

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 4 December 2001

ON CIVIL SERVICE

CHAPTER 1

GENERAL PROVISIONS

Article 1. Public Service

(Article repealed by HO-174-N of 26 May 2011)

Article 2. Subject matter of this Law

This Law shall define the main principles of civil service in the Republic of Armenia and shall regulate the relations in connection with classification of the positions of the civil service, the assignment of class ranks within the civil service and appointment to a position of the civil service, the attestation and training and performance evaluation of civil servants, the reserve of the civil service personnel, the legal status of civil servants, the organisation and management of the civil service, as well as other associated relations.

(Article 2 as amended by HO-50-N of 2 May 2006, as supplemented by HO-104-N of 21 June 2014)

(Article 2 amended by HO-104-N of 21 June 2014 shall enter into force on 1 January 2017)

Article 3. Main concepts used in this Law

1. The main concepts used in this Law shall have the following meanings:

(a) civil service shall mean professional activity irrespective of the change in the correlation of political forces that is carried out within the bodies provided for by point 1 of Article 4 of this Law, with a view to carrying out the tasks and functions reserved for those bodies by the legislation of the Republic of Armenia;

(b) position of the civil service shall mean a position provided for by the list of positions of the civil service;

(c) list of positions of the civil service shall mean the list of all positions of the civil service approved in the manner prescribed by this Law;

(d) civil servant shall mean a person holding any position (except for temporarily vacant position, position held as prescribed by point 1 of Article 15.1 of this Law) provided for by the list of positions of the civil service or a person in the short-term reserve of the staff of the civil service;

(e) relevant body shall mean the body provided for by point 1 of Article 4 of this Law;

(f) job description for civil service position shall mean a document that describes the rights and obligations provided for by this Law and other legal acts for a civil servant holding the given position, presents the professional knowledge and working skills of the civil servant to hold the given position, lays down the requirements for obtaining a relevant class rank of the civil service and is approved in the manner prescribed by this Law;

(g) class rank of the civil service shall mean a standard of qualification in compliance with the professional knowledge and working skills of a civil servant;

(h) Chief of Staff shall mean an official referred to in point 3 of Article 15 of this Law;

(i) attestation of civil servants shall mean a decision on the compatibility of the professional knowledge of civil servants with their working skills;

(il) performance evaluation of a civil servant shall mean a measure of the relevant body to identify the needs for training of a civil servant and to give him or her an incentive (reward);

(j) training of civil servants shall mean consistent improvement of the professional knowledge and working skills of civil servants;

(k) reserve of civil service personnel shall mean a community of civil servants not holding positions of the civil service as prescribed by this Law and persons referred to in point 3 of Article 21 of this Law;

(l) official examination shall mean examination of issues relating to the fulfilment of duties and activities by the civil servant in cases and manner prescribed by this Law and other legal acts;

(m) *(point repealed by HO-174-N of 26 May 2011)*

(n) *(point repealed by HO-174-N of 26 May 2011)*

(o) *(point repealed by HO-174-N of 26 May 2011)*

(p) professional work experience shall mean work experience complying with qualification referred to in document of higher education, and in case higher vocational education is prescribed by the job description of the given position-in the document verifying that education, irrespective of work completed in state or private sectors. Professional work experience shall include the period of employment after getting the relevant qualification.

2. *(part repealed by HO-174-N of 26 May 2011)*

3. *(part repealed by HO-174-N of 26 May 2011)*

4. *(part repealed by HO-174-N of 26 May 2011)*

(Article 3 as edited by HO-399-N of 3 July 2002, as supplemented by HO-543-N of 18 April 2003, as supplemented and edited by HO-38-N of 18 February 2004, as supplemented and amended by HO-30-N of 14 December 2004, as supplemented by HO-44-N of 14 December 2004, HO-50-N of 2 May 2006, as supplemented by HO-63-N of 26 May 2008, HO-199-N of 4 December 2008, as amended by HO-11-N of 26 December 2008, as supplemented by HO-159-N of 11 June 2009, HO-29-N of 22 December 2010, as amended by HO-174-N of 26 May 2011, as supplemented by HO-15-N of 19 March 2013, HO-104-N of 21 June 2014)

*(Part 1 of Article 3 amended and supplemented by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

Article 4. Scope of this Law

1. The scope of this Law shall extend to the persons holding positions provided for by the list of positions of the civil service within the following bodies:

- (a) Staff of the President of the Republic of Armenia;
- (b) Staff of the Government of the Republic of Armenia;
- (c) Staffs of republican executive bodies of the Republic of Armenia;
- (c1) Staffs of state bodies functioning within the scope of administration of ministries of the Republic of Armenia;
- (d) Staffs of marzpetarans (regional governors' offices) of the Republic of Armenia;
- (e) Staffs of permanently functioning bodies established by law of the Republic of Armenia, except for the Central Bank.

2. Persons holding political, discretionary and civil positions within bodies provided for by point 1 of this Article, as well as persons providing technical services, shall not be deemed to be civil servants.

(Article 4 as amended by HO-38-N of 18 February 2004, HO-30-N of 14 December 2004, as supplemented by HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008)

Article 5. Key principles of the civil service

The following are the key principles of the civil service:

- (a) supremacy of the Constitution, laws of the Republic of Armenia, priority of human and civil rights and freedoms;
- (b) stability of the civil service;
- (c) integrity of key requirements to civil servants and legal equality thereof before the law;
- (d) publicity of the civil service;
- (e) political restraint of civil servants;
- (f) equal access to civil service for citizens in compliance with their professional knowledge and working skills;
- (g) professionalism of civil servants;
- (h) legal and social protection of civil servants;
- (i) liability of civil servants for failure to fulfil the official duties or improper fulfilment thereof;
- (j) controllability and accountability of civil servants.

Article 6. Legislation of the Republic of Armenia on Civil Service

1. The relations in connection with civil service shall be regulated by the Constitution of the Republic of Armenia, international treaties of the Republic of Armenia, this Law, normative legal acts of the Civil Service Council, as well as other legal acts.
2. The labour relations between civil servants shall be regulated by the labour legislation of the Republic of Armenia where characteristics regulating those relations by legislation on civil service are not defined.
3. The official relations between civil servants shall be regulated by internal regulatory working rules established by legislation.

CHAPTER 2

CLASSIFICATION OF POSITIONS AND CLASS RANKS OF THE CIVIL SERVICE

Article 7. Classification of positions of the civil service

1. The positions of the civil service shall be classified into groups, based on the responsibility of the persons holding that position for organising and managing labour, their powers to make decisions, their contacts and representation, complexity of their problems and demand for creative solutions to those problems, as well as their required level of knowledge and skills.
2. Positions of the civil service shall be classified into the following groups:
 - (a) highest positions of the civil service;
 - (b) chief positions of the civil service;
 - (c) leading positions of the civil service;
 - (d) junior positions of the civil service.

3. The group of the highest positions of the civil service shall be classified into the 1st and 2nd subgroups, and the chief, leading and junior positions of the civil service-into the 1st, 2nd and 3rd subgroups. The 1st subgroup in a given group is the highest subgroup in the groups of positions of the civil service.

4. The general description for each group of positions of the civil service shall be approved by the Civil Service Council.

Article 8. Class ranks of the civil service

1. Civil servants shall be conferred with the following class ranks:

(a) for civil servants holding the highest positions of the civil service-class ranks of 1st or 2nd class state advisor within the civil service of the Republic of Armenia;

(b) for chief positions of the civil service:

- for civil servants holding a position in the 1st subgroup-class rank of 1st class advisor within the civil service of the Republic of Armenia, as well as in higher position-class rank of 2nd class state advisor within the civil service of the Republic of Armenia;

- for civil servants holding a position in the 2nd subgroup-class rank of 2nd class advisor within the civil service of the Republic of Armenia, as well as in higher position-class rank of 1st class advisor within the civil service of the Republic of Armenia;

- for civil servants holding a position in the 3rd subgroup-class rank of 3rd class advisor within the civil service of the Republic of Armenia, as well as in higher position-class rank of 2nd class advisor within the civil service of the Republic of Armenia;

(c) leading positions of the civil service;

- for civil servants holding a position in the 1st subgroup-class rank of 1st class leading servant within the civil service of the Republic of Armenia, as well as in higher position-class rank of 3rd class advisor within the civil service of the Republic of Armenia;
- for civil servants holding a position in the 2nd subgroup-class rank of 2nd class leading servant within the civil service of the Republic of Armenia, as well as in higher position-class rank of 1st class leading servant within the civil service of the Republic of Armenia;
- for civil servants holding a position in the 3rd subgroup-class rank of 3rd class leading servant within the civil service of the Republic of Armenia, as well as in higher position-class rank of 2nd class leading servant within the civil service of the Republic of Armenia;

(d) junior positions of the civil service.

- for civil servants holding a position in the 1st subgroup-class rank of 1st class junior servant within the civil service of the Republic of Armenia, as well as in higher position-class rank of 3rd class leading servant within the civil service of the Republic of Armenia;
- for civil servants holding a position in the 2nd subgroup-class rank of 2nd class junior servant within the civil service of the Republic of Armenia, as well as in higher position-class rank of 1st class junior servant within the civil service of the Republic of Armenia;
- for civil servants holding a position in the 3rd subgroup-class rank of 3rd class junior servant within the civil service of the Republic of Armenia, as well as in higher position-class rank of 2nd class junior servant within the civil service of the Republic of Armenia.

2. The highest class ranks of 1st and 2nd class state advisor within the civil service of the Republic of Armenia shall be conferred, the class rank shall be lowered, as well as deprived by the President of the Republic of Armenia.
3. Within relevant bodies, except for the Staff of the President of the Republic of Armenia, the class ranks of 1st, 2nd and 3rd class advisor within the civil service of the Republic of Armenia shall be conferred by officials referred to in point 2 of Article 15 of this Law, and within the Staff of the President of the Republic of Armenia-by the Chief of Staff of the President of the Republic of Armenia.
4. The class ranks of 1st, 2nd and 3rd class leading servant within the civil service of the Republic of Armenia and the 1st, 2nd and 3rd class junior servant within the civil service of the Republic of Armenia shall be conferred by the Chief of Staff.
5. A relevant class rank of the civil service shall be conferred to the civil servant along with appointment to a position of the civil service, except for the highest position of the civil service, if he or she does not have a relevant or higher class rank within the civil service.

