

LAW OF THE REPUBLIC OF ARMENIA

ON LICENSING

Adopted on 30 May 2001

CHAPTER I

GENERAL PROVISIONS

Article 1. Subject matter of the Law

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

This Law does not extend to licences for import and/or export of goods for foreign trade purposes, permits (licences) issued for the use of state-owned subsoil and natural resources, as well as to licence agreements concluded in civil law relations.

(Article 1 edited by HO-230-N of 17 December 2014)

Article 2. Legislation on licensing

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

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

Article 3. Main concepts used in this Law

The main concepts used in this Law are the following:

licence — an official authorisation certifying the right to carry out the type of activity subject to licensing, as well as an official document certifying such right;

type of activity subject to licensing — the type of activity for the performance of which a licence is required by law;

licensing — a process related to the issuance, renewal, reissuance, suspension and withdrawal of licences;

licensing bodies — state bodies carrying out licensing as prescribed by this Law;

licensee — a legal or natural person or an individual entrepreneur, as well as a state or community institution not constituting a state or local self-government body which has been granted a licence for carrying out an activity subject to licensing as prescribed by law;

requester (applicant) — a legal or natural person or an individual entrepreneur, as well as a state or community institution not constituting a state or local self-government body, which has applied to a licensing body to obtain a licence, to renew a licence, reissue a licence, to change the place of activity or to carry out the same activity subject to licensing in a different place as well, to obtain a copy of a licence or a transcript.

informing or sending documents in a due manner — informing or sending documents shall be considered to be duly effected if sent by registered letter with notification of delivery or by use of other means of communication ensuring the formulation of a message (including by sending a message to the phone number specified by the requester) or through an electronic system (including through the electronic mail specified by the requester), by other means of electronic communication prescribed by the legislation, or delivered with a receipt (hereinafter referred to as "in a due manner");

gross violation — violation shall be deemed to be gross where in the result of such violation:

- other persons have incurred losses in the amount of two-hundred-fold to one-thousand-fold of the minimum salary;
- minor or less serious damage has been caused to the health of a person;

regular violation — violation shall be deemed to be regular where the licensee has been given a warning in writing at least twice a year for committing such a violation, and non-compliance with which might have caused minor or less serious damage;

malicious violation — violation shall be deemed to be malicious where it continues after the warning in writing of the licensing body, and the non-compliance with which might have caused a serious damage;

serious damage — damage shall be deemed to be serious where:

- it has caused less serious damage to the health of two or more persons;
- it has caused serious damage to the health of a person;
- it has entailed death of a person;
- other persons have incurred losses in the amount exceeding one-thousand-fold of the minimum salary.

(Article 3 supplemented by HO-227-N of 8 December 2010, amended by HO-48-N of 29 April 2013)

Article 4. Principles of licensing

The principles of licensing are the following:

- (1) protection of the rights, lawful interests, morals and health of persons; ensuring the defence and security of the State;

- (2) ensuring a common policy in the field of economic activities within the territory of the Republic of Armenia and establishing a single uniform list of types of activity subject to licensing;
- (3) establishing a uniform procedure for and principles of licensing;
- (4) publicity of licensing;
- (5) ensuring the lawfulness of the licensing process;
- (6) simplifying the licensing process and ensuring the transparency thereof;
- (7) establishing uniform standards and types of liability for violations by licensees of the requirements for activities subject to licensing.

Article 5. Objectives of licensing

The objectives of licensing certain types of activity shall be the following:

- (1) protecting consumers' rights;
- (2) contributing to the regulation of developing market relations;
- (3) increasing the quality of goods and services;
- (4) exercising control over those engaged in activities constituting potential sources of increased danger for the life, health and property of persons, state and public interests, conservation of nature and cultural heritage;
- (5) exercising control over the activities of licensees to ensure the fulfilment of international obligations assumed by the Republic of Armenia for ensuring the international security.

(Article 5 supplemented by HO-169-N of 17 September 2009)

Article 6. Validity of a licence

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

CHAPTER II

IMPLEMENTATION OF LICENSING

Article 7. Entities entitled to carry out activities subject to licensing

1. Legal and natural persons, as well as individual entrepreneurs shall have the right to carry out activities subject to licensing.

The natural person having obtained a licence shall have the right to engage in entrepreneurial activity in the field concerned only as an individual entrepreneur, except for the cases prescribed by law.

2. Commercial organisations shall have the right to carry out all types of activity subject to licensing, unless prohibited by law or by the charter of the organisation.
3. Non-commercial organisations shall have the right to carry out all types of activity subject to licensing, unless prohibited by law and provided that the right to engage in such an activity is explicitly stipulated in their charters.
4. The individual entrepreneur shall have the right to carry out all types of activity subject to licensing, unless prohibited by law.

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

6. State or community institutions not considered state or local self-government bodies, may also carry out activities subject to licensing where the right to engage in such an activity is expressly provided for by the legislation of the Republic of Armenia or by their charters.

For legal persons, the licensing of state or community institutions shall be carried out under the procedure provided for by this Law.

6.1 Upon the decision of the Government of the Republic of Armenia, foreign legal persons may carry out activities subject to licensing provided for by this Law where the relevant licence issued by foreign states is available.

7. The absence of an entry on carrying out relevant types of activity in the charter or state registration certificate of the commercial organisation having applied for a licence, as well as in the state record-registration certificate of the individual entrepreneur shall not serve as a ground for rejecting the application for a licence.

The absence of an entry providing for the right to carry out the activity subject to licensing, in the charter or state registration certificate of the commercial organisation having obtained a licence, as well as in the state record-registration certificate of an individual entrepreneur shall not serve as a ground for subjecting that organisation to liability.

8. The licence may not be transferred to other persons for use, alienated or pledged, except for the cases provided for by law.

9. The licence shall not be valid for persons carrying out joint activity with the licensee, including those carrying out activities under joint venture contract, as well as for legal persons established or operating with participation of the licensee.

10. Entities having the right to carry out the types of activities subject to licensing may commence the activity subject to licensing from the moment the licence takes effect.

(Article 7 amended by HO-172-N of 22 June 2012, supplemented by HO-172-N of 20 November 2014, HO-175-N of 15 December 2015)

Article 8. Licensing bodies

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

1.1. In the licensing process the submission and receipt of documents outside the city of Yerevan may be carried out under the principle of "one-stop-shop", the procedure of which shall be established by the Government of the Republic of Armenia.

2. The Central Bank of the Republic of Armenia, the Public Services Regulatory Commission of the Republic of Armenia, the National Commission on Television and Radio of the Republic of Armenia, and ministries or agencies authorised by the Government of the Republic of Armenia (hereinafter referred to as "the licensing bodies") shall grant licences for the purpose of carrying out relevant types of activity provided for by Article 43 of this Law.

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

The peculiarities of licensing in the fields of energy, electronic communication and water shall be defined by the Laws of the Republic of Armenia "On energy", "On electronic communication" and by the Water Code of the Republic of Armenia respectively, as well as by the licensing procedures adopted in accordance therewith.

Procedures and requirements for licensing, including granting, renewal, reissuance, suspension or termination of a licence, as well as other procedures and requirements prescribed by this Law shall not extend to licences granted by the Central Bank of the Republic of Armenia provided for by Article 43 of this Law.

(paragraph repealed by HO-252-N of 8 December 2005)

Legal relations pertaining to the licensing in the field of broadcasting of radio and television programmes shall be regulated by this Law insofar as it does not contradict the Laws of the Republic of Armenia “On television and radio” and “Rules of Procedure of the National Commission on Television and Radio”, and the relevant procedures adopted by the National Commission on Television and Radio on the basis thereof.

The relations pertaining to the licensing in the field of auditing services shall be regulated by this Law insofar as it does not contradict the laws governing the given field.

3. The licensing bodies shall establish commissions (hereinafter referred to as "the licensing commissions") for giving opinions on granting, suspension or termination of a licence, except for cases when the actions provided for by this point are carried out upon decisions of collegial licensing bodies.

4. The charters of licensing commissions shall be approved by the licensing bodies.

5. Only the bodies having granted a licence and their legal successors shall be entitled to consider the issues of renewal, reissuance, suspension or termination of the licence and make relevant decisions.

6. The licensing bodies shall be obliged to keep confidential the information of the requesters or licensees constituting a commercial or other secret under the law.

