Article through confiscation of an item or property having been a tool or a direct object for administrative offence.

**Article 353. Improper performance of the duty of preserving firearms, ammunition, explosives, and explosive devices or failure thereof**

1. Improper performance of the duty of preserving firearms, ammunition, explosives, and explosive devices or failure thereof as well as transferring them to another person, where it has not caused serious consequences, shall:

entail imposition of a fine from AMD 30 000 to AMD 50 000 against a natural person, and from AMD 100 000 to AMD 150 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

shall entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

3. Improper performance or failure of performance of the duty of preserving the substances used in manufacture of nuclear, chemical, biological, or other kind of weapons of mass destruction or weapon of mass destruction, or some auxiliary substance or equipment thereof, when it has not caused grave circumstances, shall:

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, and from AMD 250 000 to AMD 300 000 against a legal person.

4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

shall entail a fine twice the amount of the fine prescribed for the given act by part 3 of this Article.

**Article 354. Failure to keep accounting or keeping thereof in violation of the procedure prescribed as well as not defining accounting policy**

1. Failure of keeping accounting, and not having a system for collection, registration and generalisation of information on the position and flow of assets, equity, and liabilities (in cash equivalent) through comprehensive and continual documented accounting of economic operations or keeping thereof, in violation of the procedure prescribed, shall:

entail a fine of AMD 30 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Failure to define an accounting policy shall:

entail a fine of AMD 10000.

**Article 355. Failure to maintain accounting documents and other information**

1. Failure to maintain, as prescribed by legislation, the accounting documents as well as information on electronic carriers - the initial accounting documents, registers, financial statements, documents on accounting policy, accounting software, shall:

entail a fine from AMD 30000 to AMD 50000.

**Article 356. Failure to submit financial statements or to publicise them in the manner prescribed**

1. Failure to submit financial statements to state bodies in cases and time limits prescribed by legislation or to publicise them in the manner and time limits prescribed by legislation shall:

entail a fine of AMD 30 000.

2. Failure to submit financial statements to state bodies or to publicise them as prescribed by law within 30 days following the decision — prescribed by part 1 of this Article — on imposing an administrative penalty has become inappealable, shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 357. Signing or submitting publicised financial statements unsigned by unqualified accountant or auditor**

1. Submitting financial statements having not been signed by qualified accountant or auditor as prescribed by legislation or submitting thereof unsigned shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article, where the person has been subjected to administrative liability for the previous act when submitting the financial

statements of the period immediately proceeding thereof, shall entail a fine from AMD 100 000 to AMD 250 000.

**Article 358. Failure to submit a request for opening a personal account, personal statement, data on periods of employment and other activities calculated in insurance service record in the manner and time limit prescribed or to submit thereof upon inaccurate or false data shall:**

1. Failure to submit a request for opening a personal account, personal statement, data on periods of employment and other activities calculated in insurance service record in the manner or time limit prescribed or to submit thereof upon inaccurate or false data, shall:

entail a fine from AMD 10 000 to AMD 20 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 30 000.

**Article 359. Failure to publicise or submit a statement by foundations or non-governmental organisations**

1. Failing to publicise a statement, as prescribed by legislation, by foundations in the time limit prescribed, to publicise thereof incompletely or to notify the Ministry of Justice of the Republic of Armenia of it shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Publicising a statement, prescribed by legislation, by a non-governmental organisation incompletely, failure to publicise thereof in the manner and time limits prescribed by legislation or not notifying the Ministry of Justice of the Republic of Armenia of it shall:

entail a fine from AMD 30000 to AMD 50000.

3. Committing the act prescribed by part 1 of this Article again within a month following the decision on imposing an administrative penalty has become inappealable shall:

entail termination of activities of the foundation.

4. Committing the act prescribed by part 2 of this Article again within a month following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 360. Violating the procedure for submitting necessary data for making state statistical observations**

1. Failure to submit, in cases prescribed by legislation, the state statistical statements by issuers of statistical statements or other documents on state statistical observations or to submit thereof in violation (in violation of time limits and volume or with distortions) of the procedure prescribed, shall:

entail a warning or a fine of AMD 20000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 30000 to AMD 50000.

3. Refusing — by a natural person — to provide information envisaged by registration questionnaires in the course of overall recordings prescribed by legislation shall:

entail a warning or a fine of AMD 5000.

#### **Article 361. Illegal use of a trade mark, service mark, firm name**

1. Illegal use of a trade mark, service mark, firm name where that act has caused a damage of significant-scale shall:

entail a fine from AMD 100 000 to AMD 200 000 against a natural person, and from AMD 300 000 to AMD 500 000 against a legal person.

2. In part 1 of this Article, significant-scale shall be considered to be the amount (value) not exceeding AMD 200 000.

#### **Article 362. Failure to submit information, prescribed by legislation, by a person conducting real estate appraisal**

1. After concluding an employment contract with the assessor or rescinding the employment contract by a person conducting real estate appraisal, failure to submit to the authorised body the copies thereof, within the time limit prescribed by legislation, shall:

entail a fine of AMD 10 000.

#### **Article 363. Signing report of real estate appraisal by unqualified person**

1. Signing a report of real estate appraisal by a person not having qualification of real estate assessor shall:

entail a fine from AMD 50 000 to AMD 80 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

#### **Article 364. Confirming the report of real estate appraisal signed by unqualified person**

1. Confirming a report of real estate appraisal signed by a person not having qualification of real estate assessor shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Committing the act prescribed by part 1 of this Article again within a year following



the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 365. Alienation of goods at prices lower than the minimum price for alienation prescribed by legislation for certain types of goods**

1. Alienation of goods at prices lower than the minimum price for alienation prescribed by legislation for certain types of goods shall:

entail a fine from AMD 200 000 to AMD 300 000.

**Article 366. Illegal entrepreneurial activity**

1. Carrying out entrepreneurial activity subject to licensing, notification or permission or being engaged in types of entrepreneurship prohibited by law, that has caused damage of not large-scales, without state registration or recording (save for cases prescribed by legislation) or a notification, permit or license, shall:

entail a fine from AMD 200 000 to AMD 400 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

3. Using security services by a person not possessing a licence for carrying out private security activities shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 367. Intentional bankruptcy**

1. Intentional bankruptcy - intentional creation of elements of bankruptcy or increase in the extent thereof in personal or other person's interests by a person having the right to act on behalf of the individual entrepreneur or in his or her name, founders (participants) of the legal person, by a person or a body having the opportunity of acting on behalf of the legal person as prescribed by legislation or of giving an instruction to him or her that is subject to mandatory fulfilment or of predetermining a decision, where as a result thereof the person has recognised as bankrupt and not a large-scale property damage has been caused to the lawful interests of the person and organisation, as well as to public and government lawful interests shall:

entail a fine from AMD 400 000 to AMD 800 000.

**Article 368. Committing an illegal act against the property pledged and subject to agreement**

1. Hiding illegally, destroying, damaging, wasting, alienating the property that is pledged and subject to agreement or hiding the information on the property, which has caused property damage not of large-scales, shall:

entail a fine from AMD 400 000 to AMD 800 000.

**Article 369. Violating the procedure for holding public biddings or procurement**

1. Causing property damage of not large-scales, by means of deception or other illegal means, to the owner of the property, holder of biddings and procurement, the purchaser, to the lawful interests of economic operators, person, organisation as well as to public and government lawful interests by violating the procedure for holding public biddings and procurement or becoming the winner of the public bidding or procurement by reaching an illegal agreement with another person shall:

entail a fine from AMD 400 000 to AMD 800 000.

**Article 370. Establishing and using a sham legal person, a separate subdivision and institution thereof**

1. Carrying out illegal activities or disguising illegal activities, by means of establishing or reorganising a legal person or a separate subdivision thereof, or of a henchman or using thereof, which has caused property damage of not large-scale shall:

shall entail a fine from AMD 200 000 to AMD 400 000, with termination of the activities of the legal person.

**Article 371. Illegal activities in the process of bankruptcy or being declared as insolvent**

1. Carrying out illegal activities in the process of bankruptcy, prediction of bankruptcy or declaring a debtor-natural person as insolvent by a person having the right to act on behalf of the individual entrepreneur or in his or her name, founders (participants) of the legal person, by a person or a body having the opportunity of acting on behalf of the legal person, as prescribed by legislation, or of giving an instruction to him or her that is subject to mandatory fulfilment or of predetermining a decision, which has caused not a large-scale property damage to the interests of the person, organisation as well as public and government or in case there exist elements of insolvency, shall:

(1) hiding the property or income, property rights or duties, or;

(2) assigning the property to another's possession without any legal ground, destroying the property, damaging or alienating it under obviously unfavourable conditions or;

(3) concealing or distorting the information on property, income, the amount thereof,

place of location or property rights and duties thereon or other information or;

(4) concealing, destroying, damaging or franking accounting or other documents reflecting property state of debtor-natural person, property or economic activities of an individual entrepreneur or legal person or;

(5) granting claims of separate debtors to property illegally to the detriment of other debtors or;

(6) impeding the activities of a bankruptcy manager or the person exercising such functions in the process of bankruptcy or of the liquidation commission

entail a fine from AMD 400 000 to AMD 800 000, with or without termination of activities of the legal person.

**Article 372. Ungrounded refusal by an official of state authorised bodies regarding not recording individual entrepreneurs within time limits prescribed or not registering (not registering) or registering (registering) a legal person within time limits prescribed**

1. Ungrounded refusal by an official of state authorised body regarding not recording an individual entrepreneur within the time limit prescribed or not registering (not registering) or registering (registering) a legal person within the time limit prescribed by legislation shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 373. Violating the requirements of collective activity**

1. Non-compliance of the size of statutory capital of a collecting organisation to the size of statutory capital prescribed by law shall:

entail a warning or a fine of AMD 30 000.

2. Violating the requirements defined by the state authorised body on taking measures ensuring the required state of the staff training and technical means of a collecting organization shall;

entail a warning or a fine of AMD 30 000.

3. Failure to fulfil, by a collecting organisation, the assignment of the state authorised body to eliminate the violations within the time limit prescribed by the state authorised body shall:

entail suspension of validity of licence.

4. Carrying out activities not provided for by legislation by a collecting organisation shall:

entail termination of validity of licence.

5. Committing one of the acts prescribed by parts 1 or 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail termination of validity of licence.

**Article 374. Violating the rights of tourism and tourism activities**

1. Not holding a qualification nominal card by guides or travel escorts having qualification, as prescribed by legislation, while carrying out activities of guides or travel escorts respectively shall:

entail a fine of AMD 20 000.

2. Holding a qualification nominal card by by guides and travel escorts having no qualification, as prescribed by legislation, or presenting oneself with other qualification shall:

entail a fine of AMD 100 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**4. Violating the requirements, prescribed by legislation, for information on entities of hotel industry or for providing thereof by a person providing hotel services shall:**

entail a fine from AMD 30 000 to AMD 50 000.

5. Presenting or advertising entities of hotel industry by a type not complying the type thereof, by using a mark of qualification class not complying the mark used or by using marks to the extent of disorienting marks of qualification class prescribed by legislation shall:

entail a fine from AMD 150 000 to AMD 200 000.

**6. Violating the requirements for the form and class — prescribed by legislation — of definite distinction and presentation of entity of hotel industry by a person providing hotel services shall:**

entail a fine from AMD 150 000 to AMD 200 000.

**Article 375. Violating the requirements prescribed by legislation for a person carrying out audit service**

1. Providing an unreliable audit conclusion by a person performing audit:

entail termination of validity of licence.

2. Violating the requirements, by a person performing audit, for maintaining secrecy of the documents received and drawn up in the course of audit activities or of information containing a secret shall:

entail termination of validity of licence.

3. Being engaged in any entrepreneurial activity — by a person performing audit — banned for the audit person shall:

entail termination of validity of licence.

4. Failure to ensure compliance with the requirements, prescribed by legislation, for the ban on carrying out audit services by a person performing audit - by employed auditors thereof, as well as other auditors, specialists (including on contractual grounds) engaged in the activity of carrying out audit services and by other commercial organisations shall:

entail suspension of validity of license for 6 months.

5. Violating one of the requirements presented simultaneously for the subjects having the right to receive a license for carrying out audit services, where the person performing audit has informed the authorised body about it within 30 days following the day of violation;

entail suspension of validity of licence.

6. Violating one of the requirements presented simultaneously for the subjects having the right to receive a license for carrying out audit services, where the person performing audit has not informed the authorised body about it within 30 days shall:

entail termination of validity of licence.

7. Violating the time limits for submitting audits prescribed by legislation or other requirements, prescribed by legislation, for submitting thereof shall:

entail warning or a fine of AMD 20 000.

8. Failing to eliminate the violations prescribed by part 7 of this Article within the time limit prescribed or not informing the authorised body about it in written or committing it again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 376. Violations regarding accreditation and activities of the institution specialised in qualification of auditors**

**1. Violating one of the conditions and requirements of accreditation prescribed by legislation by an organisation having filed a request for accreditation of the institution (hereinafter referred to in this Article as “the specialised institution”) specialised in qualification of auditors shall:**

**entail a warning.**

**2. Containing information — in the documents submitted to the authorised body by the specialised institution — not corresponding to reality shall:**

**entail a warning.**

**3. In case there is a change in its name or its place of location within 15 days following entering of the changes into force, not submitting an application for conversion of an accreditation certificate by a specialised institution shall:**

**entail a warning.**

**4. Such violations of the requirements of legislation regarding audit activities by a specialised institution, which has directly threatened the public and national security,**

**public order, the life, health or morals of persons, the rights and freedoms of others or their honour or reputation, shall:**

**entail suspension of carrying out activities with regard to accreditation or separate functions of that activities or actions and a fine from AMD 30 000 to AMD 50 000.**

**5. Transferring an accreditation certificate to another person for use, alienating or pledging thereof (save for cases prescribed by legislation) shall:**

entail a fine from AMD 80 000 to AMD 100 000.

6. Committing one of the acts prescribed by parts 2 or 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 30 000 to AMD 50 000.

7. Failing to eliminate the violations prescribed by part 1 of this Article within the time limit prescribed or not informing the authorised body about it in written or committing it again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 377. Violating the requirements, prescribed by legislation, for carrying out audit services by an audit person**

1. Violating the requirement, prescribed by legislation, for audit services to be carried out by at least one auditor by a person performing audit shall:

entail a fine from AMD 400 000 to AMD 600 000.

2. Violating the requirement, prescribed by legislation, for maintenance — by the person performing audit — of audit conclusions, audit reports, working papers of the auditor and other documents related to carrying out an audit as prescribed by legislation, but not less than during 5 years following carrying out an audit shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Violating the requirements, prescribed by legislation, regarding drawing up, signing, certifying an audit conclusion or providing the examples by a person performing audit shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. In case of unavailability of a license by an audit person or in case there is a ban for carrying out audit activities prescribed by legislation by the given person, not refusing to carry out audit services shall:

shall entail a fine from AMD 350 000 to AMD 500 000.

5. In case of refusing to carry out audit services and resolving the contract early by a person performing audit, in cases prescribed by legislation, not informing the authorised body of causes for refusal within the time limit prescribed by legislation shall:

shall entail a fine from AMD 350 000 to AMD 500 000.

6. Violating the requirement, by a person performing audit, for keeping a register of contracts concluded as prescribed by legislation shall:

shall entail a fine of AMD 400 000 for a each contract having not been registered.

7. Violating the requirements, prescribed by legislation, for documentation of audit and related services by a person performing audit, which has not affected the form and content of the audit conclusion shall:

shall entail a fine in the amount from AMD 80000 to AMD 100000.

8. Failing to post, by a person performing audit, annual financial statements or the list of audited entities on its website in a period prescribed by legislation or to have a website shall:

entail a fine from AMD 100 000 to AMD 200 000.

9. Committing one of the acts prescribed by parts 1-8 of this Article again within 3 years following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

10. Committing one of the acts prescribed by parts 1 or 2 of this Article for the third time within 3 years following the decision on imposing an administrative penalty has become inappealable shall:

entail suspension of validity of license for 6 months.

11. Committing one of the acts prescribed by parts 1-2, and 4 of this Article for the third time within two years following the decision on imposing an administrative penalty has become inappealable shall:

entail termination of validity of licence.

## **CHAPTER 32.**

### **ADMINISTRATIVE OFFENCES IN TAX SECTOR**

#### **Article 378. Failing to pay taxes, duties or mandatory payments within time limits prescribed**

1. Failure to pay, within time limits prescribed by legislation, taxes, duties or mandatory payments, save for customs payments, where there are not elements of an administrative offence prescribed by part 2 of this Article, shall:

entail a fine of AMD 20 000.

2. Failing to pay taxes, duties or mandatory payments - by not submitting the reports or calculations prescribed by legislation or by entering distorted data in documents relating to reports, calculations or other documents serving as a basis for taxation or calculation of payments or by hiding the object of taxation or by another expression of deceit, which has

been carried out not in large amounts, shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. A person having committed the act prescribed by part 2 of this Article for the first time shall be released from administrative liability, where he or she has fully paid the taxes, duties or other mandatory payments having not been paid, as well as the penalties prescribed by legislation for not paying thereof and where he or she has not been released from administrative liability upon previously mentioned ground.

#### **Article 379. Making deductions prescribed by legislation**

1. Failing to make a deduction prescribed by the Law of the Republic of Armenia on "On employment" shall:

entail a fine of 0.15 percent of the deduction amount subject to payment for each day of default - against a legal person, but not more than the amount subject to payment.

#### **Article 380. Failure to submit information or submission of inaccurate information to the tax authorities within time limits prescribed**

1. Failure — in cases prescribed by legislation, by a legal person or an official of an organisation not having a status of a legal person or by an individual entrepreneur or an official of state administration or local self-government body — to inform within the prescribed time limits to the territorial bodies of Tax Inspectorate the data on the transactions concluded with a tax payer or with a person making social payments, as well as data on income paid to a natural person or withheld taxes or mandatory payments by them or at their account, other necessary data on taxation purposes provided for by legislation or other legal acts shall:

entail a fine of AMD 10 000.

2. The act prescribed by part 1 of this Article, which has contributed to hiding the object of taxation (the tax) or social payment by the person paying a tax or social payments shall:

entail a fine of AMD 20 000.

3. Failure to submit to the tax authorities, within the time limit prescribed by legislation — by an official of state authorised body — the data on state recording of a legal person, placement of an individual entrepreneur on state record and on licensing or relevant changes relating thereto, shall:

entail a fine of AMD 10 000.

#### **Article 381. Keeping recording (registration) in violation or failure to submit declaration, calculation within the time limit prescribed**

1. Failure to keep recording (registration) prescribed by legislation or failure to register the subjects of entrepreneurial activity or keeping a recording (registration) in such a violation or entering such false data in declaration or calculation or in other documents serving as a



basis for report (including accounting) or taxation, which can result in reducing taxes, shall:

entail a fine from AMD 15 000 to AMD 25 000.

2. Failure to submit to tax authorities or in cases prescribed by legislation - to local self-government bodies, within the time limit prescribed, the declaration or calculation or another document prescribed by legislation or other legal acts save for financial statements shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 382. Alienating excise stamps and control signs (marks), stamping goods with illegally acquired excise stamps and control signs (marks), realising non-stamped or restamped goods subject to stamping with excise stamps and control signs (marks) or violating other rules on stamping with excise stamps or control signs (marks)**

1. Alienating excise stamps or control signs (marks) acquired or used in the prescribed manner, where the amount thereof does not exceed 50 units shall:

entail a fine of AMD 15 000 for each stamp or control sign (stamp) alienated.

**2. Stamping goods with illegally acquired excise stamps or control signs (marks), where the total value of those goods indicated (and where not indicated – in the manner defined by legislation) by the seller does not exceed AMD 50 000:**

**entail a fine from AMD 500 000 to AMD 800 000.**

**3. Committing the act prescribed by part 1 of this Article by responsible official shall:**

entail a fine of AMD 50 000 for each stamp and control sign (stamp) alienated or deprivation of the right to hold certain positions or to engage in certain activities.

**4. Committing the act prescribed by part 2 of this Article by responsible official shall:**

**entail a fine from AMD 800 000 to AMD 1 000 000 and deprivation of the right to hold certain positions or to engage in certain activities.**

5. Realising non-stamped or restamped goods subject to stamping with excise stamps or control signs (marks), where the total value of those goods indicated (where not indicated – in the manner defined by legislation) by the seller does not exceed AMD 50 000 shall:

entail a fine from AMD 300 000 to AMD 500 000.

6. Committing the act prescribed by part 5 of this Article by responsible official shall:

entail a fine from AMD 500 000 to AMD 800 000 and deprivation of the right to hold certain positions or to engage in certain activities.

7. Realising of goods stamped in a manner not excluding the possibility of using excise stamps or control signs (marks) more than once or with excise stamps or control signs (marks) issued for stamping goods subject to stamping with stamps not required for the given product type or stamped with stamps of certain numeration, as prescribed by the Government of the Republic of Armenia, after the time limits permitted for the realisation thereof, as well as of

those in containers (boxes) with other capacity not provided for by legislation stamped with excise stamps or control signs (marks) issued for containers of certain capacity, where the total value of those goods indicated (where not indicated – in the manner defined by legislation) by the seller does not exceed AMD 50 000 shall:

entail a fine from AMD 100 000 to AMD 300 000.

8. Committing the act prescribed by part 7 of this Article by responsible official shall:

entail a fine from AMD 500 000 to AMD 1 000 000 and deprivation of the right to hold certain positions or to engage in certain activities for a year.

### **Article 383. Making cash calculations without cash registers, application of cash registers in violation of the procedure for the registration or operational rules of cash registers**

1. In cases prescribed by legislation, where the application of cash registers is mandatory, the absence of a cash register registered in the tax authority under the address of that place or failure to have a cash register registered in the tax authority under the address of that place at the moment or place of making transactions in cash through cash money or plastic card - in respect to activities of public catering in public food facilities, where that activity, according to legislation, is not considered an object of license fee, shall:

entail a fine of AMD 800 000 to AMD 1 000 000 against a legal person or individual entrepreneur who is a natural person.

2. Committing the act prescribed by part 1 of this Article in respect to other types of activities by the responsible official shall:

entail a fine from AMD 200 000 to AMD 300 000 against a legal person or individual entrepreneur who is a natural person.

3. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 1 200 000 to AMD 2 000 000 and suspension of the activities in respect thereto till the introduction of a cash register in the prescribed manner.

4. Committing the act prescribed by part 2 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 2 of this Article.

5. Operation of cash registers in violation of the procedure for the registration or operational rules of cash registers, in respect to activities of public catering in public food facilities, where that activity, according to legislation, is not considered an object of license fee, shall:

entail a fine of AMD 400 000 to AMD 600 000 against a legal person or individual entrepreneur who is a natural person.

6. Committing the act, prescribed by part 5 of this Article, in respect to other types of activities shall:

entail a fine of AMD 100 000 to AMD 150 000 against a legal person or individual entrepreneur who is a natural person.

7. Committing the act prescribed by part 5 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 1 000 000 to 0,5 to 0,7 percent of the circulation recorded in the previous quarter by means of cash registers installed and suspension of activities in respect thereto for 5 days.

8. Committing the act prescribed by part 6 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 300 000 and suspension of activities in respect thereto for 5 days.

9. Committing the act prescribed by part 5 of this Article for the third time or more than three times within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 2 000 000 to 0.5 to 0,7 decimal percent of the circulation recorded in the previous quarter by means of cash registers installed and suspension of activities in respect thereto for 10 days.

10. Committing the act prescribed by part 6 of this Article for the third time or more than three times within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 400 000 to AMD 600 000 and suspension of activities in respect thereto for 10 days.

11. Failing to apply a machine sending, through systemised network channels, information on total amount of financial calculations of the day by means of cash register or to install a relevant device to be connected to the cash register, shall:

entail warning against a legal person or an individual entrepreneur.

12. Committing the act prescribed by part 11 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 80 000 to AMD 150 000.

13. Committing the act prescribed by part 11 of this Article for the third time or more than three times within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 300 000 and suspension of activity of the relevant object till application of a machine sending, through systemised network channels, information or installation of a relevant device to be connected to the cash register.

14. Failing to ensure sending, through systemised network channels, information on

total amount of financial calculations of the day by means of cash register to the tax authority (failing to ensure smooth operation of a cash register, network connection means), save for cases of failing to send the information as a result of undercoupling or communication downtime shall:

entail a fine of AMD 100 000 to AMD 150 000 against a legal person or individual entrepreneur who is a natural person.

15. Committing the act prescribed by part 11 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 300 000.

#### **Article 384. Violating requirements of legislation on cash transactions**

1. Failure to observe restrictions, prescribed by legislation, on payment in cash shall:

entail a fine of 5 percent of the amount (amount of violation) exceeding the permitted amount of payments in cash, but not less than AMD 500 000 and not more than AMD 2 000 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of 10 percent of the amount (amount of violation) exceeding the permitted amount of payments in cash, but not less than AMD 1 000 000 and not more than AMD 4 000 000.

3. Failure to register cash transactions in a cash book shall:

entail a fine from AMD 30 000 to AMD 50 000.

4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 50 000 to AMD 100 000.

5. Violating the rules — prescribed by legislation — of keeping a cash book:

entail a fine of AMD 20 000.

6. Committing the act prescribed by part 5 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

shall entail a fine of AMD 40 000.

**CHAPTER 33.**  
**ADMINISTRATIVE OFFENCES IN THE SECTOR OF CURRENCY, MONEY**  
**LAUNDERING AND FINANCING OF TERRORISM**

**Article 385. Violating the procedure for effecting transactions in currency of the Republic of Armenia, as well as the procedure prescribed by legislation regulating currency relations**

1. Failure to make payments for realisation of goods (property), rendering of services, remuneration or its other equivalent payments in the territory of the Republic of Armenia, monetary (in cash) pricing of property appraisal or performance of works thereon and property use, monetary payments between residents for realisation of goods (property), rendering of services, performance of works, use of property, including interests payable for financial operations and compensations for exercise or provision of rights and privileges, acceptance and making of insurance contributions and indemnifications, save for cases prescribed by legislation, or monetary investments in the statutory and share capital of legal persons or advertisement of monetary winnings in the territory of the Republic of Armenia or the allocation of those winnings with the dram of the Republic of Armenia shall:

entail a fine of the amount of violation, but not less than AMD 2 000 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of the amount of violation but not less than twice the amount of the fine prescribed for the given act by part 1 of this Article.

3. Failure to comply with the requirement prescribed by laws or other legal acts regulating currency relations shall:

entail a fine of the amount of violation, but not less than AMD 100 000.

4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of the amount of violation, but not less than AMD 200 000.

5. Committing an action or actions, prescribed by this Article, carried out by officials for supervisory purposes within their competences shall not be considered an administrative offence prescribed by this Article.

**Article 386. Trading in foreign currency without a relevant licence**

1. Trading in foreign currency without a relevant licence shall:

entail a fine from AMD 100 000 to AMD 300 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on subjecting to administrative liability has become inappealable shall:

entail a fine from AMD 300 000 to AMD 500 000 or deprivation of the right to hold certain positions or to engage in certain activities for a period of up to one year.

**Article 387. Violating requirements of legislation on combating money laundering and financing of terrorism**

1. Failure to perform duties or improper performance thereof prescribed by Article 4 of Law of the Republic of Armenia "On combating money laundering and financing of terrorism" (hereinafter referred to as "Law" in this Article) shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against non-financial institutions or persons (hereinafter referred to as "natural person" in this Article) which are natural persons and from AMD 150 000 to AMD 200 000 against non-financial institutions or persons (hereinafter referred to as "legal person" in this Article) which are legal persons.

2. Failure to provide reports prescribed by part 2 of Article 6 of the Law or delayed provision thereof, as well as in cases prescribed by part 1 of Article 7 of the Law or failure to recognise a business relationship as suspicious shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

3. Failure to provide reports prescribed by part 3 of Article 6 of the Law or provision thereof in violation of time limits, as well as inaccurate, including false or unreliable, or incomplete filling in of the data prescribed, making structural changes in the accounting form defined shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against a natural person and from AMD 150 000 to AMD 200 000 against a legal person.

4. Failure to perform or improper performance of the duty prescribed by part 5 of Article 6 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

5. Failure to perform or improper performance of the duty prescribed by part 3 of Article 7 of the Law shall:

entail a warning or a fine from AMD 80 000 to AMD 150 000 against a natural person and from AMD 200 000 to AMD 300 000 against a legal person.

6. Failure to perform or improper performance of the duty prescribed by parts 5 and 6 of Article 9 of the Law shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against a natural person and from AMD 150 000 to AMD 200 000 against a legal person.

7. Failure to perform or improper performance of duties regarding provision of information or fulfilling assignments prescribed by points 4 and 6 of part 1 of Article 10 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

8. Failure to perform or improper performance of duties prescribed by Article 16 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

9. Failure to perform or improper performance of duties prescribed by Article 17 of the Law shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against a natural person and from AMD 150 000 to AMD 200 000 against a legal person.