A class rank higher (except for the highest class rank of the civil service) than the class rank of the civil service prescribed for the position held shall be conferred to the civil servant no later than three years after having received the relevant class rank, where the civil servant has held a position of the civil service for three consecutive years after having received the class rank, including the period of being in the short-term reserve of the civil service personnel.

In case of being appointed to a position of the civil service and having a relevant class rank of the civil service prescribed for that position a class rank (except for the highest class rank of the civil service) higher than the class rank of the civil service prescribed for the position held by the civil servant shall be conferred to the civil servant no sooner than three years after being appointed to the relevant position, where the

period of being relieved of the position of the civil service and being appointed to the relevant position of the civil service has exceeded one month.

A relevant class rank of the civil service shall be conferred to the person holding a position of the civil service for the first time, except for the highest position of the civil service within a three-day period following the end of the probation period provided for by this Law.

51. *(part repealed by HO-50-N of 2 May 2006)*

6. On the grounds provided for by sub-points "b", "c", "c.2", "d", "i", "j", "k", "l", "q" and "t" of point 1 of Article 33 of this Law, simultaneously with dismissal of the position held, the civil servant shall be deprived of the class rank of the civil service upon the decision of the official competent to confer the given class rank.

7. *(part repealed by HO-50-N of 2 May 2006)*

(Article 8 as amended by HO-399-N of 3 July 2002, as supplemented by HO-38-N of 18 February 2004, as edited, supplemented and amended by HO-30-N of 14 December 2004, as supplemented by HO-44-N of 14 December 2004, as amended, edited and supplemented by HO-50-N of 2 May 2006, as amended by HO-199-n of 4 December 2008, as edited by HO-15-N of 19 March 2013)

Article 9. Approving (changing) the list of positions of the civil service, the job descriptions for positions of the civil service and the staff of relevant bodies

(title as edited by HO-543-N of 18 April 2003, HO-30-N of 14 December 2004)

1. The list of positions of the civil service shall be approved (changed) by the Civil Service Council by proposal of officials referred to in point 2 of Article 15 of this Law.

The proposal provided for by point 1 of this Article shall be submitted to the Civil Service Council within one month following the moment of emergence of legal ground for approving (changing) the list of positions of the civil service.

2. The list of positions included in each group and subgroup of positions of the civil service shall be approved (changed) by the Civil Service Council.

3. The job descriptions for positions of the civil service within relevant bodies, except for the Staff of the President of the Republic of Armenia shall be approved (changed) by officials referred to in point 2 of Article 15 of this Law, upon consent of the Civil Service Council and by proposal of those officials.

The job descriptions for the highest positions of the civil service within the Staff of the President of the Republic of Armenia shall be approved (changed) by the President of the Republic of Armenia, and the job descriptions for the chief, leading and junior positions of the civil service-by the Chief of Staff of the President of the Republic of Armenia, upon consent of the Civil Service Council and by proposal of those officials.

4. The list of positions of the civil service shall be submitted to the Civil Service Council for approval (change), and the job descriptions for new positions of the civil service in that list shall be submitted to the Civil Service Council for consent, simultaneously.

5. The staff lists of relevant bodies and/or job descriptions for positions of the civil service shall be subject to approval (change) within a 15-day period following approval (change) of the list of relevant positions of the civil service.

The staff lists of relevant bodies shall be approved by the head of the body, except for cases provided for by legislation.

(Article 9 as edited by HO-543-N of 18 April 2003, HO-30-N of 14 December 2004, HO-50-N of 2 May 2006, as supplemented by HO-199-N of 4 December 2008)

Article 10. Job descriptions for positions of the civil service

1. The job descriptions for positions of the civil service shall, in the manner prescribed by Article 9 of this Law be approved (changed) on the basis of the general description for each group of positions of the civil service. The job descriptions for positions of the civil service shall also include at least the following standards concerning the length of service and experience:

(a) for the highest positions of the civil service-higher education, service record of at least two years in at least second subgroup of the chief positions of the civil service, or during the last five years service record of at least five years and a class rank of Second Class Civil Service Counsellor, or service record of at least three years in political or discretionary positions, except for the positions of deputies of heads of communities of the Republic of Armenia, counsellors, press secretaries, assistants and executive assistants;

(b) for chief positions of the civil service-higher education, service record of at least two years in at least the second subgroup of the leading positions of the civil service, or civil service record of at least three years and a class rank of Second Class Leading Officer of the civil service, or during the last five years service record of at least two years in political or discretionary positions, except for the positions of deputies of heads of communities of the Republic of Armenia, counsellors, press secretaries, assistants and executive assistants, or service record of at least two years in civil positions or service record of at least three years of chief position of community service, or an academic degree and professional service record of at least three years, or during the last ten years professional service record of at least three years, of which at least one year in the position of head of subdivision (last requirement shall be applied in case of calculating the service record of persons having applied to hold the position of head of subdivision);

(c) for leading positions of the civil service-higher education, service record of at least one year in the positions of the civil service or positions of the community

service, or during the last five years professional service record of at least one year in political or discretionary positions, except for the positions of deputies of heads of communities of the Republic of Armenia, counsellors, press secretaries, assistants and executive assistants, or service record of at least one year, or professional service record of at least two years in civil positions;

(d) for junior positions of the civil service-without service record.

2. Prior to 1 January 2020, the job descriptions for positions of the civil service shall also include the following standards concerning the length of service and experience:

(a) for the highest positions of the civil service-service record of at least five years in the public administration sector, of which at least three years in the position of head of subdivision;

(b) for chief positions of the civil service-service record of at least three years in the public administration sector, of which at least one year in the position of head of subdivision (the last requirement shall be applied in case of calculating the record of persons having applied to hold the position of head of subdivision);

(c) for leading positions of the civil service-service record of at least one year in the public administration sector.

3. The job description for the positions of the civil service may change, if it does not lead to new requirements that the civil servant hold the given position might not meet after the training.

(Article 10 as edited, amended and supplemented by HO-543-N of 18 April 2003, as amended by HO-38-N of 18 February 2004, as edited, amended and supplemented by HO-30-N of 14 December 2004, as supplemented by HO-44-N of 14 December 2004, as amended by HO-50-N of 2 May 2006, HO-199-N of 4 December 2008, as amended and supplemented by HO-104-N of 21 June 2014)

CHAPTER 3

HOLDING POSITIONS OF THE CIVIL SERVICE

Article 11. Persons eligible for positions of the civil service

Citizens of the Republic of Armenia meeting the requirements submitted in accordance with the job description for the given positions of the civil service, fluent in Armenian and having attained the age of 18 shall be eligible for a positions of the civil service, irrespective of nationality, race, gender, faith, political or other views, social status, property or other status as prescribed by this Law.

Article 12. Persons not eligible for positions of the civil service

A person shall not be entitled to hold a position in the civil service where he or she:

- (a) has been declared as having no or limited active capacity through judicial procedure;
- (b) has been deprived through judicial procedure of the right to hold a position of the civil service;
- (c) suffers from a disease that may hinder the performance of official duties and implementation of powers in case of being appointed to a positions of the civil service. The list of those diseases shall be approved by the Government of the Republic of Armenia;
- (d) has been convicted of a crime and the records of conviction are not expunged or quashed in the prescribed manner;
- (e) has dodged fixed-term military service.

Article 121. Holding a vacancy in the civil service

A vacancy in the civil service is filled either with or without competition.

(Article 121 as supplemented by HO-30-N of 14 December 2004, as amended by HO-50-N of 2 May 2006)

Article 122. Cases of filling a vacancy in the civil service without competition

1. In case of emergence of a vacancy in the civil service (except for vacancies in the civil service not included within the structural subdivision, as well as newly created positions of the civil service) the official competent to appoint to a given position shall, within a one-week period prior to the announcement of a competition for the given position, be competent to appoint to a given vacant position the civil servant of the relevant body who, at the same time:

- (a) meets the requirements of the job description for the given vacancy;
- (b) is considered as holding a position within the same group of the civil service or has at least a class rank of the civil service prescribed for the given vacancy, or will be holding the position in the 3rd or 2nd subgroup of the higher group succeeding the civil service group he or she is in, and in case of the group of the highest positions-the position in the 2nd subgroup;
- (c) is considered as a civil servant of a specific structural subdivision;
- (d) has submitted a written consent on that.

2. Before the announcement of a competition for the vacancy in the civil service, only the person holding by fixed-term employment contract the given position from the short-term reserve of the civil service personnel may, upon discretion of the official (body) competent to appoint to the given position and upon consent of the Civil Service Council, hold that position without competition.

(Article 122 as supplemented by HO-30-N of 14 December 2004, as amended by HO-50-N of 2 May 2006)

Article 13. Informing the Civil Service Council about the emergence of a vacancy in the civil service

In cases of emergence of vacancy in the civil service and not appointing in the manner and period defined by Article 122 of this Law the Chief of Staff shall, within a three-day period, inform the Civil Service Council about that in written form.

(Article 13 as amended by HO-30-N of 14 December 2004)

Article 14. Competition for filling a vacancy in the civil service

1. The newly created positions of the civil service of the relevant bodies (except for cases provided for by Article 29 of this Law, as well as junior positions of the civil service), as well as in cases of failure to appoint to vacant positions of the civil service in the manner and periods defined by Article 122 and point 2 of Article 29 of this Law, shall be held through a competition.

2. For filling the vacancies for the highest and chief positions of the civil service the Civil Service Council, and for leading positions of the civil service-the relevant body, shall promulgate an announcement about a competition no later than one month prior to the competition via newspapers in at least three thousand copies and via other mass media outlets.

3. The preparations for the competition to fill the vacancies for the highest and chief positions in the civil service shall be carried out by the staff of the Civil Service Council, and for the vacancies for the leading positions in the civil service-by the staff of the relevant body.