(Article 8 supplemented by HO-307 of 20 February 2002, edited by HO-364-N of 29 May 2002, supplemented by HO-101-N of 11 June 2004, amended

by HO-252-N of 8 December 2005, amended, edited by HO-31-N of 16 December 2005, edited by HO-282-N of 22 December 2010, supplemented by HO-208-N of 26 May 2011, HO-172-N of 20 November 2014, edited by HO-109-N of 23 June 2015, amended by HO-169-N of 27 October 2017)

Article 9. Decisions of the licensing bodies

1. In cases provided for by this Law the licensing body shall adopt its decisions on the basis of the opinion of the relevant commission. However, the licensing body shall have the right not to take the opinion of a commission as a basis for the decision. In this case it shall be obliged to justify by its decision the reasons for rejecting the opinion of the commission.

2. The decision of the licensing body must state the following:

- (1) the name of the licensing body and the date of taking the decision;
- (2) the issue (the application, appeal, suspension of the licence, etc.) on which the decision has been taken;
- (3) the name of the person representing the issue;
- (4) the reasons or grounds based on which the licensing body has come to conclusions, by reference to laws and other legal acts;
- (5) the opinion on the issue being considered.

3. Where a state duty prescribed by law for granting a license or its copy, renewing a license, reissuing a licence or for carrying out the same activity subject to licensing in a different place, is paid after the relevant decision is taken, the licence, copy of the licence, renewed licence, reissued licence, licence for carrying out the same activity subject to licensing in a different place, as well as the relevant decisions

thereon shall be properly handed over or sent to the licensee not later than the day of paying the state duty prescribed by law.

(Article 9 supplemented by HO-48-N of 29 April 2013)

Article 10. Licensing procedures

1. (part repealed by HO-121-N of 13 November 2015)
2. Licensing relations pertaining to licences provided under this Law shall be regulated only by law and licensing procedures.
3. Licensing procedures established for the licences granted by the state administration bodies authorised by the Government of the Republic of Armenia shall be approved by the Government of the Republic of Armenia.
4. Licensing procedures established for the licences granted by the Central Bank of the Republic of Armenia shall be approved by the Central Bank of the Republic of Armenia.
5. Licensing procedures established for the licences granted by the Public Services Regulatory Commission of the Republic of Armenia shall be approved by the Public Services Regulatory Commission of the Republic of Armenia.
6. ***(part repealed by HO-252-N of 8 December 2005)***
7. Licensing procedures established for the licences granted by the National Commission on Television and Radio of the Republic of Armenia shall be approved by the National Commission on Television and Radio of the Republic of Armenia.
8. Licensing procedures may prescribe only such requirements that are necessary for protecting the national and public security, public health and morals, other rights and freedoms, honour and good reputation of others, as well as for exercising control over the activities of licensees for the purpose to fulfil international obligations assumed by the Republic of Armenia for ensuring the international security.

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

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

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

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

Licensing procedures may not envisage the non-fulfilment by the requester of its obligations in relation to other persons, including the State, as a ground for rejecting an application for obtaining a licence, unless otherwise provided for by law.

(Article 10 amended by HO-252-N of 8 December 2005, edited by HO-31-N of 16 December 2005, supplemented by HO-169-N of 17 September 2009, amended by HO-121-N of 13 November 2015, HO-169-N of 27 October 2017)

CHAPTER III

CONDITIONS AND REQUIREMENTS FOR LICENSING

Article 11. Compliance by a licensee with environmental, hygienic and sanitary-epidemiological safety, fire-protection norms and rules

1. While carrying out the types of activity subject to licensing, the licensees shall be obliged to comply with environmental, hygienic and sanitary-epidemiological safety, fire-protection norms and rules.
2. The authorised state administration bodies shall establish the lists of environmental, hygienic and sanitary-epidemiological safety, fire-protection norms and rules, the requirements of which must be met for each activity subject to licensing. The full titles and the date of official publication of the regulatory legal acts prescribing relevant norms and rules, as well as the title and number of the Official Journal shall be indicated in the lists. The licensing body shall hand over to the licensee the lists of norms and rules subject to mandatory compliance together with the licence. The licensing body shall be obliged to inform all licensees about changes made in the mentioned lists not later than within a period of 15 days following the day those changes enter into force.
3. No documents certifying the compliance with the environmental, hygienic and sanitary-epidemiological safety, fire-protection norms and rules shall be required for granting a licence, unless otherwise provided for by law.
4. The licensing body shall inform the relevant bodies of granted licences under the procedure prescribed by the Government of the Republic of Armenia for the purpose of exercising control over the compliance with environmental, hygienic and sanitary-epidemiological safety, fire-protection norms and rules.

Article 12. Mandatory Requirements and Conditions

1. When carrying out the types of activity subject to licensing, licensees shall be obliged to follow the mandatory requirements and conditions for conducting the given activity provided for by legal acts, including by licensing procedures and international obligations assumed by the Republic of Armenia for ensuring international security.

2. The licensing body shall hand over the list of legal acts prescribing mandatory requirements and conditions to the licensee together with the licence. The full titles, the date of official publication of the relevant legal acts, the title and number of the Official Journal shall be indicated in the list. The licensing body shall be obliged to inform all licensees about changes made in the mentioned list not later than within a period of 15 days following the day those changes enter into force.

2.1. When handing over the licence, the licensing body shall notify the licensee of the international obligations assumed by the Republic of Armenia for ensuring international security. Where these obligations change, the licensing body shall, within a period of 15 days after those changes enter into force, be obliged to notify the licensee and publish them on the official website for public notifications of the Republic of Armenia at <http://www.azdarar.am>.

3. Identical requirements and conditions must be envisaged for licensees having obtained the same type of licence.

(Article 12 supplemented by HO-169-N of 17 September 2009, HO-132-N of 19 March 2012)

Article 12.1. Mandatory requirements and conditions for carrying out import, export and transit carriage of military products and for brokerage activities in the trade of military products

1. For the purpose of carrying out import or export or transit carriage of military products and brokerage activities in the trade of military products licensees shall be obliged to obtain the opinion of the licensing body on the compliance of those activities with the objectives prescribed by Article 5 of this Law before carrying out import, export or transit carriage of military products, as well as before signing a brokerage agreement on trade in military products.

In order to obtain the opinion the licensee shall be obliged to — in accordance with the requirements prescribed by the licensing procedure — submit to the licensing body the following information approved in a due manner:

- (1) on the place of registration and place of activities of the organisation carrying out import or export or transit carriage;
- (2) on the place of registration and place of activities of the end user of military products;
- (3) in cases of export or transit carriage of the military product, the assurance of the licensed body of the importing state that the military product would be handed over to the end user, that product would not be used for purposes other than those declared and would not be transferred to any other third country or other person without the written consent of the licensed body of the exporting party;
- (4) on the place of registration and place of activities of the organisation (organisations) carrying out carriage of the military product;
- (5) the list of imported, exported, transited products envisaged in the agreement on import or export or transit carriage of military products and in case of brokerage activity in the trade of military products — also the list of goods envisaged in the draft of the agreement to be signed.

2. The licensee must also follow the requirements and conditions provided for by part one of this Law in the course of the activity carried out outside the territory of the Republic of Armenia.

3. The Government of the Republic of Armenia shall establish the list of those goods, services, works and the results of intellectual activity considered to be military products, the control over the import, export, transit carriage of which, as well as brokerage activity in the trade whereof are necessary to ensure the fulfilment of the objectives provided for by Article 5 of this Law.

The Government of the Republic of Armenia shall approve the list referred to in this part upon submission by the state authorised body acting in the sector of defence.

(Article 12.1 supplemented by HO-169-N of 17 September 2009)

Article 13. Requirements for professional qualification

1. The legislation of the Republic of Armenia, as well as licensing procedures may prescribe requirements for professional qualification for the types of activity subject to licensing, performance of which requires professional knowledge.

2. The fact that a person holds a professional qualification must be certified by relevant documents issued by the authorised body through testing of the professional qualification as prescribed by this Law (certificates, diplomas and other documents provided for by legislation). Work record on at least 3 consecutive years of service by a person in certain positions or sectors may also be considered as a document certifying the fact that the person holds a professional qualification, where it is prescribed by law, licensing or qualification procedures.

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

4. The testing of professional qualification for granting a licence may be conducted only in cases provided for by law, under the procedure and conditions provided for by law or by licensing procedures.

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

6. Where there is a requirement on professional qualification for natural persons under the table of part 2 of Article 43 of this Law, the copies of documents certifying the professional qualification of a person must be submitted to the licensing body five days before starting the performance of licensed activities, and their changes — within 3 days after making them, except for the case of availability of other requirements for licensees prescribed by law when it is prescribed that the licensee must satisfy other preconditions necessary for obtaining a licence.

(Article 13 edited, supplemented by HO-160-N of 20 November 2014)

Article 14. Procedure for qualification test

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

The procedures for formation of qualification commissions and their charters shall be approved by the licensing bodies, unless otherwise provided for by law.