10. Failure to perform or improper performance of duties prescribed by Article 18 of the Law shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against a natural person and from AMD 150 000 to AMD 200 000 against a legal person.

11. Failure to perform or improper performance of duties prescribed by Article 21 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

12. Failure to perform or improper performance of duties prescribed by Article 22 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

13. Failure to perform or improper performance of duties prescribed by Article 23 of the Law shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against a natural person and from AMD 150 000 to AMD 200 000 against a legal person.

14. Failure to perform or improper performance of duties prescribed by Article 24 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

15. Failure to perform or improper performance of duties prescribed by Article 25 of the Law shall:

entail a warning or a fine from AMD 80 000 to AMD 100 000 against a natural person and from AMD 150 000 to AMD 200 000 against a legal person.

16. Failure to perform or improper performance of duties prescribed by Article 26 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

17. Failure to perform or improper performance of duties prescribed by Article 27 of the Law shall:

entail a warning or a fine from AMD 200 000 to AMD 300 000 against a natural person and from AMD 500 000 to AMD 600 000 against a legal person.

18. Failure to perform or improper performance of duties prescribed by Article 28 of the Law shall:

entail a warning or a fine from AMD 800 000 to AMD 1 000 000 against a natural person and from AMD 1 500 000 to AMD 2 000 000 against a legal person.

19. Involvement of a legal person (save for the person providing a report) in money laundering shall:

entail a fine from AMD 1 800 000 to AMD 2 000 000 or termination of activities of that legal person.

20. Involvement of a legal person providing a report in money laundering shall:

entail a fine from AMD 1 800 000 to AMD 2 000 000 and suspension or termination of a licence or termination of activities of the legal person.

21. Involvement of a legal person (save for the person providing a report) in financing of terrorism shall:

entail a fine from AMD 9 800 000 to AMD 10 000 000 and termination of activities of the legal person.

22. Involvement of a legal person providing a report in financing of terrorism shall:

entail a fine from AMD 10 800 000 to AMD 20 000 000 and termination of a licence or termination of activities of a legal person.

**Article 388. Violating requirements of legislation on combating money laundering and financing of terrorism by an official**

1. Violating the requirements of the Law of the Republic of Armenia "On combating money laundering and financing of terrorism" by an official of state bodies shall:

entail a fine from AMD 200 000 to AMD 400 000.

**CHAPTER 34.**

**ADMINISTRATIVE OFFENCES IN CUSTOMS SECTOR**

**Article 389. Failure to follow the instruction or the legal requirement of an official of customs authority, assault, use of violence against or him or her or the threat thereof**

1. Deliberate non-fulfilment of the instruction or legal requirement of an official of customs authority by a person related to the proceedings shall:

entail a warning or a fine of AMD 20000.



2. Assault, use of violence or threat against an official of customs authority while performing the official duties shall:

entail a fine from AMD 30000 to AMD 50000.

**Article 390. Failure to stop a means of transport while crossing the state border of the Republic of Armenia**

1. Failure to stop a means of transport while actually crossing the state border of the Republic of Armenia in a places designated by customs authority shall:

entail a fine from AMD 60000 to AMD 80000.

**Article 391. Departure of means of transport placed under customs control without permission shall:**

1. Departure of means of transport placed under customs control without permission of the customs authority shall:

entail a fine from AMD 60000 to AMD 80000.

**Article 392. Impeding an official of customs authority to approach goods and means of transport placed under customs control**

1. Impeding an official of customs authority to approach goods or means of transport placed under customs control for performing official powers shall:

entail a fine of AMD 50000.

**Article 393. Failure to submit to a customs authority documents and information prescribed for exercising customs control**

1. Failure to submit to customs authorities documents and information prescribed for exercising customs control within the prescribed time period, irrespective of submitting a written declaration, shall:

entail a fine from AMD 30000 to AMD 50000.

**Article 394. Failure to deliver goods, means of transport and accompanying documents to a customs authority**

1. Failure to deliver within prescribed time period goods or means of transport placed under customs control and the accompanying documents thereof from one customs authority of the Republic of Armenia to another one shall:

entail a fine from AMD 60000 to AMD 80000.

**Article 395. Damaging, loosing or changing the customs security measures**

1. Damaging, loosing or changing the customs security identification measures

prescribed by the Law applied by customs authorities shall:

entail a fine from AMD 150 000 to AMD 200 000.

**Article 396. Cargo and other operations carries out without the permission of a customs authority**

1. Loading, unloading, transshipping, eliminating the damages of packages, opening of packages, packaging or re-packaging of goods placed under customs control without the permission of a customs authority shall:

entail a fine in the amount of forty to fifty per cent of customs value of those goods.

2. Committing the act prescribed by part 1 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of eighty to hundred per cent of customs value of those goods.

**Article 397. Delivery, alienation or destruction of goods without a permission of customs authority, as well as damage or loss of goods and means of transport under customs control in violation of the rules for keeping thereof**

1. Partially or fully delivery, alienation or destruction of goods and means of transport under customs control without a permission of customs authority shall:

entail a fine in the amount of forty to fifty per cent of customs value of those goods and means of transport.

2. Damage or loss of goods and means of transport under customs control in violation of the rules for keeping thereof shall:

entail a fine in the amount of fifteen to twenty-five per cent of customs value of those goods and means of transport.

**Article 398. Violation of the obligation regarding further exportation or importation**

1. Failure to export from the Republic of Armenia and to import into the Republic of Armenia within specified time limit the goods and means of transport imported to the Republic of Armenia and those exported from the Republic of Armenia by the obligation regarding further exportation or importation shall:

entail a fine as of the day of the violation for the goods or means of transport concerned equal to 50 percent of the amount of the customs payments prescribed for the customs procedure "Release for domestic consumption", but no less than AMD 50 thousand.

2. Committing the act prescribed by part 1 of this Article, which was accompanied by the alienation of the goods or means of transport referred to in part 1 of this Article shall:

entail a fine in the amount of eighty to the hundred per cent of customs value of the alienated goods or means of transport.

**Article 399.** Failure to comply with the rules of transportation of the goods along the territory of the Republic of Armenia under the customs **procedure "Customs transit"**

1. Failure to observe the time limit and to maintain the route of transportation **of the goods along the territory of the Republic of Armenia** or delivering the goods to a customs control zone another than provided for by a customs authority by the customs procedure **"Customs transit"** by a carrier shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 400. Changing the quantity and state of goods and means of transport under customs control**

1. Subjecting the goods and means of transport under the customs control to modifications other than those caused by natural depreciation or change of the quantity or state caused by the change of the natural qualities of the goods under the natural condition of transportation, transport carriage or maintenance shall:

entail a fine in the amount of those goods or means of transport concerned equal to 50 percent of the amount of the customs payments prescribed for the customs procedure "Release for domestic consumption", but no less than AMD 50 thousand.

2. In case operations that have entailed modification of features or intended use of goods are carried out with regard to goods released under the customs procedure "customs warehouse", "importation into customs warehouse", "importation into free customs warehouse" shall:

entail a fine in the amount of five to ten per cent of customs value of those goods.

**Article 401. Carriage of goods and means of transport across the borders of the Republic of Armenia by evasion of customs control**

1. Carriage of goods or means of transport across the state border of the Republic of Armenia by evasion of customs control, i.e. the carriage thereof across the state border of the Republic of Armenia beyond the location of customs authority shall:

entail imposition of a fine in the amount of eighty to hundred per cent of customs value of the goods or means of transport.

**Article 402. Carriage of goods across the state border of the Republic of Armenia concealing from customs control**

1. Carriage of goods across the state border of the Republic of Armenia concealing from customs control, i.e. by use of caches, any other means that hinder the detection of

goods or by changing the appearance of goods shall:

entail a fine in the amount of eighty to hundred per cent of customs value of those goods.

**Article 403. Carriage of goods and means of transport across the state border of the Republic of Armenia by fraudulent use of customs and other documents or customs security measures**

1. Carriage of goods or means of transport across the state border of the Republic of Armenia or, in case of giving them to temporary storage, by submitting to customs authority documents that are received by false and illegal ways as regards the customs control and customs formalities, or are invalidated or customs and other documents, as well as by using fraudulent measures of customs security shall, in the absence of elements of crime, shall:

entail a fine in the amount of eighty to hundred per cent of customs value of those goods or means of transport.

**Article 404. Failure to declare goods and means of transport or declaration thereof not in their name or including inaccurate (false) information while making the declaration**

1. Failure to declare goods or means of transport or declaration thereof not in their name or including inaccurate (false) information on their name, description, index, country of origin, customs value or other data while making the declaration, which does not result in undercalculation or no calculation of customs payments (save the customs fee), as well as shall in non-application of non-tariff regulation measures, shall:

entail a fine from AMD 30000 to AMD 50000.

2. The act prescribed by part 1 of this Article, as a result whereof undercalculation or no calculation of customs payments arises, shall:

entail a fine in the amount of the non-calculated or under-calculated customs payments and fifty per cent of the the total amount of those customs payments.

3. The act prescribed by part 1 of this Article, which results in non-application of non-tariff regulation measures, shall:

entail imposition of a fine in the amount of customs value of those goods or means of transport.

4. The act prescribed by part 1 of this Article, as a result whereof no customs payments arise (save the customs fee), however, due to the committed administrative offence, values or quantities lower or higher than the values of goods acquired in the exporting country or in the Republic of Armenia and having transported or being transported across the customs border are reflected in the customs declaration - in the absence of the elements of crime, shall:

entail a fine in the amount of eight to ten per cent of customs value of those goods.

**Article 405. Use and disposal of goods and means of transport enjoying privileges with regard to customs payments and their delivery to another person for other purposes without a permission of customs authorities**

1. Use or disposal of goods or means of transport enjoying privileges of customs payments and their delivery to another person for other purposes without a permission of customs authorities shall:

entail a fine in the amount of eighty to hundred per cent of customs value of those goods or means of transport.

**Article 406. Illegal use or disposal of goods released conventionally, as well as illegal use of goods and means of transport under attachment**

1. Illegal use or disposal of goods prescribed by law, released conventionally, shall: entail a fine in the amount of twenty per cent of customs value of those goods.

2. Use of goods and means of transport under attachment without a permission of the customs authorities in the course of customs control shall:

entail a fine in the amount of forty to fifty per cent of customs value of those goods.

**Article 407. Violation of time limits prescribed by law for making the customs payments**

1. Failure to pay the customs payments within the time limit prescribed by law, shall: entail a fine from AMD 30000 to AMD 50000.

**CHAPTER 35.**

**ADMINISTRATIVE OFFENCES IN FIELDS OF ORGANISING LOTTERIES AND GAMES OF CHANCE**

**Article 408. Violating the procedure for organising and conducting games of chance**

1. Violation of the procedure of submission, publication, terms, content and format of information or reports by the operator of a game of chance or a casino as defined by legislation shall:

entail a warning.

2. Late submission of information or reports by the head of the operator of a game of chance or a casino as defined by the legislation or including inaccurate data therein shall:

entail a fine in the amount from AMD 80 000 to AMD 100 000.

3. Failure to provide for invisibility of internal side of the gambling hall from the outside by the operator of the game of chance or a casino in compliance with the requirements of the legislation shall:

**entail** a fine from AMD 30 000 to AMD 50 000.

4. Failure to provide for protection of the gambling hall area with security and fire alarm systems by the operator of the game of chance or a casino in compliance with the requirements of the legislation shall:

**entail** a fine from AMD 20 000 to AMD 40 000.

5. Failure to post the rules of the games organised in the gambling hall in a visible place in the gambling hall by the operator of the game of chance or a casino in compliance with the requirements of the legislation shall (save the slot machines that contain winning options):

**entail** a fine from AMD 10 000 to AMD 30 000.

7. Violation of the minimum amount of total size of planned prizes in the income generated from the operation of slot machines by the operator of a game of chance or a casino as defined by the legislation shall:

**entail** a fine from AMD 150 000 to AMD 200 000 for each slot machine.

8. Failure to prohibit the entry of a natural person under the age of twenty-one to the gambling hall by the operator of a game of chance or a casino in compliance with the requirements of the legislation shall:

**entail** a fine from AMD 150 000 to AMD 200 000 for each person.

9. Failure to give an advance notice to the players when operating games of chance not conditioned by an element of chance or failure not to explain thereon by the operator of a game of chance or a casino in compliance with the legislation shall:

**entail** a fine from AMD 200 000 to AMD 300 000.

10. Promotion of a game of chance or a casino or the gambling hall or their operators by the operator of a game of chance or a casino, including promotion by TV and radio, save those posted in the casinos or buildings, facilities or halls of games of chance or on them, at the border entries of the Republic of Armenia, as well as hotels complying to qualification requirements and standards of at least four star hotels shall:

**entail** a fine from AMD 1 500 000 to AMD 2 000 000.

11. Failure to provide the prize at the very first request of the player by the operator of a game of chance or a casino shall:

**entail** a fine from AMD 150 000 to AMD 200 000.

12. Repeating the act defined by part 1 of this Article within two years after the decision on imposing an administrative penalty becomes inappealable or failure to fulfil the assignment to eliminate the infringements given by a warning in time and to inform the competent authority thereon shall:

**entail a fine from AMD 50 000 to AMD 100 000.**

13. Use of the word "casino", its derivatives or translations in its name or posters by the operator of a game of chance shall:

entail a fine from AMD 400 000 to AMD 500 000.

14. Failure to organise the games of chance or operate them by the operator of a game of chance or a casino in compliance with the regulation established thereby and agreed with the competent authority shall:

entail a fine from AMD 400 000 to AMD 500 000.

15. Changing any of the data submitted by the operator of a chance of game or a casino for receiving a license as prescribed by licensing procedure without the knowledge of the licensing body — save the requirements of the regulation for organising and operating games of chance – which would not entail a ground for rejecting the request for a license shall:

entail a fine from AMD 150 000 to AMD 200 000 for each data.

16. Committing one of the acts prescribed by parts 3-15 of this Article again within two years after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the total sum of the fine prescribed for the given act by the relevant part of this Article and AMD 1 000 000.

17. Committing one of the acts prescribed by parts 2-15 of this Article again within two years for the third time after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the license.

18. Violating the requirements by the operator of a game of chance or casino applied against his or her qualifying shareholders, stakeholders or participants, their real beneficiaries, persons holding leading positions and their interrelated persons shall:

entail termination of the license until the infringement is eliminated.

19. Violation of the requirements of the Law of the Republic of Armenia “On games of chance and casinos” relating to acquiring qualifying participation in the statutory capital of the operator of a game of chance and a casino and holding leading positions shall:

entail termination of the license of the operator of a game of chance or a casino until the infringement is eliminated.

20. Holding the activity of operation of a casino or a game of chance by the operator of a game of chance or a casino in a venue (address) not mentioned in the license shall:

entail termination of the license until the infringement is eliminated.

21. Failure to ensure by the operator of a game of chance or a casino the presence of the person substituting the head in case head is absent or of the authorised person holding leading position:

entail termination of the license until the infringement is eliminated.

22. Submitting false data in the information defined by the legislation or reports on the

operation of a game of chance or a casino by the operator of a game of chance or a casino shall:

entail termination of the license.

23. Committing one of the acts prescribed by parts 18-21 of this Article again within two years after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the license.

24. Failure to ensure the exchange of chips (tokens) only against payment made in Armenian drams in cash, by bank card or other payment instruments accepted in the banking practice by the operator of a game of chance or a casino in the gambling hall;

shall entail a **warning**.

25. Committing the act prescribed by part 24 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

**entail a fine in the amount of AMD 1 500 000 or termination of the license for one year.**

26. Committing the act prescribed by part 24 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

**entail a fine in the amount from AMD 3 000 000 to AMD 4 000 000 or termination of the license.**

#### **Article 409. Procedure for organising and conducting lotteries**

1. Late submission of information **or** reports by the heads of the operator of a lottery as defined by the legislation or including inaccurate data therein:

**entail a warning.**

2. Failure to ensure the formation of a prize pool with a sum of not less than half of the total cost of all tickets participating in the draw (not including the value of lottery tickets produced for the draw) and allocation thereof among the participants by the operator of a lottery except for cases of betting operations shall:

entail a fine two-fold the amount which has not been accumulated (allocated).

3. Failure to agree its content by the operator of the lottery with the authorised body before the promotion of the lottery shall:

entail a fine from AMD 80 000 to AMD 100 000.

4. Failure to inform the winning participant of a lottery in case of non-money lottery about the money equivalent of in-kind prize and, upon the request of the winner, failure to allocate the prize in money equivalent by the operator of a lottery shall:

entail a fine from AMD 80 000 to AMD 100 000.

5. Failure to increase - in the amount of prizes not claimed (not received) within the period laid down by the rules of procedure for organising and holding a draw or combined



lottery - the prize pool of the upcoming subsequent draw following the expiration of the mentioned period by the operator of the lottery shall:

entail a fine two-fold the amount which has not been transferred.

6. Publishing the fact of winning and the value of prize by the operator of a lottery without the consent of the winner (save the cases provided for by the Law of the Republic of Armenia "On anti-money laundering and combating financing of terrorism") shall:

entail a fine from AMD 150 000 to AMD 200 000.

7. Failure to allocate the prize upon the first request of the winner by the operator of a lottery shall:

entail a fine from AMD 150 000 to AMD 200 000.

8. Repeating **the act defined by part 1 of this Article within two years after the decision on imposing an administrative penalty becomes inappealable** or failure to fulfil the assignment to eliminate the infringements given by a warning imposed by part 1 of this Article in time and to inform the competent authority thereon shall:

**entail a fine from AMD 50 000 to AMD 100 000.**

9. Failure to prohibit as prescribed by the legislation of a minor to participate in a lottery:

entail a fine from AMD 80 000 to AMD 100 000 for each minor.

10. Violation of the procedure and terms as defined by the legislation relating to publishing of the results of a lottery or the results of the lottery draw shall:

entail a fine from AMD 80 000 to AMD 100 000.

11. Committing one of the acts prescribed by parts 3-4, 6-8 of this Article again within two years after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the total sum of the fine prescribed for the given act by the relevant part of this Article and AMD 1 000 000.

12. Holding the sale of lottery tickets at a distance closer than 500 meters to the place where the prizes are displayed shall:

entail a fine from AMD 80 000 to AMD 100 000.

13. Violating the requirements by the lottery applied against his or her qualifying shareholders, stakeholders or participants, their real beneficiaries, persons holding leading positions and their interrelated persons shall:

entail termination of the license of the operator of a lottery until the infringement is eliminated.

14. Violation of the requirements of the legislation relating to acquiring qualifying participation in the statutory capital of the operator of a lottery or holding leading positions shall:

entail termination of the license of the operator of a lottery until the infringement is

eliminated.

15. Engaging in activity other than the sale, preparation and import of lottery tickets by the operator of the lottery (save operation of the lottery) shall:

entail termination of the license until the infringement is eliminated.

16. Failure to operate a lottery in accordance with the rules of procedure established by the operator itself and agreed with the authorised body shall:

entail termination of the license until the infringement is eliminated.

17. Violation of the requirements of registering and storing cancelled lottery tickets as defined by the legislation by the operator of a lottery shall:

entail termination of the license until the infringement is eliminated.

18. Late submission of information or reports **by the head of the operator of a game of chance or a casino as defined by the legislation or including inaccurate data therein: shall entail a fine in the amount from AMD 80 000 to AMD 100 000.**

19. Submitting information or reports as defined by legislation with fake data by the operator of a lottery shall:

entail termination of the license.

20. Committing one of the acts prescribed by parts 13-17 of this Article again within two years after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the license.

## CHAPTER 36.

### PROCEEDINGS ON ADMINISTRATIVE OFFENCES IN THE SPHERE OF ECONOMIC COMPETITION

#### **Article 410. Anticompetitive Agreements**

1. Concluding anticompetitive agreement (entering into, participating in that agreement) if it does not include qualities of administrative offence defined by part 2 of this Article shall:

entail a warning or fine in the amount of up to 10 percent of the income generated from last year of concluding such agreement (entering into, participating therein) by the economic operator participating in the anticompetitive agreement.

2. Concluding anticompetitive agreement (entering into, participating in such agreement) which has been expressed by unsubstantiated raising of prices shall:

entail a warning or fine in the amount of up to 10 percent of the income generated from last year of concluding such agreement (entering into, participating therein) by the economic operator participating in the anticompetitive agreement.

**Article 411. Abuse of a dominant position**

1. Abusing a dominant position if it does not include qualities of administrative offence defined by part 2 of this Article shall:

entail a warning or a fine in the amount of up to ten percent of the income generated in a year preceding the abuse of dominant position by an economic operator.

2. The abuse of dominant position, which has been expressed by unsubstantiated raising of prices shall:

entail a warning or a fine in the amount of up to ten percent of the income generated in a year preceding the abuse of dominant position by an economic operator.

**Article 412. Failure to declare the concentration, as well as putting a prohibited concentration into effect**

1. Failure to declare the concentration in the case defined by economic competition legislation or putting a prohibited concentration into effect by the economic operator shall:

entail a warning or a fine in the amount of up to ten percent of the income generated in a year preceding the participation in the concentration but not more than AMD 500 000 000.

2. In case the activity is pursued less than 12 months in the previous year, commitment of the act defined by part 1 of this Article shall:

entail a warning or a fine in the amount of up to ten percent of the income from the previous but not more than 12 months of participation in the concentration by the economic operator participating in the concentration and may not exceed AMD 500 000 000.

**Article 413. Unfair Competition**

**1. Unfair Competition**

entail a warning or a fine in the amount of up to five percent of the income generated in a year preceding the offence by an economic operator.

2. In case the activity is pursued less than 12 months in the previous year, commitment of the act defined by part 1 of this Article shall:

entail a warning or a fine in the amount of up to five percent of the income from the previous but not more than 12 months of unfair competition by the economic operator.

**Article 414. Prohibited state aid**

**1. Receiving prohibited state aid:**

entail a warning or a fine in the amount of up to one percent of the income generated in a year preceding the offence by an economic operator.

2. In case the activity is pursued less than 12 months in the previous year, commitment of the act defined by part 1 of this Article shall:

entail a warning or a fine in the amount of up to one percent of the income from the previous but not more than 12 months of receiving prohibited state aid by the economic operator.

3. Providing prohibited state aid by a state body or its official shall:

entail a fine from AMD 200 000 to AMD 400 000.

**Article 415. Failure to submit information in defined time or submitting not accurate or incomplete information**

1. Failure to submit documents or other information defined **by the decision of the State Commission for the Protection of Economic Competition** or by the **notice of the Chairman of the State Commission for the Protection of Economic Competition or the legislation in time or submitting not accurate or incomplete information shall:**

entail a warning or a fine in the amount of up to one percent of the income generated in a year preceding this act by an economic operator.

2. In case the activity is pursued less than 12 months in the previous year, commitment of the act defined by part 1 of this Article shall:

entail a warning or a fine in the amount of up to one percent of the income generated from the previous but not more than 12 months of committing the act defined by part 1 of this Article by the economic operator.

3. Failure to submit necessary documents and other information by the official of the state or local self-government bodies required by State Commission for the Protection of Economic Competition as defined by the legislation or submitting not accurate information shall:

entail a fine from AMD 30 000 to AMD 50 000.

4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 60 000 to AMD 100 000.

**Article 416. Prevention of performance of rights and duties vested in State Commission for the Protection of Economic Competition, its member or official by legislation**

1. **Prevention of performance of rights and duties vested in State Commission for the Protection of Economic Competition, its member or official by legislation shall:**

entail a fine in the amount of up to one percent of the income generated in a year preceding this act by an economic operator.

2. In case the activity is pursued less than 12 months in the previous year, commitment

of the act defined by part 1 of this Article shall:

entail a warning or a fine in the amount of up to one percent of the income generated from the previous but not more than 12 months of committing the act defined by part 1 of this Article by the economic operator.

**Article 417.** Failure to correct the infringements stipulated by the decision of the State Commission for the Protection of Economic Competition of the Republic of Armenia, failure to fulfil the terms, duties and assignments in set time stipulated by the decision by the economic operator

1. Failure to correct the infringements stipulated by the decision of the State Commission for the Protection of Economic Competition of the Republic of Armenia, failure to fulfil the terms, duties and assignments in set time stipulated by the decision by the economic operator shall:

entail a fine in the amount of up to one percent of the income generated in a year preceding this act by an economic operator.

2. In case the activity is pursued less than 12 months in the previous year, commitment of the act defined by part 1 of this Article shall:

entail a fine in the amount of up to one percent of the income generated from the previous but not more than 12 months of committing the act defined by part 1 of this Article by the economic operator.

## **CHAPTER 37.**

### **ADMINISTRATIVE OFFENCES IN THE FIELDS OF POWER CONSUMPTION, ENERGY, USE AND SUPPLY OF NUCLEAR ENERGY**

**Article 418. Violation of the requirements of the legislation in the field of nuclear energy use as well as of the instructions of the regulatory body in the field of nuclear energy use**

1. Violation of the requirements of the legislation in the field of nuclear energy use or the instructions of the regulatory body in the field of nuclear energy use shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 200 000 to AMD 400 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 200 000 against a natural person, and from AMD 500 000 to AMD 1 000 000 against a legal person.

**Article 419. Failure to provide information or providing improper information in the field of nuclear energy use, as well as concealing the fact of an accident, incident or casualty of an object of nuclear energy use or violating the procedure on reporting thereon**

1. Failure to provide information or providing improper information in the field of nuclear energy use on nuclear L radiation safety shall:

entail a fine of AMD 20 000.

2. Concealing the fact of an accident, incident or casualty of an object of nuclear energy use, or violating the procedure on reporting on accident, incident or casualty as well as providing incomplete information on the situation of radiation safety shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Failure to provide information on security of objects of nuclear energy use under design, construction, operated and excluded from operation, as well as on the radiation situation in the Republic of Armenia or providing improper information thereon if they do not contain state or official secret shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 420. Forcing to violate the legislation in the field of nuclear energy use and the requirements of operation of an object of nuclear energy use**

1. Forcing the staff of an object of nuclear energy use by an official to violate the legislation in the field of nuclear energy use, instructions of a regulatory body in the field of nuclear energy use or the requirements of operation of an object of nuclear energy use shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 421. Connecting the newly built or reconstructed energy installations to the operating networks without the opinion on operation by the authorized state body engaged in state technical control in the field of energy and energy consumption**

1. Connecting the newly built or reconstructed energy installations to the operating networks without the opinion on operation by the authorized state body engaged in state technical control in the field of energy and power consumption shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 422. Failure by the person acting in energy field to inform on accidents that take place in energy installations to the authorized body implementing state technical control in the field of energy and power consumption**

1. Failure by the person acting in energy field to inform on accidents that take place in energy installations to the authorized body implementing state technical control in the field of energy and power consumption shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 423. Violating the norms set by technical regulations in the field of energy and power consumption**

1. Violating the norms set by technical regulations in the field of energy and power consumption shall:

entail a warning.

2. Committing the act prescribed by part 1 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. The operation of energy installations (leg) as a result of which the technical state of the energy installations may cause accident and endanger people's life and property or the environment shall:

entail deprivation of the right to engage in energy installations (legs) operation.

**Article 424. Failure to fulfil the requirements of the legislation by the person holding a license on activity in the field of energy or improper fulfilment thereof:**

1. Failure to submit the action plan and schedule targeted at ensuring the fulfilment of requirements of the norms on security and nature protection, the methodology for calculating the inevitable technological losses, share of fuel expenses, energy used for own needs, other values being an element of natural gas or tariff to the approval of state body regulating energy field shall:

entail a fine from AMD 100 000 to AMD 150 000.

Failure to submit the development investment plans to the agreement of the state body regulating the energy field shall:

entail a fine from AMD 100 000 to AMD 150 000, with a suspension of a license.

3. Failure to ensure the security of life and health of natural persons, service personnel by the person holding license on activity in energy field when the latter engages in operation of equipment under his or her disposal, technical service or repair shall:

entail a fine from AMD 200 000 to AMD 300 000, with or without a suspension of a license.

4. Using equipment that do not comply with the conditions envisaged by the technical regulations or license on activity when implementing the license by the person holding license on activity in the energy field shall:

entail a fine from AMD 300 000 to AMD 500 000, with or without a suspension of a license.

5. Failure to inform the public by the person holding license on activity in the energy field on rights and responsibilities of parties defined by safety techniques rules related to

license on activity and contract and other norms shall:

shall entail a fine from AMD 100 000 to AMD 300 000.

6. Failure to provide accessibility of buildings, facilities, energy installations and lines of engineering constructions involved in licensing activity by the person holding license on activity in energy field for representatives of bodies as defined by law shall:

entail a fine from AMD 150 000 to AMD 400 000.

7. Failure to conduct technical and financial audit defined by law in compliance with the license terms by the person holding license on activity in energy field shall:

entail a fine from AMD 200 000 to AMD 500 000, with or without a suspension of a license.