4. The Competition Commission shall not permit a citizen to participate in the competition where the citizen does not meet the requirements set by Article 11 and Article 34 (1) of this Law, or where one of the grounds provided for by Article 12 of this Law exists.

5. The competition shall also be held in the case when only one person has applied to participate in the competition.

6. The competition shall be held in two stages: testing and interview.

7. The test may be held through a computer or in written form.

Tests shall be developed in the manner prescribed by the Civil Service Council from among computer-based questionnaire and the questions selected randomly therefrom to check the knowledge of participants in the following fields:

(a) the Constitution of the Republic of Armenia;

(b) the legislation of the Republic of Armenia on civil service;

(c) *(sub-point repealed by HO-543-N of 18 April 2003)*

(d) legislation of the Republic of Armenia defining the powers of the relevant body;

(e) *(sub-point repealed by HO-543-N of 18 April 2003)*

(f) professional questions to check the skills for working in the given position of the civil service.

The questionnaire included in the computer shall be published not later than one month before holding the competition.

Assignments in the test shall include questions and problems. Each question (problem) shall have three or four probable answers. Each question (problem) shall have one right answer.

The testing stage shall be held by applying special codes for the participants with a view to ensuring secrecy.

8. The participants who have correctly completed at least 90 % of the test assignments shall be entitled to proceed to the second stage of the competition - the interview.

The interviews with the participants shall be conducted with question cards with a view to checking the professional knowledge and skills, as well as practical and managerial skills. During the interview, the participant may also be asked verbal questions related to the questions on the question card.

After the responses given to each question on the question card, each member of the Commission shall rate the response of the participant with a maximum of 10 points. The total number of points of the participant and the numbers in percentages shall be published after the interview. The responses to related questions shall be rated in the context of the response to the corresponding question on the question card.

The percentage of the points that the participant scored in the interview stage shall be at least seventy five percent in order to pass the interview stage.

The three participants having passed the interview stage with the highest score of percentages earned after the testing and interview stages shall be recognised as the winners of the competition. Where it is impossible to verify the three winners of the competition after receiving the same highest percentages, the participants with the same highest percentages shall be recognised as the winners of the competition.

Where there are less than 4 participants having passed the interview stage in the manner prescribed by this Law, the participants having passed the interview stage shall be recognised as the winners of the competition.

9. The results of the competition shall be published on the same day after holding the competition.

91. Following the publication of the results of the competition, such results may be appealed in writing by a participant (with regard to his or her results) or a member of the Competition Commission.

The written appeal provided for by the first paragraph of this Point shall be examined by the Civil Service Council by deciding on the issue of recognising the specific participant as the winner of the competition.

The Civil Service Council shall publish the decision provided for by the second paragraph of this Point after taking the decision on the same day.

The procedure and periods for submitting a written appeal provided for by the first and second paragraphs of this Point, examining it and taking a decision shall be established by the Civil Service Council.

10. Immediately following the publication of the competition results and in case of absence of written appeal provided for by part 9.1 of this Article, the conclusion submitted by the respective Competition Commission on the participants declared as the winner of the competition shall be sent by the staff that carries out preparatory work with regard to the competition to the official with powers to appoint for the given position, except for cases provided for by the second paragraph of this Point. The official with powers to appoint for the given position of the civil service shall, within three working days following receipt of the conclusion, appoint one of the participants recognised as the winner of the competition to the corresponding position, except for cases provided for by the second paragraph of this Point.

The opinion on the participants recognised as winners of the competition for the position of Chief of Staff of a ministry of the Republic of Armenia, of a state authority functioning within the scope of administration of a ministry, of a state administration body under the Government, of the staff of a Marzpetaran (regional governor's office) of the Republic of Armenia shall be sent to the minister, the head of the state authority functioning within the scope of administration of the ministry, of a state administration body under the Government and the governor, respectively. The corresponding minister, the head of a state authority functioning within the scope of administration of a ministry, of a state administration body under the Government and governor shall,

with justification and within three working days, nominate one of the participants recognised as a winner of the competition for the position of Chief of Staff to the official (body) with the powers to appoint which shall, after receiving the nomination, take a decision on appointing to the position within a one-week period.

101. In case there is a written appeal provided for by point 91 of this Article, the decision of the Civil Service Council provided for by the second paragraph of point 91 of this Article shall, in the manner prescribed by point 10 of this Article, be sent by the Civil Service Council together with the conclusion immediately after the decision is received.

11. If no participant has given at least 90 percent correct answers to the test assignments, or no participant of the interview has received at least seventy five percent and has not been declared as the winner of the competition or if the Civil Service Council has taken a decision on not declaring a winner in the competition in the case provided for by point 9.1 of this Article, a new competition shall be held.

If the Competition Commission does not have a quorum (at least more than half of the Commission members do not participate in the session), the competition shall be deemed not to be held and a repeat competition shall be held.

No applications shall be accepted for participation in the competition during the repeat competition and it shall be held within a 10-day period on a general basis.

If no application has been submitted for participation in the competition or any of the grounds prescribed in point 4 of this Article exists in all submitted applications, as well as in case no person having submitted an application showed up at the competition, the competition shall be deemed not to be held and a new competition shall be held.

Competition held in violation of the procedure defined by this Article shall be declared invalid through judicial procedure.

A new competition shall also be held in case the competition is declared invalid.

The new competition shall be held on general basis.

Where the new or repeat competition is deemed void (invalid), as well as where no winner is declared as a result of the new or repeat competition, a new competition shall be announced for filling the vacancy of the position of the civil service.

111. Testing shall be conducted at least once every three months for those contending to hold the junior position of the civil service through the procedure established by the Civil Service Council. Testing shall be conducted by the Testing Commission established by the Civil Service Council. Permission to participate in the testing shall be granted by the Commission with a mandate established by the Civil Service Council. The Commission with a mandate shall not permit a citizen to participate in the testing where the citizen does not meet the requirements set by Article 11 and Article 34 (1) of this Law, or where one of the grounds provided for by Article 12 of this Law exists. Tests shall be developed by the Testing Commission from among computer-based questionnaire and the questions selected randomly therefrom to check the knowledge of participants in the fields defined by the Civil Service Council.

Participants having answered at least ninety percent of the test assignments shall receive the certificate for holding the junior position of the civil service. The certificate shall be valid for one year. The citizen with the certificate may participate in the next testing where he or she has completed three quarters of the period of validity of the certificate.

To participate in the testing, citizens shall be levied a fee, the amount of which shall be fixed by the Civil Service Council.

12. The procedure for holding a competition on the basis of this Law, as well as the procedure for holding testing to receive a certificate for holding the junior position of the civil service and filling the vacancy for the junior position of the civil service shall be established by the Civil Service Council.

(Article 14 as amended and supplemented by HO-399-N of 3 July 2002, as edited and amended by HO-443-N of 19 November 2002, as supplemented, amended and edited by HO-543-N of 18 April 2003, as supplemented, edited and amended by HO-38-N of 18 February 2004, as edited, amended and supplemented by HO-30-N of 14 December 2004, as supplemented and amended by HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008, as supplemented, amended and edited by HO-104-N of 7 June 2010, as edited by HO-15-N of 19 March 2013)

Article 15. Appointment to the position of the civil service

1. The person appointed to the position of the civil service shall be irreplaceable, except for the case provided for by point 3 of Article 34 of this Law.
2. The following shall appoint to and dismiss from the highest positions of the civil service of the relevant bodies provided for by sub-points "a" and "b" of this point, the highest positions of the civil service of the relevant bodies provided for by sub-points "c", "c.1", "d" and "e" of this point and the 1st subgroup of chief positions:
 - (a) within the Staff of the President of the Republic of Armenia-the President of the Republic of Armenia;
 - (b) within the Staff of the Government of the Republic of Armenia-the Prime Minister of the Republic of Armenia;
 - (c) within the staff of the republican executive body of the Republic of Armenia-the chief of that body, except for the case provided for by the first paragraph of point 21 of this Article;
 - (c.1) within the staff of the state authority functioning within the scope of administration of a ministry of the Republic of Armenia-the chief of that body, except for the case provided for by the first paragraph of point 21 of this Article;

(c.2) within inspectorate created through the procedure established by law-the chief of that body, except for the case provided for by the first paragraph of point 2.1 of this Article;

(d) within the staff of the Marzpetaran (regional governor's office) of the Republic of Armenia-the Marzpet (governor), except for the case provided for by the second paragraph of point 21 of this Article;

(e) within the staff of the permanently functioning body created by the law of the Republic of Armenia-the chief of that body.

21. The Chief of Staff of a ministry of the Republic of Armenia shall, in the manner prescribed by this Law, be appointed and dismissed by the Government of the Republic of Armenia, and the Chief of Staff of the state authority functioning within the scope of administration of a ministry and the Chief of Staff of a state administration body under the Government, and in cases provided for by law-by the Prime Minister of the Republic of Armenia.

The Chief of Staff of the Marzpetaran (regional governor's office) of the Republic of Armenia shall, in the manner prescribed by this Law, be appointed and dismissed by the Prime Minister of the Republic of Armenia.

2.2. The head of the internal audit subdivision and auditors within the staffs of a ministry of the Republic of Armenia, a state authority functioning within the scope of administration of a ministry, a state administration body under the Government, the Marzpetaran (regional governor's office) of the Republic of Armenia and a permanently functioning body created by the law of the Republic of Armenia shall be appointed and dismissed by the head of the body.

3. The following shall appoint to and dismiss from the chief, leading and junior positions of the civil service within relevant bodies provided for by sub-points "a" and "b" of this point, and the leading and junior positions of the civil service in the 2nd and 3rd subgroups of the chief positions of the civil service within the relevant bodies

provided for by sub-points "c" "c.1", "d" and "e" of this point, except for point 2.2 of this Article:

- (a) within the Staff of the President of the Republic of Armenia-the Chief of Staff of the President of the Republic of Armenia;
- (b) within the Staff of the Government of the Republic of Armenia-the Chief of Staff of the Prime Minister of the Republic of Armenia;
- (c) within the staff of the republican executive body of the Republic of Armenia-the chief of staff of that body;
- (c.1) within the staff of the state authority functioning within the scope of administration of a ministry of the Republic of Armenia-the Chief of Staff of that body;
- (d) within the staff of the Marzpetaran (regional governor's office) of the Republic of Armenia-the Chief of Staff of the regional governor's office;
- (e) within the staff of the permanently functioning body created by the law of the Republic of Armenia-the Chief of Staff of that body.