2. The qualification test must be conducted in compliance with the qualification procedure approved by the body entitled to approve the relevant licensing procedure, unless otherwise provided for by law. The qualification procedures shall be drawn up in detail, clearly and shall not prescribe provisions not provided for by the legislation of the Republic of Armenia or not included in the relevant educational programmes.

3. The qualification procedures shall prescribe the time limits of the qualification test, the list of documents required for participation in the test, the time limits for their submission, the number of questions or tasks prepared for the test, the evaluation procedure, the mode of conducting the test, the time provided for conducting the test, the procedure for using legal and other documents or technical means, the scores required to obtain a qualification certificate, the procedure for appealing against the test results, as well as other provisions aimed at carrying out the qualification properly. The questions of the test shall be prepared by the licensing body and shall be subject to mandatory publication on the official website for public notifications of the Republic of Armenia at <http://www.azdarar.am> not less than six months prior to the date of the test, unless otherwise provided for by law.

Where the qualification test is to be conducted by technical means, the procedure and conditions for using the technical means must be firstly introduced to the requester.

The qualification tests shall be conducted in written form.

The passing scores of the qualification test shall remain valid without any time limit. The validity period of the passing scores of the qualification test may be limited only by law.

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

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

The same requirements must be prescribed for all participants of the same qualification test.

6. The qualification test shall be conducted in Armenian.

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

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

8. The commission shall summarise the test results behind the closed doors. The opinion of the commission shall be made public.

The person being qualified shall be notified of the test results in a due manner, or the results shall be sent to him or her not later than within five days following the day the testing ends.

9. *(part repealed by HO-160-N of 20 November 2014)*

10. The qualification tests conducted in breach of the requirements of this Article shall be declared invalid through a judicial procedure.

(Article 14 supplemented by HO-513-N of 26 December 2002, HO-132-N of 19 March 2012, amended by HO-160-N of 20 November 2014)

Article 15. Technical Requirements and Conditions

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

2. The technical requirements and conditions concerning the type of the activity subject to licensing shall be prescribed by law or other legal acts.

Article 16. Expert examination of goods, items, equipment or documents submitted for licensing

1. In cases prescribed by law a licence for carrying out the types of the activity subject to licensing may be granted only in the event of the positive opinion of the expert examination of goods, items, equipment, as well as documents submitted for licensing.

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

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

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

4. In cases provided for by law or licensing procedures, expert opinions on the given goods, items and equipment issued by foreign states or organisations may also serve as a ground for granting a licence.

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

CHAPTER IV

REQUISITES OF THE LICENCE

Article 17. Requisites of the licence

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

- (1) name of the licensing body;
- (2) serial number and number of the licence;
- (3) date of issue of the licence;

- (4) type of activity for the performance of which the licence has been granted;
- (5) name of the legal person and its registered office, as well as surname, name and place of residence of a natural person and individual entrepreneur;
- (6) the place of activity (address) (It shall be indicated where, pursuant to this Law, the activity subject to licensing must be carried out only in the place stated in the licence);
- (7) validity period of the licence;
- (8) signature of the authorised person of the licensing body and the seal of the licensing body featuring the state coat of arms.

2. The forms of licences shall be approved by bodies approving the respective licensing procedures.

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

The acquisition, record-keeping and storage of forms of licences shall be carried out by the licensing bodies.

(Article 17 amended by HO-121-N of 13 November 2015)

Article 18. Licence transcripts

1. When granting licences to persons for the types of activity providing for requirements for professional qualification, the licensing procedures may envisage provision to the persons responsible for carrying out such works of licence transcripts which certifies the compliance of their knowledge with the prescribed requirements.

2. When providing licences for the types of activity providing for technical requirements and conditions, the licensing procedures may envisage provision of

licence transcripts for the equipment or certain types of technical means which certifies their compliance with the prescribed technical requirements and conditions.

2.1 The licensing procedures may envisage provision of licence transcripts also for compliance with other requirements and conditions prescribed by these procedures.

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

(Article 18 supplemented by HO-349-N of 8 December 2011)

Article 19. Copy of the licence and the transcript

1. A licence shall be issued in one copy.

2. In case of loss of a licence or a transcript (in case it is lost, destroyed, etc.), the licensee shall inform the licensing body thereon.

3. The licensing body shall provide a copy of the lost licence or transcript to the licensee within 3 days after submitting the application.

4. Where the licence or transcript becomes unusable, the licensee shall submit an application thereon to the licensing body to receive a copy thereof.

5. The licensing body shall provide the licensee with a copy of the licence or transcript that has become unusable within three working days after submitting the application thereby.

6. The word "Copy" shall be indicated on the top of the right corner of the copy of the licence or the transcript.

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

(Article 19 amended, supplemented by HO-87-N of 19 June 2013)

Article 20. Maintenance of the register of licences

1. The body authorised by the Government of the Republic of Armenia (hereinafter referred to as "the Authorised Body") shall maintain the unified electronic register of licences (hereinafter referred to as "the electronic register") which shall be comprised of electronic registers maintained by licensing bodies.

2. The following shall be indicated in the electronic registers:

- (1) name and registered office of the licensed legal person, and for natural persons and individual entrepreneurs — surname, name, place of residence and the address of record-registration;
- (2) serial number and number of the licence;
- (3) date of issue and registration number of the licence;
- (4) the type of activity for the performance of which the licence has been granted;
- (5) places of activity (address) (it shall be indicated where, pursuant to this Law, the activity subject to licensing must be carried out only in the place stated in the licence);
- (6) validity period;
- (7) renewals;
- (8) information on reissuance, on suspension and termination of the licence in the register;
- (9) other information provided for by law or licensing procedures.

3. The procedure for registering in the electronic register the decisions on granting of licences, automatically providing, publishing the serial number and number of the licence, providing information on licences, verifying the validity of licences and the list of state bodies using the electronic register free of charge shall be established by the Government of the Republic of Armenia.

(Article 20 edited by HO-161-N of 25 October 2017)

Article 21. Individual files of licensees

1. The licensing body shall open an individual file for each licensee.
2. The individual file on a licensee shall be maintained in the manner and within the time limits prescribed by legislation.
3. Where the licence is terminated, it shall be returned to the licensing body. The returned licence shall be bound to the individual file of the licensee.

Article 22. Information on licensees

1. The information contained in the electronic registers of licences shall be open to state and local self-government bodies, natural and legal persons.
2. The licensing bodies shall, within three days upon the request of state and local self-government bodies, be obliged to provide relevant information from the electronic registers of licences free of charge.

Information on other persons shall be provided in a hard copy to natural and legal persons from the electronic registers of licences within three days from the day of receiving their application. A state duty shall be charged for provision of the mentioned information and it may not exceed the amount of expenses to be made for the provision thereof. Information on other persons maintained in the electronic registers shall be provided to natural and legal persons online for a fee prescribed by the Government of the Republic of Armenia. The payment prescribed by the Government of the Republic of Armenia may not exceed the amount of the base duty.

Natural and legal persons shall be provided in a hard copy with information concerning them from the electronic registers of licence free of charge within three days from the day of receiving their application. The information on natural and legal persons kept in the electronic registers of licences may be provided thereto online free of charge.

3. Licensing bodies shall, under the procedure prescribed by the Government of the Republic of Armenia, inform relevant state or local self-government bodies on the entries made in the electronic registers of licences or changes thereto.

4. Licensing bodies shall send copies of their decisions on granting, renewal and reissuance of the licence, suspension, termination or reinstatement of the licence to the body in charge of publishing regulatory legal acts of agencies, for publishing it, within three days from the day such decisions are adopted and shall make a relevant entry in the electronic register.

Licensing bodies shall send copies of court judgments on termination of the licence having entered into force to the body in charge of publishing regulatory legal acts of agencies, for publishing it, within three days after they enter into legal force and a relevant entry shall be made in the electronic register.

The decisions or judgments on granting, renewal of a licence, reissuance of the licence or suspension or reinstatement of the licence, as well as on termination of the licence shall be published in a special section of the Journal of Agency Regulatory Legal Acts within ten days from the day they are received.

(Article 22 supplemented by HO-161-N of 25 October 2017)

Article 23. State duty

State duty for granting a licence or a copy thereof, renewal of the licence, reissuance of the licence, provision of information from the electronic registers of licences to other person, as well as for carrying out the same activity subject to licensing in a different place, participating in the qualification examination shall be charged under the procedure and in the amount prescribed by law.

Annual duties for carrying out the activity subject to licensing may be provided for by law.

