

OFFICIAL TRANSLATION

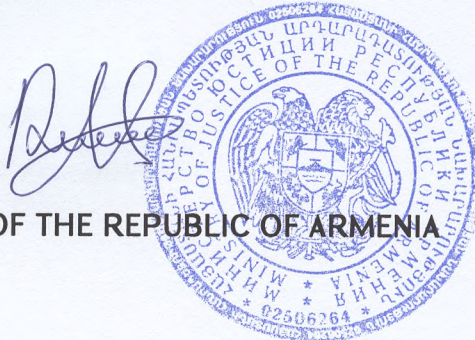
MINISTRY OF JUSTICE OF THE REPUBLIC OF ARMENIA

755-L/11.06.2018/EN/I/19.02.2021

RUSTAM BADASYAN

MINISTER OF JUSTICE OF THE REPUBLIC OF ARMENIA

19 FEBRUARY 2021



PRIME MINISTER OF THE REPUBLIC OF ARMENIA

DECISION

No 755-L of 11 June 2018

**ON APPROVING THE CHARTER OF THE HEALTH AND LABOR INSPECTION
BODY OF THE REPUBLIC OF ARMENIA**

Guided by part 10 of Article 7 of the Law of the Republic of Armenia “On bodies of state administration system” and taking into account that according to Article 4 of the Law of the Republic of Armenia “On bodies of state administration system” the Healthcare Inspection Body of the Ministry of Health of the Republic of Armenia has been re-organised into Health and labor Inspection body:

1. To approve the Charter of the Health and labor Inspection body of the Republic of Armenia, according to the Annex.

2. To the Head of the Office of Inspection Bodies of the Office of the Prime Minister of the Republic of Armenia — to ensure the submission of draft legal acts related to the course of normal operation of inspection bodies.

**Prime Minister
of the Republic of Armenia**

N. Pashinyan

11 June 2018

Yerevan

Annex
to Decision of the Prime Minister
of the Republic of Armenia
No 755-L of 11 June 2018

CHARTER
OF THE HEALTH AND LABOR INSPECTION BODY
OF THE REPUBLIC OF ARMENIA

I. GENERAL PROVISIONS

1. The Health and labor Inspection body of the Republic of Armenia (hereinafter referred to as “Inspection Body”) shall be a body carrying out supervision and other functions prescribed by law, subordinate to the Government of the Republic of Armenia, which imposes sanctions as prescribed by law in the fields of healthcare, labour law, including maintenance of health and ensuring safety of employees, by acting on behalf of the Republic of Armenia.

(point 1 amended by No 768-L of 3 July 2020)

2. The Inspection Body shall be established, re-organised, and activities thereof shall be terminated by law.
3. The Inspection Body shall operate on the basis of the Constitution of the Republic of Armenia, the Law of the Republic of Armenia “On inspection bodies”, other legal acts and the Charter thereof.

4. The name of the Inspection Body shall be:
- (1) in Armenian — “Հայաստանի Հանրապետության առողջապահական և աշխատանքի տեսչական մարմին, ԱԱՏՄ”;
 - (2) in Russian — “Инспекционный Орган Здравooхранения и труда Республики Армения, ИОЗТ”;
 - (3) in English — “Health and labor Inspection body of the Republic of Armenia, HLIB”;
 - (4) in French — “L’inspection de la santé et du travail de la République d’Arménie, IST”.

(point 4 amended by No 768-L of 3 July 2020)

5. The Inspection Body shall have a round seal and headed forms bearing the image of the Coat of Arms of the Republic of Armenia and an inscription of its name. The Inspection Body may have a symbol and other means of identification.
6. The positions of Head of the Inspection Body, Deputy Head of the Inspection Body, Assistant to Head of the Inspection Body, Adviser to Head of the Inspection Body, Assistant to Deputy Head of the Inspection Body, the Quality Assurance Subdivision and the structural subdivisions shall be included in the composition of the Inspection Body. The Inspection Body may have territorial subdivisions.
7. State non-commercial organisations may be placed under subordination of the Inspection Body, as well as the competence to possess state stocks or shares may be vested to the Inspection Body as prescribed by the legislation of the Republic of Armenia.
8. The location of the Inspection Body shall be: 129 A. Armenakyan Street, city of Yerevan.