3.1. The person with a valid certificate to hold a junior position of the civil service shall be appointed to the vacant junior position of the civil service without a competition.

3.2. Appointment to the vacant junior position of the civil service without a certificate may be carried out in cases prescribed by Article 12.2 and point 2 of Article 29 of this Law.

3.3. The list of citizens with certificates shall be kept by the Civil Service Council. After each testing, the Civil Service Council shall, within five working days, post the data of citizens having received certificates on the official website of the Civil Service Council.

4. A person who takes office in civil service for the first time shall be appointed with a probation period of up to six months in the manner prescribed by the labour legislation of the Republic of Armenia.

(Article 15 as supplemented and amended by HO-399-N of 3 July 2002, as amended by HO-30-N of 14 December 2004, as supplemented by HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008, as amended and supplemented by HO-104-N of 7 June 2010, as supplemented and edited by HO-15-N of 19 March 2013, as supplemented by HO-255-N of 17 December 2014)

Article 151. Special cases of holding a position of the civil service

1. Diplomats sent on consignment in the manner and cases prescribed by the Law of the Republic of Armenia "On Diplomatic Service" may hold positions of the civil service with the consent of the Civil Service Council.

2. The peculiarities in relation to the appointment and dismissal of persons holding positions of the civil service connected to secret state and official information, their training, attestation, performance evaluation, official exams and other processes of civil service and the list of those civil service positions shall be defined by the Civil Service Council, upon agreement with the authorised state administration body for national security.

(Article 151 as supplemented by HO-443-N of 19 November 2002, HO-50-N of 2 May 2006, as amended by HO-65-N of 2 March 2011)

*(Part 2 of Article 15.1 amended by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

Article 16. Oath of a civil servant at the moment of appointment to a position of the civil service

1. A person holding a position of the civil service for the first time shall undertake the duties of an office—in a solemn atmosphere and in the presence of the official and representatives of the Civil Service Council referred to in point 2 of Article 15 of this Law—by the following oath: “Assuming the position of civil service of the Republic of Armenia, I ceremonially vow to serve the people of the Republic of Armenia loyally, strictly respect the Constitution and the laws of the Republic of Armenia, human and civil rights and freedoms, to assist in preserving the constitutional order, to hold the high title of a civil servant with dignity, to perform my official duties unconditionally”.
2. Oath shall be taken individually by way of reading the text of the oath by every civil servant.
3. The civil servant shall sign the text of the oath read by him or her, which is attached to his or her personal file.
4. *(part repealed by HO-30-N of 14 December 2004)*

(Article 16 as amended by HO-399-N of 3 July 2002, HO-443-N of 19 November 2002, as supplemented and amended by HO-30-N of 14 December 2004)

Article 17. Service record in the civil service

1. Service record in the civil service shall include—before entry into force of this Law and approval of the list of positions of the civil service—the whole period of holding a position in the civil service, and of being included in the short-term reserve of the civil service personnel, within the relevant bodies.

Service record in the civil service shall not include-before entry into force of this Law and approval of the list of positions of the civil service-the whole period of holding a position in the civil service, of being included in the short-term reserve of the civil

service personnel by violation of the procedure established by this Law, as well as within the relevant bodies by violation of the law.

2. Service record in the civil service shall be calculated in the general and professional service record of a civil servant.

3. *(part repealed by HO-50-N of 2 May 2006)*

4. *(part repealed by HO-50-N of 2 May 2006)*

5. On the ground provided for by Article 33(1)(h) of this Law, service record of person removed from a political or discretionary position of civil service, except for the positions of deputies of heads of communities of the Republic of Armenia, counsellors, press secretaries, assistants and aides, or a civil position shall be equalised to service record of civil service.

(Article 17 as supplemented by HO-399-N of 3 July 2002, as edited by HO-543-N of 18 April 2003, as amended by HO-38-N of 18 February 2004, as supplemented, edited and amended by HO-30-N of 14 December 2004, as amended and supplemented by HO-50-N of 2 May 2006)

Article 18. Filling a temporary vacancy in the civil service

(title as supplemented by HO-399-N of 3 July 2002, as edited by HO-543-N of 18 April 2003)

1. In cases when a temporary vacancy in the special civil service appears—maternity leave, recruitment to compulsory military service—before filling the vacancy in the civil service by the participant declared a winner as a result of the competition, temporary impossibility of performing one's official duties by a civil servant, in other cases provided for by Article 20(7) of this Law, as well as by law—the position shall be filled:

(a) by an official with the competence to appoint to an office, and in case a new position of Chief of Staff opens at a ministry of the Republic of Armenia-the replacing civil servant provided for by the job description of the given position at the discretion of the Prime Minister of the Republic of Armenia for a period of up to six months or the person provided for by sub-point "b" of this Point in the manner prescribed by point 2 of this Article, except for cases of vacation connected with pregnancy, child delivery and child care, being called up for mandatory military service, as well as the cases of business trips provided for by sub-points "a" and "b" of point 7 of Article 20 of this Law with a period not exceeding six months. After the expiry of the term or in the absence of the alternate or in other cases provided for by this sub-point, within a period of one week;

(b) by the civil servant meeting the requirements of the job description for the given position and in the short-term reserve of the civil service personnel, and in case of junior positions of the civil service-by signing a temporary employment contract with a person with a certificate, in case of its impossibility, taking into account the requirements of Article 11 and 12 and point 3 of Article 24 of this Law-by signing a temporary employment contract with a person in the short-term reserve of the civil service personnel, and in case of impossibility thereof, taking into account the requirements of Articles 11 and 12, point 3 of Article 24 and point 1 of Article 34-by signing a temporary employment contract with another person.

A temporary employment contract may not be signed with another person provided for by sub-point "b" of this point where the given vacancy of the civil service has opened as a result of being dismissed on any one of the grounds provided for by sub-points "b", "c", "c.1", "c.2", "d", "e", "i", "j" and "k" of point 1 of Article 33 of this Law.

2. The procedure for signing temporary employment contracts with persons referred to in sub-point "b" of point 1 of this Article shall be established by the Civil Service Council.

(Article 18 as supplemented and edited by HO-399-N of 3 July 2002, as edited by HO-543-N of 18 April 2003, as amended by HO-38-N of 18 February 2004, as amended and supplemented by HO-30-N of 14 December 2004, as amended by HO-50-N of 2 May 2006, HO-199-N of 4 December 2008, as supplemented by HO-104-N of 7 June 2010)

CHAPTER 4

ATTESTATION, TRAINING, PERFORMANCE EVALUATION OF CIVIL SERVANTS AND THE RESERVE OF THE CIVIL SERVICE PERSONNEL

(title as supplemented by HO-104-N of 21 June 2014)(title amended by law HO-104-N of 21 June 2014 shall enter into force on 1 January 2017)

Article 19. Attestation of a civil servant

1. At least one-third of civil servants of the relevant body shall be subject to compulsory attestation every year.
2. Regular attestation of the civil servant shall be held once every three years.
3. Early attestation of the civil servant shall be held at least one year following the regular attestation.
4. Early attestation of the civil servant shall be held based on the substantiated decision of the official with the competence to appoint to a position, except for the case provided for by the second paragraph of this point.

Early attestation of the chief of staff of a ministry of the Republic of Armenia, a state body functioning within the scope of administration of a ministry, a state administration body under the Government and Marzpetaran (regional governor's office) shall be held by the substantiated decision of the minister, the head of the state

body functioning within the scope of administration of the ministry, the head of the state administration body under the Government and the Marzpet (governor).

5. Attestation shall be carried out by the immediate participation of the civil servant.

6. The following officers shall not be subject to attestation:

(a) civil servants holding the given position for less than three years, unless they have expressed such an intention;

(b) pregnant teachers and teachers on leave for taking care of a child under the age of three, unless they have expressed such an intention;

(c) civil servants having returned from compulsory military service within one year following return, unless they have expressed such an intention;

(d) civil servants holding a position of the civil service in the manner prescribed by point 2 of Article 34 of this Law.

Civil servants on leave due to pregnancy and child care shall be subject to attestation not later than one year following return from leave, unless the latter have expressed an intention to be subject to attestation earlier.

Those subject to attestation who are on vacation, on a business trip as well as the civil servants that are temporarily incapacitated shall be subject to attestation within one month after they return to work.

Sub-point "a" of this Point shall not refer to the cases of holding a position of the civil service in the manner prescribed by point 1 of Article 122 and Article 29 of this Law.

7. Civil servants subject to attestation shall be notified about holding of an attestation, not later than one month prior to the attestation.

8. The immediate supervisor shall present the performance record of the officer of the civil servant at least two weeks prior to the attestation.

The performance record shall contain information concerning the civil servant, grounded assessment of his or her practical, personal qualities and service performance. The assessment must be based on the results of the performance evaluation submitted by the civil servant in the period after the previous attestation.

Where the immediate supervisor of the civil servant has been dismissed from the position of the civil service in the period extending between attestations on the ground of not complying with the position held as a result of the attestation (in the case of heads holding political, discretionary and civil positions-on the ground of dismissal or impeachment), the opinions of the latter shall not have legal force. Where opinions issued by such a supervisor include more than two thirds of the period extending between attestations, no performance record about a civil servant shall be presented.

The civil servant shall get acquainted with the performance record at least one week prior to the day of attestation.

Failure to submit a performance record as prescribed by this Article may not have a negative effect on the results of the attestation of the civil servant.

9. The attestation shall be conducted by the following methods:

- (a) document-based,
- (b) test and interview.

10. Civil servants who have a higher class ranking of civil service provided for by this Law for the subgroup of the position held or have been attested while holding the given position of civil service shall be subject to document-based attestation.