(Article 23 supplemented by HO-161-N of 25 October 2017)

Article 23.1. Payment of the state duty

1. The licensing body shall, within one working day after adopting the decision on granting a licence or a copy thereof, renewing a licence, reissuing a license, carrying out the same activity subject to licensing in a different place, inform the requester thereof in a due manner. The information must include a warning for the requester of the consequences provided for by part 4 of this Article.

2. The requester shall be obliged to pay the state duty prescribed by law for provision of the service prescribed by part 1 of this Article not later than within five working days following the time limit prescribed by part 1 of this Article for informing in a due manner of satisfying the application for granting a licence or a copy thereof, renewing a licence, reissuing a licence, carrying out the same activities subject to licensing in a different place.

3. The requester need not submit to the licensing body a document certifying the payment of the state duty. Where the requester fails to submit a document certifying the payment of the state duty, the licensing body shall, upon adoption of the decision on satisfying the application for granting a licence or a copy thereof, renewing the licence, reissuing the licence, carrying out the same activities subject to licensing in a different place, verify the payment of the state duty through the on-line treasury management system or the State Electronic Payment System and shall hand over or send in a due manner to the requester the licence, copy of the licence, renewed licence, reissued licence, licence for carrying out the same activities subject to licensing in a different place, as well as relevant decisions thereon.

4. Where the requester fails to pay the state duty within the time limit provided for by part 2 of this Article, the relevant application shall be rejected on the ground of failure to pay the state duty. After rejecting the application, the decision of the licensing body shall be declared invalid. The requirements prescribed by the second

sentences of part 4 of Article 30 and part 7 of Article 32, as well as part 6 of Article 33 of this Law shall not extend to the rejection of the application provided for by this part.

(Article 23.1 supplemented by HO-48-N of 29 April 2013, amended by HO-402-N of 24 October 2018)

CHAPTER V

PROCEDURE FOR LICENSING

(title amended by HO-121-N of 13 November 2015)

Article 24. Types of licences

(Article repealed by HO-121-N of 13 November 2015)

Article 25. Licence granted under simple procedure

(Article repealed by HO-121-N of 13 November 2015)

Article 26. Procedure for providing a licence

(title edited by HO-121-N of 13 November 2015)

1. The licence is a permit to carry out an activity granted by a licensing body in compliance with the licensing procedures, which also prescribes mandatory requirements or conditions for carrying out such activities and control is exercised over compliance therewith as prescribed by law.

2. Licence shall be granted within 23 working days after submission of all documents provided for by this Law for obtaining a licence, unless other time limit is provided for by law. Shorter time limits for granting a licence may be prescribed by licensing procedures.
3. The licence shall be granted for an unlimited term, unless otherwise provided for by law. Licences for carrying out import or export or transit carriage of military products or brokerage activities in trade of military products shall be granted for a period of three years, and the granted licences shall be renewed for a period of five years.
4. In cases provided for by this Law, the licence may be granted by a tender held in compliance with licensing procedures.
5. Licences shall be granted based on the opinions of licensing commissions established by the licensing bodies. Opinions of licensing commissions shall be issued as provided for by this Law and the charters of the licensing commissions.
6. Licences shall only be granted to carry out the relevant types of activity provided for by Article 43 of this Law.
7. The licensing body shall, within a period of one day after adopting the decision on granting a licence and verifying the payment of the state duty, record the decision regarding a licence in the electronic register, after which the electronic system shall automatically provide the serial number and sequence number of the licence, by publishing the decision on granting a licence in the electronic register.

(Article 26 supplemented by HO-169-N of 17 September 2009, edited by HO-48-N of 19 April 2013, HO-121-N of 13 November 2015, supplemented by HO-161-N of 25 October 2017)

Article 26.1. Extending the time limits for licensing in relation to the payment of state duty

1. Where the requester, pursuant to Article 23.1 of this Law, does not pay the state duty before the requester is informed of being granted the licence or a copy thereof, renewing the licence, reissuing the licence, satisfying the application for carrying out the same activities subject to licensing in a different place, then the time limits provided for by parts 3 and 5 of Article 19, part 2 of Article 26, part 3 of Article 30, part 5 of Article 32, part 4 of Article 33 of this Law for carrying out the relevant action shall be extended for five working days.

(Article 26.1 supplemented by HO-48-N of 29 April 2013, amended by HO-121-N of 13 November 2015)

Article 27. Documents required for obtaining a simple licence

(Article repealed by HO-121-N of 13 November 2015)

Article 28. Documents required for obtaining a licence

(title amended by HO-121-N of 13 November 2015)

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

- (1) an application for obtaining a licence, stating:
 - (a) for a legal person — the name, registered office and place of activity of the legal person, and for an individual entrepreneur or a natural person — the surname, name, place of residence and the place of activity;
 - (b) type of activity subject to licensing that the requester intends to carry out;
 - (b.1) state registration or state record-registration number of the requester;

- (c) other information provided for by law or licensing procedures;
 - (d) *(sub-point repealed by HO-48-N of 29 April 2013)*
 - (2) *(point repealed by HO-172-N of 22 June 2012)*
 - (3) *(point repealed by HO-160-N of 20 November 2014)*
 - (4) other documents provided for by law or licensing procedures.
2. Documents required for obtaining a licence may be handed over to the licensing body in person or by mail or through electronic system.

(Article 28 supplemented by HO-12-N of 15 December 2005, HO-227-N of 8 December 2010, supplemented, amended by HO-172-N of 22 June 2012, amended by HO-48-N of 29 April 2013, HO-160-N of 20 November 2014, HO-121-N of 13 November 2015)

Article 29. Rejecting an application for a licence

1. The application for obtaining a licence shall be rejected where:
- (1) the documents submitted by the requester are incomplete, obviously false or distorted;
 - (2) the submitted documents do not comply with the requirements of this Law and the legislation of the Republic of Armenia;
 - (3) the applying legal person is not entitled to carry out the type of activity subject to licensing, pursuant to law or its charter;
 - (4) the applying natural person has no right to perform the type of the requested activity subject to licensing;
 - (4.1) the provision of a license contradicts the international obligations assumed by the Republic of Armenia for ensuring international security;
 - (5) in other cases provided for by law or licensing procedures.

2. The application for obtaining a licence shall be rejected in writing not later than within 23 working days from the day of filing the application with the licensing body, unless otherwise provided for by law, except for the case of rejection provided for by part 4 of Article 23.1 of this Law on the ground of failure to pay the state duty, when a decision on rejection is not taken.

Where the application for obtaining a licence is not rejected within the period referred to in this part, and the requester has paid the state duty in the manner and in the amount prescribed by law, the requester shall be considered to be licensed on the fifth day following the period referred to in this part and from that day on shall have the right to perform the given type of activity subject to licensing, and the licensing body shall be obliged to provide a licence to the requester within five working days following the period referred to in this part.

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

4. Where there are insignificant shortcomings (misprints, inaccuracies of non-legal nature, arithmetic errors and such other omissions) in the application for obtaining a licence or accompanying documents, as well as where the documents are incomplete, the licensing body shall, within 2 working days from the moment of detecting them, recommend the requester to remedy the shortcomings within 5 working days.

5. The application for obtaining a licence shall be rejected on the ground prescribed by part 4 of this Article where the requester fails to remedy the shortcomings in the application or accompanying documents and submit the required documents or materials within 5 working days following the day the licensing body sends a warning thereof in a due manner.

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

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

(Article 29 edited by HO-12-N of 15 December 2005, supplemented by HO-169-N of 17 September 2009, amended and supplemented by HO-227-N of 8 December 2010, amended, supplemented and edited by HO-48-N of 29 April 2013, HO-121-N of 13 November 2015)

Article 30. Renewal of a licence issued for a fixed time limit

1. The licensee shall have the right to file an application with the licensing body for renewing a licence issued for a fixed time limit not earlier than 3 months before the expiry of validity period of the licence.

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

2. The period requested shall be indicated in the application for renewing a licence.

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

The licence shall be renewed by making a relevant indication on the licence.

4. Decisions with regard to applications for renewing the licence shall be taken without the decision of the licensing commission. However, in case of existence of any grounds for rejecting the mentioned application or upon demand of the requestor, the application must be examined in the form of hearings, except for the case of rejection provided for by part 4 of Article 23.1 of this Law on the ground of failure to pay the state duty.

5. The application for renewing the licence may be delivered to the licensing body in person or by mail or via electronic system.