II. GOALS AND OBJECTIVES OF THE INSPECTION BODY

9. The goal of the Inspection Body shall be ensuring observance of the requirements of legal acts in the field of healthcare, as well as the labour legislation of the Republic of Armenia and other regulatory legal acts containing norms of labour law, collective and employment agreements in cases and as prescribed by law.

(point 9 edited by No 768-L of 3 July 2020)

10. The objectives of the Inspection Body shall be: risk management in the sectors of ensuring the sanitary and epidemiological safety, medical care and service of the population, circulation of medicine, labour law, including maintenance of health and ensuring safety of employees, and supervision over observance of the requirements of laws and other regulatory legal acts of the Republic of Armenia, as well as implementation of preventive measures in the sectors of ensuring the sanitary and epidemiological safety, medical care and service of the population, circulation of medicine, ensuring safety, maintenance of health of employees, and regulation of labour relations.

(point 10 edited by No 768-L of 3 July 2020)

III. POWERS OF THE INSPECTION BODY

11. Powers of the Inspection Body shall be:
 - (1) state sanitary and hygiene and anti-epidemiological supervision in the territory of the Republic of Armenia provided for by the legislation of the Republic of Armenia on ensuring sanitary and epidemiological safety of the population, which shall include:
 - a. exercising supervision over observance of the requirements of the legislation of the Republic of Armenia on ensuring sanitary and epidemiological safety of the population and over sanitary and

epidemiological preventive measures by economic entities (except for the requirements of the legislation in the fields of safety of food and non-food products);

- b. revealing (detecting) the causes and conditions for the emergence of infectious, occupational (professional) and mass non-infectious diseases, poisonings and for the spread thereof, and supervision over organising sanitary and hygiene and anti-epidemiological preventive measures for the purpose of prevention thereof;
- c. sampling and implementation of instrumental measurements for the purpose of sanitary and hygiene expert examination and conducting laboratory examinations within the scope of supervision;
- d. submitting a recommendation to competent bodies on adoption of a decision on setting quarantine based on the need to ensure the sanitary and epidemiological safety of the population in the territory of the Republic of Armenia;
- e. rendering a decision on not permitting persons not having undergone preliminary and regular medical examination to work in cases and as prescribed by law;
- f. issuing executive orders — in cases and as prescribed by law — on implementation of works for disinfection, disinsection or deratisation in foci of infectious diseases where there are conditions for emergence and spread of infectious, including parasitic diseases;
- g. organising — within the scope of competence thereof — preventive, medical and restrictive measures by border medical and sanitary checkpoints in state border crossing points;
- h. issuing an executive order — in cases and as prescribed by law — on suspending activities of instructional and educational institutions,

- healthcare and cultural objects as a result of recording violations posing an essential threat to human life and health, until the elimination of the recorded violations of sanitary norms and rules, hygiene normatives and anti-epidemiological regimes;
- i. issuing an executive order — within the scope of competence thereof — on suspending water use for drinking, household, economic, production, and technical needs in cases and as prescribed by law;
 - j. awareness-raising about medical and hygiene knowledge and healthy lifestyle;
 - k. submitting recommendations to the state authorised body of the Republic of Armenia in the sector of healthcare for the formation of unified state policy for ensuring the sanitary and epidemiological safety of the population;
 - l. conditioned by the food factor, in case of detection of infectious diseases and poisonings or infectious diseases common for people and animals, informing the bodies exercising state supervision over food safety and co-operating in works for organising measures for the detection of causes and conditions for the emergence, as well as for the spread thereof, and anti-epidemiological measures;
 - m. detection of causes and conditions for the emergence, as well as for the spread of infectious, mass non-infectious diseases and poisonings and elaboration of necessary recommendations for the purpose of ensuring supervision;
- (2) exercising supervision over circulation of medicine within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On medicine”;

