



Legal update

December - January 2023



Contents

1. Initiative to amend the Code of Administrative Offences of the Republic of Armenia from 06.12.1985
2. Initiative to amend the Civil Code of the Republic of Armenia from 05.05.1998, the Laws of the Republic of Armenia "On Trade and Services" from 24.11.2004, "On Consumer Rights Protection" from 26.06.2001
3. Initiative to amend the Laws of the Republic of Armenia "On Medicines" from 17.05.2016, "On Trade and Services" from 24.11.2004, "On organizing and conducting inspections in the Republic of Armenia" from 17.05.2000, and the Code of Administrative Offences of the Republic of Armenia from 06.12.1985
4. The Law of the Republic of Armenia "On the approval of the state program for the development of education in the Republic of Armenia until 2030" from 16.11.2022
5. Amendments to the Law of the Republic of Armenia "On monthly minimum wage" from 17.12.2003
6. Amendments and supplements to the Law of the Republic of Armenia "On Mediation" from 13.06.2018
7. Initiative to amend the Law of the Republic of Armenia "On Education" from 14.04.1999
8. The Law on ratification of the EEU Agreement from 19.04.2022 on the application of navigational seals for tracking shipments in the Eurasian Economic Union, the EEU Agreement from 20.07.2021 on the exchange of information in the field of anti-money laundering procedures and financing of terrorism prevention when moving cash and (or) monetary instruments across the customs border of the Eurasian Economic Union, the EEU Agreement from 19.04.2022 on the implementation of audit activities within the framework of Eurasian Economic Union
9. The Government decision of the Republic of Armenia No 1969-Ն from 15.12.2022
10. The Government decisions of the Republic of Armenia No 1765-Ն from 17.11.2022 and No 2007-Ն from 22.12.2022

Dear colleagues,

It is our pleasure to share PwC Armenia
11 December 2022 - 13 January 2023
legal update. We hope it will be useful.
For more details please do not hesitate
to contact us at PwC Armenia by
contact information provided at the end
of this document.



Initiative to amend the Code of Administrative Offences of the Republic of Armenia from 06.12.1985

In brief

On 22 December 2022 the Government has approved the initiative to amend the Code of Administrative Offences of the Republic of Armenia. The draft amendments provide for the inclusion in the Code of Administrative Offences of a new article providing responsibility for operation of completed buildings or structures without an operation permit.

In detail

According to the draft amendments operation of completed buildings or structures without an operation permit shall result in the imposition of a fine in the amount of AMD 500 000 to AMD 700 000. Failure to eliminate a wrongful act after the date of imposition of a fine entails the imposition of a fine in the amount of AMD 1 000 000 to AMD 1 500 000.

For more details, please visit

<https://www.e-gov.am/gov-decrees/item/39578/>

Initiative to amend the Civil Code of the Republic of Armenia from 05.05.1998, to the Laws of the Republic of Armenia “On Trade and Services” from 24.11.2004, “On Consumer Rights Protection” from 26.06.2001

In brief

On 5 January 2023 the Government has approved the initiative to make amendments and supplements to the Civil Code, the Laws “On Trade and Services” and “On Consumer Rights Protection”. As a result of adoption of the amendments, it is expected to clarify the legal basis for the conclusion of contracts electronically, as well as prohibit inclusion of unfair terms in adhesion contracts concluded with consumers or in standard terms of contracts.

In detail

The amendments and supplements, *inter alia*, include:

- Clarification of the order of concluding contracts in written form. The bill specifies the following options for the written form of a contract: 1) drawing up one document signed by the parties, 2) exchanging a document by post, 3) using electronic means. A contract can be concluded electronically by exchanging an electronic message, document or data by means of electronic communication or other means of communication, including electronic data exchange on an electronic platform (website, application, etc.) by carrying out a clear action aimed at concluding a contract;
- Clarification of the provisions on receipt of offer when concluding contracts electronically. The bill specifies that an offer is considered received from the moment when: 1) it enters the information system specified by the addressee or the electronic platform used or operated by him, or 2) it is sent to an information system not specified by the addressee but is detected by the latter;
- Provision of clear regulations prohibiting unfair terms in adhesion contracts concluded with consumers, as well as in standard terms.