(Article 30 supplemented by HO-116-N of 22 February 2007, HO-227-N of 8 December 2010, edited by HO-172-N of 22 June 2012, supplemented by HO-48-N of 29 April 2013)

Article 31. Rejection of an application for renewing a licence

1. The application for renewing a licence shall be rejected where:

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

2. The application for renewing a licence shall be rejected in writing within five days, and in case of a complex licence — within ten days following the day the application is filed with the licensing body, unless other time limit is provided for by law, except for the case of rejection provided for by part 4 of Article 23.1 of this Law on the ground of failure to pay the state duty, when a decision on rejection is not taken. Where the application for renewing a licence is not rejected within

the mentioned time limits, the application shall be deemed to be granted, and the licensing body shall be obliged to renew the licence within one day.

3. The decision on rejecting the application for renewing a licence shall state the reasons and the legal grounds for rejection.

4. Where there are insignificant shortcomings (misprints, inaccuracies of non-legal nature, arithmetic errors and such other omissions) in the application for obtaining a licence or accompanying documents thereof, as well as the documents are incomplete, the licensing body shall, within two working days from the moment of detecting them, recommend the requester to remedy the shortcomings within 5 working days.

5. The application for renewing a licence shall be rejected on the grounds prescribed by part 4 of this Article where the requester fails to remedy the shortcomings in the application or accompanying documents or to submit the required documents or materials within 5 days following the day the licensing body sends a warning thereon in a due manner.

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

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

(Article 31 supplemented and edited by HO-48-N of 29 April 2013)

Article 32. Re-issuance of a licence

1. In case of reorganisation of a licensed legal person or any changes in the name or registered office thereof, the licensee shall, within 15 days after such changes become effective, be obliged to file an application for re-issuing a licence, by attaching information on the state registration number.

2. In case of any changes in the name or place of residence of an individual entrepreneur or a natural person, the licensee shall, within 15 days after such changes become effective, be obliged to file an application for re-issuing a licence, by attaching information on state record-registration number for an individual entrepreneur, and relevant documents certifying the mentioned information for a natural person.
3. Where a legal person is reorganised through separation, the licence shall be granted to the legal successor(s) separated from the legal person only in compliance with the procedure provided for obtaining the relevant licence.
4. Where a legal person is reorganised through division, the licence shall be issued to the divided legal persons only in compliance with the procedure provided for obtaining the licence concerned.
5. The licence shall be re-issued on the third day following the day the licensee files the relevant application with the licensing body.

When re-issuing the licence, the licensing body shall make the relevant modifications in the electronic register of licences.

6. An application for re-issuing a licence shall be rejected in the cases and under the procedure provided by Article 29 of this Law for rejecting applications for licences, except for cases provided for by point 5 of part 1 of that Article.
7. Decisions with regard to applications for re-issuing a licence shall be taken without the decision of the licensing commission. However, in case of existence of any ground for rejecting the mentioned application or upon demand of the requester, the application must be examined in the form of hearings, except for the case of rejection provided for by part 4 of Article 23.1 of this Law on the ground of failure to pay the state duty.
8. With respect to changing the registered office of a licensee, this Article shall apply only to the types of activities subject to licensing which, pursuant this Law, must be performed only in the place mentioned in the licence.

9. The application for re-issuing a licence may be delivered to the licensing body in person or by mail or via electronic system.

(Article 32 supplemented by HO-227-N of 8 December 2010, amended by HO-172-N of 22 June 2012, supplemented by HO-48-N of 29 April 2013, HO-161-N of 25 October 2017)

Article 33. Change of the place of activities or performance of the same activity subject to licensing also in a different place

1. For the licensee, in order to change the place of activities subject to licensing or to perform the same activity subject to licensing in a new place in accordance with that type of activity subject to licensing, the licensee must submit an application to the licensing body indicating the requisites of the licence obtained previously, and legal persons — also the state registration number, as well as a written statement on changes made to the documents previously submitted where specific requirements in relation to the place of activities have not been prescribed by law or by the licensing procedure for granting a licence for performing activities or unless otherwise provided for by law.

2. ***(part repealed by HO-121-N of 13 November 2015)***

3. Where the law or the licensing procedure prescribes special requirements in relation to the place of activities for granting a licence to a licensee to perform the activity, the place of activities subject to licensing can be changed or the licensee concerned may perform the activities subject to licensing in a new place only after submitting the documents provided for by law or the licensing procedure that meet the special requirements concerning the place of activities.

Performance of activities subject to licensing in violation of the requirements of this part shall amount to performance of activities subject to licensing without a licence.

4. In cases provided for by part 1 of this Article, the application for changing the place of activities or for changing the place of activities subject to licensing also in a different place, or for performing activities subject to licensing also in other places shall be examined and granted on the third day following the day the application and required documents are submitted by the licensee.

In cases provided for by part 3 of this Article, the application for changing the place of activities or performing activities subject to licensing also in a different place shall be examined and granted within 10 days following the day the application and required documents are submitted by the licensee.

5. The application for changing the place of activities or for performing activities subject to licensing also in a different place shall be rejected pursuant to Article 29 of this Law, in the cases and under the procedure for rejecting applications for licences, except for cases provided for by point 5 of part 1 of that Article.

6. Decisions with regard to applications for changing the place of activities or for performing activities subject to licensing also in a different place shall be taken without the decision of the licensing commission. However, in case of existence of any ground for rejecting the mentioned application or upon demand of the requester, the application must be examined in the form of hearings, except for the case of rejection provided for by part 4 of Article 23.1 of this Law on the ground of failure to pay the state duty.

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

8. Where column 10 of the table of part 2 of Article 43 contains the letter "P", a separate licence shall be granted for performing activities in each place.

(Article 36 supplemented by HO-65-N of 25 December 2003, edited and amended by HO-172-N of 22 June 2012, supplemented by HO-48-N of 29 April 2013, edited and amended by HO-121-N of 13 November 2015)

Article 34. Suspension of a licence

1. Suspension of a licence shall be the temporary deprivation of a licensee, for a certain period of time or under certain conditions, of the right to perform activities subject to licensing or deprivation of the right to perform particular functions of such activities or particular operations reserved by the licence.
2. In the period of suspension of the licence the licensee shall have no right to perform any activity, function or operation prescribed by the decision on suspension, except for those that are aimed at eliminating the causes of suspension of the licence, as well as implementing urgent measures stipulated by the decision on suspension.
3. In the period of suspension of the licence the performance by a licensee of activities, functions or operations prohibited by part 2 of this Article shall amount to performance of activities subject to licensing without a licence and shall entail respective liability provided for by law.
4. The decision on suspension of the licence must clearly state the suspended activities, functions or operations, as well as the reasons, legal grounds and time limits for suspension.

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

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

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

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

6. A licence shall be deemed suspended on the day following the day the decision of the licensing body thereon is delivered to the licensee in a due manner or filed with the licensing body, unless a later time limit is provided for by the decision on suspension of the licence or by law.

7. The suspension of a licence shall be deemed cancelled on the day following the day of expiry of the period of suspension of a licence. Where it is stipulated that the period of suspension of a licence shall end prior to elimination of the cause of violation, then the suspension of the licence shall be deemed cancelled on the fifth day following the day when the statement of the licensee on elimination of the violations (accompanied by appropriate supporting documents) is filed with the licensing body, unless the licensing body takes another decision or specifies a shorter time period and informs the licensee thereof in a due manner.

In the case provided for by point 11 of part 1 of Article 36 of this Law the suspension of a licence shall be deemed cancelled from the day following the day of fulfilling the liabilities with regard to annual state duties for the licence, as well as the amounts of penalties for the delay in payment thereof.

8. All the provisions on suspension of the licence provided for by this Law shall not extend to the licences granted for implementation of higher professional (Bachelor's, Master's) education programmes.

(Article 38 supplemented by HO-65-N of 25 December 2003, HO-349-N of 8 December 2011, amended by HO-84-N of 19 June 2003)

Article 39. Procedure for suspension of a licence

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

Where a licensee commits violations of law, licensing procedure or licensing conditions and requirements which directly threaten the national security and public safety, public order, the life of persons, health or morals of the public, as well as rights and freedoms of other persons, their honour or reputation of others or performance of international obligations assumed by the Republic of Armenia for ensuring international security, then the licensing body shall have the right to immediately prohibit, on temporary basis, the performance of activities subject to licensing or particular functions of such activities or particular operations reserved by the licence. A decision shall be taken on prohibiting the performance of activities subject to licensing or particular functions of such activities or particular operations reserved by the licence, which shall enter into force from the moment the decision is delivered to the licensee in a due manner.

Where, within five days from the day of taking the decision to prohibit the performance of activities subject to licensing or particular functions of such activities or particular operations reserved by the licence, no decision is taken on suspension of the licence, or the relevant decision does not provide grounds for prohibiting the performance of activities or particular functions of such activities or particular operations reserved by the licence, the decision on prohibition shall be deemed invalid. In this case the licensing body shall be obliged to compensate the licensee for losses incurred as a result of prohibition.