- (3) exercising supervision over filling in medical documents, maintenance, circulation thereof, as well as conditions and requirements for licence in the field of healthcare within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On medical care and service of the population”;
- (4) exercising supervision — within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On donation of human blood and its components and transfusion medical care” — over:
 - a. provision and obtaining of information on blood register maintenance;
 - b. information provided to the donor and obtaining of consent;
 - c. requirements of the procedure for taking the blood or its component;
 - d. the procedure for and methods of conducting mandatory blood examinations;
 - e. preparation of blood components;
 - f. storage, transport, export and import of blood or its component;
 - g. production and circulation of donor blood products;
 - h. maintenance of privileges provided to the donor;
 - i. conducting blood component transfusion;
 - j. ensuring blood bank and provision of blood components;
- (5) exercising supervision — within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On human reproductive health and reproductive rights” — over:
 - a. gamete and embryo storage;
 - b. induced terminations of pregnancy and voluntary medical sterilisation;

- c. application of assisted reproductive technologies;
 - d. reproductive (gamete) donation;
- (6) exercising supervision — within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On psychiatric care” — over:
- a. observance of the requirements for exercising the rights of persons suffering from mental disorders;
 - b. hospitalisation, including non-voluntary, treatment and discharge;
- (7) exercising supervision — within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On transplantation of human organs and/or tissues” — over:
- a. taking, treating transplantation organs and/or tissues and conducting transplantation;
 - b. activities, registration and use of information of the register for organ and tissue donors and recipients;
 - c. permission to take organs and/or tissues from a corpse;
- (8) exercising supervision — within the scope of competence thereof, provided for by the Law of the Republic of Armenia “On prevention of a disease arisen from the human immunodeficiency virus” — over prevention of a disease arisen from the human immunodeficiency virus, including mandatory medical advice and examination;
- (9) exercising supervision — within the scope of competence thereof — over:
- a. advertising of milk formulae intended for infants and children of early age, any food intended for infants of up to 6 months, which is not milk formula, and related goods;
 - b. advertising of medicine, medical equipment and therapeutic methods;

- c. advertising of medical care and service, pharmacy activities, and production of medicine;
 - d. advertising of human organs and tissues;
 - e. advertising of donation of blood or its components and transfusion medical care;
- (10) exercising state supervision prescribed by law in the sector of labour law, including maintenance of health and ensuring safety of employees, which includes:
- a. exercising supervision over mandatory requirements on maintenance of health and ensuring safety of employees at the workplace, prescribed by the legislation of the Republic of Armenia, including availability, maintenance and exploitation of collective and individual protective means for occupational safety;
 - b. examining, analysing accidents at the workplace and occupational diseases, submitting motions and/or recommendations to the employer for the purpose of prevention thereof, in cases and as prescribed by law;
 - c. providing information and/or advice to employers, employees and their representatives on compliance with the legislation related to ensuring safety and maintenance of health of employees and labour relations;
 - d. exercising supervision over the ensuring of guarantees prescribed by the labour legislation for persons under the age of 18, as well as for pregnant or breast-feeding women and employees taking care of a child;
 - e. temporary termination of activities in cases and as prescribed by the Labour Code and other regulatory legal acts until the elimination of violations;

- f. organising seminars on implementation of the labour legislation and other legal acts containing norms of labour law for employers, employees and their representatives;
- g. submitting a recommendation to the authorised body on the improvement of the labour legislation and other legal acts containing norms of labour law;
- h. exercising supervision — within the scope of competence thereof — over the course of fulfilment of the requirements of the legislation of the Republic of Armenia, aimed at the protection of rights and lawful interests of employees during the liquidation of organisations;
- i. exercising supervision over fulfilment of obligations provided for by collective agreements;
- j. requiring and obtaining necessary documents, explanations, statements of information, other information related to the rights of employees from the employer or the representative thereof, state and local self-government bodies and taking copies of documents when exercising supervision functions as prescribed by law;
- k. exercising supervision over observance of the procedure for conclusion and/or rescission of employment agreements, detection of cases of works in the absence of an individual legal act on hiring or written employment agreement (illegal work), observance of durations of work time and rest time, calculation and payment of salary in the manner and within the time limits prescribed by law;
- l. exercising supervision over observance of the procedure prescribed by the Government of the Republic of Armenia for registration of and investigation into cases of accidents at the workplace and occupational diseases and over timely payment of amounts subject to compensation for damage as prescribed by law;