8. Committing the act prescribed by part 1 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

entail suspension of a licence.

9. Committing one of the acts prescribed by parts 2-7 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

shall entail suspension of a licence or termination of a licence.

10. Failure to fulfil the requirements on energy legislation by the person holding license on activity in energy field, save the persons defined in part 12 of this Articles, or improper fulfilment thereof, if it does not involve qualities of acts defined by this Article or other articles of this Code, shall:

entail a warning.

11. Committing the act prescribed by part 10 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable or if due to the act defined in part 10 of this Article the safety and reliability of the system is endangered or may be endangered or rights and legal interests of consumers are violated or the committed violation caused failure to fulfil the terms of license on activity by other persons holding a license or improper fulfilment thereof or hindered proper fulfilment of regulatory functions by the authorised body shall:

entail a fine from AMD 20 000 000 to AMD 40 000 000.

12. Committing the act defined by part 10 of this Article by the persons holding a license for production of electric (including electric and thermal energy combined) or thermal energy, electrical energy system operator, gas supply system operator, persons holding a license for rendering services to electric energy market and licensed persons producing renewable sources of energy with up to 30 MW nominal capacity shall:

entail a warning.

13. Committing the act prescribed by part 12 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable or if due to the act defined in part 12 of this Article the safety and reliability of the system is endangered or



may be endangered or rights and legal interests of consumers are violated or the committed violation caused failure to fulfil the terms of license on activity by other persons holding a license or improper fulfilment thereof or hindered proper fulfilment of regulatory functions by the authorised body shall:

entail a fine from AMD 1 000 000 to AMD 2 000 000.

14. Failure to fulfil the terms of license on activity by the person, save the persons defined in part 12 of this Articles, or improper fulfilment thereof, if it does not involve qualities of acts defined by this Article or other articles of this Code, shall:

entail a warning.

15. Committing the act prescribed by part 14 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable or if due to the act defined in part 14 of this Article the safety and reliability of the system is endangered or may be endangered or rights and legal interests of consumers are violated or the committed violation caused failure to fulfil the terms of license on activity by other persons holding a license or improper fulfilment thereof or hindered proper fulfilment of regulatory functions by the authorised body shall:

entail a fine from AMD 10 000 000 to AMD 20 000 000.

16. Committing the act defined by part 14 of this Article by persons defined by part 12 of this Article shall:

entail a warning.

17. Committing the act prescribed by part 16 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable or if due to the act defined in part 16 of this Article the safety and reliability of the system is endangered or may be endangered or rights and legal interests of consumers are violated or the committed violation caused failure to fulfil the terms of license on activity by other persons holding a license or improper fulfilment thereof or hindered proper fulfilment of regulatory functions by the authorised body shall:

entail a fine from AMD 500 000 to AMD 1 000 000.

18. Failure to fulfil the legal acts adopted by the Public Services Regulatory Commission of the Republic of Armenia by the person holding a license on activity in energy field, save the persons defined in part 12 of this Articles, or improper fulfilment thereof, if it does not involve qualities of acts defined by this Article or other articles of this Code, shall:

entail a warning.

19. Committing the act prescribed by part 18 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable or if due to the act defined in part 18 of this Article the safety and reliability of the system is endangered or may be endangered or rights and legal interests of consumers are violated or the committed violation caused failure to fulfil the terms of license on activity by other persons holding a

license or improper fulfilment thereof or hindered proper fulfilment of regulatory functions by the authorised body shall:

entail a fine from AMD 5 000 000 to AMD 10 000 000.

20. Committing the act defined by part 18 of this Article by persons defined by part 12 of this Article shall:

entail a warning.

21. Committing the act prescribed by part 20 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable or if due to the act defined in part 20 of this Article the safety and reliability of the system is endangered or may be endangered or rights and legal interests of consumers are violated or the committed violation caused failure to fulfil the terms of license on activity by other persons holding a license or improper fulfilment thereof or hindered proper fulfilment of regulatory functions by the authorised body shall:

entail a fine from AMD 250 000 to AMD 500 000.

## **CHAPTER 38.**

### **ADMINISTRATIVE OFFENCES IN THE FIELD OF ELECTRONIC COMMUNICATION, TELEVISION AND RADIO, ADVERTISING**

**Article 425.** Violating the requirements defined by legislation in electronic communication field

1. Violating the requirements of legislation in the electronic communication field by the regulatory person shall:

entail a warning or a fine from AMD 1 000 000 to AMD 1 800 000 against a natural person and from AMD 2 000 000 to AMD 3 800 000 against a legal person or suspension of validity of a license (authorisation) of a license or termination of the validity of a license.

2. Committing the act defined by part 1 of this Article by a licensed person having turnover that exceeds AMD 100 000 000 monthly in the field of electronic communication shall:

entail warning or a fine from AMD 10 000 000 to 20 000 000 or suspension of the validity of a license or termination of the validity of a license.

3. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 1 800 000 to AMD 2 000 000 against a natural person with or without suspension of a license (permit) or with or without termination of a license (permit) or from AMD 3 800 000 to 4 000 000 against a legal person with or without suspension of a license (permit) or with or without termination of a license (permit) .

4. Violating the legal acts of regulatory authorised body in the field of electronic

communication by the person mentioned in part 1 of this Article shall:

entail a warning or a fine from AMD 500 000 to AMD 800 000 against a natural person and from AMD 1 000 000 to AMD 1 800 000 against a legal person or suspension of validity of a license (permit) of a license or termination of the validity of a license (permit).

5. Committing the act defined by part 4 of this Article by a licensed person having turnover that exceeds AMD 100 000 000 monthly in the field of electronic communication shall:

entail warning or a fine from AMD 5 000 000 to 10 000 000 or suspension of the validity of a license or termination of a license.

6. Committing the act prescribed by part 4 of this Article deliberately or committing again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 800 000 to AMD 1 000 000 against a natural person with or without suspension of a license (permit) or with or without termination of a license (permit) from AMD 1 800 000 to 2 000 000 against a legal person with or without suspension of a license (permit) or with or without termination of a license (permit) .

6. Continuing the use of radio frequencies without the permission of a regulator after instruction is given to stop it:

entail a fine from AMD 1 000 000 to AMD 2 000 000 against a natural person, and from AMD 2 000 000 to AMD 4 000 000 against a legal person.

7. Continuing rendering electronic communication services without the permission of the regulator by the person rendering public electronic communication services without notification after an instruction is issued on its termination shall:

entail a fine from AMD 1 000 000 to AMD 2 000 000.

8. Failure to meet the requirements on continuity of electronic communication service made by the regulator shall:

entail a fine from AMD 2 000 000 to AMD 5 000 000.

9. Damaging or tearing off the seal of radio electronics means shall:

shall entail a fine from AMD 100 000 to AMD 300 000.

10. Hindering entry of the representatives of authorised body into the facilities belonging to legal or natural persons on ownership or other right that operate or hold the networks with the purpose to examine or check the radio communication equipment or hindering the sealing of the radio electronics equipment subject to sealing located in those facilities shall:

entail a fine from AMD 50 000 to AMD 100 000.

11. A person regulating and being regulated in this Article shall be the person defined by the Law of the Republic of Armenia "On electronic communication".

**Article 426. Violation of legislation in the field of TV and radio**

1. Violating the requirements of legislation regulating the field of television and radio or the terms of license in that field, if the act does not contain qualities of administrative offence defined by part 3-20 of this Article, shall:

entail a warning.

2. Failure to fulfil the requirement in a set time mentioned by a warning for an act defined by part 1 of this Article by the National Commission on Television and Radio of the Republic of Armenia (hereinafter in this Article National Commission) or committing the defined act again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Restriction of the right to accept other television and radio programmes by television and radio audience within overlap of relevant coverage zones by a television and radio company carrying out television and radio broadcasting shall:

shall entail a fine from AMD 400 000 to AMD 500 000.

4. Use of name, signal and other baseline data of television and radio company in foreign languages (without the Armenian version):

shall entail a fine from AMD 100 000 to AMD 200 000.

5. Broadcasting of less than 55 per cent of the total air time of programmes of domestic production by a television and radio company, except for the cases provided for by law:

shall entail a fine from AMD 300 000 to AMD 1 000 000.

6. Carrying out retransmission without informing the National Commission:

shall entail a fine from AMD 400 000 to AMD 500 000.

7. Transmission of a programme of campaign nature within the time period prohibited for campaign by the legislation of the Republic of Armenia on elections and campaigns:

shall entail a fine from AMD 800 000 to AMD 1 000 000.

8. Coverage of political or other campaign programmes without compulsory caption "Election (preparation activities of referendum) campaign" on the screen within the period prescribed by the law for carrying out election campaigns (preparation activities of referendum), whereas in case of radio coverage - not reminding about that not less than three times during each programme by a radio and television company shall:

entail a fine from AMD 800 000 to AMD 1 000 000.

9. Failure to maintain audio and video recordings of programmes broadcast by the television or radio company for a period of one month from the date of broadcasting shall:

entail a fine from AMD 400 000 to AMD 500 000.

10. Transmission of advertisements with frequency of more than twenty minutes during radio and television broadcasting by a television or a radio company or with duration of more

than 14 minutes of each one air-time shall:

entail a fine from AMD 800 000 to AMD 1 000 000.

11. Broadcasting of a advertisement of strong alcoholic (content of spirits is 20g/L and more percent by volume) drinks (except for locally produced brandy) in the period between 06:00 and 22:30, broadcasting of tobacco and tobacco products, as well as direct or indirect use and exposition of tobacco or types of tobacco products in television and radio programmes for children by a television and radio company shall:

entail a fine from AMD 200 000 to AMD 300 000.

12. Commercial break in official messages or news broadcasts by a television or radio company shall:

entail a fine from AMD 400 000 to AMD 500 000.

13. Failure by a radio company to announce its name at least three times a day on air shall:

entail a fine from AMD 200 000 to AMD 300 000.

14. Failure by a television or radio company to broadcast its logo incessantly during broadcasting of its programmes, except for broadcast of advertisement shall:

entail a fine from AMD 200 000 to AMD 300 000.

15. Television and radio programmes of erotic nature and films containing horror and apparent violence, as well as broadcasting of programmes having potential negative effect on health, mental and physical development, education of minors outside of the time period from 24.00 to 6.00, except for subscription broadcasting by a television or radio company shall:

entail a fine from AMD 400 000 to AMD 500 000.

16. Failure to inform in writing to the National Commission within the period established by the law on satellite broadcasting by a television or radio company shall:

entail a fine from AMD 500 000 to AMD 600 000.

17. Exercise of subscription broadcasting without permission of the National Commission by the licensed television or radio company shall:

entail a fine from AMD 700 000 to AMD 800 000.

18. Infringements of the established procedure for the register of television and radio programmes by a television or radio company shall:

entail a fine from AMD 400 000 to AMD 500 000.

19. Exceeding five minutes during one air time of each separate special advertising programme by a television or radio company shall:

entail a fine from AMD 400 000 to AMD 500 000.

20. Broadcasting of advertisements of those types of goods and services by a television or radio company the advertisement of which is prohibited by the Law shall:

shall entail a fine from AMD 400 000 to AMD 500 000.

21. Committing one of the acts prescribed by parts 3-20 of this Article again within a

one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 600 000 to AMD 1 000 000.

22. Committing the act established by this Article by a television or radio company after being imposed to an administrative penalty for three times in a year for acts established by part 21 of this Article (save the acts established by parts 7 and 8 of this Article) shall:

entail termination of the license.

23. Committing the act established by this Article by a television or radio company after being imposed to an administrative penalty established by part 21 of this Article for acts established by part 7 or 8 of this Article shall:

entail termination of the license.

24. Violating the requirements or prohibitions established by legislation on television programme use shall:

entail termination of the license.

25. Refusing an air time to an authorised person for making official announcements during announcing military or emergency situation shall:

entail termination of the license.

26. Re-transmission of cable networks without notification of the National Commission by persons engaged in hotel business in hotels, hotel complexes, resort houses or similar facilities on rent that have eight or more televisions shall:

entail a fine from AMD 30 000 to AMD 50 000 against a legal person.

27. Committing one of the acts prescribed by part 26 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 80 000 and of AMD 200 000.

28. A licence holder shall, for violations of technical rules and shortfalls during the broadcasting of television and radio programmes or failure to ensure broadcasting of programmes, be relieved from liability, where it is substantiated that they have been committed:

(1) because of change of technical rules or standards by authorised state bodies;

(2) for technical re-equipment about which a licence holder with a written substantiation at least 30 days prior to its implementation has informed the National Commission and has obtained permission;

(3) as a result of accident or calamities.

**Article 427. Evading from the implementation of the requirements of notification on the infringement of the legislation on advertising or failure to implement them in time**

1. Evading from the implementation of the requirements of the notification relating to the infringement of the legislation on advertising issued by the authorised state governance body of the Republic of Armenia implementing control over the compliance with legislation on advertising or failure to implement them in time by the advertiser, advertisement producer and advertisement transmitter shall:

entail a fine from AMD 20 000 to AMD 100 000.

2. Evading from the implementation of the requirements of the notifications of Yerevan mayor relating to infringement of the terms of permission on posting external advertisement in the territory of the respective community in compliance with the city rules in Yerevan by the advertisers, advertisement producers and advertisement transmitters or failure to implement them in time as well as posting an external advertisements without a permission on posting external advertisements in the city of Yerevan shall:

entail a fine up to AMD 100 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article three or more than three times within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the activity of the advertiser, advertisement producer and advertisement transmitter.

**Article 428. Using not permitted or prohibited words in advertisements or contributing to their advertising in any other way**

1. Using words or their derivatives prohibited by legislation or those defined by legislation without respective registration (license) in advertisements or contributing to their advertising in any other way shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. . Committing one of the acts prescribed by part 1 of this Article again within a four-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Where the period between the publication of a law prohibiting the use of respective words and their derivatives defined in part 1 of this Article by a person without a respective registration (license) and that of entering into force is less than six month, the obligation defined by this Article shall arise in case the act defined by this Article is committed (not excluded) six month after that law is publicised.

Article 429. Unfair advertising and deliberately false advertisement

1. Unfair advertising, i.e., order, production or dissemination of advertisement by a legal or natural person evading the prohibitions or restrictions defined by legislation shall:

entail warning or a fine of AMD 15 000.

2. Intentional delusion of advertisement consumers by an advertiser, advertisement producer or advertising man where as a result thereof not a large scale property damage has been caused to the rights, freedoms or lawful interests of a person or organisation or to the lawful interests of the public or the state shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 200 000 to AMD 400 000 against a legal person.

3. The action prescribed by part 2 of this Article, which has been committed by the use of media shall:

entail a fine twice the amount of the fine prescribed for the given act by part 2 of this Article.

**Article 430. Violating the procedure for advertising cultural services and concerts**

1. Failure to mention the information required by legislation in advertisement relating to theatre and concert performances, public event, festivals and concert tours intentionally or negligently by an advertiser shall:

entail a fine from AMD 50 000 to AMD 80 000.

2. Failure to mention the information on voice peculiarities (live performance or any type of recording) in the advertisement on concert performances intentionally or negligently by an advertiser as prescribed by legislation shall:

entail a fine from AMD 150 000 to AMD 200 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

shall entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article, with or without depriving of the right to engage in certain activities for one year.

4. Using recording instead of live performance mentioned in the advertisement during the concert performances shall:

entail a fine from AMD 50 000 to AMD 100 000.

5. Committing the act prescribed by part 4 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable

shall entail a fine from AMD 100 000 to AMD 150 000, with or without depriving of the right to engage in certain activities for the period of up to one year.



**CHAPTER 39.**  
**ADMINISTRATIVE OFFENCES IN THE SPHERES OF TRANSPORT, ROAD ECONOMY**  
**AND COMMUNICATION**

**Article 431. Violation of observance of traffic regulations and safety rules in railway transportation**

1. Intentional or negligent damaging of railway lines, barrier forests, snow fences or linear objects shall:

entail a fine from AMD 5 000 to AMD 10 000.

2. Intentional or negligent placing of objects on railway lines, or climbing on contact networks or air lines supports or special structures or artificial structures, or intentional or negligent damaging, covering, removing, unauthorised deployment of signs, panels, other carriers of information, or intentional or negligent driving over or crossing railway lines at undefined places, or intentional or negligent damaging of railway signalling, communication structures or apparatuses, or travelling over wagon pedals or roofs shall:

entail a fine from AMD 20 000 to AMD 30 000.

3. Getting under passenger platforms or railway rolling stocks or crossing over self-attaching devices between wagons, or jumping onto railway lines from passenger platforms shall:

entail a warning or a fine of AMD 3 000.

4. Intentional or negligent crossing over railway passages during prohibiting signals of railway transition traffic lights or intentional or negligent hindering of the traffic of railway rolling stocks shall:

entail a fine from AMD 15 000 to AMD 25 000.

**Article 432. Violation of rules of using rail vehicles**

1. Unauthorised travel on cargo trains or intentional or negligent hindrance to the opening, closing of automated doors of passenger coaches, or hindering other people when getting on or getting off the wagon shall:

entail a fine of AMD 5 000.

2. Intentional or negligent damaging of internal equipment, glasses or seats of metropolitan trains or railway rolling stocks shall:

entail a fine from AMD 5 000 to AMD 15 000.

3. Throwing rubbish or other objects out of train wagon windows shall:

entail a fine of AMD 5 000.

4. Getting on or getting off a wagon in other places besides those specially separated

or adjusted from the side of a passenger platform or in railway stations shall:

entail a fine of AMD 10 000.

5. Unauthorised train stop, made without necessity (in case of absence of a threat to the train, passengers and the environment), by means of the handle designed for making emergency stops shall:

entail a fine from AMD 50 000 to AMD 70 000.

**Article 433. Publishing information about the regime of use of general use railway transport infrastructures without coordinating with the authorised body, violation of the procedure prescribed by legislation for coordinating that information with the authorised body, or publishing unreliable information**

1. Publishing information about the regime of use of a general use railway transport infrastructure by the general use railway transport infrastructure manager, without coordinating with the authorised body, or violation of the procedure prescribed by legislation for coordinating that information with the authorised body, or publishing unreliable information shall:

entail a fine from AMD 30 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 200 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 400 000.

**Article 434. Failure of the manager, owner of general use railway transport infrastructures, or users of railway transport of non-common use, to implement measures for prevention of causing harm to the lives or health of citizens while they are in most dangerous zones**

1. Failure of the manager or owner of a general use railway transport infrastructure, or of users of railway lines of non-common use, to deploy necessary information in most dangerous zones by means of appropriate lighting, sound signals, signs, pointers, other technical means or other carriers of information, or failure of a natural person being in most dangerous zones to inform timely about appropriate limitations or changes thereof, by technical means or by means of other carriers of information shall:

entail a fine from AMD 50 000 to AMD 200 000.

2. Failure of the manager of a general use railway transport infrastructure or users of railway lines of non-common use to maintain the platforms, footpaths, tunnels, bridges or other objects intended for a natural person being in most dangerous zones of railway lines of general use or railway lines of non-common use in a technically operable or safe condition, or failure to carry out marking of places and fencing in the places of carrying out reconstruction,

construction or repair works of most dangerous zones shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Committing the act prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 400 000.

#### **Article 435. Violation of requirements for railway lines of general use**

1. Maintenance of railway lines of general use or objects of railway transportation in violation of the rules of technical exploitation of the railway or rules of traffic safety of railway transports shall:

entail a fine from AMD 20 000 to AMD 50 000 against a natural person, and from AMD 100 000 to AMD 300 000 against a legal person.

2. Crossing of railway lines of general use with railway lines of general use being constructed, new or reconstructed, or launch of railway lines of general use for permanent exploitation, or implementation of operation of railway stations for the purpose of implementation of all or some actions connected to arrival and departure of trains, cargo loading, unloading, sorting or storage (including in containers) shall:

entail a fine from AMD 20 000 to AMD 200 000 against a natural person, and from AMD 100 000 to AMD 300 000 against a legal person.

3. Implementation of closing of railway lines of general use, as well as low-loaded lines or segments, or transition of railway lines of general use into railway lines of non-common use, or closing of railway stations for the purpose of terminating all or some actions connected to the arrival and departure of trains, acceptance, delivery, loading, unloading, sorting or storage of luggage, cargo or freight without a relevant permission shall:

entail a fine from AMD 200 000 to AMD 400 000.

4. Design or construction of railway lines of general use in violation of the procedure prescribe by legislation shall:

entail a fine from AMD 100 000 to AMD 1 000 000.

5. Failure to ensure the relevant technical condition of railway lines of general use, railway rolling stocks or containers, prescribed by legislation, or failure to perform or improper performance of loading and unloading works of cargo coaches or containers through the procedure prescribed by legislation shall:

entail a fine from AMD 5 000 to AMD 30 000 against a natural person, and from AMD 50 000 to AMD 100 000 against a legal person.

6. Committing one of the acts prescribed by parts 1-5 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 436. Violation of main requirements for railway lines of non-common use crossing railway lines of general use**

1. Failure of a user of railway lines of non-common use crossing railway lines of general use to ensure the maintenance of those lines shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Construction or reconstruction of equipment intended for railway lines of non-common use crossing railway lines of general use, loading or unloading of cargo, wagons, cleaning or washing of containers, determination of the place of railway level-crossing of railway lines of non-common use crossing railway lines of general use, or implementation of intersection of railway lines of general use with railway lines of non-common use being newly built or having been reconstructed without agreeing with the authorised body shall:

entail a fine from AMD 5 000 to AMD 50 000 against a natural person, and from AMD 100 000 to AMD 200 000 against a legal person.

3. Failure of users of railway lines of non-common use crossing railway lines of general use to comply with the requirements of railway transport exploitation or traffic safety, failure to maintain railway lines of non-common use crossing railway lines of general use, railway rolling stocks or containers in compliance with the technical condition prescribed by legislation, failure to carry out loading or unloading works of cargo coaches or containers through the prescribed procedure shall:

entail a fine from AMD 5 000 to AMD 50 000 against a natural person, and from AMD 100 000 to AMD 200 000 against a legal person.

4. Intentional or negligent violation of the procedure for level-crossing of railway rolling stocks from railway lines of non-common use to railway lines of general use and vice versa, prescribed by legislation, shall:

entail a fine from AMD 20 000 to AMD 200 000.

5. Committing one of the acts prescribed by parts 1-4 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 437. Violation of the procedure for transportation of dangerous cargo by means of railway transports**

1. Intentional or negligent violation of the procedure for transportation of dangerous cargo by means of railway transport shall:

entail a fine of AMD 20 000 to AMD 50 000 against a natural person, from AMD 50 000 to AMD 150 000 against a legal person, and from AMD 150 000 to AMD 200 000 against the official responsible.

2. Committing one of the acts prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the maximum amount of the fine prescribed for the given act by this Article.

**Article 438. Hindering the entrance of other railway rolling stock operators by the manager or owner of general use railways transport infrastructures**

1. Hindering the entrance of other railway rolling stock operators by the manager of general use railway transport infrastructure shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 439. Failure of organisers of general use railway transport activities to comply with obligations prescribed by legislation**

1. Intentional or negligent violation of the requirements prescribed by legislation, by the manager of general use railway transport infrastructure or transporters or freight forwarders or other participants of the process of transporting shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Intentional or negligent failure of the transporter to place necessary information on the services provided thereby and the charges thereof at a visible place for passengers shall:

entail a fine from AMD 20 000 to AMD 50 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the maximum amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 440. Violation of rules of technical exploitation of the railway or conditions for using general use railway transport infrastructures**

1. Violation of the rules of technical exploitation of the railway shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Violation of the conditions for using a general use railway transport infrastructure, prescribed by a licence issued by an authorised body, shall:

entail a fine from AMD 20 000 to AMD 50 000 against a legal person, and from AMD 50 000 to AMD 100 000 against the official responsible.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the maximum amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 441. Violation of basic requirements of railway transport exploitation or traffic safety**

1. Positioning of objects implementing loading, transporting, unloading of dangerous cargo and the buildings, constructions or structures located thereon, or locating places of crossing of connection lines of railway transport of general use, electricity wires, oil pipelines, gas pipelines or other overground or underground structures on a shorter distance from railway lines of general use than prescribed by legislation shall:

entail a fine from AMD 300 000 to AMD 500 000.

2. Failure of owners of connection lines, electricity wires, oil pipelines, gas pipelines or constructions, crossing or located in the immediate vicinity of railway lines of general use, to comply with the norms of construction or exploitation of the mentioned structures prescribed by legislation, or to ensure the safety of activities of the mentioned objects shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Intentional or negligent failure of the manager of a general use railway transport infrastructure, or users of non-common use railway lines or transporters, to participate in the elimination of consequences of transport accidents by means of using recovery and fire prevention measures available within the technical and technological capabilities thereof, shall:

entail a fine from AMD 200 000 to AMD 400 000.

4. Violation of the procedure for intersection of railway lines with roads, rules of crossing railway lines, conditions for exploitation of railway level-crossings or the procedure for operation or closing thereof shall:

entail a fine from AMD 50 000 to AMD 100 000.

5. Violation of other rules connected to traffic safety in railway vehicles, technical exploitation of vehicles or the process of transporting shall:

entail a fine from AMD 20 000 to AMD 50 000.

**Article 442. Violation of rules of flights and aviation safety**

1. Installation of any signs or structures similar to differentiating signs accepted for recognition of aerodromes (helicopter pads) within airports, burning pyrotechnic objects without the permission of airport administration or construction of objects stimulating mass accumulation of birds, dangerous for aircraft flights, closer to the aerodrome runways than

permitted shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, from AMD 100 000 to AMD 200 000 against a legal person, and from AMD 150 000 to AMD 250 000 against the official responsible.

2. Violation of the rules of installation of night-time or daytime distinguishing marks or structures on buildings or constructions shall:

entail a fine from AMD 20 000 to AMD 50 000, and from AMD 50 000 to AMD 100 000 against the official responsible.

3. Intentional or negligent damaging of aerodrome equipment, aerodrome markings, aircraft or equipment thereof, shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Passing through or driving within the territory of airport aerodromes (except for aircraft departure stations), facilities providing radio communication or lighting of flights shall:

entail a fine from AMD 50 000 to AMD 100 000.

5. Violation of rules of check-point or intra-object control in airports shall:

entail a fine from AMD 30 000 to AMD 50 000.

6. Violation of ensuring flight worthiness of civil aircraft or flight rules, where they have not served as a cause of an incident or a serious aviation incident, and where the performer has not reported thereabout before those deviations have been revealed, shall:

entail a fine from AMD 50 000 to AMD 100 000.

7. Creation of rubbish heaps of food leftovers in territories adjacent to an airport or an aerodrome on a distance closer to the runway thereof than permitted and dangerous for airplane flights, contributing to mass accumulation of birds, shall:

entail a fine from AMD 30 000 to AMD 50 000, and of AMD 100 000 against the official responsible.

8. Use of the air territory of the Republic of Armenia without a permit shall:

entail a fine from AMD 100 000 to AMD 300 000.

**Article 443. Violation of the procedure for transporting dangerous cargo by means of air transport**

1. Intentional or negligent violation of the rules of transporting cargo considered dangerous, by air transport, shall:

entail a fine from AMD 50 000 to AMD 70 000 against a natural person, from AMD 200 000 to AMD 500 000 against a legal person, and from AMD 500 000 to AMD 1 000 000 against the official responsible.

**Article 444. Violation of rules of conduct on board an aircraft**

1. Failure of passengers of an aircraft to comply with orders of the commander of the

aircraft on the procedure to ensure flight or aviation security shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Intentional or negligent violation of the rules of using the means of communication on board an aircraft shall:

entail a warning.

3. Committing the act prescribed by part 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of 20 000.

#### **Article 445. Violation of fire safety rules on railway and air transport**

1. Intentional or negligent violation of prescribed fire safety rules on railway transports shall:

entail a fine from AMD 100 000 to AMD 150 000.

2. Intentional or negligent violation of prescribed fire safety rules on board an air transports shall:

entail a fine from AMD 100 000 to AMD 200 000.

#### **Article 446. Violation of rules of exploitation of vehicles**

1. Driving vehicles on the existence of defects or conditions prohibiting exploitation of vehicles shall:

entail a fine from AMD 5 000 to AMD 10 000.

2. Driving a vehicle re-equipped without relevant permission shall:

entail a fine from AMD 10 000 to AMD 20 000.

3. Intentional or negligent violation by drivers, of the traffic rules for vehicles used to transport heavy goods or exceeding the dimensions prescribed by road traffic rules, or exploited within an articulated vehicle with two or more trailers, shall:

entail a fine from AMD 20 000 to AMD 40 000.

4. Driving vehicles in violation of the amount of light transparency of glasses or with a membraned windshield, or curtained in violation of the procedure, shall:

entail a fine from AMD 10 000 to AMD 30 000.