2. The licensing commission shall consider the issue of suspension of a licence and render an opinion under the procedure provided for by this Law and the charter of the commission.

3. A licence may be suspended for violation of the requirements of the legislation not later than within three months from the day the violation was committed and, in case of a continuing or persistent violation — within three months from the day such a violation is detected.

4. Where no decision on suspension of a licence is delivered or sent to the licensee in a due manner within 15 days following the day the licensing commission renders its opinion concerning the consideration of the issue of suspension of the licence, then the issue of suspension of the licence shall be deemed rejected. In this case the licensing body shall have no right to raise the issue of suspension or termination of the licence on the same grounds for a second time.

(Article 35 supplemented by HO-169-N of 17 September 2009)

Article 36. Cases of suspension of a licence

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

- (1) when the licensee has transferred the licence to another person, or pledged it as collateral or alienated in cases not provided for by law;
- (2) when the licensee fails to inform the licensing body in time about changes in cases provided for by this Law or the licensee fails to submit to the licensing body in time the copies of documents certifying the professional qualification of a person;
- (3) when, in the course of performing the activity subject to licensing, there are violations of the licence requirements and conditions that directly threaten or pose a risk to the life or health of people or when there are gross violation of requirements and conditions of that licence and requirements of legislation regulating the activity subject to licensing;

- (4) when the licensee commits violations provided for by the second paragraph of part 1 of Article 35 of this Law;
- (5) when the licensee hinders the inspections carried out in accordance with the legislation by persons responsible for the control over the activity subject to licensing or fails to submit the required documents;
- (6) when the licensee has missed by more than ten days the deadline for submission of reports provided for by law with regard to the activity subject to licensing, provided that other sanction is not established for the licensee in regard to such a violation by the law regulating that field;
- (7) when the licensee is temporarily deprived of the right to perform the activity subject to licensing;
- (8) when there is no person with professional background or professional qualifications envisaged by the licence requirements or conditions — only with regard to that person, except for the case prescribed by part 6 of Article 13 of this Law;
- (9) upon the application of the licensee;
- (10) upon submission of an application by the licensing body to terminate the licence in cases provided for by this Law;
- (11) in case of failure to pay the annual state duty;
- (12) in other cases provided for by law.

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

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

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

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

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

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

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

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

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

(Article 36 supplemented by HO-42-N of 3 March 2004, edited by HO-12-N of 15 December 2005, HO-169-N of 17 September 2009, edited and supplemented by HO-160-N of 20 November 2014, edited by HO-87-N of 17 May 2016)

Article 37. Termination of a licence

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

- (1) when false or distorted information considered essential for granting the licence is detected in the documents submitted for obtaining the licence;
- (2) when the legal person performing the licensed activity is liquidated, or the activity of the individual entrepreneur is terminated, or the natural person dies;
- (3) when serious harm has been caused as a result of performing an activity subject to licensing;
- (4) when the licensee regularly commits the violations provided for by the second paragraph of part 1 of Article 35 of this Law;
- (5) when the licence is suspended not less than twice in one year, pursuant to points 1, 2, 3, 4, 5, 6 of part 1 of Article 36 of this Law;
- (6) when a suspended activity or a particular function of that activity or a particular operation reserved by the licence is performed during the period of suspension of the licence in violation of the requirements of the suspension;
- (7) upon the application of the licensee;
- (8) when the licence has expired;
- (9) in other cases provided for by law.

The licence shall be terminated by repealing the licence.

2. An application for termination of a licence due to violation of legislative requirements may be submitted not later than within one year from the day the violation is committed, and in case of a continuing or persistent violation — within one year from the day the violation is detected, and in cases provided for by point 1 of part 1 of this Article — within 15 days from the day the false or distorted information is detected.

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

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

5. On the grounds provided for by points 1, 3, 4, 5, 6 and 9 of part 1 of this Article, a licence shall be terminated through a judicial procedure on the basis of the application of the licensing body, except for the cases provided for by law.

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

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

8. The applications provided for by point 7 of part 1 of this Article shall be examined at the licensing body within 15 days from their receipt. Where an application is not examined or no decision is taken within 20 days from the day the application is received, the application shall be deemed granted and the licence shall be deemed terminated.

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

9. The licensing body may set a later time limit than the one stated in the application to terminate the licence if the termination of the licence shall result in direct harm to national security and public safety, public order, health and morals of the public, the rights and freedoms, the honour and reputation of others.

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

11. On the grounds provided for by point 7 of part 1 of this Article, a licence shall be deemed terminated from the day following the day the decision of the licensing body is delivered to the licensee or the decision is filed therewith, unless the application of the licensee provides for a later time limit.

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

12. On the grounds provided for by point 8 of part 1 of this Article, the licence shall be deemed terminated from the day following the expiry of the time limit referred to in the licence.

13. The provisions of this Article, except for the provisions of parts 8-12 of this Article, shall not extend to the licences granted for implementation of higher professional education programmes (Bachelor's, Master's).

The provisions of parts 8-12 of this Article shall extend to the licences granted for implementation of higher professional education programmes insofar as they are

applicable and do not contradict the provisions of the Law of the Republic of Armenia "On higher and postgraduate professional education".

(Article 37 edited by HO-169-N of 17 September 2009, supplemented by HO-349-N of 8 December 2011, amended by HO-84-N of 19 June 2013, supplemented by HO-125-N of 21 June 2014)

Article 38. Procedure for entry into force of licences, decisions on renewal of a licence, and registered changes

1. Licences, decisions on renewal of a licence, on performance of the same activities subject to licensing also in a different place, on re-issuance of a licence and registered changes shall enter into force within one day after notifying the licensee thereof through electronic mail and concurrently publishing them in the electronic register unless otherwise provided for by the legislation of the Republic of Armenia. Licences, decisions on the renewal of licences, registered changes shall be delivered or sent to the licensee in a due manner within a period of one day after their publication.

2. The documents referred to in part 1 of this Article shall be sent to the address of the registered office of the licensee, unless another address is indicated in the relevant application.

(Article 38 edited by HO-161-N of 25 October 2017)

Article 39. Appealing decisions on rejection of applications, suspension of a licence or results of qualification tests

1. The decision of the licensing body on not revoking the decision on rejecting the applications for obtaining a licence, or renewing a licence, or re-issuing a licence, or providing a copy of the licence or of the licence transcript, or changing the place of

activities or performing the same activity subject to licensing also in a different place, on suspension of a licence, as well as the results of the qualification test may be appealed against in court or by way of superiority.

2. The requester or the licensee shall have the right to appeal the decisions of the licensing bodies on rejecting the applications within one month following the day the relevant rejection is received.

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

Appeals commissions shall examine the appeals under the procedure prescribed by Articles 40 and 41 of this Law.

Appeals shall be examined in the form of hearings under the procedure prescribed by Article 42 of this Law.

4. Appeals shall be examined within ten days from the day the appeal is filed with the licensing body.

CHAPTER VI

PROCEDURE FOR EXAMINING ISSUES BY COMMISSIONS ESTABLISHED BY LICENSING BODIES AND FOR HOLDING HEARINGS

Article 40. Procedure for examining issues by commissions

1. The commissions shall examine the issues at their sittings.

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

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

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

3. The summoned persons shall be given a notice, in a due manner, of the examination of the issues not later than 7 days before the examination, by informing them of the place (address), date and time of the examination.

The commission shall publish the information on the place and time of its regular sitting and issues to be examined on the official website for public notifications of the Republic of Armenia at <http://www.azdarar.am> not later than 5 days before the day of the sitting.

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

5. The summoned person shall have the right to engage a specialist, an expert, an auditor, a lawyer or a translator in the examination. The summoned person or advocates thereof shall have the right to deliver speeches, answer the questions of the members of the commission and file motions.

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

Upon the request of the summoned person, the examination may be carried out behind closed doors if any information containing a commercial secret is to be disclosed during the examination of the issues.

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

7. The commission shall render the decision after the end of the examination of the issue in a separate room behind closed doors. Only the members of the commission may be present in that room while the commission renders the decision.

8. The opinions of the commission shall be published on the official website for public notification of the Republic of Armenia at <http://www.azdarar.am> and delivered or sent to the summoned person in a due manner.