- (10.1) the Inspection Body shall exercise the supervision prescribed by paragraphs “h”-“k” of sub-point 10 of this point in case of availability of a written application received;
- (10.2) exercising supervision — within the scope of competence thereof — over observance of the requirements of the rules of sale, advertising, prohibition on promotion of and restrictions on realisation (sale), as well as the requirements for undertaking measures for restrictions on use of tobacco products or accessories thereof or substitutes of tobacco products (except for substitutes used for medical purposes) and/or imitations of tobacco products, provided for by the Law of the Republic of Armenia "On decrease and prevention of damage caused to health as a result of the use of tobacco products and their substitutes";
- (11) issuing assignments for mandatory fulfilment — in cases prescribed by law — on violations detected as a result of inspections conducted within the scope of competence thereof, by prescribing time limits for their elimination;
- (12) imposing sanctions — prescribed by law — for violating the requirements of the legal acts regulating relations in the field of healthcare, labour law, including maintenance of health and ensuring safety of employees;
- (13) implementing explanatory work on application of provisions of the laws of the Republic of Armenia and legal acts adopted in accordance thereto in the field of healthcare, labour law, including maintenance of health and ensuring safety of employees, and informing economic entities about the rights and obligations thereof;
- (14) submitting motions to licensing bodies for repealing or suspending licences issued to natural and legal persons on violations of the requirements and conditions prescribed by the Law of the Republic of Armenia "On licensing" and other legal acts, detected as a result of the supervision exercised within

the scope of competence thereof, as well as submitting motions on violations of the requirements and conditions prescribed by the legislation of the Republic of Armenia to bodies issuing permits;

- (15) in case of adoption of new legal acts or publication of guides regarding the activities of the economic entity, relating to its competence, as well as making amendments or supplements thereto, ensuring of informing the economic entities thereon as prescribed by the Law of the Republic of Armenia "On inspection bodies";
- (16) performing works of collection of statistical data and analyses, risk assessment of economic entities operating in the field of supervision thereof, and aiming of supervisory and control functions at the more risky sectors and economic entities;
- (17) exchanging information — revealed within the scope of powers thereof — not prohibited by law with other inspection bodies for the purpose of exercising supervisory functions more effectively;
- (17.1) exercising supervision in the sector of circulation of medicine vested therein by the Law of the Republic of Armenia "On material reserves";
- (17.2) participating — within the scope of competence thereof — in mobilisation preparation and implementation of measures in the field of mobilisation;
- (18) exercising other powers vested therein by law.

(point 11 amended, edited, supplemented by No 768-L of 3 July 2020)

IV. MANAGEMENT AND ADMINISTRATION OF THE INSPECTION BODY

12. Management of the Inspection Body shall be carried out by the Prime Minister of the Republic of Armenia and the Management Board of the Inspection Body which is comprised of ten members.
13. The Prime Minister of the Republic of Armenia shall:
 - (1) approve the Charter of the Inspection Body, including its structure, and make amendments thereto;
 - (2) approve the composition of the Management Board of the Inspection Body upon the submission by the Chief of Staff of the Office of the Prime Minister of the Republic of Armenia;
 - (3) prescribe the main directions of activities of the Inspection Body in compliance with the sector of activities, goals and objectives provided for by law and other legal acts;
 - (4) exercise supervision over the activities of the Inspection Body;
 - (5) hear reports on the activities of the Inspection Body, and examine the results of the inspection of activities;
 - (6) exercise supervision over the maintenance of state property attached to or granted for use to the Inspection Body;
 - (7) approve the annual balance, unless otherwise provided for by law.
14. The Management Board of the Inspection Body (hereinafter referred to as "Board") shall be presided by the principle of rotation by the head of the authorised body developing the policy in the field of healthcare or the head of the authorised body developing the policy in the field of labour and social affairs, upon the decision of the Prime Minister of the Republic of Armenia.

15. The Board shall:

- (1) approve annual programmes of the activities of the Inspection Body and inspections to be conducted, submitted by the head of the Inspection Body;
- (2) give approval to draft regulatory legal acts submitted by the Inspection Body;
- (3) approve guides regarding inspections;
- (4) initiate measures aimed at the elimination of shortcomings revealed as a result of control actions of the Quality Assurance Subdivision and supervise over implementation thereof;
- (5) discuss the estimate of annual maintenance expenditures of the Inspection Body and give approval thereto;
- (6) discuss draft annual or quarterly reports of the Inspection Body, subject to approval by the head of the Inspection Body, and give approval thereto;
- (7) approve procedures for performance evaluation, within the scope of the legislation of the Republic of Armenia;
- (8) give approval to the staff list of the Inspection Body and job descriptions of the civil service positions;
- (9) give approval to the candidacy of the Deputy Head of the Inspection Body;
- (10) exercise other powers vested therein by law.