5. In case of detecting an administrative offence prescribed by parts 1 or 4 of this Article, the authorised body (the official) shall inform the person having committed the offence about not being subjected to liability in case of eliminating the elements of the offence. A person shall not be subjected to liability where, immediately after having been informed, he or she starts implementing actions aimed at the direct elimination of the elements of the administrative offence. In that case the authorised body (official) shall not draw up a protocol on the administrative offence or a decision on initiating proceedings thereon.

6. Where it is not possible to eliminate the elements of the offence immediately after



the administrative offence has been detected - in compliance with part 5 of this Article, the authorised body (the official) shall draw up a protocol on the administrative offence or initiate proceedings therefor.

7. Where, in the case referred to in part 6 of this Article, the person having committed an administrative offence eliminates the elements of the offence within 24 hours after the authorised body (the official) determines the offence, he or she shall be released from the liability to fulfil the administrative penalty, where relevant evidence thereon has been presented to the authorised body (the official) within the same period. A relevant protocol shall be drawn up thereon, a copy thereof shall be provided to the person having committed the administrative offence.

8. The Government of the Republic of Armenia shall prescribe the permissible amounts of light transparency of glasses, glasses having an external membrane, as well as exceptions from the requirement of part 4 of this Article.

**Article 447. Violation of rules of installing light and sound — including special — equipment on vehicles**

1. Installing equipment for emitting light and sound signals not complying with the standard, on vehicles (except for anti-theft signalling systems and, in case of meetings or public events, loudspeakers), or using them in motion shall:

entail a fine from AMD 5 000 to AMD 10 000, with confiscation of an item or property having been a tool or a direct object for administrative offence.

2. Installing blue or blue and red flashing beacon lights or equipment for emitting special sound signals on vehicles, without relevant permission, as well as using (likening to) colour drawings intended for vehicles of operative services shall:

entail a fine from AMD 40 000 to AMD 80 000, with confiscation of an item or property having been a tool or a direct object for administrative offence.

3. In case of detecting an administrative offence prescribed by part 1 of this Article, the authorised body (the official) shall inform the person having committed the offence about the possibility of not being subjected to liability in case of eliminating the elements of the offence. A person shall not be subjected to liability where, immediately after having been informed, he or she starts implementing actions aimed at the direct elimination of the elements of the administrative offence. In that case the authorised body (official) shall not draw up a protocol on the administrative offence or a decision on initiating proceedings thereon.

4. Where it is not possible to eliminate the elements of the offence immediately after the administrative offence has been detected - in compliance with part 3 of this Article, the authorised body (the official) shall draw up a protocol on the administrative offence or initiate proceedings thereon.

5. Where, in the case referred to in part 4 of this Article, the person having committed

an administrative offence eliminates the elements of the administrative offence within 24 hours after the authorised body (official) determines the offence, he or she shall be released from the liability to fulfil the administrative penalty, where relevant evidence thereon has been presented to the authorised body (official) within the same period. A relevant protocol thereon, or a decision on initiating proceedings on the administrative offence shall be drawn up, a copy thereof shall be provided to the person having committed the administrative offence.

**Article 448. Driving vehicles with unfastened seat belts or unbuttoned helmets or without helmets, as well as carrying passengers with unfastened seat belts or unbuttoned helmets or without helmets**

1. When driving vehicles furnished with seat belts designed by the structure, driving with unfastened seat belts of vehicles or carrying passengers with unfastened seat belts, except for cases permitted by law, or, when driving a motorcycle, driving vehicles with an unbuttoned helmet or without a helmet, or carrying a passenger without a helmet shall:

entail a fine of AMD 5 000.

**Article 449. Driving vehicles not registered (re-registered) through the prescribed procedure, not having undergone technical inspection, failure to submit for registration the right of ownership over vehicles, having originated in another country, within the prescribed time limit, to stick the technical inspection or record-registration sticker on the prescribed place, or recognising a vehicle to be technically sound without carrying out technical inspection, or with technical malfunctions thereof, or failure to transmit or improper transmission online of all the data specified on the record-registration documents of a vehicle having undergone technical inspection**

1. Driving a vehicle not registered (re-registered) through the procedure prescribed by law, as well as intentional or negligent failure to submit for registration the right of ownership over a vehicle, having originated in another country, in cases or through the procedure prescribed by law, within the prescribed time limit after the vehicle has been imported into the Republic of Armenia, shall:

entail a fine from AMD 10 000 to AMD 20 000.

2. Driving a vehicle not having undergone technical inspection in cases and through the procedure prescribed by law shall:

entail a fine of AMD 20 000.

3. Driving a vehicle with the technical inspection or record-registration ticket thereof not stuck on the prescribed place shall:

entail a fine of AMD 3 000.

4. Recognising a vehicle technically sound without carrying out technical inspection or with a technical malfunction thereof shall:

entail a fine of AMD 300 000 against the head of technical inspection station.

5. Failure to transmit or improper transmission online of all the data specified on the record-registration documents of a vehicle shall:

entail a fine of AMD 100 000.

6. In cases prescribed by part 3 of this Article, the authorised body (the official) shall inform the person having committed the offence about the possibility of not being subjected to liability in case of eliminating the elements of the offence. Where the person having committed the administrative offence sticks the technical inspection or record-registration ticket on the prescribed place immediately after the offence has been detected, the authorised body (the official) shall not draw up a protocol on the administrative offence or a decision on initiating proceedings thereon.

**Article 450. Violation of rules of using record-registration number plates of vehicles**

1. Driving vehicles with a record-registration number plate that is illegible or does not comply with the standard shall:

entail a fine of AMD 5 000.

2. Intentional or negligent failure to attach the record-registration number plate of a vehicle onto the prescribed place shall:

entail a fine from AMD 3 000 to AMD 5 000.

3. After the expiry of a temporary record-registration number plate, driving a vehicle therewith shall:

entail a fine from AMD 10 000 to AMD 20 000.

4. Driving a vehicle without a record-registration number plate, with a falsified or replaced record-registration number plate shall:

entail a fine from AMD 100 000 to AMD 200 000.

5. Committing the act prescribed by part 4 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 400 000.

6. Committing the act prescribed by part 4 of this Article for the third time within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 400 000 to AMD 600 000, and a deprivation of the right to drive vehicles for a period of one year.

7. Handing the record-registration number plate to another person by the holder of the vehicle shall:

entail a fine from AMD 50 000 to AMD 70 000.

8. Driving vehicles not having a backup copy of numbers or letters of the record-

registration number plate on the back wall in cases prescribed by road traffic rules shall:

entail a fine of AMD 5 000.

9. Installation of equipment on a vehicle impeding or otherwise worsening the visibility of the number plate shall:

entail a fine from AMD 30 000 to AMD 50 000.

10. Failure to return the yellow record-registration number plate after the expiry of the time limit for servicing a route providing passenger transportation, or the expiry of the transcript of the licence, shall:

entail a fine from AMD 30 000 to AMD 50 000.

11. The record-registration number plate, at least one mark thereof — when attached onto a vehicle in a static position — not visible from a distance of 40 metres at daytime, in clear weather, due to discolouration or other reasons shall be an illegible record-registration number plate.

12. The record-registration number plate of a vehicle shall be considered not attached onto the prescribed place, where the number plate is legible both during motion and when in a static position, but the number plate (in case of double number plates - even one thereof) is not attached onto the place provided therefor.

13. A vehicle shall be considered without a number plate, where that number plate (in case of double number plates - even one thereof) is not attached onto the place provided therefor and is not legible both during motion and when in a static position.

#### **Article 451. Driving snowmobiles on public motorways**

1. Driving snowmobile vehicles on public motorways, except for cases of crossing the roads vertically, shall:

entail a fine from AMD 10 000 to AMD 20 000.

2. The administrative offence prescribed by part 1 of this Article shall be of less significance in the case where no hindrance to or obvious danger of emergency has been created for the other participants of traffic as a result thereof, as well as in the case where the offence has inevitably been committed due to the action or inaction of another participant of traffic.

#### **Article 452. Driving a vehicle, imported into the Republic of Armenia with an obligation for further export, in violation of import time limit**

1. Driving a vehicle, imported into the Republic of Armenia with an obligation for further export, in violation of the import time limit shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 453. Violation of traffic rules by drivers of vehicles**

1. Failure of drivers of vehicles to obey the signals of traffic lights or the regulator shall:  
entail a fine of AMD 10 000.
2. Violation of the prescribed rules of application of the emergency light signal or the identification mark "Emergency stop" by drivers of vehicles shall:  
entail a fine of AMD 5 000.
3. Intentional or negligent violation of the prescribed rules of application of blue or blue and red flashing beacon lights or special sound signal by drivers of vehicles shall:  
entail a fine from AMD 20 000 to AMD 50 000.
4. Intentional or negligent violation of the prescribed rules of application of yellow or orange, as well as lunar white flashing beacon lights, by drivers of vehicles shall:  
entail a fine from AMD 10 000 to AMD 20 000.
5. Intentional or negligent failure to fulfil the prescribed requirements of giving way to an approaching vehicle with blue or blue and red flashing beacon lights turned on and simultaneously emitting special sound signals, or to vehicles escorted thereby, as well as of slowing down or stopping when approaching a vehicle with blue or red flashing beacon lights turned on, in a static position, shall:  
entail a fine from AMD 10 000 to AMD 20 000.
6. Intentional or negligent violation of the prescribed rules of starting traffic or making a manoeuvre, as well as of reverse driving, by drivers of vehicles shall:  
entail a fine of AMD 5 000.
7. Intentional or negligent violation of the prescribed prohibition of a U-turn and reverse by drivers of vehicles shall:  
entail a fine from AMD 10 000 to AMD 20 000.
8. Intentional or negligent violation of the prescribed rules of alignment of vehicles during traffic by drivers of vehicles shall:  
entail a fine of AMD 10 000.
9. Violation of the prescribed rules of overtaking by drivers of vehicles shall:  
entail a fine of AMD 10 000.
10. Intentional or negligent violation of the prescribed rules of stopping or parking by drivers of vehicles shall:  
entail a fine of AMD 5 000.
11. Intentional or negligent violation of the prescribed prohibition of stopping or parking by drivers of vehicles shall:  
entail a fine from AMD 5 000 to AMD 10 000.
12. Intentional or negligent parking of vehicles, where drivers of other vehicles had to stop or change traffic direction as a result thereof, shall:  
entail a fine from AMD 5 000 to AMD 10 000.

13. Intentional or negligent violation of the prescribed rules of stopping or parking, where the vehicle has been evacuated to a specially protected area as a result thereof, by drivers of vehicles shall:

entail a fine from AMD 10 000 to AMD 20 000.

14. Intentional or negligent making a stop or parking within the territory of a public vehicle stop point, or parking not parallel to the edge of the carriageway (except for cases permitted by law), by drivers of vehicles (except for drivers of vehicles providing regular passenger transportation services), as well as intentional or negligent parking within the territory of a public vehicle stop, by drivers of vehicles providing regular passenger transportation services shall:

entail a fine from AMD 5 000 to AMD 10 000.

15. Intentional or negligent making a stop or parking on a pedestrian crossing by drivers of vehicles shall:

entail a fine from AMD 10 000 to AMD 20 000.

16. Intentional or negligent parking on pavements or driving on pavements, except for cases permitted by road signs, by drivers of vehicles, as well as intentional or negligent driving on underground or overground pedestrian crossings shall:

entail a fine from AMD 10 000 to AMD 20 000.

17. Intentional or negligent violation of the prescribed rules of crossing intersections by drivers of vehicles shall:

entail a fine from AMD 3 000 to AMD 5 000.

18. Intentional or negligent violation of the prescribed rules of crossing pedestrian crossings by drivers of vehicles shall:

entail a fine of AMD 5 000.

19. Intentional or negligent violation of the prescribed rules of motorway traffic by drivers of vehicles shall:

entail a fine of AMD 5 000.

20. Intentional or negligent violation of the prescribed rules of traffic in residential areas by drivers of vehicles shall:

entail a fine of AMD 5 000.

21. Intentional or negligent violation of the prescribed rules of passing public vehicle stop points by drivers of vehicles shall:

entail a fine of AMD 5 000.

22. Intentional or negligent violation of the prescribed rules of application of external light devices or sound signal by drivers of vehicles shall:

entail a fine of AMD 5 000.

23. Intentional or negligent failure to switch the headlights of the vehicle from high-beam to low-beam in cases prescribed by legislation or intentional or negligent driving of a

vehicle with high-beam headlights on in prohibited cases shall:

entail a fine from AMD 5 000 to AMD 10 000.

24. Intentional or negligent violation of the prescribed rules of towing **vehicles by the driver of the towing vehicle** shall:

entail a fine of AMD 3 000.

25. Intentional or negligent violation of the **prescribed rules of instructional driving by drivers of vehicles** shall:

entail a fine of AMD 5 000.

26. Intentional or negligent violation of the **prescribed rules of transportation of people by drivers of vehicles** shall:

entail a fine of AMD 5 000.

27. Intentional or negligent violation of the **prescribed rules of transportation of cargo by drivers of vehicles** shall:

entail a fine from AMD 3 000 to AMD 5 000.

28. Intentional or negligent failure of drivers of vehicles to comply with the prescribed **requirements of road signs or road markings** shall:

entail a fine of AMD 5 000.

29. Intentional or negligent failure to comply with the requirements of the markings or signs indicating the place of stopping of a driver in case there is a signal separating opposing streams of vehicle traffic, as well as prohibiting traffic lights (a regulator), **or a road sign prohibiting traffic without** making a stop shall:

entail a fine from AMD 5 000 to AMD 10 000.

30. Intentional or negligent failure to give **way to the participant of the traffic** having advantage shall:

entail a fine of AMD 5 000.

31. Use of radio communication and telephone communication in motion by drivers of vehicles (except for drivers of vehicles of operative services carrying out duty assignments) shall:

entail a fine of AMD 5 000.

32. Intentional or negligent driving of a vehicle with the doors open, **intentional or negligent** opening of doors of a vehicle in motion, or intentional **or negligent opening of doors of a vehicle** in a static position, where it **hinders the other participants of traffic**, by the driver of the vehicle, as well as intentional or negligent throwing **of items or objects out of a vehicle by the driver** thereof shall:

entail a fine of AMD 5 000.

33. Intentional or negligent crossing of a road dividing strip in places that are not provided therefor, by **drivers of vehicles**, by means of making a left turn or a U-turn shall:

entail a fine from AMD 10 000 to AMD 20 000.

34. Intentional or negligent coming out onto the **wrong side of traffic by drivers of vehicles**, where it is not connected with overtaking in permitted places or surpassing a vehicle or a hindrance in a static position, which is impossible to surpass without coming out onto the wrong side, shall:

entail a fine from AMD 20 000 to AMD 30 000.

35. Violation of the prescribed prohibition to drive on the left side lane where there are three or more lanes in the given direction, by drivers of vehicles providing regular passenger transportation services or goods motor vehicles, except for cases permitted by legislation, shall:

entail a fine of AMD 5 000.

36. Failure of the driver to fulfil the requirement of the police officer to stop the vehicle, imposed through the procedure prescribed by legislation, shall:

entail a fine from AMD 50 000 to AMD 70 000.

37. Committing the act prescribed by part 36 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of depriving of the right to drive vehicles for a period of three months to one year against a person holding a driving licence, and a fine of AMD 200 000 to AMD 300 000 against a person not holding a driving licence or having been deprived thereof.

38. Within this Code, by saying a vehicle providing regular passenger transportation services it should be understood vehicles providing passenger transportation services with a route prescribed at the moment and a confirmed timetable, suggested transportation fee, confirmed stops for passenger pick-up and drop off, as well as in the regime of the minibus taxi.

39. Where the administrative offence prescribed by parts 6, 10, 14 (only on the part of making a stop), 17, 21, 22, 23, 27, 28 or 29 of this Article, in compliance with this Article, is of less significance, the body conducting proceedings on the administrative offence shall impose the administrative penalty "warning" through the procedure prescribed by this Code.

40. The administrative offence imposed for the failure to comply with the requirements of the marking "Solid line" (including "Stop line"), prescribed by part 28 of this Article, shall be of less significance in the case where front or two side wheels of the vehicle have not fully crossed the marking and no hindrance to or obvious danger of emergency has been created for the other participants of traffic as a result thereof, as well as in the case where the offence has inevitably been committed due to the action or inaction of another participant of traffic.

41. The administrative offence imposed for the failure to comply with the requirements of road signs, prescribed by part 28 of this Article, shall be of less significance in the case where the offence has inevitably been committed due to the action or inaction of another participant of traffic.



42. The administrative offence imposed for the failure to comply with the requirements of the markings separating opposing streams of traffic, prescribed by part 29 of this Article, shall be of less significance in the case where front or two side wheels of the vehicle have not fully crossed the marking and no hindrance to or obvious danger of emergency has been created for the other participants of traffic as a result thereof, as well as in the case where the offence has inevitably been committed due to the action or inaction of another participant of traffic.

43. The administrative offence prescribed by parts 6, 17, 21, 22, 23 or 27 of this Article shall be of less significance in the case where no hindrance to or obvious danger of emergency has been created for the other participants of traffic as a result thereof, as well as in the case where the offence has inevitably been committed due to the action or inaction of another participant of traffic.

44. The administrative offence prescribed by parts 10 and 14 (only on the part of making a stop) of this Article shall be of less significance in the case where the stop has been made only for the purpose of getting on/into or off of passengers, has not exceeded the period of one minute, and no hindrance to or obvious danger of emergency has been created for the other participants of traffic as a result thereof.

**Article 454. Exceeding the prescribed speed by drivers of vehicles**

1. Intentional or negligent exceeding of the prescribed traffic speed, by drivers of vehicles, by 1-10 km/h shall:

entail a fine of AMD 1 000 for each km/h exceeded.

2. Intentional or negligent exceeding of the prescribed traffic speed, by drivers of vehicles, by 11-30 km/h shall:

entail a fine of AMD 1 500 for each km/h exceeded.

3. Intentional or negligent exceeding of the prescribed traffic speed, by drivers of vehicles, by 31-50 km/h shall:

entail a fine from AMD 50 000 to AMD 100 000.

4. Intentional or negligent exceeding of the prescribed traffic speed, by drivers of vehicles, by 51-80 km/h shall:

entail a fine of AMD 150 000 to AMD 200 000, with a deprivation of the driving licence for a period of six months.

5. Intentional or negligent exceeding of the prescribed traffic speed, by drivers of vehicles, by 81 km/h and more shall:

entail a fine of AMD 200 000 to AMD 300 000, with a deprivation of the driving licence for a period of six months to one year.

6. The body (responsible person) rendering a decision on subjecting to administrative liability for proceedings on administrative offences prescribed by parts 1-4 of this Article shall

subtract 10 km/h from the indicator recorded by the speed measuring device for a possible oversight of the speed measuring device, and, where the possible oversight of the speed measuring device exceeds 10 km/h, the possible amount of the oversight of the speed measuring device.

**Article 455. Violation of traffic rules for vehicles at railway level-crossings by drivers thereof**

1. Intentional or negligent failure of drivers of vehicles to comply with the prescribed requirements to cross railway lines only through railway level-crossings, give way to the train (locomotive, wagonette) shall:

entail a fine of AMD 5 000.

2. Intentional or negligent failure to comply with the prescribed requirement to be guided by the instructions of an on-duty level-crossing guard when approaching a railway level-crossing, the requirements of traffic lights, signs, markings provided for traffic regulation at railway level-crossings, the position of the barrier shall:

entail a fine from AMD 10 000 to AMD 20 000.

3. Intentional or negligent failure of the driver to comply with the prescribed requirements to immediately drop passengers off, take measures aimed at vacating the level-crossing, stay by the vehicle, give a general alarm signal in case of making a forced stop on the level-crossing, as well as make a signal of stop (alarm) by running forward in case of appearance of a train shall:

entail a fine from AMD 5 000 to AMD 10 000.

4. Intentional or negligent failure of a driver to comply with the prescribed requirements of not entering the level-crossing in cases of a closed or closing barrier (irrespective of the signal of traffic lights), prohibiting signal of traffic lights (irrespective of the existence and position of a barrier), the jam having emerged after the level-crossing, approaching of a train (locomotive, wagonette) to the level-crossing within visual range, not entering into the level-crossing in case of a prohibiting signal of the level-crossing guard shall:

entail a fine from AMD 5 000 to AMD 10 000.

5. Intentional or negligent violation of the prescribed prohibition on bypassing vehicles standing before the level-crossing by coming out onto the wrong side of traffic, opening the barrier voluntarily, transporting agricultural, road, construction and other machines and mechanisms in a non-vehicle condition across the level-crossing, driving across the level-crossing on slow vehicles at a low speed - less than 8 km/h, and towing tractor towing harrows without a permission of the railway segment head shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 456. Participation of drivers of vehicles in group movements creating a hindrance to road traffic**

1. Intentional or negligent participation of drivers of vehicles in such a group movement that creates a threat to road traffic safety shall:

entail a fine from AMD 5 000 to AMD 10 000.

**Article 457. Violation of the procedure for placement of advertisements on vehicles**

1. Intentional or negligent violation of the procedure for placement of an advertisement on vehicles shall:

entail a fine from AMD 5 000 to AMD 10 000 against a natural person, and from AMD 10 000 to AMD 30 000 against a legal person.

**Article 458. Violation of requirements of the legislation for placement of advertisements on state motor roads of common use**

1. Placement of an advertising panel or advertisement on state motor roads of common use without a permission of the relevant authorised body shall:

entail a fine of AMD 100 000 to AMD 150 000 on the part of interstate motor roads, and of AMD 80 000 to AMD 100 000 on the part of republican and regional motor roads.

2. Violation of the requirements of the legislation of the Republic of Armenia on advertising (placing advertising panels) on state motor roads of common use, except for parts 1 and 3 of this Article, shall:

entail a fine of AMD 80 000 to AMD 100 000 on the part of interstate motor roads, and of AMD 60 000 to AMD 80 000 on the part of republican and regional motor roads.

3. Failure to follow the requirements for the maintenance or safe exploitation of advertising panels placed on state motor roads of common use shall:

entail a fine of AMD 60 000 to AMD 80 000 on the part of interstate motor roads, and of AMD 30 000 to AMD 50 000 on the part of republican and regional motor roads.

4. Committing one of the acts prescribed by parts 1-3 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 459. Placing advertisements on roads without a relevant permit or coordination**

1. Placing an advertisement on the road without a relevant permit of or coordination with the competent authorities shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. The act prescribed by part 1 of this Article, where it hinders drivers to see traffic lights, road signs or other technical means of traffic regulation, shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 460. Implementing prohibited advertising on layers of alienation of state motor roads of common use**

1. Unauthorised installing of posters, banners or other objects comprising advertising elements on the layer of alienation of state motor roads of common use shall:

entail a fine of AMD 50 000 to AMD 70 000 on the part of interstate motor roads, and of AMD 30 000 to AMD 50 000 on the part of republican and regional motor roads.

**Article 461. Violation of requirements of legislation or legal acts of regulating commissions in the railway transport sector, by the manager of infrastructure**

1. Violation of requirements of tariffs or usage payments prescribed by legislation, by the manager of infrastructure in railway transport shall:

entail a warning or fine from AMD 2 000 000 to AMD 4 000 000.

2. Violation of the requirement of a legal act of the regulating competent body, by the manager of infrastructure shall:

entail a warning or fine from AMD 1 000 000 to AMD 2 000 000.

3. Within this Article, the manager of infrastructure shall be the person prescribed by the Law of the Republic of Armenia "On rail transport".

**Article 462. Violation of the legislation for ensuring road traffic safety, which has resulted in emergencies or road accidents, failure by drivers involved in accidents to comply with duties thereof**

1. Intentional or negligent violation of the legislation for ensuring road traffic safety, which has resulted in an emergency, shall:

entail a fine from AMD 10 000 to AMD 20 000 against a natural person, and from AMD 20 000 to AMD 40 000 against a legal person.

2. Intentional or negligent violation of the legislation for ensuring road traffic safety, which has resulted in a road accident, shall:

entail a fine from AMD 10 000 to AMD 30 000 against a natural person, and from AMD 30 000 to AMD 50 000 against legal persons.

3. Intentional or negligent failure by a driver of a vehicle involved in a road accident, to comply with duties prescribed by legislation shall:

entail a fine from AMD 10 000 to AMD 30 000.

**Article 463. Violation of rules of water vehicle exploitation**

1. Conducting a water vehicle under the influence of intoxicants shall:

entail a fine from AMD 10 000 to AMD 20 000.

2. Intentional or negligent exploitation of water vehicles not registered through the procedure prescribed by law or having a technical malfunction, or conducting a water vehicle without side numbers shall:

entail a fine from AMD 5 000 to AMD 10 000.

3. Conducting a water vehicle without a navigation licence or intentional or negligent handing of conduction of a water vehicle to a person not holding a navigation licence shall:

entail a fine from AMD 10 000 to AMD 20 000.

4. Intentional or negligent exploitation of a water vehicle without the documents prescribed by law shall:

entail a fine from AMD 5 000 to AMD 10 000.

5. Conducting a water vehicle without rescue equipment or transporting passengers exceeding in number rescue equipment, or installation of rescue equipment without seals shall:

entail a fine from AMD 5 000 to AMD 10 000.

6. Intentional or negligent violation of prescribed fire safety rules on water vehicles shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 464. Driving vehicles under the influence of intoxicants**

1. Driving vehicles under the influence of intoxicants, where the driver is under the influence of alcohol only, and the act does not bear the elements of parts 2-6 of this Article, shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article, where the content of pure alcohol per litre of blood of the driver exceeds 1 gram, or where the content of pure alcohol per litre of exhaled air thereof exceeds 0.5 milligrams, shall:

shall entail a fine from AMD 100 000 to AMD 200 000, with or without a deprivation of the right to drive vehicles for a period of up to six months.

3. Committing the act prescribed by part 1 of this Article, where the state of intoxication of the driver is conditioned by the content of narcotic drugs or psychotropic substances in the blood or urine, shall:

entail a fine of AMD 100 000, with a deprivation of the right to drive vehicles for a period of six months to one year.

4. Avoiding undergoing an examination on determining the state of soberness in compliance with the prescribed procedure shall:

entail a fine from AMD 100 000 to AMD 200 000.

5. Committing one of the acts prescribed by parts 1, 2 or 4 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 150 000 to AMD 250 000, with a deprivation of the right to drive vehicles for a period of one year.

6. Committing the act prescribed by parts 2 or 4 of this Article, by a person not holding a driving permit for driving vehicles shall:

entail a fine from AMD 100 000 to AMD 200 000.

7. Committing one of the acts prescribed by parts 3 or 5 of this Article, by a person not holding a driving permit for driving vehicles shall:

entail a fine from AMD 300 000 to AMD 400 000.

8. A person shall be considered in a state of intoxication in the case prescribed by this Code, where it is revealed, as a result of testing, that the pure content of alcohol exceeds 0.4 grams per litre of blood or 0.2 grams per litre of exhaled air thereof, or where there is a content of narcotic drugs or psychotropic substances in the blood or urine of the person. A person shall be considered in a state of intoxication in the case where the amount of pure content of alcohol referred to in this part in the blood or exhaled air or of narcotic drugs or psychotropic substances in the blood or urine thereof, after the vehicle has been stopped by a police officer, or the road accident related thereto, but before conducting an examination on the state of soberness thereof or releasing from undergoing, is a result of use of alcoholic drinks, narcotic drugs or psychotropic substances thereby.

**Article 465. Driving vehicles by a person not holding a driving permit for driving vehicles or deprived of the right to drive vehicles, driving vehicles without a driving licence or other necessary documents, or driving vehicles with an invalidated driving licence or other necessary documents, driving vehicles with a driving licence of other countries by a citizens of the Republic of Armenia, or driving vehicles with a driving licence not effective in the Republic of Armenia by a foreigner, or handing driving of vehicles to a person not holding that right**

1. Driving vehicles by a person not holding a driving permit for driving vehicles shall:

entail a fine from AMD 20 000 to AMD 30 000.

2. Driving vehicles by a person deprived of the right to drive vehicles shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Driving vehicles without a driving licence or other necessary documents shall:

entail a fine of AMD 3 000.

4. Driving vehicles with an invalid driving licence or other necessary documents, or with

a foreign driving licence not effective in the Republic of Armenia shall:

entail a fine from AMD 5 000 to AMD 10 000.

5. Handing the driving of vehicles to a person not holding that right shall:

entail a fine from AMD 5 000 to AMD 10 000.

6. Within this Article, by saying other documents it shall mean record-registration documents, customs documents of the vehicle, in cases specified in the driving licence - also a medical certificate; which do not include a power of attorney, referral, cargo referral.

7. Within this Article, a person shall be considered not holding a driving permit for driving vehicles where a driving licence with a driving permit for driving a vehicle of the given category has not been gained thereby through the prescribed procedure, or a driving licence has been gained thereby through the prescribed procedure, but he or she has been deprived of the right to drive vehicles through the procedure prescribed by law and has not regained a driving permit for driving vehicles after the expiry of the period of deprivation, except for cases of instructional driving.