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

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

(Article 40 amended and supplemented by HO-132-N of 19 March 2012)

Article 41. Minutes of the sittings of the commission

1. Minutes shall be drawn up during the examination of issues by the commission, stating:
 - (1) date and venue of the sitting of the commission;
 - (2) type and composition of the commission;
 - (3) nature of the issue examined;
 - (4) information on persons participating in the examination;
 - (5) explanations of persons participating in the examination of the issue, their motions and the findings of the examination thereof;
 - (6) documents and other evidence examined during the examination of the issue;
 - (7) content of the opinion of the commission;
 - (8) information on the publication of the adopted opinion.
2. The Chairperson and the Secretary of the sitting shall sign the minutes of the sittings of the commission.

Article 42. Procedure for holding hearings

1. Examination of applications in the form of hearings shall be organised by persons authorised by the licensing body.
2. As regards the examination of the application in the form of hearings, the time limit for examining the application provided for by this Law may be extended by 7 days.
3. The requester shall be summoned to the examination of the application in the form of hearings. The requester shall be given a notice, in a due manner, on examination of the application at least five days prior to the date of examination, by informing on the place (address), date and time of the examination.

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

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

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

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

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

CHAPTER VII

TYPES OF ACTIVITIES SUBJECT TO LICENSING

Article 43. List of types of activities subject to licensing

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

2. Table of types of activities subject to licensing

	Type of activity subject to licensing	Licensing body	<i>(column deleted by HO-121-N of 13 November 2015)</i>	Field	Expert examination requirement	Through tender procedure	Qualification requirement	Reporting requirement	Place requirement
1	2	3	4	5	6	7	8	9	10
	1. SECURITY SECTOR								
1.	Production of explosive materials or explosive devices	AB		-	E	-	Q	R	P
2.	Trade in explosive materials and explosions equipment and performance of explosive works	AB		-		-	Q	R	P
3.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
4.	Production of arms	AB		-	E	-		R	P
5.	Trade in arms	AB		-	E	-		R	P
6.	Production of narcotic drugs or psychotropic substances or precursors thereof prescribed by the Government of the Republic of Armenia	AB		-	E		Q	R	P
7.	Import, export of and wholesale trade in narcotic drugs or psychotropic substances or precursors thereof prescribed by the Government of the Republic of Armenia	AB		-	E		Q	R	P
8.	Import and export of military products	AB		-	E			R	-
9.	Transit carriage of military products	AB		-	E			R	-
10.	Brokerage activity in the trade of military product (providing	AB		-				R	-

	support services for conducting negotiations on signing contracts for other persons in the process of trade in military product, as well as for acquiring, transferring and selling it)								
11.	Private security guard activities	AB		-	-	-	Q	-	-
2. (section repealed by HO-169-N of 27 October 2017)									
3. HEALTHCARE SECTOR									
1.	Production of medicine	AB			E	-	Q	R	P
2.	Pharmaceutical activities	AB		-	-	-	Q	R	P
3.	Medical aid and services by organisations or individual entrepreneurs	AB		-	-	-	Q	-	P
4. (point repealed by HO-159-N of 25 October 2017)									
5. (point repealed by HO-84-N of 19 June 2013)									
6.	Wholesale trade in medicine	AB		-	E	-	Q	R	P
4. SECTOR OF CURRENCY REGULATION									
1.	Broker-dealer trading of foreign currency	CB		-	-	-	Q	R	P
2.	Foreign currency trading	CB		-	-	-	Q	R	P
3.	Organising foreign currency auctions	CB		-	-	-	Q	R	P
5. SECTOR OF SECURITIES CIRCULATION									
1.	Provision of investment services according to the types of investment services prescribed by the Law of the Republic of Armenia "On securities market"	CB		-	-	-	Q	R	-
2.	Activities of regulated market operator	CB		-	E	-	Q	R	-
3.	Activities of central depository	CB		-	E	-	Q	R	-
6. SECTOR OF BANKING AND FINANCIAL AND CREDIT ORGANISATIONS									
1.	Banking	CB		-	E	-	Q	R	-
2.	Organisation of pawnshops	CB		-	-	-	-	R	P
3.	Investment fund management activities	CB		-	-	-	Q	R	-
4.	Carrying out life insurance according to the classes and subclasses prescribed by the Law	CB		-	E	-	Q	R	-

	of the Republic of Armenia "On insurance and insurance activities"								
5.	Carrying out non-life insurance according to the classes and subclasses prescribed by the Law of the Republic of Armenia "On insurance and insurance activities"	CB		-	E	-	Q	R	-
6.	Provision of cash-in-transit services	AB		-	-	-	Q	-	-
7.	Credit bureau activities	CB		-	-	-	-	R	-
8.	Insurance brokerage activities	CB		-	-	-	Q	R	-
9.	Activities of credit organisation	CB		-	-	-	Q	R	P
10.	Performing cash transfers	CB		-	-	-	Q	R	-
11.	Processing and clearing of payment instruments and payment and settlement documents	CB		-	-	-	Q	R	-
12.	Carrying out life reinsurance	CB		-	E	-	Q	R	-
13.	Carrying out non-life reinsurance	CB		-	E	-	Q	R	-
	7. SECTOR OF AGRICULTURE		<i>(point repealed by HO-121-N of 13 November 2015)</i>						
	8. SECTOR OF ENERGY								
1.	Transportation, distribution, import and export of natural gas	PSRC		W	-	-	-	R	P
2.	Production (including combined production of thermal and electric energy), transmission, distribution, supply of electric energy (including guaranteed), wholesale trade therein	PSRC		W	-	-	-	R	P
3.	Production, transportation, distribution of thermal energy	PSRC		W	-	-	-	R	P
4.	Services of operators of electric energy and gas supply systems	PSRC		W	-	-	-	R	P
5.	Services of energy market operator	PSRC		W	-	-	-	R	-
	8.1 SECTOR OF WATER								
1.	Provision of drinking water supply or drainage (waste water treatment) services	PSRC		W	E	-	-	R	P
	9. SECTOR OF EDUCATION								
1.	Implementation of pre-school education programmes	AB		-	-	-	-	R	P
2.	Implementation of general	AB		-	-	-	-	R	P

	elementary education programmes								
3.	Implementation of basic general education programmes	AB		-	-	-	-	R	P
4.	Implementation of secondary general education programmes	AB		-	-	-	-	R	P
5.	Implementation of primary vocational (handicraft) education programmes	AB		-	-	-	-	R	P
6.	Implementation of secondary vocational education programmes	AB		-	-	-	-	R	P
7.	Implementation of Bachelor's degree education programmes	AB		-	-	-	-	R	P
8.	Implementation of Master's degree education programmes	AB		-	-	-	-	R	P
10. SECTOR OF TELECOMMUNICATION (ELECTRONIC COMMUNICATION)									
1 <i>(sub-point repealed by HO-48-N of 29 April 2013)</i>									
1.1.	Public electronic communication network	PSRC		W	-	-	Q	R	P
2. <i>(sub-point repealed by HO-48-N of 29 April 2013)</i>									
3. <i>(sub-point repealed by HO-48-N of 29 April 2013)</i>									
4.	Broadcasting of television and radio programmes	NCTR		-	-	T	-	-	P
5.	Private multiplexer services	NCTR		-	E	T	-	R	P
11. SECTOR OF POSTAL COMMUNICATION									
1.	Operation of postal communication	AB		W	-	-	-	-	-
12. <i>(Section repealed by HO-169-N of 27 October 2017)</i>									
5. <i>(point repealed by HO-199-N of 25 May 2011)</i>									
13. SECTOR OF NUCLEAR ENERGY USE									
1.	Selection or design or construction or exploitation or withdrawal of nuclear installations or radioactive waste storage facilities or radioactive waste disposal sites	NEURB		-	E	-	Q	R	P

2.	Import or export of nuclear substances or radioactive substances or devices containing radioactive substances or radioactive wastes	AB		-	-	-	-	R	-
3.	Production or use or transportation or storage of nuclear substances	NEURB		-	E	-	Q	R	P
4.	Production or use or transportation or storage of radioactive substances	NEURB		-	E	-	Q	R	P
5.	Production or use or repair or assembly and adjustment or transportation or storage of devices containing radioactive substances	NEURB		-	E	-	Q	R	P
6.	Use or adjustment of radiation generating sources	NEURB		-	E	-	Q	R	P
7.	Re-processing or storage of radioactive wastes	NEURB		-	E	-	Q	R	P
8.	Physical protection of nuclear installations and nuclear substances	NEURB		-	E	-	Q	R	P
9.	Design or production of devices, systems important for the safety of nuclear facilities:	NEURB		-	E	-	Q	R	P
10.	Expert examination of designs and other documentation of nuclear facilities	NEURB		-	-	-	Q	R	P
11.	Activities of natural persons occupying positions important in terms of ensuring safety in the sector of nuclear energy use	NEURB		-	-	-	Q	R	P
14. SECTOR OF ENVIRONMENTAL PROTECTION									
1.	Use of hazardous wastes	AB		-	E	-	Q	R	P
2.	<i>(point repealed by HO-209-N of 17 November 2017)</i>								
15. SECTOR OF LOTTERIES, GAMES OF CHANCE									
1.	Organisation of lotteries	AB		-	-	-	-	R	-
2.	Organisation of games of chance	AB		-	-	-	-	R	P
3.	Organisation of online games of chance	AB		-	-	-	-	R	P
3.	Organisation of casinos	AB		-	-	-	-	R	P
16. SECTOR OF TRANSPORT									