16. The Inspection Body shall be headed by the Head of the Inspection Body. The position of the Head of the Inspection Body shall be an administrative position. The Prime Minister of the Republic of Armenia shall — upon submission by the Board — appoint the Head of the Inspection Body to position and apply incentives to and impose sanctions against him or her. The Head of the Inspection Body shall be dismissed from position by the Prime Minister of the Republic of Armenia.

17. Citizens of the Republic of Armenia having higher education may be appointed as Head of the Inspection Body.

(point 17 edited by No 1037-L of 2 August 2018)

18. The Head of the Inspection Body shall be accountable to the Government of the Republic of Armenia, the Prime Minister of the Republic of Armenia, and the Board.

19. The Head of the Inspection Body shall:

- (1) manage, co-ordinate and supervise the current activities of the Inspection Body, be responsible for the implementation of objectives and functions set before the Inspection Body;
- (2) define the scopes of powers of deputies thereof, differentiating the supervisory and analytical, and planning functions;
- (3) submit the candidacy of the deputies having gained the approval of the Board to the Prime Minister of the Republic of Armenia for appointment;
- (4) submit recommendations on the fields of activities, goals and objectives, provided for by law, other legal acts, the Charter of the Inspection Body to the Board, and in case of the positive opinion of the Board — to the Office of the Prime Minister of the Republic of Armenia;
- (5) submit the number of employees of the Inspection Body to the Prime Minister of the Republic of Armenia for approval;
- (6) approve the staff list of the Inspection Body and job descriptions of the civil service positions, having gained the approval of the Board;
- (7) within the scope of his or her competence, issue orders, executive orders and give assignments, instructions, act on behalf of the Republic of Armenia without a letter of authorisation, as well as issue letters of authorisation to act on behalf of the Republic of Armenia, including letters of authorisation with the power of re-authorisation;

- (8) within the scope of powers vested therein by law, make appointments to positions of the Inspection Body, including civil service positions, as well as apply incentives to and impose sanctions against employees;
 - (9) exercise supervision over the maintenance of state property attached to the Inspection Body;
 - (10) suspend or repeal orders, directives, assignments, commands and instructions — contradicting the requirements of the legislation of the Republic of Armenia — thereof, the deputies thereof, of the heads of territorial subdivisions of the Inspection Body;
 - (11) issue an order or assignment on conducting an inspection as prescribed by the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia", as well as apply sanctions by the results of inspections;
 - (12) submit the estimate of annual maintenance expenditures of the Inspection Body to the Board for approval;
 - (13) exercise other powers provided for by law.
20. In case of absence of the Head of the Inspection Body, he or she shall be substituted by the first deputy, and where the position of the first deputy is not provided for or in case of absence of the first deputy — by the deputy within the Inspection Body with the longest record of service in the position of Deputy Head of the Inspection Body, unless otherwise provided for by law.
21. The Head of the Inspection Body shall have three deputies, the positions whereof shall be administrative, and they shall be appointed to, dismissed from position, as well as incentives shall be applied thereto and sanctions shall be imposed against them by the Prime Minister of the Republic of Armenia.

22. Citizens of the Republic of Armenia having higher education may be appointed as Deputy Head of the Inspection Body.

(point 22 edited by No 1037-L of 2 August 2018)

23. The Deputy Head of the Inspection Body shall:

- (1) act by virtue of powers delegated by the Head of the Inspection Body and co-ordinate the works in the fields assigned thereto;
- (2) forward the assignments of the Head of the Inspection Body to structural subdivisions of the Inspection Body, state non-commercial organisations placed under subordination thereof within the scope of his or her powers of co-ordination, or give assignments within the scope of his or her powers of co-ordination, and exercise control over the fulfilment thereof, and inform the Head of the Inspection Body about the results;
- (3) co-operate with other state bodies and organisations within the scope of his or her powers of co-ordination;
- (4) submit recommendations to the Head of the Inspection Body within the scope of his or her powers of co-ordination;
- (5) fulfil the instructions and assignments issued by the Head of the Inspection Body.