8. Within the meaning of this Article, a person shall be considered without a driving licence when holding a driving permit for driving vehicles, but does not have a driving licence therewith while driving.

9. In cases prescribed by part 3 of this Article an authorised body (official) shall inform the person having committed an administrative offence about the possibility of being released from administrative liability or the obligation to perform the administrative penalty in case of presenting the driving licence or another document to the authorised body (official) within 24 hours after the moment the offence has been detected. A person shall not be subjected to liability, and in the case an administrative penalty has been imposed, shall be released from the obligation of performing it, where the driving licence or another document is presented to the authorised body (official) within 24 hours after the moment the administrative offence has been detected.

**Article 466. Failure to have a valid contract on compulsory insurance against liability arising from the use of motor vehicles for vehicles record-registered in the territory of the Republic of Armenia, driving a vehicle without a contract on compulsory insurance against liability arising from the use of motor vehicles for the given vehicle, as well as record-registering a vehicle without submitting a valid CILUMV contract, or permitting import of a vehicle not having a CILUMV contract into the territory of the Republic of Armenia by means of driving**

1. Failure by the owner (lessee) of a vehicle record-registered in the territory of the Republic of Armenia, to have a valid contract on compulsory insurance against liability arising from the use of motor vehicles concluded for each vehicle belonging thereto by the ownership right (provided thereto under the financial lease (leasing) contract), which has lasted longer

than 10 days, shall:

entail a fine of AMD 5 000 for each 10 days, but not more than AMD 100 000 for each year.

2. Driving a vehicle on public motorways in the territory of the Republic of Armenia without a valid contract on compulsory insurance against liability arising from the use of motor vehicles for the given vehicle shall:

entail a fine from AMD 50 000 to AMD 70 000.

3. Record-registering a vehicle without submitting a valid CILUMV contract or permitting import of a vehicle not having a CILUMV contract into the territory of the Republic of Armenia by means of driving, where submitting a CILUMV contract (having a CILUMV contract) is a prerequisite for record-registration of the vehicle (permitting import of the vehicle into the territory of the Republic of Armenia by means of driving) prescribed by legislation, shall:

entail a fine against an official from AMD 300 000 to AMD 500 000.

#### Article 467. **Failure by pedestrians to perform their main responsibilities**

1. Intentional or negligent failure by pedestrians to comply with the responsibilities (or main responsibilities) thereof prescribed by law shall:

entail a warning.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 3 000.

#### Article 468. **Violation of road traffic rules by pedestrians and other participants of road traffic**

1. Intentional or negligent failure by pedestrians and other participants of road traffic (except for drivers of vehicles) to obey the signals of traffic lights or prescribed signals of the regulator, as well as intentional or negligent violation **of road signs or road markings**, shall:

entail a fine of AMD 3 000.

2. Opening the doors of a vehicle while it is in motion, as well as opening the doors of a vehicle in a static position (where it hinders the other participants of traffic), leaning (stretching) out of the vehicle, throwing items or objects out of the vehicle, by a passenger of the vehicle shall:

entail a fine of AMD 3 000.

3. Intentional or negligent violation of the rules of driving mopeds, riding bicycles or driving an animal-drawn vehicle, prescribed by legislation, shall:

entail a fine from AMD 3 000 to AMD 5 000.

4. Intentional or negligent committing of any of the acts prescribed by parts 1-3 of this



Article, which has caused emergency, shall:

entail a fine of AMD 10 000.

5. Intentional or negligent violation of the rules of guiding cattle or animals on roads, prescribed by legislation, shall:

entail a fine from AMD 5 000 to AMD 10 000.

**Article 469. Permitting exploitation of vehicles having malfunctions and other violations of exploitation of vehicles**

1. Permitting exploitation of vehicles that are not record-registered, have not undergone technical examination, have technical malfunctions, or vehicles that are re-equipped without a relevant permission, with large dimensions, heavy vehicles, in violation of rules of carriage of dangerous cargo or receptacles not rendered harmless, with record-registration number plates that are illegible, do not comply with the standard, are self-made or not attached onto the prescribed place, as well as, in cases prescribed by legislation, not having a copy of the record-registration number plate on the back wall of the vehicle, by heads of organisations or the person responsible for the technical state and exploitation of vehicles, shall:

entail a fine from AMD 50 000 to AMD 70 000.

2. Permitting exploitation of vehicles without a record-registration number plate, with a false or substituted record-registration number plate, or after the expiry of the period of use of the temporary number plate, by heads of organisations or the person responsible for the technical state and exploitation of vehicles, shall:

entail a fine from AMD 50 000 to AMD 70 000.

3. Intentional or negligent permitting of drivers being in a state of intoxication, not holding a driving permit for driving vehicles of the given category or not having undergone a periodical medical inspection as prescribed, to drive vehicles, by heads of organisations or the person responsible for the technical state and exploitation of vehicles, shall:

entail a fine from AMD 50 000 to AMD 70 000.

4. Committing one of the acts prescribed by parts 1-3 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act, with a deprivation of the right to hold certain positions or engage in certain activities for a period of six months to one year.

**Article 470. Failure to pay the local duty prescribed by law for paid parking lots in communities**

1. Failure to pay the local duty for parking a motor vehicle or the trailer thereof in paid

community parking lots shall:

entail a fine from AMD 3 000 to AMD 5 000.

**Article 471. Using service motor vehicles and other technical means by state servants for personal needs**

1. Using a service motor vehicle and other technical means by state servants for personal needs shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 472. Violation of rules of carrying dangerous substances or objects on railway and motor transport and electrotransport**

1. Intentional or negligent violation of the rules of carrying dangerous substances or objects in a hand parcel on railway transport shall:

entail a warning or fine from AMD 5 000 to AMD 10 000.

2. Intentional or negligent violation of the rules of carrying dangerous substances or objects by a trolleybus, tram, bus, route taxi, metro, as well as carrying such baggage by motor transport or handing in to a safe deposit box, shall:

entail a warning or fine from AMD 5 000 to AMD 10 000.

**Article 473. Smoking in public transport (air, water, electric and rail)**

1. Smoking in public water, electric and rail transport, except for specially separated areas for smoking in water and rail transport, shall:

entail a fine of AMD 20 000.

2. Smoking in air transport shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a three-months period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 474. Smoking in vehicles**

1. Smoking in a vehicle (except for vehicles prescribed by part 2 of this Article) while it is in motion, by the driver thereof shall:

entail a fine of AMD 3 000.

2. Smoking in public vehicles or light passenger-taxi motor vehicles shall:

entail a fine of AMD 20 000.

**Article 475. Carrying hand parcels and free-of-charge luggage heavier than the prescribed norms**

1. Carrying by rail transport a hand parcel heavier than the prescribed norms shall entail a fine from AMD 3 000 to AMD 5 000.

**Article 476. Carrying by air transport the luggage of a person not related to the flight**

1. Carrying by air transport the luggage of a person not related to the flight shall entail a fine from AMD 50 000 to AMD 100 000.

**Article 477. Travelling without a ticket**

1. Travelling of passengers by vehicles, without tickets shall entail a fine of AMD 2 000.

2. Flight of passengers without tickets shall:

entail a fine in the amount from the two-fold to the three-fold of the ticket price of the given flight.

**Article 478. Failure to fulfil the main requirements of carrying out regular interstate passenger transportation by motor transport**

1. Implementing regular interstate passenger transportation without an international treaty regulating the sphere of transport, signed between the Republic of Armenia and the state being the other party of transporting, and without the documents prescribed by legislation shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Carrying out regular interstate transporting without a plate with the name of the start or end point of the route written in Armenian or English, in the place prescribed by the structure of the bus, shall:

entail a fine of AMD 20 000.

3. Carrying out cabotage transporting of passengers in the territory of the Republic of Armenia, by a vehicle record-registered in any other country shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Failure to organise servicing of interstate routes exceeding the standard duration of the working shift of a chauffeur prescribed by the labour legislation, with two drivers shall entail a fine of AMD 30 000.

5. Committing one of the acts prescribed by parts 1-4 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 479. Failure to fulfil the main requirements of carrying out passenger transportation in the territory of the Republic of Armenia**

1. Carrying out regular passenger or luggage transportation by buses, without a passage ticket or luggage ticket, by the transporting organisation shall:

entail a fine of AMD 10 000, and of AMD 20 000 in case of regular interstate passenger transportation.

2. Switching on music in the passenger cabin by the chauffeur or the passengers during inter-urban or suburban transporting, as well as switching on music during inter-urban, interstate transporting without the consent of the passengers shall:

entail a fine of AMD 5 000.

3. Transportation of items, objects, other prohibited substances or items, exceeding the permitted dimensions or weight limits prescribed by law, during regular passenger transportation by bus shall:

entail a fine of AMD 10 000.

4. Transportation of explosive, flammable, radioactive, corrosive chemicals, weapons without case, ammunition, substances and items staining or damaging the motor vehicle and the clothes of passengers, items having an unpleasant, sharp smell during regular passenger bus transporting shall:

entail a fine of AMD 20 000.

5. Exploitation of vehicles servicing regular passenger transportation by bus without a panel showing the route, or a route schedule, or a route scheme (except for inter-urban routes), or a panel indicating the name and location of the servicing organisation, or having exterior and interior furnishing not complying with the standards, shall:

entail a fine of AMD 10 000.

6. Carrying out regular passenger transportation without a waybill or without relevant notes therein shall:

entail a fine of AMD 20 000.

7. Carrying out regular passenger transportation by a legal person or an individual entrepreneur or a natural person having failed to be chosen through a bid for regular passenger transportation by motor vehicles of common use in the territory of the Republic of Armenia shall:

entail a fine from AMD 100 000 to AMD 150 000.

8. Violations of departure hours of buses (minivans) having fixed schedules, by those carrying out regular passenger transportation shall:

entail a fine of AMD 30 000.

9. Unauthorised deviations from the route or end point (start point) by those carrying out regular passenger transportation shall:

entail a fine of AMD 30 000.

10. Carrying out sale of passenger tickets of inter-urban and interstate routes by an organisation not carrying out motor vehicle station activities or not having a contract with an organisation carrying out motor vehicle station activities, or a natural person, shall:

entail a fine from AMD 80 000 to AMD 100 000.

11. Carrying out transportation with a higher transportation fee than prescribed, during servicing of the route, shall:

entail a fine from AMD 200 000 to AMD 300 000.

12. Failure to make notes in the waybill on the health condition of a chauffeur or on the pre-route inspection of the technical condition of the motor vehicle shall:

entail a fine of AMD 5 000.

13. Violation of the work and rest schedule of chauffeurs by the organisation shall:

entail a fine from AMD 5 000 to AMD 10 000.

14. The stopping of a minivan for the purpose of picking up a passenger in case of driving with fully occupied seats shall:

entail a fine of AMD 10 000.

15. Carrying out transportation in case, where there is compression of seats in the cabin of motor vehicles of common use, another adaptation, installation of other seats not provided for the given motor vehicle, as well as where there are seats with ripped covers, shall:

entail a fine from AMD 30 000 to AMD 50 000.

16. Committing one of the acts prescribed by parts 1-15 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 480. Violation of the requirements of organisation of transportation by motor transport**

1. Transporting dangerous cargo or receptacles not rendered harmless, without a permit shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Transporting dangerous cargo by vehicles not furnished in compliance with the requirements prescribed by law shall:

entail a fine from AMD 50 000 to AMD 70 000.

3. Carrying out works of loading-unloading of dangerous cargo without complying with

the requirements prescribed by legislation shall:

entail a fine from AMD 50 000 to AMD 70 000.

4. Transporting dangerous cargo without marking shall:

entail a fine of AMD 40 000.

5. Carrying out interstate transportation by vehicles not furnished with tachographs (except for vehicles record-registered in countries that are not parties to the agreement "Concerning the work of crews of vehicles engaged in international road transport"), or without a digital tachograph card, where the vehicle is furnished with a tachograph (except for the loss, robbery, damage of the card, or in case of submitting an application on invalidity thereof to the authorised body in compliance with the requirements of the agreement "Concerning the work of crews of vehicles engaged in international road transport"), or without inserting the card into the tachograph, or carrying out interstate transportation without the maintenance of the regime of work of the driver prescribed by the requirements of the agreement "Concerning the work of crews of vehicles engaged in international road transport" shall:

entail a fine from AMD 150 000 to AMD 250 000.

6. Carrying out verification measurements in the Republic of Armenia, without the digital tachograph of the workshop card shall:

entail a fine from AMD 200 000 to AMD 300 000.

7. Committing one of the acts prescribed by parts 1-7 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 481. Failure to fulfil the main requirements of carrying out non-regular passenger transportation by motor vehicle in the Republic of Armenia and in the territory of the Republic of Armenia**

1. Transportation of passengers without a passenger name list or with more passengers than listed in the name list, or of passengers not listed in the name list, or carrying out non-regular interstate passenger transportation by the motor vehicle stated in the contract between the transporter and the contractor shall:

entail a fine from AMD 150 000 to AMD 200 000.

2. Prescribing and charging the transportation fee while carrying out non-regular passenger transportation by motor transport, without a contractual basis shall:

entail a fine from AMD 150 000 to AMD 200 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 482. Failure to fulfil the requirements of carrying out passenger transportation by passenger-taxi motor vehicles in the territory of the Republic of Armenia**

1. Handing the transcript of the licence for organising passenger transportation by passenger-taxi motor vehicles to another motor vehicle, or driving a passenger-taxi motor vehicle with another transcript of licence for organising passenger transportation by passenger-taxi motor vehicles or without a transcript of licence, or with a false or invalid transcript shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Carrying out passenger cabbing by light passenger motor vehicles without the transcript stuck onto the prescribed place shall:

entail a fine of AMD 5 000.

3. Failure by the driver of the passenger-taxi to provide a document confirming the payment of the transportation fee by the passenger on the demand thereof shall:

entail a fine of AMD 10 000 against the driver.

4. Carrying out transportation not by the shortest route permitted for transportation by a passenger-taxi motor vehicle (unless the passenger has expressed a wish to travel by another route) shall:

entail a fine of AMD 20 000.

5. Carrying out transportation by a passenger-taxi motor vehicle without a licence for organising transportation by light passenger-taxi motor vehicle, by an organisation or natural person, or an individual entrepreneur, or furnishing a light passenger motor vehicle under the requirements prescribed by legislation (except for when there is an application submitted to the licensing authority on obtaining a licence for organising transportation by passenger motor vehicle) shall:

entail a fine from AMD 30 000 to AMD 50 000.

6. Carrying out transportation by a passenger-taxi motor vehicle without a taximeter or with taximeters that have not undergone verification measurements or are out of order shall:

entail a fine of AMD 25 000.

7. Carrying out transportation by passenger-taxi motor vehicles without distinguishing signs (a distinguishing sign with the writing "TAXI" or a yellow and black distinguishing sign, or information about the organisation carrying out taxi service and the driver of the given vehicle or a natural person not being an individual entrepreneur, on the roof ), a price list, shall:

entail a fine of AMD 10 000.

8. Carrying out transportation by a passenger-taxi motor vehicle with a taximeter

without relevant notes made in the transcript shall:

entail a fine of AMD 10 000.

9. Organisation of orders for organising transportation by passenger-taxi motor vehicles of unlicensed organisations, individual entrepreneurs or a natural person, including by electronic means, shall:

entail a fine of AMD 500 000.

10. Organisation of cabbing by two-door (not counting the boot lid), right-hand steering allocation, hand break control light passenger motor vehicles shall:

entail a fine from AMD 50 000 to AMD 100 000.

11. Failure to hand in the yellow number plate to the relevant subdivision of the Road Police prior to the 10th day following the payment of the subsequent state duty for the organisation of passenger transportation by passenger-taxi motor vehicles, and to submit the copy of the statement of information (conclusion) on verification of the taximeter, issued by the competent body, to the authorised body for renewal of the transcript of the licence shall:

entail a fine of AMD 10 000.

12. Committing one of the acts prescribed by parts 1-11 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

13. In cases prescribed by this Article, when carrying out passenger transportation without a licence for organising passenger transportation by passenger-taxi motor vehicles, it shall be the owner of the given motor vehicle to be subjected to administrative liability, where the identity of the person having committed the given administrative offence is not revealed within the scope of the administrative proceedings.

#### **Article 483. Failure to fulfil the requirements for the safety of transportation by motor transport**

1. Exploitation of a motor vehicle of common use running on compressed natural or liquefied petroleum gas, without a coupon indicating the period of regular certification of gas tanks on the windscreen thereof or with an expired coupon shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Violation of the requirements of the legislation for the technical exploitation of motor transport rolling stocks shall:

entail a fine of AMD 20 000.

3. Violation of the conditions of the licence for activities of technical inspection of vehicles by the legal person or individual entrepreneurs carrying out technical inspection shall:

entail a fine from AMD 100 000 to AMD 200 000.



4. Issuing a technical inspection sticker to a vehicle not having undergone technical inspection or with a technical malfunction, by the legal person or individual entrepreneur having a licence for carrying out technical inspection, where the existence of that malfunction is a ground, prescribed by legislation, for rejecting issuing a technical inspection sticker, shall:  
entail a fine from AMD 200 000 to AMD 300 000.

5. Carrying out technical inspection of vehicles with equipment for technical diagnosis that are out of order during the mandatory technical inspection of vehicles in the production base of a legal person or individual entrepreneurs licensed in compliance with legislation, shall:

entail a fine from AMD 100 000 to AMD 200 000.

6. Exceeding the maximum mass distributed on the axle of the vehicle of the clip stand provided for the testing of break system during the mandatory technical inspection of vehicles in the production base of a legal person or individual entrepreneurs licensed in compliance with legislation shall:

entail a fine from AMD 80 000 to AMD 100 000.

7. Failure to carry out works of technical inspection of vehicles in the prescribed volume, in the production base of a legal person or individual entrepreneurs licensed in compliance with legislation, shall:

entail a fine from AMD 100 000 to AMD 200 000.

8. Failure to perform the instructions of mandatory fulfilment of the body exercising state supervision over activities of carrying out technical supervision through the procedure prescribed by legislation, by a legal person or individual entrepreneurs shall:

entail a fine from AMD 100 000 to AMD 200 000.

9. Violation of safety techniques rules, prescribed by legislation, by a legal person or individual entrepreneurs licensed in compliance with legislation shall:

entail a fine from AMD 30 000 to AMD 50 000.

10. Carrying out technical inspection of vehicles without the documents prescribed for undergoing technical inspection or where there are inappropriate receipts, in the production base of a legal person or individual entrepreneurs licensed in compliance with legislation, shall:

entail a fine from AMD 80 000 to AMD 100 000.

11. Violation of the procedure for maintenance, record-registration, release and use of the document (sticker) of the mandatory technical inspection of vehicles in the Republic of Armenia in the production base of a legal person or individual entrepreneurs licensed in compliance with legislation, where inconsistency of the stickers obtained and existing through the prescribed procedure is revealed as a result thereof, shall:

entail a fine from AMD 40 000 to AMD 50 000 for each sticker missing.

12. Failure to provide immediately, or incomplete provision of all the data noted in the

record-registration document of a vehicle having undergone technical inspection in the production base of a legal person or individual entrepreneurs licensed in compliance with legislation, to the server prescribed by legislation through the online system in the form of a register, shall:

entail a fine from AMD 80 000 to AMD 100 000.

13. Committing one of the acts prescribed by parts 1-12 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 484. Failure by the transporter to perform, or improper performance of duties prescribed by legislation**

1. Hindering the performance of official duties of an official of the Transportation Inspectorate of the Republic of Armenia, or failure to comply with the lawful demands made thereby, by persons carrying out motor vehicle activities shall:

entail a fine of AMD 20 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by part 1 of this Article.

**Article 485. Travelling of non-permitted persons by trailers (locomotives)**

1. Travelling of a non-permitted person by trailers (locomotives), stopping the train at places not foreseen by the schedule (including on the demand of passengers) shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 486. Violation of the procedure for intersection of motor roads of common use with communication routes or for placement of communication routes in the layer of alienation or defence zone of motor roads**

1. **Violation of the procedure for intersection of** motor roads of common use with communication routes or for placement of communication routes in the layer of alienation or defence zone of motor roads shall:

entail a fine from AMD 50 000 to AMD 300 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 500 000.

**Article 487. Violation of the procedure for the use of the layer of alienation of the railway**

1. Building or installation of buildings and constructions, or installation of perennial seedings (artificial trees) within the limits of the layer of alienation of the railway shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Accumulation of dead trees, bushes or twigs of dead trees lying on the ground, kindling, cut remains or other flammable substances in places adjacent to the forest masses within the limits of the layer of alienation of the railway shall:

entail a fine from AMD 20 000 to AMD 50 000.

3. Accumulation of weedy or wood-bushy vegetation in places adjacent to the agricultural lands within the limits of the layer of alienation of the railway shall:

entail a fine from AMD 10 000 to AMD 30 000.

4. Violation of the procedure prescribed by legislation, for intersection of railways with communication routes or for placement of communication routes in the layer of alienation of the railways, by the manager of railway transport or the owner of non-common use railway lines shall:

entail a fine from AMD 50 000 to AMD 300 000.

**Article 488. Violation of the procedure for using the defence zone of the railway**

1. Building or installation of buildings or constructions or temporary roads within the limits of the defence zone of the railway in violation of the norms prescribed by the Government of the Republic of Armenia shall:

entail a fine from AMD 100 000 to AMD 200 000.

2. Cutting tree-shrubbery vegetation or removing sod coverage within the limits of the defence zone of the railway shall:

entail a fine from AMD 10 000 to AMD 30 000.

3. Within the limits of the defence zone of the railway, carrying out such works, as a result of which there can be unfavourable changes in the hydrological regime of the lands of defence zones or infringement of the stability of elements of the relief (landslides, landfalls of slopes, small canyons, ponds or swamping of lands) shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Failure to place signs indicating the limits of the of defence zones of the railway and the restrictions applied shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 489. Violation of the rules of ensuring damage safety of cargo in railway and motor vehicles**

1. Damaging the rolling stock, containers and other vehicles designed for the carriage

of cargo, as well as carrier devices, shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Damaging the lead seals and closing devices of cargo wagons, cars, car trailers, containers and other cargo repositories, tearing off the lead seals therefrom, damaging the separate bales of cargo, packaging thereof, envelopes, the fences of warehouses used for conducting operations related to cisterns, railway stations, lorry stations, container points (squares) and transportation of cargo, as well as being in the territory of the cisterns, container points (squares) and above-mentioned warehouses without a proper permit shall:

entail a fine from AMD 30 000 to AMD 60 000.

**Article 490. Violation of the rules aimed at ensuring damage safety of cargo transportation by air transport**

1. Damaging the lead seals and closing devices of containers, tearing off the lead seals therefrom, damaging the separate bales of cargo, packaging thereof, envelopes, as well as the fences of warehouses used for conducting operations related to cargo transportation by air transport, shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Damaging the containers or vehicles designed for cargo transportation by air transport shall:

entail a fine from AMD 70 000 to AMD 100 000.

**Article 491. Damaging roads, level-crossings and other engineering structures of the road, opening intersections with roads without relevant authorisation, restricting the carriageway, unauthorised installation or dismantling of road signs**

1. Damaging roads, level-crossings, other engineering structures of the road, or closing, dismantling or placing technical means for road traffic management, as well as creating hindrances (including by means of littering the road surface, carrying out outdoor trade on the road without a relevant permit, leaving construction materials or other items or objects on the road) shall:

entail a fine from AMD 10 000 to AMD 50 000.

2. Carrying out construction works on the road, as well as opening intersections with roads without a relevant permit or coordination with competent authorities shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Committing the act prescribed by part 2 of this Article, where it hinders drivers to see traffic lights, road signs or other technical means of traffic regulation, shall:

entail a fine from AMD 50 000 to AMD 100 000.

4. Unauthorised placement or dismantling of road signs (including self-made), as well

as unauthorised making of markings or changing thereof, shall:

entail a fine from AMD 20 000 to AMD 50 000.

5. Restricting the carriageway without a relevant permit, by means of holders, barriers or other accessories shall:

entail a fine from AMD 20 000 to AMD 50 000, with confiscation of an item or property having been a tool or a direct object for administrative offence.

**Article 492. Violation of the rules of protection of the layer of alienation of motor roads**

1. Tilling the layer of alienation of motor roads, mowing grass thereon, cutting or damaging seedlings, disturbing the sod soil or extracting the soil, releasing sewerage, industrial, ameliorative waters or waste waters into water pipeline constructions or soil pits of the layer of alienation of motor roads without coordinating with road authorities shall:

entail a fine from AMD 5 000 to AMD 10 000.

2. Failure to restore the soil bed, road furniture, technological communication or green saplings damaged as a result of the works being carried out within the limits of the layer of alienation of motor roads, or to remove the extra soil, garbage, unused materials and structures shall:

entail a fine from AMD 50 000 to AMD 150 000.

**Article 493. Violation of the rules of preservation of motor roads and road structures by soil users**

1. Violation of the responsibilities by the users of land parcels bordering on the layer of alienation of motor roads to build, repair or clean regularly the pavements or passing gangways for pedestrians within the limits of the land parcels attached thereto in the regions of residential areas located on state and republican roads of common use, as well as violation of the responsibilities to maintain the exit places or driveways leading from the land parcels attached thereto to motor roads of common use, including passing gangways, in a technically operable and clean condition shall:

entail a fine from AMD 5 000 to AMD 10 000.

**Article 494. Violation of safety and exploitation rules of roads, level-crossings and other road constructions**

1. Violation of the rules of maintaining the roads, passings of railway lines and other road structures in a condition safe for traffic, or failure to take measures for prohibiting or restricting traffic in separate sections of roads in time, when the use thereof threatens the safety of traffic, shall:

entail a fine from AMD 50 000 to AMD 70 000.

**Article 495. Damaging motorway pipelines, electric networks, or violation of the rules related thereto**

1. Intentional or negligent damaging of motorway oil product pipelines, gas pipelines, other **motorway pipelines, high voltage electric networks of 1000 V and more, or violation of the rules** of exploitation (maintenance) or construction (design) thereof shall:

entail a fine from AMD 10 000 to AMD 30 000 against a natural person, from AMD 70 000 to AMD 100 000 against an official responsible, from AMD 200 000 to AMD 400 000 against a legal person.

**Article 496. Installation and exploitation of radio stations without registration or permission**

1. Installation and exploitation of a radio broadcast hub without proper registration or without permission (in the case when it is required), irrespective of the power thereof, shall:

entail a fine from AMD 20 000 to AMD 50 000.

2. Installation and exploitation of a radio broadcast point without proper registration or without permission (in the case when it is required), irrespective of the departmental belonging of the radio broadcast hub wherefrom it is situated, shall:

entail a fine from AMD 20 000 to AMD 50 000.

**Article 497. Violation of the rules of exploitation of radio electronics means, use of radio frequencies, or violation of the norms of radio radiation and permissible industrial radio interference**

1. Violation of the rules of exploitation of radio electronics means, use of radio frequencies, or violation of the norms of radio radiation and permissible industrial radio interference shall:

entail a fine from AMD 3 000 to AMD 10 000.

2. Refusal by a legal person, a person in charge of institutions, organisations, or by a natural person, to submit for inspection radio electronics means and high frequency equipment, as well as the documents relating thereto, to the representatives of the body authorised by the Government of the Republic of Armenia shall:

entail a fine from AMD 3 000 to AMD 10 000.

**Article 498. Damaging payphones, phone booths, change machines, postal machines, subscription boxes and devices, unauthorised joining to the phone line**

1. Damaging payphones, phone booths, change machines, postal machines, subscription boxes or subscription devices shall:

entail a fine from AMD 3 000 to AMD 5 000.

2. Unauthorised connecting of phones or additional devices to the phone line shall:  
entail a fine of AMD 10 000.

**Article 499. Traffic by machines and mechanisms with tyres having caterpillar or other metal rings on state motor roads of common use of the Republic of Armenia**

1. Traffic by machines and mechanisms with tyres having caterpillar or other metal rings on state motor roads of common use having asphalt concrete and black gravel and road-metal cover (perfected cover) shall:  
entail a fine of AMD 10 000.

**Article 500. Violation of the procedure for using state motor roads of common use**

1. Intentional or negligent use of side creeks of state motor roads of common use for the purpose of irrigation, intentional or negligent leaving of secondary objects on the carriageway and roadsides, intentional or negligent taking of vehicles out of or onto the road, intentional or negligent damaging or polluting of engineering constructions (carriageway, roadsides and pavements, pedestrian and cycle lanes, bridges, vehicle pavilions and other structures, road signs, lighting equipment, enclosures and green seedlings) shall:

entail a fine from AMD 5 000 to AMD 10 000.

2. Intentional or negligent guiding of cattle along the carriageway and the dividing strip of state motor roads of common use, intentional or negligent cattle grazing without permanent control in the defence zone of the road shall:

entail a fine of AMD 3 000.