The document-based attestation shall be conducted based on the performance record - by means of an interview. The interview shall be conducted by question cards with a view to checking the practical skills within the framework of job description provisions of the given position of the civil service.

For each civil servant the Attestation Commission shall vote for the decision in sub-point "a" of the fourth paragraph of this Point which, in case of not being approved by the majority of votes of members of the Commission having participated in the vote, the decision provided for by sub-point "b" of the fourth paragraph of this Point shall be considered as approved.

(paragraph repealed by HO-38-N of 18 February 2004)

Following the document-based attestation, the Attestation Commission shall take one of the following decisions:

- (a) is competent for the position held;
- (b) shall be subject to attestation through testing and an interview.

11. The following civil servants shall be subject to attestation through testing and an interview:

- (a) those who are not subject to document-based attestation;
- (b) those whom the Attestation Commission has approved the decision referred to in sub-point "b" of point 4 of Article 10 of this Law.

The testing may be held through a computer or in written form.

The tests shall be developed, the results shall be evaluated and the interview shall be conducted by the Attestation Commission in the manner prescribed by point 7 and the first and second paragraphs of point 8 of Article 14 of this Law.

12. The results of the interview shall be evaluated (correct or incorrect) by the Attestation Commission, which shall hold a voting for each participant based on the results of the interview. Each member of the Attestation Commission shall cast a "for" or "against" vote. The Attestation commission shall take one of the following decisions based on the results of testing and interview:

- (a) *(point repealed by HO-30-N of 14 December 2004)*

- (b) is competent for the position held;
- (c) *(point repealed by HO-50-N of 2 May 2006)*
- (d) is not competent for the position held.

For each civil servant the Attestation Commission shall vote for the decision in sub-point "b" of the first paragraph of this Point which, in case of not being approved by the majority of votes of members of the Commission having participated in the vote, the decision provided for by sub-point "d" of the first paragraph of this Point shall be considered as approved.

The decisions of the Attestation Commission, and in case of appealing the results of the attestation-the decisions of the Civil Service Council shall be mandatory for the official (body) with the competence to appoint a civil servant to a position.

13. The civil servant shall have the right to get acquainted with the results of the attestation and appeal them in the manner prescribed by Article 14 of this Law.

14. The results of the attestation shall, within a three-day period and in the manner prescribed by points 10 and 101 of Article 14 of this Law, be submitted to the official (body) with the competence to appoint a civil servant to a position, who, in case of not being competent for the position held by the civil servant, shall take a decision on dismissing him or her from the position held.

15. The official (body) with the competence to appoint a civil servant to a position shall take the decision provided for by point 14 of this Article not later than three working days following the day of receipt of the results of the attestation.

During the temporary incapacity and leave of a civil servant the official (body) with the competence to appoint a civil servant to a position shall take the decision provided for by point 14 of this Article within three working days after the civil servant has come to work.

16. The procedure for holding the attestation of a civil servant on the basis of this Law shall be established by the Civil Service Council.

(Article 19 as supplemented by HO-399-N of 3 July 2002, HO-543-N of 18 April 2003, as amended by HO-38-N of 18 February 2004, as amended and supplemented by HO-30-N of 14 December 2004, as amended, supplemented and edited by HO-50-N of 2 May 2006, as edited by HO-199-N of 4 December 2008, as amended by HO-11-N of 26 December 2008, as supplemented and edited by HO-104-N of 7 June 2010, as edited by HO-65-N of 2 March 2011, HO-15-N of 19 March 2013)

*(Article 19 amended by **HO-104-N** of 21 June 2014 shall be repealed on 1 January 2017)*

Article 20. Training of civil servants, their secondment with a view to improving professional knowledge and working skills

*(title as edited by HO-50-N of 2 May 2006) (title amended by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

1. The Civil Service Council, in collaboration with the relevant bodies, shall organise and coordinate the process of training of civil servants.
2. Every civil servant shall be subject to mandatory training at least once every three years.

The training shall also be held in case of improvement or change of specific requirements for the rights and duties of a civil servant, professional knowledge and working skills provided for by the given job description, or in the case of change of those requirements-by the civil servant or the Chief of Staff.

3. The training of a civil servant shall be held on the basis of the application of the Chief of Staff.

4. The candidacies of trainers of civil servants shall be approved by the Civil Service Council.
5. The training of civil servants shall be held in accordance with the programmes approved by the Civil Service Council.
6. Expenses related to training of civil servants shall be covered by the State Budget, as well as by other funds not prohibited by the legislation of the Republic of Armenia.
7. The following shall carry out the secondment of a civil servant for improvement of professional knowledge and working skills:
 - (a) in case of secondment for up to one year-the official with the competence to appoint him or her to a position, except for the case provided for by the second paragraph of this Point;
 - (b) in case of secondment for more than one year-the official with the competence to appoint him or her to a position, except for the case provided for by the second paragraph of this Point, upon the consent of the Civil Service Council.

Secondment of the head of a ministry of the Republic of Armenia, a state authority functioning within the scope of administration of a ministry, the state administration body under the Government and Chief of Staff of the Marzpetaran (regional governor's office) in cases provided for by this Point, upon the consent of the official (body) with the competence to appoint him or her to a position and the Civil Service Council, shall be carried out by the minister, the head of the state body functioning within the scope of administration of a ministry, the head of the state administration body under the Government or the Marzpet (governor).

8. In cases provided for by point 7 of this Article the position and service record of a civil servant shall be maintained, and his or her remuneration may be maintained at the discretion of an official (body) with the competence to appoint him or her to a position.

9. The procedure for the training of civil servants and secondment of civil servants for the improvement of professional knowledge and working skills based on this Law shall be established by the Civil Service Council.

(Article 20 as supplemented by HO-30-N of 14 December 2004, as edited by HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008)

*(parts 1, 2, 7 and 9 of Article 20 edited and amended by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

Article 20.1. Performance evaluation of the civil servant

1. The performance evaluation of a civil servant shall be carried out on the basis of the results of the performance record of the semester by the immediate supervisor of the civil servant.

2. The immediate supervisor shall carry out the performance evaluation of the civil servant for the given semester on the first working day following the last day of each semester.

3. The procedure for performance evaluation of the civil servant on the basis of this Law shall be established by the Government of the Republic of Armenia.

(Article 20.1 as supplemented by HO-104-N of 21 June 2014)

Article 21. Reserve of civil service personnel

1. The following are the types of the reserve of civil service personnel:

- (a) short-term reserve of personnel;
- (b) long-term reserve of personnel.

2. The following shall be registered in the short-term reserve of civil service personnel:

- (a) persons dismissed from the position of the civil service on the grounds provided for by sub-points "f" and "s" of point 1 of Article 33 of this Law;
- (b) the Chiefs of Staff dismissed from the position on the ground referred to in sub-point "m" of point 1 of Article 33 of this Law;
- (c) persons not appointed to a position of the civil service on the ground provided for by sub-point "u" of point 1 of Article 33 of this Law.

3. The following shall be registered in the long-term reserve of civil service personnel:

- (a) persons referred to in point 4 of this Article and whose period of being registered in the short-term reserve of personnel once has expired;
- (b) *(sub-point repealed by HO-104-N of 7 June 2010)*
- (c) the participants of the competition held for holding the vacant position of the civil service who earned at least seventy five percent in the interview stage, but were not appointed to a position;
- (d) persons dismissed from the position of the civil service on the ground provided for by sub-point "g" of point 1 of Article 33 of this Law.

4. The maximum period of being registered once in the short-term reserve of the civil service personnel shall be six months, and in the long-term reserve of personnel- one year, but not more than the attainment of 65 years of a person registered in the reserve of personnel.

5. The procedure for registering in the reserve of the civil service personnel and removing from the reserve shall be established by the Civil Service Council, in accordance with this Law.

(Article 21 as edited by HO-543-N of 18 April 2003, as amended by HO-38-N of 18 February 2004, as amended, edited and supplemented by HO-30-N of 14 December 2004, as supplemented by HO-50-N of 2 May 2006, as amended and edited by HO-104-N of 7 June 2010)

CHAPTER 5

LEGAL STATUS OF CIVIL SERVANTS

Article 22. Basic rights of a civil servant

The basic rights of a civil servant shall be the following:

- (a) to be introduced to the legal acts laying down his or her rights and duties in the position held;
- (b) to get acquainted with all materials of his or her personal case, assessment and other documents of his or her activity and submit explanations;
- (c) to receive required information and materials necessary for the performance of official duties in the prescribed manner;
- (d) to take decisions in the prescribed manner;
- (e) to demand conduct of an official investigation in the manner and in cases prescribed;
- (f) labour and remuneration protection, health care, availability of safe and required labour conditions;
- (g) to have social protection and security;
- (h) legal protection, including from political persecutions;
- (i) raise of class ranking of civil service in the prescribed manner;

- (j) to take training courses financed by the State Budget as well as by other funds not prohibited by the legislation of the Republic of Armenia;
- (k) to appeal, including through judicial procedure, against the results of competition and attestation;
- (l) take part in consideration of issues related to arrangement and improvement of the civil service and submit proposals.

A civil servant shall have other rights as well provided for by this Law and other legal acts.

(Article 22 as edited by HO-399-N of 3 July 2002, as supplemented by HO-30-N of 14 December 2004)

*(Article 22 amended by **HO-104-N** of 21 June 2014 shall be repealed on 1 January 2017)*

Article 23. Basic duties of a civil servant

1. The basic duties of a civil servant shall be the following:
 - (a) fulfilment of the requirements of the Constitution, laws and other legal acts of the Republic of Armenia;
 - (b) provision of required knowledge necessary for the performance of professional and official duties;
 - (c) fulfilment, in an accurate and timely manner, of the responsibilities vested in him or her by the legislation of the Republic of Armenia and submission of reports;
 - (d) execution of assignments given and decisions adopted by superior bodies and officials in the prescribed manner;
 - (e) observance of internal disciplinary rules prescribed by legislation;

- (f) treatment and processing of proposals, applications and complaints in the manner and time-limits prescribed;
- (g) following the requirements established by the legislation of the Republic of Armenia for working with state, official or other confidential information protected by law, including after termination of service;
- (h) observation of rules of ethics of a civil servant;
- (i) submission of income declaration in the manner prescribed by law;
- (j) participation in attestation and training courses in the manner and time-limits prescribed.