1.	Organisation of operation of railroad transport	AB		W	E	-	Q	R	-
2.	Activities of technical examination of transportation means	AB		-	E	-	-	R	P
3.	<i>(point repealed by HO-165-N of 20 November 2014)</i>								
4.	Carrying out by natural persons passenger transportation by a passenger taxi single motor vehicle	AB		-	-	-	-	-	-
5.	Organisation by individual entrepreneurs and organisations of passenger transportation by passenger taxi motor vehicles	AB		-	-	-	-	-	-
17. SECTOR OF URBAN DEVELOPMENT									
1.	Elaboration of engineering sections of urban development documents (except for development part, as well as works not requiring a construction permit)	AB							
2.	Expert examination of urban development documents (except for works not requiring a construction permit)	AB							
3.	Carrying out construction (except for works not requiring a construction permit, individual residential houses built by the owner for non-entrepreneurial purpose within the area of land parcels envisaged for the relevant purpose and not exceeding the total area of 300 sq. m., having up to two elevated and one basement floors, facilities built by approved multi-use sample designs, auxiliary premises not exceeding the total area of 150 sq. m., garages not exceeding the total area of 50 sq. m., greenhouses not exceeding the total area of 1000 sq. m., temporary agricultural-industrial premises not exceeding the total area of 500 sq. m. and temporary public premises not exceeding the total area of 100 sq. m.)	AB							
4.	Technical control of construction quality (except for works not requiring a construction permit, individual residential houses built	AB					Q	R	

	by the owner for non-entrepreneurial purpose within the area of land parcels envisaged for the relevant purpose and not exceeding the total area of 300 sq. m., having up to two elevated and one basement floors, facilities built by approved multi-use sample designs, auxiliary premises not exceeding the total area of 150 sq. m., garages not exceeding the total area of 50 sq. m., greenhouses not exceeding the total area of 1000 sq. m., temporary agricultural-industrial premises not exceeding the total area of 500 sq. m. and temporary public premises not exceeding the total area of 100 sq. m.)								
5.	Engineering surveys	AB					Q		
6.	Examination of the technical condition of buildings and premises	AB		-	-		Q	R	-
18. OTHER SECTORS OF ACTIVITY									
1.	Conducting expert examination provided for by law in relation to types of activities subject to licensing	AB		-	E		-	-	-
2.	<i>(sub-point repealed by HO- 335-N of 8 December 2011)</i>								
3.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
4.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
5.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
6.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
7.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
8.	Provision of auditing services	AB		-	-	-	Q	R	-
9.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
10.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								
11.	<i>(sub-point repealed by HO-121-N of 13 November 2015)</i>								

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

3.1. ***(part repealed by HO-121-N of 13 November 2015)***

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

CB-Central Bank of the Republic of Armenia

PSRC-Public Services Regulatory Commission of the Republic of Armenia

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

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

NEURB-Nuclear Energy Use Regulatory Body

(paragraph repealed by HO-121-N of 13 November 2015)

5. ***(part repealed by HO-121-N of 13 November 2015)***

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

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

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

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

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

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

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

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

amended by HO-84-N of 22 February 2007, supplemented by HO-230-N of 29 November 2006, HO-239-N of 5 December 2006, HO-24-N of 25 December 2006, edited by HO-43-N of 25 December 2006, amended by HO-53-N of 25 December 2006, supplemented by HO-190-N of 9 April 2007, edited, supplemented and amended by HO-206-N of 11 October 2007, edited by HO-68-N of 19 May 2008, amended by HO-69-N of 19 May 2008, edited by HO-156-N of 21 August 2008, HO-179-N of 22 October 2008, supplemented by HO-140-N of 21 August 2008, amended by HO-73-N of 19 March 2009, supplemented by HO-194-N of 22 October 2008, edited by HO-1-N of 26 December 2008, supplemented by HO-169-N of 17 September 2009, edited and amended by HO-163-N of 10 July 2009, supplemented by HO-12-N of 4 December 2010, edited and amended by HO-227-N of 8 December 2010, edited by HO-282-N of 22 December 2010, amended by HO-199-N of 25 May 2011, edited by HO-158-N of 11 May 2011, amended by HO-335-N of 8 December 2011, edited by HO-84-N of 21 March 2012, amended and supplemented by HO-325-N of 8 December 2011, edited by HO-349-N of 8 December 2011, supplemented by HO-8-n of 9 February 2012, amended by HO-48-n of 29 April 2013, supplemented by HO-256-N of 19 December 2012, amended by HO-87-N of 19 June 2013, HO-84-N of 19 June 2013, HO-165-N of 20 November 2014, edited by HO-172-N of 20 November 2014, supplemented by HO-195-N of 1 December 2014, amended by HO-121-N of 13 November 2015, supplemented by HO-203-N of 18 December 2015, HO-175-N of 15 December 2015, HO-109-N of 23 June 2015, HO-21-N of 21 December 2015, HO-87-N of 17 May 2016, amended by HO-159-N of 25 October 2017, HO-169-N of 27 October 2017, HO-209-N of 17 November 2017, edited by HO-104-N of 8 February 2018, HO-236-N of 6 December 2017, amended by HO-101-N of 7 February 2018)

(Article 43 amended by Article 1 of Law HO-127-N of 2 March 2018 will enter into force on 1 January 2020.)

(Article 43 amended by Article 1 of Law HO-71-N of 25 June 2019 will enter into force on 1 January 2020.)

CHAPTER VIII

LIABILITY FOR VIOLATION OF THE REQUIREMENTS OF THIS LAW

Article 44. Liability of the licensing body for granting a licence in violation of the requirements of this Law

Where the licensing body has granted a licence in violation of the requirements of the legislation, as a result of which the licensee has caused damage to natural or legal persons, then the Republic of Armenia shall bear joint liability together with the licensee.

Article 45. Liability of officials for violation of the requirements of this Law

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

The State shall be obliged to compensate the requester or the licensee for the losses incurred as a result of unlawful rejection of applications for obtaining a licence, renewing the licence, re-issuing the licence, changing the place of activities or performing the same activities subject to licensing also in a different place or receiving a copy of the licence or its transcripts, or as a result of unlawful suspension of the licence.

Article 46. Performance of activity subject to licensing without a licence

1. It shall be prohibited to perform activity subject to licensing provided for by this Law without a licence.

Performance of activity subject to licensing provided for by this Law without a licence shall entail liability provided for by law and compensation for losses in the amount of the state duty charged for the licensing.

Compensation for losses in the amount of state duty shall not be imposed in the cases provided for by part 3 of Article 34 of this Law.

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

(Article 46 supplemented by HO-139-N of 5 October 2010, HO-172-N of 22 June 2012, HO-283-N of 21 December 2017)

Article 47. Settlement of disputes arising in the period this Law is in force

Disputes arising during the period this Law is in force shall be settled under judicial procedure provided for by this Law.

CHAPTER IX

TRANSITIONAL PROVISIONS

Article 48. Transitional Provisions

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

This Law shall — with respect to types of activities subject to licensing provided for by Article 43, which were not deemed types of activities subject to licensing by law or

other legal acts before the entry into force of this Law — enter into force after six months from the moment of the promulgation of the Law.

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

3. New activity may be declared as licensed not earlier than 6 months after the promulgation of the relevant law.

4. Any change in the conditions and requirements of the licence which limits the rights of the licensee or provides for new responsibilities for the licensee shall become effective not earlier than 6 months after the publication of the respective change.

4.1. The requirement of parts three and four of this Article shall not extend to the licensing of the activity related to the obligations assumed by the Republic of Armenia for ensuring international security.

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

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

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

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

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

9. After 15 July 2004, the state duty prescribed by the Law of the Republic of Armenia "On state duty" for re-issuance of licence shall be levied for re-issuance of licence pursuant to the place of activity prescribed by part 8 of this Article.

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

(Article 48 supplemented by HO-65-N of 25 December 2003, HO-169-N of 17 September 2009)

President of the Republic of Armenia

R. Kocharyan

Yerevan

27 June 2001

HO-193