For more details, please visit

<https://www.e-gov.am/gov-decrees/item/39686/>

Initiative to amend the Laws of the Republic of Armenia “On Medicines” from 17.05.2016, “On Trade and Services” from 24.11.2004, “On organizing and conducting inspections in the Republic of Armenia” from 17.05.2000, and the Code of Administrative Offences of the Republic of Armenia from 06.12.1985

In brief

On 12 January 2023 the Government of the Republic of Armenia has approved the initiative to amend a number of laws, which provide for a legal possibility to implement state control in the pharmaceutical industry through control purchases.

In detail

Under the current Law “On Medicines” it is not possible to control the violations related to the sale of unregistered or counterfeit medicines in Armenia, the provision of non-pharmacological advice, the storage of expired medicines. Thus, the draft amendments introduce effective legislative mechanism (control purchases) for detection of violations for the Health and Labor Inspection Body of the Republic of Armenia.

At the same time, it is proposed to increase the amount of fines for violating the requirements defined for the pharmaceutical sector in the Code of Administrative Offences.

For more details, please visit

<https://www.e-gov.am/gov-decrees/item/39721/>

The Law of the Republic of Armenia “On the approval of the state program for the development of education in the Republic of Armenia until 2030” from 16.11.2022

In brief

The Law of the Republic of Armenia “On the approval of the state program for the development of education in the Republic of Armenia until 2030” came into force on 17 December 2022. The Law defines the development priorities, strategic principles and program directions of the RA education sector.

In detail

The implementation of the program envisages realization of interrelated steps in three strategic directions: creating an inclusive learner-centered educational environment, increasing the effectiveness of education, internationalization and export of educational services and products. In order to make the progress of education more targeted and effective, further developments will be carried out according to the established priority directions and target indicators of development, which will contribute to the increase of Armenia's overall competitiveness.

For more details, please visit

<http://www.irtek.am/views/act.aspx?aid=156043>

Amendments to the Law of the Republic of Armenia “On monthly minimum wage” from 17.12.2003

In brief

The new amendments to the Law of the Republic of Armenia “On the monthly minimum wage” came into force on 23 December 2022. According to the amendments the amount of monthly minimum wage and the minimum hourly rate have changed.

In detail

The monthly minimum wage in the Republic of Armenia is set at AMD 75,000.

The minimum hourly rate is defined as follows:

- 1) in case of normal working hours (40-hour work week) – AMD 450;
- 2) in case of part-time work:
 - up to 24-hour work week – AMD 750
 - 36-hour work week – AMD 500.

For more details, please visit

<http://www.irtek.am/views/act.aspx?tid=171265>

Amendments and supplements to the Law of the Republic of Armenia “On Mediation” from 13.06.2018

In brief

The amendments and supplements to the Law “On Mediation” came into force on 26 December 2022. The amendments are made with a purpose to reform the institution of mediation in the Republic of Armenia, to provide legislative incentives for the development of mediation as an alternative mean of dispute resolution, which will also lead to the relief of the courts’ workload.

In detail

The amendments provide for the following regulations:

- The possibility of online mediation in case of mutual agreement of the parties or in other cases provided by law
- Mediation may be conducted online using audio-visual telecommunications, including a combination of various available information and telecommunication technologies
- Provision for mandatory mediation procedure in certain family cases
- Except for the cases provided for by law, mediation is mandatory before applying to court in cases regarding divorce, determination of children’s place of residence, recovery of alimony, division of marital property, implementation of parental rights, amendments to the marital agreement
- Provision of certain specifics regarding the register and procedure for appointment of mediators
- All mediators are included in the register of licensed mediators. However, two lists are distinguished in the said register. The law stipulates that in all cases when a mediator must be appointed by the Ministry of Justice, the mediator must be selected from the number of mediators identified in the register. However, in cases where mandatory mediation is provided for, the mediator is selected from a special list of mediators in the register.
- Clarification of the procedure for subjecting mediators to disciplinary responsibility
- Cases and grounds for bringing mediators to disciplinary responsibility, as well as the specifics of disciplinary proceedings are provided.

For more details, please visit

<http://www.irtek.am/views/act.aspx?aid=156042>

Initiative to amend the Law of the Republic of Armenia “On Education” from 14.04.1999

In brief

On 12 January 2023 the Government has approved the initiative to amend the Law of the Republic of Armenia “On Education” from 14.04.1999. The draft amendments regulate organization and implementation of extracurricular education, requirements to the pedagogical staff, conditions of their voluntary certification, state funding and control issues.