**Article 501. Traffic by heavy vehicles or vehicles with large dimensions on state motor roads of common use**

1. Traffic of heavy vehicles or vehicles with large dimensions on **state** motor roads of common use of the Republic of Armenia without the permission of the disposer thereof shall:  
entail a fine from AMD 30 000 to AMD 50 000.

2. Traffic on the motor roads of the Republic of Armenia of the heavy goods vehicles exceeding the total mass of 40 tonnes, and in case of vehicles transporting 40-pound containers of ISO standard – 44 tonnes, without a special permit for carrying out transportation shall:

entail a fine of AMD 30 000 for each tonne.

3. Traffic on the motor roads of the Republic of Armenia of the heavy vehicles exceeding 11.5 tonnes of load on one axle without a special permit for carrying out transportation shall:

entail a fine of AMD 20 000 for each exceeding kilogram.

**Article 502. Holding sports and public events on state motor roads of common use, construction of entrances and exits for vehicles, planting and lightening**

1. Holding sports or public events, planting and lightening on state motor roads of common use without the permission of the disposers thereof and the consent of the Police of the Republic of Armenia shall:

entail a fine of AMD 3 000.

2. Construction of entrances and exits for vehicles on state motor roads of common use without the permission of the disposers thereof and the consent of the Police of the Republic of Armenia shall:

entail a fine from AMD 20 000 to AMD 100 000.

**Article 503. Installation, reconstruction, repair and destruction of level-crossings on state motor roads of common use**

1. Installation, reconstruction, repair or destruction of level-crossings on state motor roads of common use without the permission of the disposers thereof and the consent of the Police of the Republic of Armenia shall:

entail a fine from AMD 20 000 to AMD 100 000.

**Article 504. Allocation of stalls, pavilions or other structures on state motor roads of common use**

1. Allocation of stalls, pavilions or other structures on state motor roads of common use, selling products on the roadsides without the permission of the disposers thereof and the consent of the Police of the Republic of Armenia shall:

entail a fine of AMD 5 000.

**Article 505. Failure to pay the fee for the use of motor roads**

1. Failure to pay the fee prescribed by law for traffic on state motor roads of common use by means of heavy vehicles and vehicles with large dimensions, as well as vehicles registered in other countries, shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 506. Construction or design of residential areas, buildings and structures at a distance from state motor roads of common use less than the norms**

1. Construction or design of residential areas, buildings and structures on state motor roads of common use at a distance less than the norms aimed at ensuring the safety of road traffic, creating conditions for perspective road construction, without the permission of the disposers thereof and the consent of the Police of the Republic of Armenia shall:



entail a fine from AMD 10 000 to AMD 150 000 against a natural person, and from AMD 100 000 to AMD 400 000 against a legal person.

**Article 507. Violation of the procedure for the use of defence zones of state motor roads of common use**

1. Constructing buildings, structures, engineering connections, carrying out mine exploration and extraction works, felling, or carrying out works damaging the soil cover in defence zones of state motor roads of common use without coordinating with the disposers thereof and, on the part of ensuring the safety of road traffic, the Police of the Republic of Armenia shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, and from AMD 30 000 to AMD 200 000 against a legal person.

2. Implementation of such works in the defence zones of state motor roads of common use, as a result of which — intentionally or negligently — unfavourable changes in the hydrological regime of the lands of defence zones or infringement of the stability of elements of the relief may occur, without coordinating with the disposers thereof and, on the part of ensuring the safety of road traffic, the Police of the Republic of Armenia shall:

entail a fine from AMD 30 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 400 000 against a legal person.

**Article 508. Failure by the owners and land users of the lands of defence zones of state motor roads of common use to perform, or improper performing of duties thereof**

1. Failure by the owners and land users of the lands of defence zones of state motor roads of common use to perform, or improper performing of duties thereof shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 509. Violation of the requirements prescribed in the sphere of postal communication**

1. Violation by a person providing universal services of postal communication, of the terms of the tariffs prescribed for those services, or of the principles of formation thereof, shall:

entail a warning or fine from AMD 2 000 000 to AMD 4 000 000.

2. Providing services of postal communication or courier communication by means of a vehicle without a special distinguishing sign, by the postal or courier communication operator shall:

entail a fine from AMD 30 000 to AMD 50 000.

3. Violation by the postal or courier communication operator of the frequency of collecting letter correspondence from mailboxes and transmitting postal items, of the control

periods for making postal transfers of financial means shall:

entail a fine from AMD 30 000 to AMD 50 000.

4. Intentional or negligent failure by the operator of postal communication or courier communication, to ensure accessible information on the tariffs for postal communication or courier communication, time limits for delivery of postal items, the regime of work, shall:

entail a warning or fine from AMD 5 000 to AMD 10 000.

5. Violation by the postal or courier communication operator of the requirement of confidentiality of postal or courier communication shall:

entail a warning or fine from AMD 50 000 to AMD 200 000.

6. Failure by the postal or courier communication operator to furnish the constructions designated for the processing of postal items and maintenance of financial means with protection and fire prevention means shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 510. Avoiding military transport duty prescribed by law or hindering its implementation**

1. Avoiding military transport duty prescribed by law or hindering its implementation shall:

entail a fine from AMD 80 000 to AMD 100 000 against a legal person, and from AMD 30 000 to AMD 50 000 against a legal person.

**Article 511. Violation of the requirements for vehicles used by a collecting organisation**

1. Failure by a collecting organisation to provide a vehicle complying with the standards of minimum armour for carrying out collection of cash, or to furnish the vehicles as prescribed shall:

entail a fine from AMD 200 000 to AMD 400 000.

**CHAPTER 40.**

**ADMINISTRATIVE OFFENCES AGAINST PUBLIC ORDER**

**Article 512. Shooting in violation of the procedure for application of firearm**

1. Shooting in violation of the procedure for application of firearm shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by part 1 of this Article, with confiscation of an item or property having been a tool or a direct object for administrative offence.

**Article 513. Violation of the rules of selling tobacco products or alcoholic beverages**

1. Violation of the rules of selling tobacco products or alcoholic beverages shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Selling tobacco or alcoholic beverages to a person not having attained the age of eighteen shall:

entail a fine from AMD 40 000 to AMD 60 000.

3. Engaging a person not having attained the age of eighteen in the sale of tobacco or alcoholic beverages shall:

entail a fine from AMD 50 000 to AMD 100 000.

4. Committing one of the acts prescribed by parts 1-4 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by the relevant part of this Article.

**Article 514. Violation of the rules prohibiting smoking**

1. Smoking in prohibited areas, including in public transport or means of transportation, smoking at airports, bus or railway stations, smoking in the areas of buildings of institutions, organisations, except for special areas separated for smoking, shall:

entail a fine of AMD 5 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by part 1 of this Article.

**Article 515. Violation of the restrictions on using tobacco**

1. Failure by a head of an institution or organisation to create the conditions prescribed by law for using tobacco in closed working areas, or to post an announcement on a visible place on the area allocated for smoking shall:

entail a fine from AMD 20 000 to AMD 40 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by part

1 of this Article.

**Article 516. Using alcoholic beverages in a public place**

1. Using alcoholic beverages in public places, except for in public catering facilities holding a permit to sell alcoholic beverages, shall:

entail a fine of AMD 10 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 30 000 to AMD 50 000.

**Article 517. Driving a minor into a state of intoxication**

1. Driving a minor into a state of intoxication through selling, offering an alcoholic beverage, or inducing to its use in any way shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 518. Gambling in public places**

1. Gambling on money, objects or other values, as well as accepting wagers at sports and other competitions by a private individual, unless there is a permit for the relevant activity, shall:

entail a fine of AMD 20 000, with confiscation of an item or property having been a tool or a direct object for administrative offence.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 30 000 to AMD 50 000, with confiscation of an item or property having been a tool or a direct object for administrative offence.

3. Arranging gambling without a relevant permit shall:

entail a fine from AMD 50 000 to AMD 100 000, with confiscation of gambling gear, as well as of scoop money, objects and other values.

**Article 519. Engagement in prostitution**

1. Engagement in prostitution shall:

entail a fine from AMD 50 000 to AMD 70 000.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 70 000 to AMD 100 000.

**Article 520. Breaking the silence**

1. Breaking the silence in public places at night hours (23:00-07:00) – loud singing or

playing music or emitting audio signals or carrying out works accompanied by noise, unless they are related to urgent necessity, shall:

entail a fine of AMD 20 000 against a natural person, and from AMD 30 000 to AMD 50 000 against a legal person.

2. Using pyrotechnic products at night hours, except for cases prescribed by law, shall: entail a fine from AMD 80 000 to AMD 100 000 against a natural person, and from AMD 100 000 to AMD 150 000 against a legal person.

3. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of the two-fold of the fine prescribed for the given act by part 1 of this Article.

4. Committing the act prescribed by part 2 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 150 000 against a natural person, and from AMD 150 000 to AMD 200 000 against a legal person.

#### **Article 521. Violation of the prescribed procedure for holding assemblies**

1. Holding a gathering without informing the head of community or in violation of terms for informing shall:

entail a fine against the organiser or leader of the gathering from AMD 100 000 to AMD 300 000.

2. Failure to inform the head of community about changes in the data specified in the notification within the time limits prescribed by law shall:

entail a fine against the organiser of the gathering from AMD 50 000 to AMD 150 000.

3. Failure to fulfil the demands of the head of community or the representative of the police on not holding the gathering at a distance threatening the normal functioning of the President, the National Assembly, the seats of the Government, courts or penitentiary institutions of the Republic of Armenia shall:

entail a fine from AMD 50 000 to AMD 100 000.

4. Failure to fulfil the demands of the head of community or the representative of the police on not holding the gathering at a distance threatening the safety of the "Armenian Nuclear Power Plant" CJSC or underground gas reservoirs or the servicing structures thereof, or of the overground satellite station "Orbit 2" shall:

entail a fine from AMD 100 000 to AMD 200 000.

5. Failure to fulfil the decision of the head of community on holding the gathering with restrictions shall:

entail a fine against the organiser or leader of the gathering from AMD 50 000 to AMD 100 000.

6. Failure to fulfil the decision of the head of community on prohibiting the gathering shall:

entail a fine against the organiser or leader of the gathering from AMD 100 000 to AMD 200 000.

7. Failure to immediately inform the police on holding a spontaneous gathering shall:

entail a fine against the organiser of the gathering from AMD 50 000 to AMD 100 000.

8. Failure by the organiser of an urgent gathering to inform the head of community and the police thereon prior to taking measures aimed at holding the gathering shall:

entail a fine against the organiser of the gathering from AMD 50 000 to AMD 200 000.

9. Exceeding the maximum time limit prescribed by law for holding spontaneous and urgent gatherings for more than 1 hour shall:

entail a fine against the organiser of the gathering from AMD 50 000 to AMD 100 000.

10. Holding gatherings in places adjacent to residential buildings, hospitals, boarding schools and other buildings designed for overnight stay, disrupting the rest by noise or light signals, at certain hours of the day (22:00-08:00) shall:

entail a fine from AMD 100 000 to AMD 200 000.

11. Failure by a participant of a gathering to fulfil the duties thereof prescribed by law shall:

entail a fine from AMD 50 000 to AMD 200 000.

12. Failure by the leader of a gathering to fulfil the duties thereof prescribed by law shall:

entail a fine from AMD 100 000 to AMD 300 000.

13. Failure by instructors of a gathering to wear distinguishing signs, or wearing distinguishing signs not complying with the requirements prescribed by law shall:

entail a fine from AMD 30 000 to AMD 50 000.

14. Wearing distinguishing signs of an instructor by a person who is not an instructor shall:

entail a fine from AMD 10 000 to AMD 30 000.

#### **Article 522. Obviously false alarm of special services**

1. Obviously false alarm of rescue or firefighting and rescue units, the police, ambulance or the other special services shall:

entail a fine from AMD 50 000 to AMD 100 000.

#### **Article 523. Failure to perform or improper fulfilment of the duty of child rearing**

1. Failure by a parent, pedagogist or another person on whom the duty of child rearing is imposed, to perform or improper fulfilment of the duty of child rearing, which has not resulted in deterioration of health of the child, or in disturbance of formation or development, shall:

entail a fine from AMD 100 000 to AMD 300 000.

**CHAPTER 41.**  
**ADMINISTRATIVE OFFENCES ENCROACHING UPON ESTABLISHED GOVERNMENT**  
**ORDER**

**Article 524. Failure to fulfil the legal instruction of a police officer or a military servant of police forces, as well as insulting him or her**

1. Failure to fulfil the legal instruction of a police officer or a military servant of police forces when the latter performs his or her duties of protecting public order, ensuring public safety, protecting facilities shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Publicly insulting a police officer or a military servant of police forces related to his or her performance of official duties shall:

entail a fine of AMD 40 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 525. Failure to fulfil the legal instructions of a rescue officer when the latter performs rescue services in emergency place, as well as insulting him or her**

1. Failure to fulfil the legal instruction of a rescue officer performing rescue services for prevention of emergency situation, alleviating or removing possible consequences thereof, rescue of human life, health and property in an emergency situation, place of accident as well as insulting him or her in relation to his or her performance of those duties shall:

entail a fine from AMD 20 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 526. Failure to submit in specified time the statement on property, income and interrelated person of a high-ranking official, as well as the statement on property and income of interrelated person of a high-ranking official by the person having obligation to submit it to the Commission on Ethics of High-Ranking Officials, submitting it with violation of the procedure of completing and submitting the statement, or negligently including incorrect**

or incomplete date in the statement shall:

1. Failure to submit the statement on property, income and interrelated person of a high-ranking official, as well as the statement on property and income of interrelated person of a high-ranking official (hereinafter referred to as "statement") by the person having obligation to submit it to the Commission on Ethics of High-Ranking Officials in the time prescribed by the Law of the Republic of Armenia "On public service" shall:

entail a warning.

2. Failure to submit the statement within 30 days after imposing the administrative penalty defined in part 1 of this Article by the person having obligation to submit it shall:

entail a fine from AMD 100 000 to AMD 200 000.

3. Submitting the statement to the Commission on Ethics of High-Ranking Officials with violation of the procedure of completing or submitting the statement by the person having obligation to submit it shall:

entail a warning.

4. Submitting the statement within 30 days after imposing the administrative penalty prescribed in part 3 of this Article with violation of the procedure of completing or submitting it by the person having obligation to submit the statement shall:

entail a fine from AMD 100 000 to AMD 200 000.

5. Negligently including false or incomplete data by the person having obligation to submit the statement shall:

entail a fine from AMD 200 000 to AMD 400 000.

#### **Article 527. Hindering fulfilment of duties of official carrying out inspection**

1. Failure to fulfil the legal instructions of the official carrying out inspection, observation and examination as prescribed by legislation or creating obstacles for entry into unit under inspection by an economic entity or failure to submit documents, data or other information immediately relating to the purposes of inspection or otherwise hindering the process of inspection, observations and examinations shall:

entail a fine from AMD 20 000 to AMD 50 000.

2. Failure to ensure the protection of sealed otherwise secured facilities or property:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 528.** Failure to fulfil the legal assignments and instructions of an administrative body, hindering his or her performance of duties and monitoring

1. Failure to fulfil the legal assignments (instructions, decisions, orders, directives) or legal requirements of an administrative body or of its official assigned within his or her powers or hindering his or her performance of official duties (audits, supervision, monitoring, etc.)



shall:

entail a fine from AMD 30 000 to AMD 50 000 against a natural person, from AMD 70 000 to AMD 150 000 against a legal person, from AMD 150 000 to AMD 200 000 against an official.

**Article 529. Violating rules defined by emergency legislation**

1. Violating the special regime for entering and leaving the space of emergency state shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Violating the restriction for conducting certain types of financial and economic activity during emergency state shall:

entail a fine from AMD 100 000 to AMD 300 000.

3. Violating the procedure of sale, acquisition or circulation of food or primary necessity goods as defined by the Government of the Republic of Armenia during emergency state shall:

entail a fine from AMD 100 000 to AMD 300 000.

4. Violating the prohibition of strikes or other activities suspending or terminating the activity of legal persons during emergency state shall:

entail a fine from AMD 50 000 to AMD 200 000.

5. Violating the restrictions of movement of transportation means as well as hindering their inspection during emergency state shall:

entail a fine from AMD 50 000 to AMD 100 000.

6. Hindering special state control over the operation of dangerous productions, organisations using explosive, radioactive, chemical and biological substances or conducting activities by those organisations that are suspended shall:

entail a fine from AMD 100 000 to AMD 200 000.

7. Violating the order of curfew during emergency state shall:

entail a fine from AMD 20 000 to AMD 50 000.

8. Publications or broadcasting of programmes prohibited during emergency state by the mass media shall:

entail a fine from AMD 100 000 to AMD 200 000.

9. Violating the prohibition of sale of arms, ammunition, explosive and toxic substances, special means, establishment of a special regime of circulation of narcotic drugs and psychotropic substances, pharmaceuticals and preparations containing drastic substances, ethyl alcohol, alcoholic beverages, alcohol-based products during emergency state shall:

entail a fine from AMD 500 000 to AMD 1 000 000.

**Article 530. Violation of fire-safety rules**

1. Violation of fire-safety rules where the act does not contain elements of administrative offence prescribed by other parts of this Code shall:

entail a fine from AMD 25 000 to AMD 50 000 against a natural person, and from AMD 50 000 to AMD 100 000 against a legal person.

2. Failure to remove the violations of the fire safety requirements in set time mentioned in the orders issued by the official of state fire inspection shall:

entail a fine from AMD 100 000 to AMD 150 000.

3. Committing the act prescribed by part 1 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable, shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 531. Failure to submit required copy of documents (instruments of ratification)**

1. Failure to submit required copy of documents (instruments of ratification) in the cases and manner prescribed by the legislation or failure to provide without compensation the required free copy of documents shall:

entail a fine from AMD 10 000 to AMD 30 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 20 000 to AMD 50 000.

**Article 532. Violating the rules of dissemination of mass media**

1. Dissemination of mass media not containing data for releasing as prescribed by legislation by the entity carrying out media activities or dissemination of mass media released on a material carrier without forwarding the mandatory copies as prescribed by legislation to relevant addressees shall:

entail a fine from AMD 5 000 to AMD 10 000.

2. Failure to publicise the report on transparency of funding source of the mass media in a time period prescribed by legislation by the entity carrying out media activities shall:

entail a fine from AMD 5 000 to AMD 10 000.

3. Committing one of the acts prescribed by parts 1 or 2 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 533. Violating requirements of legislation on precious metals**

1. Violating the requirements prescribed by legislation on registration of precious metal or precious stone waste recorded in the balance of state institutions, state non-commercial organisations or legal entity with 100 percent state participation shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Violating the order prescribed by legislation of disposal of gifts made of precious metals or precious stones received ex officio by an official shall:

entail a fine from AMD 100 000 to AMD 150 000.

3. Violating the requirements prescribed by legislation for organising refining of precious metals, manufacturing of bank gold and standardised bullions, assaying, hallmarking shall:

entail a fine from AMD 150 000 to AMD 200 000.

4. Violating the requirements prescribed by legislation for specialized including retail trade of items made of precious metals shall:

entail a fine from AMD 30 000 to AMD 50 000.

5. Violating the requirements prescribed by legislation prohibiting precious hallmarking of non-precious metals shall:

entail deprivation of rights to engage in certain activity until the ground for violation being the base for suspension is eliminated.

6. Violating the requirements prescribed by legislation for import or export of precious metal items, scraps or preparations shall:

entail deprivation of rights to engage in certain activity up to one year.

7. Committing one of the acts prescribed by parts 1-4 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by the relevant part of this Article.

**Article 534. Violating rules of using Armenian language in educational establishments**

1. In educational establishments wherein the teaching is expected to be in Armenian language, failure to conduct it in Armenian language or to ensure the compulsory entrance examination in Armenian language in the educational establishments shall:

entail a fine from AMD 50 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 535. Violating rules of using Armenian language in state and local self-government bodies, institutions and organisations**

**1. Failure to ensure records management in Armenian language or to ensure the design of public notes, forms, stamps, seals, international postal envelopes in Armenian language in state and local self-government bodies, institutions or organisations (irrespective of form of ownership) shall:**

entail a fine from AMD 20 000 to AMD 40 000 against a natural person, from AMD 30 000 to AMD 60 000 against an official, from AMD 50 000 to AMD 100 000 against a legal person.

**2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:**

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**3. Failure to accompany with Armenian language the documents subject to state control of foreign organisations acting in the Republic of Armenia**

entail a fine against an official from AMD 150 000 to AMD 200 000.

**4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:**

entail a fine from AMD 250 000 to AMD 350 000.

**Article 536. Designing the promotions of state and local self-government bodies, institutions and organisations (irrespective of their form of ownership) not in Armenian, violating general requirements of promotions**

**1. Violating the rules of designing the promotions of state and local self-government bodies, institutions and organisations (irrespective of their form of ownership) shall:**

entail a fine from AMD 100 000 to AMD 150 000 against a natural person, from AMD 150 000 to AMD 200 000 against an official, from AMD 200 000 to AMD 300 000 against a legal person.

**2. Committing the act prescribed by part 1 of this Article again within a year after the decision on imposing an administrative penalty has become inappealable shall:**

entail a fine from AMD 150 000 to AMD 200 000 against a natural person, from AMD 200 000 to AMD 250 000 against an official, from AMD 250 000 to AMD 350 000 against a legal person.

**Article 537. Failure to ensure Armenian translation parallel to speeches in non-Armenian language during public events**

**1. Failure to ensure parallel Armenian translation of the speeches not made in Armenian in congresses, sessions, international conferences, fairs, festivals, press**

**conferences or other public events shall:**

entail a fine from AMD 100 000 to AMD 150 000 against a natural person, and from AMD 250 000 to AMD 300 000 against an official.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 538. Violating rules of using Armenian language in bodies of international organisations**

1. **Failure to make a speech in Armenian language by an official representing Republic of Armenia in the bodies of international organisations (save the cases when making an official speech in the bodies of that international organisation is mandatory) shall:**

**entail a fine from AMD 200 000 to AMD 300 000.**

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 539. Failure to provide information**

1. Failure to provide information or providing unreliable information as well as providing information in violation of the prescribed procedure shall:

entail a fine to the person responsible for providing the information in the amount from AMD 20 000 to 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 540. Violating the procedure of sale and rent of print publications, video cassettes, video compact discs of erotic nature**

1. When trading or renting print publications, video cassettes, video compact discs of erotic nature their exposition in a place visible for all shall:

entail a fine from AMD 100 000 with or without depriving of the right to engage in certain activities for a period of up to one year.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 150 000 to AMD 300 000 and deprivation of the right to engage

in certain activities for a period of one to two years.

**Article 541. Failure to submit or publicise report on funds received and spent by a political party**

1. Failure to submit or publicise the report on funds received or spent by a political party during the reporting year to the authorised body as prescribed by legislation shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 300 000.

**Article 542. Failure to submit documents prescribed by legislation by a political party to an authorised body**

1. 1. Failure to provide documents prescribed by law in specified time upon request of authorised body for the purpose of verifying the reliability of the report published by a political party or submitted to the authorised body shall:

entail a fine from AMD 50 000 to AMD 80 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 543. Making party contributions in cash**

1. Violating the requirements prescribed by legislation of making monetary contributions in excess of the amount specified by legislation in non-cash to a political party shall:

entail a fine from AMD 50 000 to AMD 100 000 against a natural person, and from AMD 200 000 to AMD 300 000 against a legal person.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

shall entail a fine twice the amount of the fine prescribed for the given act by part 1 of this Article.

**Article 544. Violating the procedure of disposal of donations received by political parties**

1. Failure to transfer by the political parties the donations, exceeding the amount prescribed by the legislation or not permitted, to the State Budget or to the donor within the time limits prescribed by legislation shall:

entail a fine from AMD 80 000 to AMD 100 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:  
entail a fine of AMD 200 000.

**Article 545. Abusing the official authorities of an official of commercial or other organisation, arbitrator, auditor, bailee, manager, notary officer or advocate or the influences determined thereby, as well as illegal use of information accessible thereto**

1. Using the powers reserved by legislation to the officer, arbitrator, auditor, bailee, manager, notary officer or advocate of a commercial or other organisation of the Republic of Armenia or other state or the effects determined thereby to the detriment of the interests of that organisation or failure to fulfil his or her official duties, or committing an acting not arising from his or her powers using the effects determined by his or her official duties which has caused not a large scale property damage to the legal interests of a person, organisation, public or state shall:

entail a fine from AMD 100 000 to AMD 500 000.

2. Illegal use of information known or trusted to the officer, arbitrator, auditor, bailee, manager, notary officer or advocate of a commercial or other organisation when implementing powers reserved to him or her by legislation and due to effects determined thereby which has caused not a large scale property damage to the legal interests of a person, organisation, public or state shall:

entail a fine from AMD 300 000 to AMD 500 000.

**Article 546. Violating order of registering arms**

1. Violating the order prescribed by legislation for submitting the arms for registration shall:

entail a fine of AMD 20 000 against a natural person, and from AMD 30 000 to AMD 50 000 against a legal person.

**Article 547. Failure to submit data for personal registration of population**

1. Failure to submit data for personal registration of population or changes in data to the body of population state registry by the official of authorised state body in the cases and manner prescribed by the legislation shall:

entail a fine of AMD 30 000.

**Article 548. Failure to inform on accepting or receiving citizenship of another state**

1. In case of accepting or receiving citizenship of another state by a citizen of the Republic of Armenia, failure to inform an authorised body thereon as prescribed by legislation shall:

entail a fine from AMD 10 000 to AMD 30 000.

**Article 549. Deliberately publicly destroying or damaging the passport or identification card, as well as illegally taking or putting on a pledge another person's passport or identification card shall:**

1. Deliberately publicly destroying or damaging the passport or identification shall:  
entail a fine from AMD 10 000 to AMD 20 000.

2. Illegally taking or putting on a pledge another person's passport or identification card shall:

entail a fine from AMD 10 000 to AMD 20 000.

**Article 550. Violating the prescribed procedure of entering into border zone**

1. Violating the prescribed procedure of entering into border zone shall:  
entail warning or a fine of AMD 20 000.

**Article 551. Violating the order prescribed by legislation of residence or movement by the inviting person or the employer of a stateless person or a foreigner**

1. Residing in the Republic of Armenia by a foreigner, stateless person without valid permit or entry visa or residence status or invalid documents, overstaying more than the time prescribed by the legislation on stay of the Republic of Armenia or an international treaty without an entry visa, as well as violating the procedure of transit traffic across the territory of the Republic of Armenia shall:

entail a fine from AMD 20 000 to AMD 50 000.

2. Deliberate failure to fulfil the obligation on residence costs of the invitee by the inviting person of the Republic of Armenia of a foreigner, stateless person, including those on medical assistance and costs of leaving from the Republic of Armenia shall:

entail a fine from AMD 50 000 to AMD 100 000.

3. Accepting a foreigner without a permit for work shall:

entail a fine from AMD 50 000 to AMD 100 000.

4. Committing the act prescribed by part 3 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 552. Violating the procedure for circulation of hazardous and other wastes**

1. Failure to inform — in the time limit prescribed — the authorised state body of the beginning and end of transferring hazardous or other wastes by the person responsible shall:

entail a fine from AMD 80 000 to AMD 100 000, and from AMD 100 000 to AMD



150 000 against an official.

2. Failure to inform — in the time limit prescribed — the authorised state body of receiving and disposal of hazardous or other wastes by the person responsible therefor shall:

entail a fine from AMD 50 000 to AMD 80 000, and from AMD 80 000 to AMD 150 000 against an official.

3. Failure to agree waste certificates — drawn up by waste producers — with the authorised public administration body shall:

entail a fine of AMD 20 000 against a natural person, from AMD 40 000 to AMD 50 000 against a legal person.

4. Failure to submit the registry registration card of waste disposal sites or the report of registry registration of the facilities of waste generation, recycling and utilisation or the designs of waste generation normatives and the limits of placing thereof to the authorised public administration body shall:

entail a fine of AMD 20 000 against a natural person, from AMD 40 000 to AMD 50 000 against a legal person.

### **Article 553. Engagement in activity not foreseen by the statute of a religious organisation**

1. Engagement in activity not foreseen by the state of a religious organization registered in the Republic of Armenia shall:

entail a fine from AMD 50 000 to AMD 150 000.

### **Article 554. Cases relating to protection of personal data**

1. Violating the procedure prescribed by legislation for gathering, recording, data-entering, systematising, organising, correcting, maintaining, using, changing, restoring or transferring person data shall:

entail a fine from AMD 200 000 to AMD 500 000.

2. Violating the procedure, prescribed by legislation, for destroying or blocking personal data shall:

entail a fine from AMD 300 000 to AMD 500 000.