A civil servant shall have other duties as well provided for by this Law and other legal acts.

2. *(part removed by HO-399-N of 3 July 2002)*

(Article 23 as amended by HO-399-N of 3 July 2002, as amended and supplemented by HO-30-N of 14 December 2004)

*(Part 1 of Article 23 amended by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

Article 24. Restrictions applied to a civil servant

1. The civil service shall not have the right to:
 - (a) take other paid job except for scientific, teaching, creative jobs and that of arising from the status of an election commission member;
 - (b) personally engage in entrepreneurial activity;

(c) act as a representative of third persons in relations with such authority where he or she serves or which directly reports to him or her or is under his or her direct control;

(d) commit violations of the principle of political restraint of civil servants, that is, using official position for the interests of political parties, non-governmental, including religious unions, advocate an attitude towards them, as well as carry out other political or religious activities when performing his or her official duties;

(e) receive honorarium for publications or speeches ensuing from the performance of his or her official duties;

(f) for the service purposes use logistics, financial and information means, other state property and official information;

(g) receive gifts, amounts of money or services for his or her duties, except for the cases envisaged by legislation of the Republic of Armenia;

(h) sign as a state representative property transactions with persons referred to in point 3 of this Article, except for cases provided for by the legislation of the Republic of Armenia.

2. Where a civil servant has a share in the regulatory capital of a commercial organisation he or she shall, within one month following appointment to a civil service position and in the manner prescribed by the legislation of the Republic of Armenia, be obliged to assign the share to trust management. The civil servant shall have the right to receive income from the property assigned to trust management.

3. The civil servant shall be prohibited from working with persons in close kinship or relationship by marriage (parent, spouse, child, sibling, parent-in-law, spouse's child, spouse's brother and sister), where the service thereof is related to immediate subordination or supervision over one another.

4. Within a period of one year after dismissal from a position of the civil service a civil servant shall not have the right to be employed by an employer or become an employee of an organisation over which he or she has been exercising control during the last year of office.

(Article 24 as amended by HO-170-N of 26 May 2011, HO-113-N of 19 March 2012)

Article 25. Restrictions on giving assignments to a civil servant

1. A civil servant may not be given such oral or written assignments that:

- (a) contradict to the Constitution and the laws of the Republic of Armenia;
- (b) are beyond the scope of powers of the issuer or the executor of assignments.

2. In cases when assignments are given in violation of part 1 of this Article a civil servant shall be obliged to report immediately in writing about his or her doubts with respect to the lawfulness of the received assignment to the person who has given the assignment and the supervisor thereof or to their alternates. Where the supervisor (in case of his or her absence his or her alternate or the issuer of the assignment) approves in writing the assignment, the civil servant shall be obliged to fulfil it (with the exception of the cases when the fulfilment of the assignment shall result in criminal or administrative liability prescribed by law), and inform the Civil Service Council about it in writing. The responsibility for the execution of the assignment by the civil servant shall be borne by the official having confirmed the assignment in writing.

(Article 25 as amended by HO-50-N of 2 May 2006)

Article 26. Social guarantees of a civil servant

1. The state shall guarantee the civil servant the following:

- (a) safe and appropriate working conditions for the fulfilment of official duties;
- (b) remuneration, bonus payments for work in a class rank higher than his or her class rank corresponding to the subgroup of the position held, other payments provided for by the legislation of the Republic of Armenia;
- (c) annual paid vacation;
- (d) training, while maintaining his or her position and the remuneration provided for that position;
- (e) mandatory state social insurance programme in cases and procedure prescribed by law;
- (f) providing them in case of disability, or the members of their family in case of death when performing official duties with a corresponding payment as prescribed by the legislation of the Republic of Armenia;
- (g) providing the civil servant and the members of his or her family with protection from violence, terror and other assaults connected to the performance of the official duties of the civil servant in the cases and procedures prescribed by the legislation of the Republic of Armenia and based on the application of the civil servant;
- (h) compensation in a manner prescribed by the legislation of the Republic of Armenia for transport, accommodation and other costs related to official business trips.

2. The civil servant shall be provided with a means of transport or reimbursement of travel costs in cases and in the manner prescribed by the legislation of the Republic of Armenia.

Article 27. Remuneration of a civil servant

1. Each civil servant shall have the right to adequate remuneration for an adequate task, without any discrimination.
2. The civil servant, including the civil servant in the reserve of civil service personnel shall receive remuneration in the manner and period prescribed by the Law of the Republic of Armenia "On Remuneration for Persons Holding State Offices".

(Article 27 as amended by HO-180-N of 12 December 2013)

Article 28. Social security of a civil servant

Social security as well as pension insurance of a civil servant shall be implemented in the manner prescribed by the legislation of the Republic of Armenia.

Article 29. The legal status of a civil servant during reorganisation, structural changes (renaming) of a relevant body

(title as edited by HO-543-N of 18 April 2003)

1. The reorganisation and structural change (renaming) of a relevant body is not a ground for dismissing a civil servant from office, except for cases when they are accompanied by the reduction of staff positions due to the reorganisation and structural change (renaming) of a relevant body. In case of reduction of staff positions the right of preference to continue activity shall be given to the civil servant who is pregnant or is taking care of a child under the age of 3, or has been drafted, and in case of equality of this condition-to the civil servant with a higher class ranking of civil service, and in case of equality of this condition-to the civil servant with a longer work experience in civil service.

2. The new positions that have appeared in the list of positions of the civil service following the reorganisation and structural change (renaming) of a relevant body shall be filled within a 15-day period following changes made in the list of names, in the manner prescribed by Article 122 of this Law.

In case appointments are not made in the manner and term provided for by part 2 of this Article, positions shall be filled through competition provided for by this Law.

(Article 29 as edited by HO-543-N of 18 April 2003, as supplemented and amended by HO-30-N of 14 December 2004, as supplemented by HO-50-N of 2 May 2006)

Article 30. Personal file of a civil servant and the register for civil servants

1. The development of the official activity of a civil servant shall be reflected in his or her personal file that is kept by a relevant body.
2. Information about civil servants shall be included in the register for civil servants, which is kept by the Civil Service Council.
3. The procedure for keeping the personal files and register of civil servants shall be established by the Civil Service Council.

CHAPTER 6

PROMOTING CIVIL SERVANTS, IMPOSING DISCIPLINARY PENALTIES ON CIVIL SERVANTS AND DISMISSING THEM FROM THE POSITION OF THE CIVIL SERVICE

Article 31. Types of incentives applied to the civil servant

1. The following incentives may be applied to the civil servant for long-term service, as well as for excellent performance of official duties and special tasks:

- (a) expression of gratitude;
- (b) lump-sum monetary reward;
- (c) award of a token;
- (d) provision of additional paid vacation,
- (e) rise in salary in the manner prescribed by law;
- (f) withdrawal of a disciplinary penalty.

Other types of incentives prescribed by law may be applied to a civil servant.

2. The incentives applied to civil servants and provided for by point 1 of this Article shall be applied by the official with the competence to appoint him or her to the position, and for the Chief of Staff of a ministry of the Republic of Armenia, the authority functioning within the scope of administration of a ministry, the state administration body under the Government and the regional governor's office (Marzpetaran)-by the Prime Minister of the Republic of Armenia, by the proposal of a minister, the head of an authority functioning within the scope of administration of a ministry, the head of a state administration body under the Government and the governor (Marzpet), respectively.

(Article 31 as supplemented by HO-399-N of 3 July 2002, HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008)

Article 32. Disciplinary penalties imposed on a civil servant

1. In cases of not performing official duties for inexcusable reasons or not performing them properly, as well as for exceeding official powers and breaching the internal disciplinary rules, the following disciplinary penalties shall be applied to a civil servant in the manner prescribed by the legislation of the Republic of Armenia:

- (a) warning;
- (b) reprimand;
- (c) severe reprimand;
- (d) decrease in salary in the manner prescribed by law;
- (e) dismissal from the position held, by consent of the Civil Service Council;
- (f) decrease by one level in a higher class ranking of the civil service, except for the highest class ranking of the civil service.

2. Before imposing a disciplinary penalty, the official with the competence to apply a disciplinary penalty shall require the civil servant having committed the disciplinary violation, to submit a written explanation regarding the disciplinary violation.

The disciplinary penalty shall be imposed unless three months have expired from the day when the disciplinary violation has been detected excluding when being sick or on vacation.

No disciplinary penalty may be imposed, if more than six months have elapsed from the day of committing a disciplinary violation.

The prosecutor shall be informed about the disciplinary penalty not later than within three days after the imposition of a disciplinary penalty.

One disciplinary penalty may be imposed for each disciplinary violation.

In case a civil servant has not been subjected to a new disciplinary penalty within one year after the day of imposing a disciplinary penalty, he or she shall be deemed as not subjected to disciplinary penalty. A disciplinary penalty may be lifted until one year has elapsed, if the civil servant has not committed a new disciplinary violation and has demonstrated himself or herself as a conscientious servant.

3. The disciplinary penalties provided for by point 1 of this Article shall be applied to the civil servant by the official with the competence to appoint him or her to a position, and for the Chief of Staff of an authority functioning within the scope of administration of a ministry of the Republic of Armenia, the state administration body under the Government and the regional governor's office (Marzpetaran)-by the Prime Minister of the Republic of Armenia, respectively, by the proposal of the head of an authority functioning within the scope of administration of a ministry, the head of a state administration body under the Government and a governor (Marzpet).

The disciplinary penalties provided for by sub-points "a", "b", "c" and "d" of point 1 of this Article shall be applied to the Chief of Staff of a ministry of the Republic of Armenia by the Prime Minister of the Republic of Armenia by the proposal of the minister, and the disciplinary penalty provided for by sub-point "e" of point 1 of this Article-by the Government of the Republic of Armenia, by the proposal of the minister, in which case the minister shall receive the consent from the Civil Service Council.