24. The adviser to the Head of the Inspection Body shall fulfil the assignments of the Head of the Inspection Body and exercise the powers prescribed by the job description of the position.

25. The assistant to the Head of the Inspection Body shall fulfil the assignments of the Head of the Inspection Body.

26. Assistant to the Deputy Head of the Inspection Body shall fulfil the assignments of the Deputy Head of the Inspection Body.

V. STRUCTURAL SUBDIVISIONS OF THE INSPECTION BODY

27. The main professional structural subdivisions of the Inspection Body shall be:
- (1) Department for Supervision over Circulation of Medicine;
 - (2) Department for Supervision over Medical Care and Service;
 - (3) Department for Hygiene, Sanitary and Hygiene and Anti-Epidemiological Supervision;
 - (4) Department for Risk Assessment, Inspection Planning and Analysis;
 - (5) ***(sub-point repealed by No 1121-L of 3 October 2020)***
 - (6) Department for Legal Support and Document Circulation;
 - (7) Division for Awareness-Raising, Advice and Public Outreach;
 - (8) Quality Assurance Department;
 - (9) Division for Mobilisation;
 - (10) Department for Supervision over Labour Legislation.

(point 27 edited, supplemented by No 768-L of 3 July 2020, amended, supplemented by No 1121-L of 3 October 2020)

28. Territorial subdivisions of the Inspection Body shall be:
- (1) Territorial Centre of the city of Yerevan;
 - (2) Northern Territorial Centre;
 - (3) Western Territorial Centre;
 - (4) Eastern Territorial Centre;
 - (5) Southern Territorial Centre;
 - (6) Border Medical and Sanitary Checkpoint of "Zvartnots" International Airport;

- (7) Border Medical and Sanitary Checkpoint of Meghri;
- (8) Border Medical and Sanitary Checkpoint of Bavra;
- (9) Border Medical and Sanitary Checkpoint of "Shirak" Airport;
- (10) Border Medical and Sanitary Checkpoint of Bagratashen;
- (11) Border Medical and Sanitary Checkpoint of Ayrum-Jiliza;
- (12) Border Medical and Sanitary Checkpoint of Gogavan-Privolnoye.

(point 28 amended by No 768-L of 3 July 2020)

- 29. Competences of structural subdivisions of the Inspection Body shall be prescribed by the Head of the Inspection Body, by approving the charters thereof.

VI. PROPERTY OF THE INSPECTION BODY

- 30. The Inspection Body shall have an independent balance (in the cases provided for by the legislation of the Republic of Armenia).
- 31. The property of the Inspection Body shall be generated from the property transferred (attached) to the possession and use of the Inspection Body as prescribed by the legislation of the Republic of Armenia.
- 32. The Inspection Body shall possess, use, and — in the cases provided for by other legal acts — also dispose of the property transferred thereto.

VII. PERSONNEL MANAGEMENT, ACCOUNTING AND REPORTS

- 33. Functions of accounting, organising of procurement (fiscal), personnel management and organisational and economic functions, necessary for ensuring the activities of the Inspection Body, functions of administrative (organisational)

nature related to the budget of the Inspection Body, as well as to conducting of inspections not envisaged under the annual programme of inspections by the Inspection Body shall be exercised by the Office of the Prime Minister of the Republic of Armenia.

VIII. FUNDING OF THE INSPECTION BODY

34. The draft budget request of the Inspection Body shall be prepared by the Inspection Body.
35. The draft budget request drawn up by the Inspection Body shall be submitted to the Board for approval, after which the Inspection Body shall submit the budget request to the Chief of Staff of the Office of the Prime Minister of the Republic of Armenia.
36. Amendments or supplements to the funding of the structural and territorial subdivisions of the Inspection Body, reflected in the State Budget of the Republic of Armenia in a separate line, may be made only upon the consent of the Board.

(Annex edited by No 1037-N of 2 August 2018, amended, edited, supplemented by No 768-L of 3 July 2020, amended, supplemented by No 1121-L of 3 October 2020)

**Chief of Staff of the Office
of the Prime Minister
of the Republic of Armenia**

E. Aghajanyan



Կազմված է քսանմեկ թղթից:
Comprises twenty one pages.