3. Failure to provide information prescribed by legislation by the processor of personal data subject when gathering personal data or violating the procedure of submitting such data or failure to disclose the reasons or consequences to submit such data shall:

entail a fine from AMD 100 000 to AMD 200 000.

4. Failure to notify by an personal data protection authorised body by the processor of personal data or violating the procedure of notification shall:

entail a fine from AMD 50 000 to AMD 100 000.

5. Failure to use encryption keys when processing personal data shall:

entail a fine from AMD 80 000 to AMD 100 000.

6. Violating the requirements for ensuring security of processing of personal data in information systems, the requirements for tangible media of biometric personal data and technologies for storage of these personal data out of information systems shall:

entail a fine from AMD 100 000 to AMD 200 000.

7. Failure to keep to confidentiality of personal data by the processors of personal data or other authorised body when fulfilling the official or work obligations related to processing of personal data or after that shall:

entail a fine from AMD 200 000 to AMD 300 000.

8. The person having committed any of the acts prescribed by part 1-2 of this Articles shall be exempt from administrative liability if within the time prescribed by the decision of an authorised body or before a decision on administrative liability is taken, he or she has eliminated the violation committed by him or her and has submitted evidence to the authorised body thereon.

**Article 555. Failure to comply with legal requirements of Human Rights Defender or Expert Council on Torture Prevention adjunct thereto**

1. Failure to comply with legal requirements of Human Rights Defender or Expert Council on Torture Prevention adjunct thereto shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 556. Illegal intervention in carrying out administrative proceedings**

1. Any illegal intervention in the activities of the body conducting administrative proceedings for the purpose of hindering administrative proceedings shall:

shall entail a fine from AMD 100 000 to AMD 200 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 200 000 to AMD 300 000 and deprivation of the right to hold certain positions for a term of up to one year.

**Article 557. Obstruction of appearing of a participant of the administrative proceedings or to giving testimony**

1. Obstruction of appearing of the person participating in the proceedings on administrative offence in the body conducting proceedings on administrative offence or to giving testimony shall:

shall entail a fine from AMD 200 000 to AMD 300 000.

**Article 558. Giving false testimony, false opinion by an expert, providing false translation by an interpreter with regard to the proceedings on administrative offence**

1. Giving false testimony, false opinion by an expert, providing false translation by an interpreter with regard to the proceedings on administrative offence shall:  
entail a fine from AMD 100 000 to AMD 200 000.

**Article 559. False denunciation about administrative offence**

1. False denunciation about an administrative offence, where the person has acted with the knowledge that the information provided thereby is false shall:  
entail a fine from AMD 50 000 to AMD 150 000.

**Article 560. Failing to perform or improper performance of educational supervision of additional administrative coercive measure**

1. Failing to perform or improper performance of educational supervision of additional administrative coercive measure over minor suspect shall:  
entail a fine from AMD 50 000 to AMD 150 000.

**CHAPTER 42.**

**ADMINISTRATIVE OFFENCES IN THE SECTOR OF ADMINISTRATION OF JUSTICE**

**Article 561. Violating the legislation on enforcement proceedings**

1. Failure to comply with the decisions or legal requirements of a compulsory enforcement officer with intent or obstructing the performance of responsibilities —prescribed by law — of a compulsory enforcement officer shall:

entail a fine from AMD 20 000 to AMD 50 000 against a natural person, from AMD 50 000 to AMD 100 000 against a legal person.

2. Failure to comply with the requirements for levying — by a bank or other credit institution operating debtor's accounts —the monetary funds, defined in the writ of execution, from the debtor, shall:

entail a fine from AMD 100 000 to AMD 150 000.

**Article 562. Leaving supplementary decision of court without consideration**

1. Leaving supplementary decision of the court without consideration by an official or failing to take relevant measures to eliminate violations indicated in the decision shall:

shall entail a fine from AMD 50 000 to AMD 100 000, depriving of the right to hold certain positions for a maximum term of up to six months or without it.

**CHAPTER 43.**  
**ADMINISTRATIVE OFFENCES IN THE FIELD OF ELECTIONS**

**Article 563. Conducting an election campaign on the voting day or on the day preceding it, as well as conducting campaign on referendum voting day or on the day preceding it**

1. Conducting an election campaign, through public speeches, public events on the voting day or on the day preceding it, as well as conducting a campaign through public speeches, public events on the referendum voting day or on the day preceding it shall:

entail a fine from AMD 400 000 to AMD 600 000.

2. Committing the act, prescribed by part 1 of this Article through print media, radio companies and television companies (including during satellite broadcasting) carrying out terrestrial on-air broadcasting shall:

entail imposition of a fine from AMD 500 000 to AMD 700 000 against the person carrying out media activities.

**Article 564. Failure to sign the protocol on the voting results by a member of the electoral (referendum) commission**

1. Failure to sign the protocol on the voting results by a member of the electoral or referendum commission shall:

entail a fine from AMD 100 000 to AMD 300 000.

**Article 565. Failure to set up an election campaign fund by a candidate (alliance of a political party or parties) or referendum campaign initiative, or failure to submit declaration on the use of means available in the campaign fund**

1. Failure to set up an election campaign fund by a candidate (alliance of a political party or parties), or referendum campaign initiative, where setting up thereof is a responsibility prescribed by law, as well as failure to submit declaration on the use of means available in campaign fund shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 566. Failure to close the sack of election or referendum related documents at the precinct electoral commission in the manner prescribed**

1. Failure to close the sack of election or referendum related documents at the precinct electoral commission in the manner prescribed shall:

entail a fine from AMD 300 000 to AMD 500 000.

**Article 567. Failure to complete the record-keeping book of electoral commission.**

1. Failure to complete the registration book of electoral commission shall:  
entail a fine from AMD 30 000 to AMD 200 000.

**Article 568. Violating the procedure for conducting election or referendum campaign through mass media**

1. Failure to ensure equal conditions - air time or volume, tariff, etc. for conducting election or referendum campaign of candidates or political parties by the person carrying out media activities (alliances of political parties) through the mass media, with the exception of media established by political parties shall:

entail a fine from AMD 400 000 to AMD 600 000.

2. Presenting obviously biased or unprejudiced information on the election or referendum campaign conducted by candidates or political parties (alliances of political parties) in news programmes broadcasted on a television and radio company (on a television company or a radio company) in the course of election or referendum campaign shall:

entail a fine from AMD 600 000 to AMD 800 000 against the person carrying out media activities.

3. Coverage of elections on a television and radio company by the person carrying out media activities (on a television company or a radio company) or hosting a television and radio programme (a television programme or a radio programme) — by the employees of television and radio companies till the period extending by the completion of elections, after being registered as a candidate in the manner prescribed by law — shall:

entail a fine from AMD 600 000 to AMD 800 000.

4. Interrupting a television and radio programmes (a television programme or a radio programme) concerning an election or referendum campaign by a commercial advertisement within a time period prescribed by law for conducting an election or referendum campaign shall:

entail a fine from AMD 300 000 to AMD 500 000 against the person carrying out media activities.

**Article 569. Conducting election or referendum campaign and disseminating campaign materials by a person not having the right to carry out campaign**

1. Conducting an election campaign, as well as disseminating any type of campaign materials by the persons not having the right to conduct an election or referendum campaign within a time period prescribed by law for conducting an election campaign shall:

entail a fine from AMD 100 000 to AMD 200 000.

**Article 570. Violation of the procedure prescribed for publishing opinion polls on ratings of candidates, political parties (alliances of political parties)**

1. Failure to indicate the information, prescribed by law, in the opinion poll on ratings of candidates, political parties (alliances of political parties), as well as on the question put to a referendum when publishing thereof within a time period prescribed by law for conducting an election or referendum campaign shall:

entail a fine from AMD 100 000 to AMD 200 000 against natural persons.

2. Committing the act prescribed by part 1 of this Article by an organisation holding the opinion poll shall:

entail a fine from AMD 300 000 to AMD 500 000.

3. Publishing the results of an opinion poll on candidates or political parties, on the question put to a referendum or information thereon via television, radio carrying out terrestrial on-air broadcasting, or the print media on the day preceding the voting, as well as on the voting day by 20:00 shall:

entail a fine from AMD 600 000 to AMD 800 000 against a legal person.

4. Committing one of the acts prescribed by parts 1-3 of this Article again during the same election shall:

entail a fine from 1 200 000 to AMD 1 600 000.

5. Committing one of the acts prescribed by parts 1-3 of this Article for the third time or more than three times during the same election shall:

entail a fine twice the maximum amount of the fine prescribed by part 4 of this Article.

**Article 571. Providing (promising) money, food, securities, goods to electors or rendering (promising) services to them by candidates, political parties (alliances of political parties)**

1. Providing (promising) — in person or on their behalf as charity or in any other manner, gratuitously or on preferential conditions — money, food, securities, goods to electors as well as to the referendum participants or rendering (promising) services to them by candidates, political parties (alliances of political parties) within a time period prescribed by law for conducting an election or referendum campaign shall:

entail a fine from AMD 1 000 000 to AMD 2 000 000.

2. Conducting an election or referendum campaign simultaneously with charity shall:

entail a fine from AMD 200 000 to AMD 2 500 000.

**Article 572. Disseminating printed campaign materials in absence of requisites prescribed by law**

1. Disseminating printed campaign materials — not including information on the person

ordering printed campaign materials, printing organisation and the print run within a time period prescribed by law for conducting an election or referendum campaign shall:

entail a fine from AMD 100 000 to AMD 500 000.

**Article 573. Tearing off, scratching or making notes on campaign posters**

1. Tearing off, scratching or making notes on campaign posters with intent posted in special places intended for posting campaign posters within a time period prescribed by law for conducting an election or referendum campaign shall:

entail a fine from AMD 50 000 to AMD 100 000.

**Article 574. Failure to comply with requirements of the decision on eliminating the violation of electoral commission in case of violating the procedure for election campaign by candidates, political parties (alliances of political parties) running in elections under the proportional electoral system**

1. Failure to comply with the requirements of the decision, in time limits indicated therein, in case of violating the procedure for election campaign by candidates, political parties (alliances of political parties) or failure to inform the electoral commission about it in written shall:

entail a fine from AMD 100 000 to AMD 200 000 against the alliance of political parties in case of elections of National Assembly, council of elders of Yerevan, Gyumri, Vanadzor, and from AMD 50 000 to AMD 100 000 against a candidate in case of elections of a head of the community and a member of the Council of Elders.

2. Committing the act prescribed by part 1 of this Article again or more than once during the same election shall:

entail a fine twice the amount of the fine prescribed by part 1 of this Article.

**CHAPTER 44.**

**ADMINISTRATIVE OFFENCES IN THE FIELD OF MILITARY REGISTRATION**

**Article 575. Violating rules for military registration**

1. Violating the rules, by conscripts, for military registration prescribed by law shall:

entail a fine of AMD 10 000.

2. Committing the act prescribed by part 1 of this Article again within a year following

the decision on imposing an administrative penalty has become inappealable shall:  
entail a fine of AMD 20 000.

**Article 576. Failure to submit the lists of persons subject to attachment to draft offices, in a time limit prescribed, failure to keep a register of conscripts**

1. Failure to submit to the military commissariat, in the manner and time prescribed, the lists of persons subject to military registration, as well as necessary data thereon by a competent person of state or local self-governmental bodies, irrespective of organisational-legal form, employing organisations and educational institutions or failure to keep a register of conscripts shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 577. Employing (for learning) or permitting employment of conscripts having not shown up for military registration**

1. Employing (for learning) or permitting employment of the conscripts having not shown up for military registration according to the place of residence by state or local self-governmental bodies, irrespective of organisational-legal form, employing organisations and educational institutions or by a competent person thereof shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 578. Failure to ensure notification of conscripts on calling them up to military commissariats**

1. Failure to take measures —by a competent person of state or local self-governmental bodies, irrespective of organisational-legal form, employing organisations and educational institutions — for ensuring, through possible and accessible means, notification on calling up of a conscript to military commissariat by the demand of the relevant military commissariat shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 80 000 to AMD 100 000.



**Article 579.** Failure to provide information, in due time, on disability of conscripts by an official of medical social expert examination commissions

1. Failure to provide information, in due time, by medical social expert examination commissions who have the obligation of informing the military commissariats about the conscripts that have been recognised as disabled, regardless of the disability shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 580. Failure to provide information, in due time, on amendments to civil status acts registration of conscripts by an official of civil status acts registration bodies**

1. Failure to provide information to military commissariats — in due time, by an official of civil status acts registration bodies — on changing surnames, names, patronymic names by conscripts, making amendments to the civil status acts registration records concerning date and place of birth, as well as on death registration of conscripts shall:

entail a fine from AMD 30 000 to AMD 50 000.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine from AMD 80 000 to AMD 100 000.

**Article 581. Avoiding training musters or command and staff or staff trainings or drills**

1. Avoiding command and staff or staff trainings or drills by conscript citizens recorded in a reserve, that have been carried out within the time limit indicated in the notice issued by military commissariat in the manner of failing to show up to the military commissariat without a good cause or refusing to depart for command and staff or staff trainings or drills, leaving the place of staff trainings or drills shall:

entail a fine from AMD 20 000 to AMD 50 000.

**CHAPTER 45.****ADMINISTRATIVE OFFENCES IN THE FIELD OF ACTIVITY OF ENTITIES LICENSED,  
REGISTERED, RECORDED OR CONTROLLED BY THE CENTRAL BANK****Article 582. Violating the requirements prescribed in the field of banks and banking**

1. Replenishing the statutory fund of the bank or other elements of total capital in violation of legislation shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 1 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

2. Amending or supplementing Charter of the bank and the branch thereof in violation of laws and other legal acts shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 1 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

3. Violating major prudential standards of banking except for the mandatory reserve standard or carrying out such activities (activity) that may endanger the interests of depositors or other creditors of the bank shall:

entail a warning and (or) a fine — for each violation of the prudential standard — against the bank in the amount not exceeding 5 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

4. Violating the rules for keeping accounting or violating the procedure and conditions for submitting and publishing financial or other statements and (or) submitting false or unreliable data in these documents shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 5 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

5. Lower brief assessment of bank indicators as compared to the brief assessment of bank indicators prescribed by the Central Bank shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 1 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

6. Failure to pay guarantee fees to the Deposit Guarantee Fund as prescribed by the Law of the Republic of Armenia "On guaranteeing the compensation of bank deposits of natural persons" shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 1 percent of minimum statutory fund defined by the Central Bank by termination of the validity of

a license or without it.

7. Violating the other requirements of laws regulating banking activities, other regulatory legal acts adopted based thereon or of the internal legal acts of the bank, as well as violating the requirements of the laws regulating the activities of the financial group with the participation of the bank and (or) of legal acts adopted thereon, where it does not contain elements of other acts prescribed by this Article shall:

entail a warning and (or) a fine, against the bank, for each violation in the amount not exceeding 1 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

8. Completing the assignments of the Central Bank, in a manner and (or) time limit prescribed, concerning eliminating the violations given by a warning prescribed by parts 1, 2, 3, 4, 5, 6 or 7 of this Article shall:

entail a fine in the amount prescribed for the given act by the relevant part of this Article, by termination of the validity of a license or without it.

9. Violating the rules and conditions for submitting and publishing financial or other statements and (or) submitting false or unreliable data in these documents by the Manager of the bank shall:

entail a warning and (or) a fine of up to AMD 1 000 000.

10. Carrying out unjustified risky activity by the bank, as well as obstructing conducting re-audits of the Central Bank shall:

entail a warning and (or) a fine of up to AMD 1 000 000 against the Manager of the bank.

11. Committing the acts prescribed by parts 1, 2, 5, 6 or 7 of this Article by the Manager of the bank shall:

entail a warning and (or) a fine of up to AMD 1 000 000.

12. Committing the act prescribed by part 3 of this Article by the Manager of the bank, as well as violating, at the moment of issuing, the main prudential standards of maximum amount of risk for one borrower or the maximum risk on persons related to the bank by the Manager of the bank shall:

entail a warning and (or) a fine of up to AMD 1 000 000.

13. Committing the acts prescribed by parts 9, 10, 11 or 12 of this Article by the Manager of the bank with intent shall:

entail a warning and (or) a fine of up to AMD 1 000 000 against the Manager of the bank by deprivation of the qualification certificate.

14. Committing the act prescribed by part 8 of this Article by the Manager of the bank shall:

entail a fine of up to AMD 1 000 000 against the Manager of the bank by deprivation of the qualification certificate.

15. Carrying out banking activities in the course of one year following obtaining a license by the bank shall:

entail termination of the license.

**Article 583. Violating regulatory legal acts regulating banking activities by the Manager of the bank**

1. Carrying out unjustified and hazardous activity by the Manager of the bank during his/her term of office, or carrying out actions based on personal interests and contradicting the interests of the bank and the bank customers, or manifesting dishonest and unconscientious conduct towards their official duties, including trust duties assumed thereby with regard to the bank and bank customers, where the act does not include the elements of other administrative offence prescribed by Article 582 and this Article of this Code shall:

entail deprivation of qualification certificate.

2. Obstructing, by the Manager of the bank, the actions of the Central Bank, its employees in exercising control shall:

entail deprivation of qualification certificate.

3. Carrying out such actions or showing inaction by the Manager of the bank as a result of which substantial financial or other losses have been incurred or may have been incurred to the bank shall:

entail deprivation of qualification certificate.

**Article 584. Submitting unreliable, false or incomplete information to the Central Bank by a person having a qualifying holding in the bank or in the statutory fund of the bank during licensing or obtaining qualifying holding**

1. Submitting unreliable, false or incomplete information to the Central Bank by a person having a qualifying holding in the bank or in the statutory fund of the bank during licensing or obtaining qualifying holding, as well as failure to comply with the requirements for the statements of part 3 of Article 55 of the Law of the Republic of Armenia "On banks and banking" by a person having a qualifying holding in the bank or in the statutory fund of the bank shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 1 percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

2. Deterioration of the financial state of persons related to the bank (and in case of a legal person related to the bank- his or her participant as well) affecting the financial state of the bank or jeopardizing the interests of depositors or other creditors in another way by a person having a qualifying holding in the bank or in the statutory fund of the bank shall:

entail a warning and (or) a fine, against the bank, in the amount not exceeding 1

percent of minimum statutory fund defined by the Central Bank by termination of the validity of a license or without it.

**Article 585. Failure to comply with the mandatory provisioning procedure by a bank**

1. Failure to comply, by the bank, with the mandatory provisioning procedure prescribed by the Central Bank shall:

entail a fine in the amount not exceeding 1 percent of the amount not reserved for each day not reserved.

**Article 586. Violating the procedure prescribed for disclosure, maintenance of bank secrecy, providing thereof to criminal prosecution bodies or to the courts or the limits of information containing bank secrecy subject to provision**

1. Violating the procedure prescribed by the Law of the Republic of Armenia "On banking secrecy" for disclosure, maintenance of bank secrecy, provision of information containing banking secrecy to the criminal prosecution bodies or courts shall:

entail a fine from AMD 2 000 000 to AMD 10 000 000.

2. Violating the limits of providing information containing banking secrecy subject to provision prescribed by the Law of the Republic of Armenia "On banking secrecy" shall:

entail a fine from AMD 2 000 000 to AMD 10 000 000.

**Article 587. Violating requirements for attracting bank deposits**

1. Violating, by the bank, the requirements of legal acts on attracting bank deposits shall:

entail a fine of AMD 100 000 for each violation.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 200 000 for each violation.

3. Committing the act prescribed by part 1 of this Article for the third time or more than three times within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 500 000 for each violation.

**Article 588. Violating the requirements for guaranteeing compensation of bank deposits of natural persons, individual entrepreneurs**

1. Violating — by the Director of Deposit Compensation Guarantee Fund or the Fund — the requirements of the Law of the Republic of Armenia "On guaranteeing compensation

of bank deposits of natural persons", or other laws regulating the activities of the Fund, or of other legal acts adopted based thereon shall:

entail a warning against the Fund and a warning and (or) deprivation of qualification certificate or a fine in the amount defined by the Central Bank against the Director of the Fund.

2. Violating —by the Director of Deposit Compensation Guarantee Fund or the Fund — the rules for keeping accounting or violating the procedure and conditions for submitting and publishing financial or other statements, and (or) submitting false or unreliable data in these documents shall:

entail a warning against the Fund and a warning and (or) deprivation of qualification certificate or a fine in the amount defined by the Central Bank against the Director of the Fund.

3. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail deprivation of qualification certificate or a fine of AMD 100 000 against the Director of the Fund.

4. Completing the assignments of the Central Bank, in a manner and (or) time limit prescribed, concerning eliminating the violations given by a warning prescribed by parts 1 or 2 of this Article shall:

entail a fine in the amount defined by the Central Bank and against the Director of the Fund - by deprivation of a qualification certificate or without it as well.

#### **Article 589. Violating consumer credit requirements**

1. Violating the requirements of legal acts on consumer credit by a creditor (bank providing credit, branch of a foreign bank, credit organisation or bailor) shall:

entail a fine of AMD 100 000 for each violation.

2. Committing the act prescribed by part 1 of this Article again within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 300 000 for each violation.

3. Committing the act prescribed by part 1 of this Article for the third time or more than three times within a year following the decision on imposing an administrative penalty has become inappealable shall:

entail a fine of AMD 500 000 for each violation.

#### **Article 590. Violating the requirements for insurance and insurance activities**

1. Implementation by an insurance company of such activity that has endangered or could have endangered the interests of policyholders, insured persons or beneficiaries shall:

entail a warning against a controlled entity.

2. Violating the prudential standards or technical reserves prescribed by the Law of the

Republic of Armenia "On insurance and insurance activities" or regulatory legal acts of the Central Bank shall:

entail a warning against a controlled entity.

3. Violating the rules for keeping accounting or violating the procedure and conditions for submitting and publishing financial or other statements or including false or unreliable data in these documents shall:

entail a warning against a controlled entity.

4. Submitting false or unreliable data in financial or other statements, where the act does not contain elements of an act prescribed by part 3 of this Article, shall:

entail a warning against the controlled entity by way of termination of validity of a licence or without that.

5. The fact that the indicators of an insurance company in the brief assessment of the activities of an insurance company are lower than the indicators of insurance activities in the brief assessment prescribed by the Central Bank shall:

entail a warning against a controlled entity.

6. Submitting unreliable, false or incomplete information to the Central Bank for the registration and/or licensing of a controlled entity or for registration of a controlled entity in the register of insurance agents or for acquisition of qualifying holding in the statutory capital of the controlled entity shall:

entail a warning against the controlled entity by way of termination of the validity of a licence or without it.

7. Violating the other requirements of laws regulating insurance and insurance activities, other regulatory legal acts adopted based thereon, as well as of the internal legal acts of the controlled entity, as well as violating the requirements of the laws regulating the activities of the financial group with the participation of the controlled entity and/or of legal acts adopted thereon, where it does not contain elements of other acts prescribed by this Article, shall:

entail a warning against a controlled entity.

8. Failure by an insurance company to alienate holding in the statutory capital of another person through the established procedure in the time limit prescribed by law shall:

entail a fine against the insurance company in the amount of up to one percent of the nominal value of the given holding for each day following violation.

9. Violating the requirements prescribed by law for the use of the words "Insurance (adjective)", "Insurance (noun)", "Insurance Agent", "Insurance Broker" shall:

entail a warning.

10. Continuing the acts prescribed by parts 1, 3 or 7 of this Article or failure to complete the assignment given by the Central Bank for those violations in the prescribed manner and/or time limit or failure to take necessary and effective steps for eliminating the violations shall:

entail a fine against a controlled entity in the amount of up to AMD 2 500 000 for each violation.

11. Continuing the acts prescribed by parts 2, 4, 5 or 6 of this Article or failure to complete the assignment given by the Central Bank for those violations in the prescribed manner and/or time limit or failure to take necessary and effective steps for eliminating the violations shall:

entail a fine against a controlled entity in the amount of up to AMD 2 500 000 for each violation.

12. Continuing the act prescribed by part 9 of this Article or failure to complete the assignment given by the Central Bank for that violation in the prescribed time limit shall:

entail a fine in the amount of up to AMD 2 000 000.

13. Violating the prudential standards or technical reserves prescribed by the Law of the Republic of Armenia "On insurance and insurance activities" and the regulatory legal acts of the Central Bank by way of deviation of the amounts prescribed by the regulatory legal acts of the Central Bank from the amounts of prudential standards or technical reserves shall:

entail termination of the license.

14. Intentional failure by a controlled entity to complete the assignment of the Central Bank for eliminating the violations in the time limit prescribed by the Central Bank and/or not repeating such violation in the future and/or taking measures to exclude such violation in the future as prescribed and/or in the prescribed time limit or intentional committal by the controlled entity of acts prescribed by parts 10 or 11 of this Article shall:

entail termination of the license.

15. Committing the act prescribed by part 7 of this Article intentionally shall:

entail termination of the validity of a license.

16. Committing the act prescribed by part 10 of this Article again or continuing it within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the validity of a license.

17. Failure by a controlled entity to carry out insurance, reinsurance or insurance mediation activities within one year upon receipt of a licence shall:

entail termination of the validity of the license.

18. Committal by the supervisor or responsible person of a controlled entity of the acts prescribed by parts 1, 2, 3, 4, 5, 6 or 7 of this Article shall:

entail a warning.

19. Continuation by the supervisor or responsible person of a controlled entity of the acts prescribed by part 18 of this Article or failure to complete the assignment given by the Central Bank for those violations in the prescribed manner and/or time limit or failure to take necessary and effective steps for eliminating the violations shall:



entail a fine against the supervisor or responsible person of the controlled entity in the amount of up to AMD 1 000 000 by way of deprivation of qualification certificate or without it.

20. Intentional committal by the supervisor or responsible person of a controlled entity of the act prescribed by part 7 of this Article shall:

entail deprivation of qualification certificate.

21. In this Article and in Article 591, a Controlled Entity shall be the person prescribed by the Law of the Republic of Armenia "On insurance and insurance activities".

**Article 591. Violation by the supervisor or responsible person of a controlled entity of regulatory legal acts regulating insurance and insurance activities**

1. Implementation by the supervisor or responsible person of a controlled entity of such activity during term of office or inactivity, which has endangered or may endanger the rights or legal interests of the controlled entity, policyholders, insured persons and beneficiaries, or committal of actions arising from personal interests, contradicting the rights or legal interests of the policyholders, insured persons and beneficiaries of the controlled entity, where the act does not contain elements of other administrative offences prescribed by Article 590 and this Article, shall:

entail deprivation of qualification certificate.

2. Creation by the supervisor or responsible person of a controlled entity of the actions of the Central Bank, its servants for implementing control, or show of dishonest and unfaithful behaviour during the fulfilment of official duties shall:

entail deprivation of qualification certificate.

3. Committal by the supervisor or responsible person of a controlled entity of such actions, as a result of which the controlled entity has suffered or could have suffered major financial damage, shall:

entail deprivation of qualification certificate.

**Article 592. Failure to submit to the Financial System Mediator the information required by law in the time limit prescribed by law, as well as violation of the requirements for making the mandatory payments for financing or for regulation of the process of examination of complaints and demands of clients**

1. Failure by an organisation to submit to the Financial System Mediator information required by law or to inform about any change made to a responsible person or his or her substitute in the time limit prescribed by law shall:

entail a fine in the amount of up to AMD 100 000.

2. Violating the requirements to make mandatory payments to the Financial System Mediator for financing the office shall:

entail a fine in the amount of up to AMD 100 000.

3. Violating the requirements for regulation of the process of examination of complaints and requests of clients shall:

entail a fine in the amount of up to AMD 100 000.

4. Within the meaning of this Article, an Organisation is the organisations prescribed by the Law of the Republic of Armenia "On the Financial System Mediator".

### **Article 593. Violation by participants of the payment and settlement system of the requirements of legislation**

1. Violation by the participants (operator) of the payment and settlement system of the requirements of regulatory legal acts relating to payment and settlement systems and payment and settlement organisations shall:

entail a warning against a participant of a payment and settlement system.

2. Failure by the participant of a payment and settlement system (except for an operator) carrying out activities in the payment and settlement system of Armenia to complete the assignment given by way of warning according to part 1 of this Article in the prescribed manner and/or time limit shall:

entail termination of activity of a participant (except for operator) of a payment and settlement system.

3. Failure by the participant of a payment and settlement system (except for an operator) carrying out activities in the foreign payment and settlement system to complete the assignment given by way of warning according to part 1 of this Article in the prescribed manner and/or time limit shall:

entail suspension or termination of activity of a participant (except for operator) of a payment and settlement system.

4. Committal by the participants (operator) of a payment and settlement system of the act prescribed by part 1 of this Article again within the period of one fiscal year after the decision on imposition of an administrative penalty has become inappealable and failure by an operator of the payment and settlement system of Armenia to make a change required by the Central Bank shall:

entail suspension or termination of activity of a participant (except for operator) of a payment and settlement system.