The disciplinary penalty provided for by sub-point "f" of point 1 of this Article against a civil servant shall be applied by the official with the competence to grant the given class ranking of the civil service.

4. In the manner and cases prescribed by the Civil Service Council the disciplinary penalties provided for by point 1 of this Article shall be applied after the official exam is conducted.

5. While taking the official exam in the manner prescribed by the Civil Service Council the performance of official duties by the civil servant may be suspended for up to one month, with maintenance of remuneration of a civil servant.

6. The decisions adopted by the Civil Service Council following the official exam shall be of a mandatory nature.

(Article 32 as supplemented and amended by HO-399-N of 3 July 2002, as amended and supplemented by HO-30-N of 14 December 2004, as supplemented, edited and amended by HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008)

Article 33. Grounds for dismissing a civil servant from the position

1. Grounds for dismissing a civil servant from the position shall be the following:

- (a) personal application;
- (b) no submission of income declaration in the manner prescribed by law;
- (c) reapplying within a year the disciplinary penalty provided for by sub-point "c" of point 1 of Article 32 of this Law;
 - (c1) applying within a year the disciplinary penalties provided for by sub-points "c" and "f" or "d" and "f" of point 1 of Article 32 of this Law;
 - (c2) applying within a year the disciplinary penalties provided for by sub-points "c" and "d" of point 1 of Article 32 of this Law.
- (d) failure for three times to appear at the attestation provided for by this Law;
- (e) the results of the attestation provided for by this Law;
- (f) reduction of staff positions;
- (g) failure to come to work more than six months during one year due to temporary incapacity, save pregnancy and maternity leave;

- (h) election or appointment to political or discretionary positions or positions of the civil service;
- (i) violation of the procedure defined by this law to appoint to a position of the civil service, by the consent or mediation of the Civil Service Council;
- (j) failure to keep to the restrictions provided for by points 1-3 of Article 24 of this Law;
- (k) termination of the citizenship of the Republic of Armenia;
- (l) issuing a judgement of conviction to him or her that is legally in force;
- (m) attainment of the maximum age defined by this Law for holding a position of the civil service, and expiry of period defined by this Law for holding the position of Chief of Staff;
- (n) failure to pass the probation period defined by this Law, by consent of the Civil Service Council;
- (o) (point repealed by HO-30-N of 14 December 2004)
- (p) being declared by court order as having no or limited legal capacity or as missing;
- (q) being deprived of the right to hold a position of the civil service through judicial procedure;
- (r) to be sick with one of the diseases provided for by point "c" of Article 12 of this Law,
- (s) liquidation of the relevant body;
- (t) consent of the Civil Service Council given for applying a disciplinary penalty provided for sub-point "e" of point 1 of Article 32 of this Law;
- (u) failure to appoint in cases provided for by point 2 of Article 29 of this Law;

(v) appointing to a vacant position of the civil service on a non-competitive basis defined by point 1 of Article 122 of this Law.

2. The duties of a civil servant shall be considered as terminated upon his or her death.

3. A civil servant shall not be subject to dismissal on the ground of sub-point "a" of point 1 of this Article, if any one of the grounds for dismissal provided for by sub-points "b-u" of point 1 of this Article exists.

4. A civil servant shall be dismissed on the ground of sub-point "a" of point 1 of this Article within three working days following submission of a personal application, if no other time limit is provided for in that application.

5. In case of dismissal on the grounds provided for by sub-points "f", "s" and "u" of point 1 of this Article warning civil servants about that is not mandatory.

(Article 33 as supplemented by HO-399-N of 3 July 2002, as edited and supplemented by HO-543-N of 18 April 2003, as amended by HO-38-N of 18 February 2004, as amended, edited and supplemented by HO-30-N of 14 December 2004, as supplemented by HO-50-N of 2 May 2006, as edited and supplemented by HO-199-N of 4 December 2008)

*(Part 1 of Article 33 edited and amended by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

Article 34. The maximum age for holding a civil service position

1. The maximum age for holding a position of the civil service shall be 65 years old.

2. In case of attaining the maximum age for holding a position of the civil service the civil servant may continue to hold his or her position for a period of up to one year, by the decision of the official with the competence to appoint to a given position and by consent of the Civil Service Council.

With a view to receiving consent to extend the term of office of a civil servant the official with the competence to appoint to a given position shall submit a petition to the Civil Service Council at least one month prior to attainment of the civil servant of the maximum age referred to in point 1 of this Article.

3. The Chief of Staff, which is considered as a civil servant, shall be appointed for a four-year term. The official (body) with the competence to appoint him or her to the position may extend that term, but not more than his attainment of 65 years of age.

(Article 34 as amended and supplemented by HO-399-N of 3 July 2002, as supplemented by HO-543-N of 18 April 2003, as amended by HO-191-N of 27 October 2009)

Article 35. Appealing the decision on applying a disciplinary penalty to a civil servant through judicial procedure

1. A civil servant may appeal the decision on applying a disciplinary penalty to him or her, including the decision on dismissing him or her from the position of the civil service through judicial procedure.

2. Where the decision on dismissing from the position of the civil service is recognised as invalid, the civil servant shall, within a five-day period following entry into force of the court decision, be reinstated in his or her position, and shall receive compensation for forced idleness in the manner and amount prescribed by the legislation of the Republic of Armenia.

(Article 35 as amended by HO-543-N of 18 April 2003)

CHAPTER 7

CIVIL SERVICE MANAGEMENT AND ADMINISTRATION BODIES

Article 36. Civil service management and administration bodies

The following are the civil service management and administration bodies:

- (a) the Civil Service Council;
- (b) the Chiefs of Staffs.

Article 37. The Civil Service Council

1. The unified state policy on civil service based on this Law shall be carried out by the Civil Service Council.
2. The Civil Service Council shall:
 - (a) carry out the methodical management and control over the personnel affairs of the relevant bodies;
 - (b) appeal to the court to eliminate the acts contradicting the demands in the legislation on civil service;
 - (c) submit recommendations in relation to issues connected to civil service during the reorganisation and liquidation of relevant bodies;
 - (d) examine the comments, suggestions and complaints about civil service in the manner prescribed by the legislation of the Republic of Armenia;
 - (e) carry out official examination in prescribed procedure and cases;
 - (f) give consent in cases of applying to the civil servant within a year the disciplinary penalties provided for by sub-points "c" and "d" of point 1 of Article 32 of this Law to the civil servant, reapplying within a year the disciplinary penalty provided for by sub-

point "c" of point 1 of Article 32 of this Law, applying within a year the disciplinary penalties provided for by sub-points "c" and "f" or "d" and "f" of point 1 of Article 32 of this Law, as well as applying the disciplinary penalty provided for by sub-point "e" of point 1 of Article 32 of this Law;

(g) receive from relevant and other bodies necessary information and materials connected to civil service;

(h) establish the procedure for use of funds of the Civil Service Council;

(i) submit the drafts of relevant legal acts related to civil service to the President of the Republic of Armenia, the Government of the Republic of Armenia and the Prime Minister of the Republic of Armenia for discussion;

(il) define the rules of ethics of civil servants and the procedure for the formation and activity of the ethics committees and their functions;

(j) adopt normative legal acts provided for by this Law and ensure enforcement of this Law;

(k) exercise other authorities envisaged by this Law, other laws, legal acts deriving therefrom and other authorities provided for by its Statute.

3. The Chairperson of the Civil Service Council shall participate in the sessions of the Government of the Republic of Armenia with the right to consultative vote.

4. The organisational-technical provision of the Civil Service Council shall be carried out by the staff of the Civil Service Council.

5. The Civil Service Council shall be financed at the expense of the State Budget, as well as from other means not proscribed by law.

The relations connected to the remuneration of the Civil Service Council and the employees of the staff thereof, including the estimates and amounts of the basic and additional wages and the regular growth of the salary shall be regulated by the Law of the Republic of Armenia "On Remuneration for Persons Holding State Positions".

Every year, the Civil Service Council shall, in the manner prescribed by the Law of the Republic of Armenia "On the Budgetary System of the Republic of Armenia" and in the period prescribed by decision of the Prime Minister of the Republic of Armenia on initiating the budgetary process for the coming year draw up its application for budget funding (draft of budget of expenses of the Civil Service Council) for the coming year and submit it to the Ministry of Finance of the Republic of Armenia.

The compliance of indicators in the application of the Civil Service Council for budget funding and the inclusion thereof in the draft of the State Budget shall be carried out in the manner prescribed by the Law of the Republic of Armenia "On the Budgetary System of the Republic of Armenia".

A copy of the application of the Civil Service Council for budget funding submitted to the Government of the Republic of Armenia shall be submitted to the National Assembly of the Republic of Armenia along with the draft of the State Budget for the coming year.

The expenses of the Civil Service Council in the expenses section of the State Budget shall be presented in a separate line.

6. The Statute of the Civil Service Council, the organisational structure and statute of the staff thereof, the maximum number of workers and the staff list shall be approved by the Civil Service Council.

7. The actions and decisions of the Civil Service Council shall be subject to appeal through judicial procedure in the manner prescribed by the legislation of the Republic of Armenia.

8. The Civil Service Council shall submit to the National Assembly of the Republic of Armenia annual reports on its activities.