In detail

It is proposed to supplement the Law with the concepts of (a) “extracurricular educational program”, which is aimed at the spiritual, aesthetic, physical development of students, military-patriotic education, and (b) “extracurricular educational institution”. The amendments provide for a list of organizations that may implement extracurricular education. It is proposed that the list and descriptions of the positions of the pedagogical staff performing extracurricular education are defined by the Government of the Republic of Armenia.

With the proposed amendments it will be possible:

- to define the main provisions, goals and problems in the field of extracurricular education;
- to contribute to the improvement of the quality and accessibility of the provided services.

For more details, please visit

<https://www.e-gov.am/gov-decrees/item/39708/>



The Laws on ratification of the EEU Agreements

In brief

The laws on ratification of a number of EEU Agreements related to the application of navigational seals, the exchange of information in the field of anti-money laundering procedures and the implementation of audit came into force on 20 December 2022.

In detail

- *The Agreement from April 19, 2022 on the application of navigational seals for tracking shipments in the Eurasian Economic Union*

The Agreement regulates the use of navigation seals in the Eurasian Economic Union to track the transportations across the territories of two or more Member States and the mechanism for organizing such tracking system. The objects of tracking are goods (products), vehicles.

- *The Agreement from July 20, 2021 on the exchange of information in the field of anti-money laundering procedures and financing of terrorism prevention when moving cash and (or) monetary instruments across the customs border of the Eurasian Economic Union*

Under the Agreement the Member States shall interact and exchange the relevant information. Information exchange is carried out by submitting information declared by an individual in the passenger customs declaration and goods declaration when moving cash and (or) monetary instruments.

- *The Agreement from April 19, 2022 on the implementation of audit activities within the framework of Eurasian Economic Union*

The Agreement provides for the permission mechanism allowing auditors of one Member State to implement audit activities in the other Member States, and also defines common approaches to the implementation and regulation of audit activities in the Member States.

For more details, please visit

<http://www.irtek.am/views/act.aspx?aid=156051>

<http://www.irtek.am/views/act.aspx?aid=156050>

<http://www.irtek.am/views/act.aspx?aid=156052>



The Government decision of the Republic of Armenia No 1969-Ն from 15.12.2022

In brief

The Government decision No 1969-Ն from 15.12.2022 on approval of the procedure for sampling and laboratory examination of articles made of precious metals came into force on 17 December 2022.

In detail

The purpose of the adoption of the decision is to establish a relevant procedure, through which it will be possible to carry out proper control in the specified area, including through the method of laboratory examination.

For more details, please visit

<http://www.irtek.am/views/act.aspx?aid=119188>

Government decisions of the Republic of Armenia No 1765-Ն from 17.11.2022 and No 2007-Ն from 22.12.2022

In brief

The Government decision No 1765-Ն from 17.11.2022 “On applying a tariff quota for certain types of agricultural products imported into the territory of the Republic of Armenia, approving the import procedure, single-time and general license forms” and the Government decision No 2007-Ն from 22.12.2022 “On the application of temporary non-tariff regulatory measures with regard to export of some products from the Republic of Armenia to Non-Member States of the Eurasian Economic Union” came into force on 1 January 2023.

In detail

According to the Government decision No 1765-Ն from 17.11.2022 a tariff quota is applied to certain types of agricultural products imported to the territory of the Republic of Armenia during 2023. A tariff quota provided for by the Decision is applicable to certain types of agricultural products (cattle meat, pork, poultry meat and food offal, turkey meat, etc.) imported into the territory of the Republic of Armenia using the customs procedure “Release for domestic consumption”. During 2023, the import of certain types of agricultural products imported into the territory of the Republic of Armenia is allowed in the volume not exceeding the quota specified in the Decision, subject to the availability of a license.

According to the Government decision No 2007-Ն from 22.12.2022 the export of wheat, meslin, barley, corn, buckwheat, sunflower seed, sunflower oil from the Republic of Armenia to Non-Member States of the Eurasian Economic Union is prohibited for a period of 6 months.

For more details, please visit

<http://www.irtek.am/views/act.aspx?aid=118729>

<http://www.irtek.am/views/act.aspx?aid=119233>

Contact us

For a deeper discussion of how these changes
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PwC Armenia

Alexey Rusanov

Director

E-mail: alexey.n.rusanov@pwc.com

Tel: **+ 374 99 93 20 65**

Alla Hakhnazaryan

Head of Legal Practice

E-mail: alla.hakhnazaryan@pwc.com

Tel: **+374 93 38 39 56**



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