5. Committing the act prescribed by part 1 of this Article for the third time within the period of one fiscal year after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of AMD 1 000 000 against the participant and/or operator of the payment and settlement system.

6. Committing the act prescribed by part 1 of this Article for the fourth time within the period of one fiscal year after the decision on imposing an administrative penalty has become

inappealable shall:

entail a fine in the amount of AMD 2 000 000 against the participant and/or operator of the payment and settlement system.

7. In this Article, the participant of a payment and settlement system shall be the participant prescribed by the Law of the Republic of Armenia "On payment and settlement systems and payment and settlement organisations".

**Article 594. Violation by payment and settlement organisations of the requirements of legislation**

1. Violating the prudential standards of a payment and settlement organisation shall:

entail a warning and/or fine against the organisation in the amount of up to AMD 500 000 for each violation.

2. Violating the rules for keeping accounting or violating the procedure and conditions for submitting and publishing financial or other statements and/or submitting false data in these documents shall:

entail a warning and/or fine against the organisation in the amount of up to AMD 500 000.

3. Violating the provisions of the working regulations of payment and settlement organisations shall:

entail a warning and/or fine against the organisation in the amount of up to AMD 500 000 for each violation.

4. Provision by a payment and settlement organisation of laws and other legal acts on payment and settlement services by way of violations shall:

entail a warning and/or fine against the organisation in the amount of up to AMD 500 000 for each violation.

5. Failure by a payment and settlement organisation to complete the assignment of the Central Bank in the prescribed manner and/or time limit shall:

entail a fine against the organisation in the amount of up to AMD 500 000 by suspension or termination of the validity of a licence or without it.

6. Committing the acts prescribed by parts 1, 2, 3, 4 or 5 of this Article again within a one-year period after the decision on imposing an administrative penalty becomes inappealable or continuing the acts or failure to complete the assignment of the Central Bank regarding those violations in the prescribed manner and/or time limit shall:

entail suspension or termination of the validity of a licence.

7. Committing the acts prescribed by parts 1, 2, 3, 4 or 5 of this Article by the director of a payment and settlement organisation shall:

entail a fine in the amount of up to AMD 300 000 by way of deprivation of qualification certificate or without it.

**Article 595. Violating the requirements of pawn-brokerage activities**

1. Usage by a pawn shop of misleading words that may give rise to erroneous assumptions about the financial position or legal status of the pawn shop shall:

entail a warning.

2. Violation by a pawn shop of the requirements prescribed by the law on keeping the register of a loan agreement shall:

entail a warning.

3. Failure to keep crediting documents in the premises of a pawn shop (in a metal warehouse or in a separate room with restricted entrance for unauthorised persons or in any other bank operating in the territory of the Republic of Armenia shall:

entail a warning.

4. Failure to protect the pledged (deposited) property serving as small items in fireproof warehouses of a separated room with metal-concrete walls (cover) located in the premises of a pawn shop or in any bank operating in the territory of the Republic of Armenia, in accordance with a contract signed with the latter, shall:

entail a warning.

5. Failure to protect pledged (deposited) property serving as large items in premises separated by metal-concrete walls (cover), provided with security and fire alarm systems pertaining thereto by right of ownership, hiring out or use, shall:

entail a warning.

6. Failure to ensure the protection of the premises of a pawn shop with security and fire alarm systems or failure to provide a guarding service for the purpose of protecting that premises or violating the requirements for that shall:

entail a warning.

7. Failure to inform or not properly inform an authorised body about loans and borrowings received from banks and other organisations, borrowings from participants and documents confirming the entry thereof, insurance contracts prescribed by law (insurance of mobile and deposited property accepted as pledge from natural disasters, fires, robberies, theft and bandit attack), the amendments and supplements made thereto within a 15-day period after concluding the relevant contracts or making amendments or supplements thereto, shall:

entail a warning.

8. Violation by a pawn shop of the requirement prescribed for the acceptance of property from a pledgor or bailor as prescribed, shall:

entail a warning.

9. Failure by persons carrying out pawn-brokerage activities to submit the statements or financial statements about their activities and the independent audit opinion within the

prescribed time limits as prescribed by law, where that does not contain elements of administrative offence prescribed by part 33 of this Article, shall:

entail a warning.

10. Violation by a pawn shop of the requirement for regulation of relations between a pawn shop and a borrower on contractual grounds, as prescribed by legislation, shall:

entail a fine in the amount of AMD 200 000.

11. Realisation by a pawn shop of property costing AMD 100 000 or more granted thereto in exchange for commitments as pledge or deposit by way of violation of the Law of the Republic of Armenia "On public bargains" shall:

entail a fine in the amount of 50 percent of the sale price of a pledge, but not less than AMD 100 000.

12. Realisation by a pawn shop of property costing up to AMD 100 000 granted thereto as pledge or deposit that is not in accordance with the procedure for public bargains approved by the pawn shop and agreed with the authorised body or by violation of the Law of the Republic of Armenia "On public bargains" shall:

entail a fine in the amount of AMD 50 000.

13. Provision by a pawn shop of a loan in portions without concluding a new contract for each portion or making any change to the time limit specified in the loan agreement for completely repaying the loan following the default of the time limit provided for by the loan agreement shall:

entail a fine in the amount of AMD 50 000.

14. Failure by a pawn shop to grant loans in Armenian drams by way of cash or non-cash payment, check, card or other payment instruments accepted in the banking practice shall:

entail a fine in the amount of AMD 2 000 000 or suspension of the validity of a licence for a period of up to one year.

15. In case the creditor does not have the opportunity to repay the loan completely, calculation by a pawn shop of growth of interest rate for repaying the loan completely on the following working day due to closure of a pawn shop on the working days (hours) declared by the pawn shop shall:

entail a fine in the amount of AMD 50 000.

16. When granting each loan (depositing property), failure by a pawn shop to formulate a pledge ticket (nominal pawn receipt) and/or a personal card for registration of payments of a creditor (bailor) in accordance with the requirements defined by Articles 10, 11 or 12 of the Law of the Republic of Armenia "On the activities of pawn shops and pawn-brokerage activities" shall:

entail a fine in the amount of AMD 200 000.

17. Violation by a pawn shop of the time limit for maintaining documents regarding

crediting within at least three years after termination of the contract shall:

entail a fine in the amount of AMD 100 000.

18. Violation by a pawn shop of the requirement for confidentiality of documents regarding crediting shall:

entail a fine in the amount of AMD 50 000.

19. Violation by persons carrying out pawn-brokerage activities of formulating pledge tickets or nominal pawn receipts or the personal card for registration of payments of a creditor (bailor) shall:

entail a fine in the amount of AMD 25 000 for each violation.

20. Presentation by persons carrying out pawn-brokerage activities of insignificant deficiencies (misprints, inaccuracies of non-legal nature, mathematical mistakes and other similar omissions) in the data presented in the statements (financial statements and the independent audit opinion relating thereto) prescribed by the law on their activities shall:

shall entail a fine in the amount of AMD 30 000.

21. Failure to complete the assignments of the Central Bank, in the prescribed manner and/or time limit, concerning eliminating the violations given by a warning prescribed by parts 1, 2, 3, 4, 5, 6, 7, 8 or 9 of this Article shall:

entail a fine in the amount of AMD 100 000, by way of termination of the validity of a licence or without it.

22. Committing the act prescribed by parts 1, 2, 3, 4, 5, 6, 7, 8 or 9 of this Article again within a two-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of AMD 100 000, by way of suspension of the validity of a licence or without it.

23. Committing the act prescribed by parts 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 or 20 of this Article again or continuing the act within a two-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of AMD 500 000 added to the amount prescribed for the given act by the relevant part of this Article.

24. Execution by the heads of a pawn shop of actions prescribed by parts 9 or 20 of this Article shall:

entail a fine in the amount of AMD 100 000.

25. Concluding loan agreements not in conformity with the general terms of crediting approved by a pawn shop and agreed with an authorised body or not agreeing with the authorised body on the amendments and supplements being made to the general terms of crediting of a pawn shop prior to enforcement thereof shall:

entail suspension of the validity of a licence.

26. Generation by a pawn shop of credit resources from sources not provided for by

law shall:

entail suspension of the validity of a licence.

27. Implementation by a pawn shop of pawn-brokerage activities in the area (address) specified in a licence shall:

entail suspension of the validity of the licence.

28. Failure by a pawn shop to carry out insurance of movable property accepted as pawn, as well as property granted as deposit from natural disasters, fires, robberies, thefts and bandit attacks within any insurance company operating in the territory of the Republic of Armenia shall:

entail suspension of the validity of a licence.

29. Failure by a pawn shop to inform an authorised body about the amendments made to the statute within a 15-day period following the day of entry into legal force thereof shall:

entail suspension of the validity of a licence.

30. Distribution by a pawn shop of bonds or other securities for the acquisition of credit resources, engagement of measures or granting of commodity loans in the manner proscribed by law shall:

entail suspension of the validity of a licence.

31. Submission by a pawn shop of any request for disposal of the sum that a creditor has received as a loan shall:

entail suspension of the validity of a licence.

32. Implementation by a pawn shop of activities other than pawn-brokerage activities (operations) shall:

entail suspension of the validity of a licence.

33. Violation by persons carrying out pawn-brokerage activities of the period for submission of statements (data) prescribed by part 9 of this Article for more than 10 days shall:

entail suspension of the validity of a licence.

34. Submission by persons carrying out pawn-brokerage activities of false data in information (statements) prescribed by part 9 of this Article shall:

entail termination of validity of licence.

35. Committing any one of the acts prescribed by parts 10-20 of this Article again within two years for the third time after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the validity of a licence.

36. Committing any one of the acts prescribed by parts 25-33 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the validity of a license.

37. Intentionally committing the act prescribed by parts 10, 11, 12, 13, 14, 15, 16, 17,

18, 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32 or 33 of this Article shall:

entail termination of the validity of a license.

**Article 596. Violating the requirements defined by legislation on covered mortgage bonds**

1. Violating the rules for keeping a register of safety measures, as well as the presence of unreliable data included in the register shall:

entail a warning against the issuer and/or his or her supervisor.

2. Including actives not meeting the requirements of the law in the register of safety measures shall:

entail a warning against the issuer and/or his or her supervisor.

3. Violating the adequacy of safety measures prescribed by law, as well as the requirements for the composition of safety measures shall:

entail a warning against the issuer and/or his or her supervisor.

4. Violating the procedure, time limits and terms for submission and publication of statements and/or submitting false or unreliable data in these documents as prescribed by law on the issuance of mortgage bonds shall:

entail a warning against the issuer and/or his or her supervisor.

5. Violating the regulatory legal acts regarding covered mortgage bonds, as well as the requirements in the internal legal acts of an issuer shall:

entail a warning against the issuer and/or his or her supervisor.

6. Failure by an issuer to disclose information subject to disclosure by law shall:

entail a warning against the issuer and/or his or her supervisor.

7. Implementation by an issuer of actions endangering the interests of owners of mortgage bonds shall:

entail a warning against the issuer and/or his or her supervisor.

8. Failure to complete the assignments given by the Central Bank by law in the prescribed manner and/or time limit, where the assignment does not contain elements of actions prescribed by parts 1, 2, 3, 4, 5, 6, 7, 9 or 10 of this Article, shall:

entail a warning against the issuer and/or his or her supervisor.

9. Continuing the acts prescribed by parts 1, 2, 3, 4, 5, 6, 7 or 8 of this Article or failure to complete the assignment given by the Central Bank for those violations in the prescribed manner and/or time limit or failure to take necessary and effective steps for eliminating the violations shall:

entail a fine against the supervisor of an issuer in the amount of up to AMD 1 000 000 by way of deprivation of qualification certificate or without it, and against an issuer — up to one percent of the statutory capital.



10. Execution by the director of an issuer of actions contradicting the interests of owners of mortgage bonds or manifestation of dishonest and unfaithful attitude towards their obligations, including obligations assumed for owners of mortgage bonds, shall:

entail deprivation of qualification certificate from the director of an issuer.

11. Failure by a **person carrying out control over safety measures** or by a mortgage manager to perform their obligations prescribed by regulatory legal acts on covered mortgage bonds or improper performance of obligations shall:

entail a warning and/or a fine in the amount of up to AMD 1 000 000 and/or deprivation of qualification certificate.

**Article 597. Violating the requirements of the legislation regulating bankruptcy of administrators of banks, credit institutions, investment companies, investment fund and insurance companies**

1. Failure by the administrator of a temporary administration designated in case of presence of grounds of insolvency of the administrators of banks, credit institutions, investment companies, investment fund and insurance companies operating in the territory of the Republic of Armenia to perform his or her duties or improper performance of his or her duties shall:

entail deprivation of qualification certificate from the director of an administration.

2. Violation by the liquidation administrator of a bank of the requirements of laws and other legal acts regulating the activities of a liquidation bank and/or liquidation administrator or failure by a liquidation administrator to perform his or her duties or improper performance thereof shall:

entail a warning and/or fine in the amount fixed by the Central Bank, and/or deprivation of qualification certificate or termination of the validity of a licence.

**Article 598. Violating the requirements of legal acts regulating the securities market**

1. Violating the procedure and/or time limits for submission of statements, references, explanatory notes and other such documents according to regulatory legal acts regulating the securities market or not completely submitting those documents shall:

entail a warning.

2. Obstruction by persons providing investment services in the territory of the Republic of Armenia, persons making public proposals for securities in the territory of the Republic of Armenia, responsible issuers, persons who are operators in the regulated market, the Central Depository, as well as the supervisors and other administrators thereof, persons operating within their composition or on their behalf on the basis of professional qualification, persons with qualifying holding or persons directly and indirectly engaged in large transactions being

made in the securities market of inspections being carried out by the Central Bank as prescribed by legislation and with periodicity or failure to submit to the Central Bank the documents required during those inspections, shall:

entail a warning or deprivation of qualification certificate.

3. Violating the requirements of regulatory legal acts regulating the securities market shall:

entail a warning and/or fine against natural persons in the amount of up to AMD 1 000 000, and against legal persons — in the amount of up to AMD 2 000 000.

4. Failure to complete, in the prescribed manner and/or time limit, the assignments of the Central Bank concerning elimination of the violations given by a warning prescribed by parts 1, 2, 3 or 4 of this Article shall:

entail a fine against natural persons in the amount of up to AMD 1 000 000, and against legal persons — in the amount of up to AMD 2 000 000, by way of deprivation of qualification certificate or without it.

5. Continuing the acts prescribed by parts 1, 2, 3 or 4 of this Article shall:

entail a fine against natural persons in the amount of up to AMD 1 000 000, and in the amount of up to AMD 100 000 for each day of violation, and against legal persons — in the amount of up to AMD 2 000 000 and in the amount of up to AMD 200 000 for each day of violation, by way of deprivation of qualification certificate or without it.

6. Provision by the same person of investment services prescribed by law, except for distribution of securities that is guaranteed or not guaranteed, within the composition of a person providing more than one investment service or on behalf of that person directly or indirectly, shall:

entail deprivation of qualification certificate.

7. Committing the acts prescribed by parts 1, 3, 4 or 5 of this Article with intent shall:

entail deprivation of qualification certificate.

8. Committal by a person of such acts, as a result of which the person providing investment services has suffered or could have suffered major financial damages or implementation of groundless activities and activities endangering the interests of investors during term of office or showing unfaithful attitude towards his or her official duties, including towards the obligations assumed in front of the person providing investment services and his or her clients shall:

entail deprivation of qualification certificate.

9. Violating the rules of regulatory legal acts regulating the securities market, the regulated market or the Central Depository or acting by violation thereof, where, as a result, the operator of the regulated market has been deprived of the right to make transactions within the regulated market within the composition of a person providing investment services or on his or her behalf shall:

entail deprivation of qualification certificate.

10. Publication by the operator of a regulated market or investment company or Central Depository of misleading, unreliable information or false documents or submission to the Central Bank shall:

entail termination of the validity of a licence (against an investment company completely or according to separate types of investment services).

11. Violation by the operator of a regulated market or the director thereof of regulatory legal acts regulating the securities market, as well as violating the requirements in the rules of the market periodically (twice or more) or essentially shall:

entail termination of the validity of a license.

12. Failure by the operator of a regulated market or the director thereof or investment company or the director thereof or the Central Depository to complete the assignments given by the Central Bank in the manner prescribed by law as prescribed and/or in the prescribed time limit or amount shall:

entail termination of the validity of a license.

13. Violation by the operator of a regulated market or director thereof or the Central Depository of regulatory legal acts regulating the securities market and the amounts of the statutory capital or total capital defined by regulatory legal acts of the Central Bank, in the amount fixed by regulatory legal acts of the Central Bank, shall:

entail termination of the validity of a license.

14. Violation by an investment company or director thereof of regulatory legal acts regulating the securities market, violating the requirements of internal legal acts of the investment company periodically (twice or more) or essentially shall:

entail termination of the validity of a licence (completely or according to separate types of investment services).

15. Violation by an investment company or the director thereof of the prudential standards prescribed by the regulatory legal acts regulating the securities market and the regulatory legal acts adopted by the Central Bank on the basis thereof, in the amount fixed by regulatory legal acts of the Central Bank, shall:

entail termination of the validity of a licence (completely or according to separate types of investment services).

16. Failure by an investment company or Central Depository to provide investment services consecutively for 12 months following receipt of licence shall:

entail termination of the validity of a licence (against an investment company completely or according to separate types of investment services).

17. Violation by Central Depository or the directors thereof of regulatory legal acts regulating the securities market, as well as periodically (twice or more) or essentially violating the requirements in the rules of the Central Depository shall:

entail termination of the validity of a license.

18. Committal by a Central Depository of such actions or manifestation of inactivity, which endanger the regular and legitimate activities of a securities market or have led to the outflow of information not subject to publication or provision as prescribed, shall:

entail termination of the validity of a license.

19. Investment funds, investment funds administrators, directors thereof and persons acting within or on behalf thereof and subject to qualification by the Central Bank shall not be a subject of liability defined by this Article.

**Article 599.** Violating the requirements of legal acts regulating currency relations

1. Violation by persons licensed by the Central Bank of laws regulating currency relations and other legal acts adopted based thereon shall:

entail a warning, and against the supervisor of a licensed person or employee of a licensed person — by way of deprivation of qualification certificate or without it.

2. Committing the act prescribed by part 1 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of AMD 2 000 000 or suspension of the validity of a licence for a period of up to one year, and against the supervisor of a licensed person or employee of a licensed person — by way of deprivation of qualification certificate or without it.

3. Committing the act prescribed by part 1 of this Article for the third time or more than three times within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine in the amount of AMD 4 000 000 or termination of the validity of a licence, and against the supervisor of a licensed person or an employee of the licensed person — by way of deprivation of qualification certificate or without it.

4. Failure by persons carrying out dealer trading in foreign currency (currency dealers), persons trading in foreign currency (currency exchange points), persons organising foreign currency biddings to provide their customers with a document certifying foreign currency trade and sales (receipt) shall:

entail a fine in the amount of AMD 4 000 000 or termination of the validity of a licence, and against the supervisor of a licensed person or an employee of the licensed person — by way of deprivation of qualification certificate or without it.

5. Committal by resident or non-resident persons not specified in this Article of administrative offences prescribed by parts 1, 2, 3 or 4 of this Article shall entail liability prescribed by Article 385 of this Code.

**Article 600. Violating the requirements prescribed in the field of activities of investment funds**

1. Violating the relations connected with the formation and/or activities of investment funds and/or administrators, the requirements of other laws regulating the activities of a financial group with the participation of administrators and/or other legal acts adopted based thereon shall:

entail a warning against corporate funds (including non-public funds), administrators or depositors (hereinafter referred to as "the controlled entity" in this Article), their supervisors and persons within or on behalf thereof subject to qualification by the existing law (hereinafter "the entity subject to qualification" in this Article).

2. Failure to complete the assignments of the Central Bank, in a manner and/or time limit prescribed, concerning elimination of the violations given by a warning prescribed by part 1 of this Article shall:

entail a warning and/or fine against natural persons in the amount of up to AMD 1 000 000, by way of deprivation of qualification certificate or without it, and against legal persons — in the amount of up to AMD 2 000 000, by way of termination of the validity of a licence (authorisation) or without it.

3. Continuing the acts prescribed by part 1 of this Article shall:

entail a fine against natural persons in the amount of up to AMD 1 000 000, and in the amount of up to AMD 100 000 for each day of violation, by way of deprivation of qualification certificate or without it, and against legal persons — in the amount of up to AMD 2 000 000 and in the amount of up to AMD 200 000 for each day of violation, by way of termination of the validity of a licence (authorisation) or without it.

4. Execution by the supervisor of a controlled entity or entity subject to qualification of actions prescribed by parts 1, 2 or 3 of this Article with intent shall:

entail a fine in the amount of up to AMD 1 000 000 by way of deprivation of qualification certificate or without it.

5. Implementation by the supervisor of a controlled entity or entity subject to qualification of groundless activities and activities endangering the interests of investors during their term of office, or manifestation of dishonest and unfaithful attitude towards their official duties, including the obligations assumed for the Controlled Person and his or her clients, where the action does not contain elements of other actions prescribed by this Article shall:

entail deprivation of qualification certificate.

6. Obstruction by the supervisor of a controlled entity or entity subject to qualification of actions of the Central Bank and its officers to carry out control shall:

entail deprivation of qualification certificate.

7. Committal by the supervisor of a controlled entity or entity subject to qualification of such actions, as a result of which the controlled entity has suffered or could have suffered

major financial damage, shall:

entail deprivation of qualification certificate.

8. The administrative penalty to terminate the validity of a licence against custodians of an investment fund shall be applied for the execution of relevant administrative offences prescribed by Article 582 of this Code.

**Article 601. Violating the requirements prescribed in the field of activities of credit institutions**

1. Violating the main prudential standards set for credit institutions shall:

entail a warning and/or fine for each violation of a prudential standard against the director of the executive body or chief accountant of a credit institution in the amount of up to AMD 1 000 000, and against a credit institution — in the amount not exceeding up to five percent of the minimum statutory fund established by the Central Bank, by way of termination of the validity of a licence or without it.

2. Violating the procedure and conditions for submitting and publishing the balance sheet, financial or other statements and/or submitting false data in these documents shall:

entail a warning and/or fine against the director of the executive body or chief accountant of a credit institution in the amount of up to AMD 1 000 000, and against a credit institution — in the amount not exceeding up to five percent of the minimum statutory fund established by the Central Bank, by way of termination of the validity of a licence or without it.

3. Implementation by a credit institution of financial operations by way of violations of laws and other legal acts shall:

entail a warning and/or fine against the director of the executive body or chief accountant of a credit institution in the amount of up to AMD 1 000 000, and against a credit institution — in the amount not exceeding up to one percent of the minimum statutory fund established by the Central Bank, by way of termination of the validity of a licence or without it.

4. Violating the other requirements of laws regulating the activities of a credit institution, other regulatory legal acts adopted based thereon, as well as the requirements of other internal legal acts of a credit institution, the requirements of laws regulating activities of a financial group and/or the legal acts adopted based thereon with the participation of a credit institution, where it does not contain elements of other actions prescribed by this Article, shall:

entail a warning and/or fine against the director of the executive body or chief accountant of a credit institution in the amount of up to AMD 1 000 000, and against a credit institution — in the amount not exceeding up to one percent of the minimum statutory fund established by the Central Bank, by way of termination of the validity of a licence or without it.

5. Failure to complete, in the prescribed manner and/or time limit, the assignments of the Central Bank concerning elimination of the violations given by a warning prescribed by parts 1, 2, 3 or 4 of this Article shall:

entail a fine in the amount prescribed for the given act by the relevant part of this Article, by way of termination of the validity of a licence or without it.

6. Committing the acts prescribed by parts 1, 2, 3 or 4 of this Article by the director of the executive body of a credit institution with intent shall:

entail a warning and/or a fine against the director of the executive body of a credit institution in the amount of up to AMD 1 000 000, by way of deprivation of a qualification certificate.

7. Failure by a credit institution to carry out crediting activities in the course of one year following receipt of a licence shall:

entail termination of the validity of a licence.

8. Implementation by the director of the executive body of a credit institution of groundless and dangerous activities during term of office, or committal of such actions arising from personal interests that contradict the interests of a credit institution or the clients of a credit institution, or manifestation of dishonest and unfaithful attitude towards official duties, including the accreditation duties assumed for a credit institution and the clients of a credit institution, where the act does not contain elements of other acts prescribed by this Article, shall:

entail deprivation of qualification certificate.

9. Obstruction by the director of the executive body of a credit institution of the actions of the Central Bank and its officials for carrying out control shall:

entail deprivation of qualification certificate.

10. Implementation by the director of the executive body of a credit institution of such actions, or manifestation of such inactivity, as a result of which the credit institution has suffered or could have suffered major financial damage or other damage, shall:

entail deprivation of qualification certificate.

#### **Article 602. Violating the requirements prescribed in the field of circulation of credit information and the activities of credit bureaus**

1. Provision by a credit bureau of services to recipients of a credit report and/or entities of credit information by way of violations of legal acts regulating the circulation of credit information and the activities of credit bureaus shall:

entail a warning.

2. Violation by a credit bureau of accounting rules, the procedure and conditions for submission and/or publication of financial and other statements, as well as reflection of false or unreliable data in the specified documents shall:

entail a warning.

3. Failure to complete the assignments of the Central Bank, in the time limit prescribed thereby, concerning elimination of the violations given by a warning prescribed by parts 1 or 2

of this Article shall:

entail a fine against a credit bureau in the amount of AMD 200 000.

4. Violation by a credit bureau of the requirements of legal acts regulating circulation of credit information and the activities of credit bureaus again and more than that in the course of one year shall:

entail a fine against a credit bureau in the amount of AMD 200 000.

5. Violating the territorial, technical, security and software requirements presented to a credit bureau shall:

entail a fine against a credit bureau in the amount of AMD 200 000.

6. Committing any one of the acts prescribed by parts 3-5 of this Article again within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the validity of a license.

7. Violating the requirements presented to a credit bureau for a database shall:

entail termination of the validity of a license.

8. Violation by persons licensed by the Central Bank of the requirements of legal acts regulating the circulation of credit information and the activities of credit bureaus by the credit bureau, where it does not contain elements of another administrative offence prescribed by this Chapter, shall:

entail a warning.

9. Submission by persons licensed by the Central Bank of wrong credit information to a credit bureau or receipt of a credit report from a credit bureau without the consent of the entity of credit information, where it does not contain elements of another administrative offence prescribed by this Chapter, shall:

entail a fine against a licensed person in the amount of AMD 200 000.

10. Committing the act prescribed by part 8 of this Article for the second time or more than twice within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail a fine against a licensed person in the amount of AMD 200 000.

11. Committing the act prescribed by part 9 of this Article for the second time or more than twice within a one-year period after the decision on imposing an administrative penalty has become inappealable shall:

entail termination of the validity of a license.

**Article 603. Violating the requirements prescribed in the field of activities of the bureau of insurance companies carrying out compulsory insurance against liability arising from the use of motor vehicles**

1. Violation by the Bureau and/or executive director of the Bureau or other qualified



person of laws regulating the activities of the bureau of insurance companies carrying out compulsory insurance against liability arising from the use of motor vehicles (hereinafter referred to as "the bureau" in this Article), regulatory legal acts of the Central Bank or other legal acts, as well as the rules of the Bureau shall:

entail a warning.

2. Violation by the Bureau and/or the executive director of the Bureau or other qualified person of accounting rules, as well as of the procedure and conditions for publication or submission of financial and other statements and/or submission of false or unreliable data in these documents shall:

entail a warning.

3. Continuing the acts prescribed by part 1 or 2 of this Article or failure to complete the assignment given by the Central Bank for those violations in the prescribed manner and/or time limit or failure to take necessary and effective steps for eliminating the violations shall:

entail a fine against the bureau in the amount of up to AMD 2 500 000 for each violation, and against the executive director of the bureau or other qualified person — in the amount of up to AMD 1 000 000, by way of deprivation of qualification certificate or without it.

4. Committal by the executive director of the bureau or other qualified person of actions prescribed by part 1 or 2 of this Article with intent shall:

entail deprivation of qualification certificate.

5. Implementation by the executive director of the bureau or other qualified person of such an action during term of office or manifestation of such inactivity, as a result of which the rights or legitimate interests of the bureau, policyholders, insured persons, insurance companies and other beneficiaries have been endangered or could have been endangered, or committal of such actions arising from personal interests that contradict their rights or legitimate interests, where the act does not contain elements of other acts prescribed by this Article, shall:

entail deprivation of qualification certificate.

6. Obstruction by the executive director of the bureau or other qualified person of actions of the Central Bank and its officials for carrying out control, or manifestation of dishonest and unfaithful behaviour during the performance of his or her official duties shall:

entail deprivation of qualification certificate.

7. Committal by the executive director of the bureau or other qualified person of actions, as a result of which the bureau has suffered or could have suffered major financial or other damages shall:

entail deprivation of qualification certificate.