(Article 37 as edited by HO-543-N of 18 April 2003, as supplemented by HO-30-N of 14 December 2004, as edited by HO-50-N of 2 May 2006, HO-199-N of 4 December

2008, as amended by HO-15-N of 19 March 2013, as edited by HO-180-N of 12 December 2013)

Article 38. Composition of the Civil Service Council

1. The Civil Service Council shall comprise seven members: a chairperson, a deputy chairperson and five members.
2. Members of the Civil Service Council shall be appointed and dismissed by the President of the Republic of Armenia, based on the recommendation of the Prime Minister of the Republic of Armenia.
3. Members of the Civil Service Council shall be appointed for a six-year term, except for the first composition of the Civil Service Council.
4. Citizens of the Republic of Armenia with higher education, work experience in the sphere of state administration and fluent in Armenian may be appointed as members of the Civil Service Council.
5. The positions of members of the Civil Service Council shall be considered as civil positions.
6. The work experience of members of the Civil Service Council in the term of office shall be equal to the work experience in civil service.
7. Members of the Civil Service Council may not, during their term of office, hold other positions or perform other paid work, except for scientific, pedagogical and creative work.
8. A member of the Civil Service Council shall be dismissed:
 - (a) on the basis of a personal application;
 - (b) in case of expiry of term of office;

- (c) in case of impossibility of performing his or her duties due to incapacity for three consecutive months, save pregnancy and maternity leave;
- (d) in case of terminating the citizenship of the Republic of Armenia;
- (e) in case of entry into legal force of the judgement of conviction against him or her;
- (f) in case of being recognised as incapable or missing by the court;
- (g) in case of holding another position;
- (h) in case of violation of a law.

The duties of a member of the Civil Service Council shall be considered as terminated upon his or her death.

9. In case of premature dismissal of a member of the Civil Service Council another member shall be appointed to the given position for the term of office of that member that had not expired. Where the unexpired term of office is less than one year the term of office of the new member of the Civil Service Council shall be set for six years, plus the unexpired term of office.

Article 39. Chief of Staff

1. The Chief of Staff is a civil servant, except for the Chief of Staff of the President of the Republic of Armenia and the Chief of Staff of the Government of the Republic of Armenia.
2. The Chief of Staff shall be guided by the legislation on civil service with respect to organisation of civil service.
3. The powers of the Chief of Staff shall be prescribed by this Law, the statute of the relevant body and other legal acts.

Article 40. Competition and Attestation Commissions of the civil service

1. The competition for holding positions of the civil service and the attestation of civil servants shall be held by the Competition and Attestation Commissions of the civil service.
2. The competition for holding the highest and chief positions of the civil service and the attestation of civil servants holding those positions shall be held by the Competition and Attestation Commissions established by the Civil Service Council.
3. The competition for holding a leading position of the civil service, as well as the attestation for civil servants holding the leading and junior positions of the civil service shall be held by the Competition and Attestation Commissions established by the relevant bodies.
4. The members of the Competition and Attestation Commissions of the civil service shall, on a random basis, be selected from among the candidates included in the computer programme therefor not later than 24 hours before each competition or attestation takes place, with the following proportionality:
 - one third — representatives of the Civil Service Council;
 - one third—representatives of a relevant body and-in cases of holding a competition for a vacancy of the Chief of Staff of a ministry of the Republic of Armenia, of an authority functioning within the scope of administration of a ministry, of a state administration body under the Government, of the staff of a regional governor's office (Marzpetaran) of the Republic of Armenia and attestation for that Chief of Staff-also representatives of the official (body) competent to appoint him or her to that position;
 - one third – representative of relevant specialities of scientific and educational establishments.

The representatives of public unions shall participate in the activities of the Competition and Attestation Commissions as observers.

5. Rules of procedure of the Competition and Attestation Commissions of the civil service shall be approved by the Civil Service Council for the highest and chief positions of the civil service, by relevant bodies for the Competition and Attestation Commissions for the leading positions and the Attestation Commissions for attestation of junior positions.

(Article 40 as supplemented by HO-399-N of 3 July 2002, as amended by HO-443-N of 19 November 2002, as amended, supplemented and edited by HO-38-N of 18 February 2004, as supplemented by HO-50-N of 2 May 2006, as amended by HO-11-N of 26 December 2008, as edited by HO-104-N of 7 June 2010)

*(Article 40 edited by **HO-104-N** of 21 June 2014 shall enter into force on 1 January 2017)*

CHAPTER 8

SETTLEMENT OF DISPUTES AND RESPONSIBILITY FOR BREACHING THE LEGISLATION ON CIVIL SERVICE

Article 41. Settlement of disputes and responsibility for breaching the legislation on civil service

1. The disputes connected to enforcement of the legislation on civil service shall be settled in the manner prescribed by the legislation on civil service, as well as through judicial procedure.
2. Persons violating the legislation on civil service shall bear liability in the manner prescribed by the legislation of the Republic of Armenia.

CHAPTER 9

FINAL AND TRANSITIONAL PROVISIONS

Article 42. Entry into force of this Law

This Law shall enter into force from the moment of its official publication.

Article 43. Harmonization of other legal acts with this Law

This Law shall, within six months following entry into force of this Law be harmonised with legal acts containing norms regulating civil service and relations connected thereto.

Article 44. Formation of the Civil Service Council

1. The following are the terms of office of members of the first composition of the Civil Service Council:

- (a) for one member-one year;
- (b) for two members-two years;
- (c) for one member-three years;
- (d) for one member-four years;
- (e) for one member (Deputy Chairperson of the Civil Service Council)-five years;
- (f) for one member (Chairperson of the Civil Service Council)-six years;

The President of the Republic of Armenia shall approve the first composition of the Civil Service Council within a twenty-day period following the day of entry into force of

this Law, based on the recommendation of the Prime Minister of the Republic of Armenia.

2. The Civil Service Council shall approve the Statute of the Civil Service Council within a one-month period following the day of approval of the first composition of the Civil Service Council.

3. Prior to making appointments to positions of the civil service within the Staff of the Civil Service Council the Chairperson of the Civil Service Council shall sign fixed-term employment contracts in the manner prescribed by the legislation of the Republic of Armenia.

Article 45. Setting a staff unit for the Chief of Staff

The staff units for Chiefs of Staff within relevant bodies in the manner prescribed by the legislation of the Republic of Armenia shall be set and the corresponding appointments shall be made within a two-month period following entry into force of this Law.

The Chiefs of Staff, except for the Chief of Staff of the President of the Republic of Armenia and the Chief of Staff of the Government of the Republic of Armenia, shall be considered temporary acting officials, and a competition for their positions shall be held in the manner prescribed by this Law during the month of November 2002.

(Article 45 as supplemented by HO-399-N of 3 July 2002)

Article 46. Adopting legal acts arising from this Law

The Government of the Republic of Armenia and the Civil Service Council shall adopt legal acts arising from this Law within six months following entry into force of this Law.

Article 47. Approving the list of positions of the civil service

The list of positions of the civil service shall, in the prescribed manner be subject to approval starting from the 1st of the eighth month following entry into force of this Law.

Article 48. Approving the lists of staffs, the maximum number of workers and the descriptions of positions of the civil service

1. The lists of staff, maximum number of workers of relevant bodies and descriptions of positions of the civil service within the relevant bodies shall, within a one-month period following approval of the list of positions of the civil service be subject to approval (change) in the manner prescribed by the legislation of the Republic of Armenia.

2. In case of reduction of staffs within relevant bodies the working rights and guarantees of workers of those bodies subject to release from labour shall be ensured in the manner prescribed by the legislation of the Republic of Armenia.

Article 49. Restrictions on making appointments to positions of the civil service following approval of the list of staffs of relevant bodies

Only the workers of relevant bodies with employment contracts for an indefinite period may be appointed to the positions provided for by the list of positions of the civil service within a two-month period following approval (change) of the list of staffs within relevant bodies provided for by Article 48 of this Law.

Article 50. Considering workers of relevant bodies as civil servants

1. Workers holding positions provided for by the list of positions of the civil service within relevant bodies shall be considered as civil servants starting from the 1st of the eleventh month following entry into force of this Law.
2. Workers of relevant bodies shall, in the manner prescribed by this Article be considered as civil servants, taking into consideration the demands in Articles 10-12, point 3 of Article 24 and Article 34 of this Law.
3. Officers of relevant bodies regarded as civil servants in the manner prescribed by this Article shall be awarded the first corresponding class rank of the civil service simultaneously with appointment to the position of the civil service.
4. In case of emergence of a vacant position of the civil service within the relevant bodies after the 1st of the eleventh month following entry into force of this Law that position shall be held on a competitive basis.

(Article 50 as edited by HO-104-N of 21 June 2014)

Article 51. Dissolution of fixed-term employment contracts within relevant bodies

The contracts signed with workers with fixed-term employment contracts and holding positions provided for by the list of positions of the civil service within relevant bodies shall be considered as dissolved starting from the 1st of the ninth month following entry into force of this Law, if earlier periods for the dissolution of those contracts are not provided for by those contracts.

Article 52. Competition held for holding positions of the civil service within the Staff of the Civil Service Council

The competition for holding positions of the civil service within the Staff of the Civil Service Council shall be held in the manner prescribed by this Law and relevant appointments shall be made within the ninth month following entry into force of this Law.

Article 53. First training of civil servants of relevant bodies

(Article repealed by HO-104-N of 21 June 2014)

Article 54. First attestation for civil servants of relevant bodies

(Article repealed by HO-104-N of 21 June 2014)

Article 55. Taking into account the disciplinary penalties applied previously

(Article repealed by HO-199-N of 4 December 2008)

Article 56. Keeping the class and special ranks granted previously to persons considered as civil servants

The class and special ranks (classes of qualification) previously granted to persons having been considered as civil servants shall be kept in the manner and periods prescribed by legal acts considered as a ground for granting them.

Article 57. Period of adoption of the law on remuneration for civil servants

(Article repealed by HO-180-N of 12 December 2013)

Article 58. Periods of adoption of laws regulating the peculiarities connected to service within separate republican executive bodies

(title as amended by HO-399-N of 3 July 2002)

1. The peculiarities connected to service within the republican executive bodies for taxation and customs shall be subject to regulation by separate laws prior to 1 January 2002.
2. The peculiarities connected to service within the republican executive bodies for defence, national security, police, foreign affairs and the rescue service shall be subject to regulation by separate laws prior to 1 July 2002.
3. Peculiarities connected to civil service may also be prescribed by the laws provided for in points 1 and 2 of this Article.

(Article 58 as amended and supplemented by HO-399-N of 3 July 2002, as amended by HO-38-N of 18 February 2004, HO-50-N of 2 May 2006)

President of the Republic of Armenia

R. Kocharyan

Yerevan

27 December 2001

HO-272