

LAW OF THE REPUBLIC OF ARMENIA ON URBAN DEVELOPMENT

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LAW

OF THE REPUBLIC OF ARMENIA

Adopted by the National Assembly on 5 May 1998

ON URBAN DEVELOPMENT

CHAPTER I

GENERAL PROVISIONS

Article 1. Subject matter of the Law

This Law shall establish the main provisions of urban development activities in the Republic of Armenia and shall regulate the relations pertaining to these activities.

Article 2. Urban development in the Republic of Armenia

1. Urban development shall be a set of activities of the State, natural and legal persons and their associations for the purpose of creating or changing favourable spatial environment for life activities in the Republic of Armenia, which shall include:

(1) all types of complex programmes of social and economic development of the Republic of Armenia, its administrative and territorial units and their components, formation of population distribution systems, directions and priorities for stable development and the intended use of the territories, distribution of productive capacities, organisation, forecast, planning and drafting of engineering and transportation infrastructures and other infrastructures;

(2) all types of design and construction, reconstruction (including demolition), restoration, strengthening, modernisation of buildings, premises, as well as improvement of territories;

(3) operation of buildings, premises in accordance with the requirements of legal acts, urban development documents and regulatory-technical documents.

2. The living environment or the inhabitable environment shall be the spatial environment formed in combination of natural and artificial objects, phenomena and the factors ensuring the interrelation thereof, which shall affect the quality of life, the psychological and physical feeling of a person.

(Article 2 amended by HO-494-N of 11 December 2002, supplemented, edited by HO-167-N of 8 July 2005, edited by HO-286-N of 6 July 2022, amended by HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 3. Objects of urban development activities

The objects of urban development activities shall be as follows:

(a) the territory of the Republic of Armenia;

(b) territories of administrative and territorial units of the Republic of Armenia, their groups or sections;

(c) the settlements of the Republic of Armenia, their separate blocks and zones, as well as territories of rotational, expedition-related, defence-related significance, territories of customs service, horticulture, summerhouse territories and other functional territories;

(d) industrial, agroindustrial complexes and nodes, hydroschemes, energy, science and technology complexes and nodes;

(e) urban development, architectural, landscape complexes, rest and recreation areas, health resorts, water areas, reserves, specially protected areas, the systems and constituent parts thereof;

(f) separate land plots, buildings, premises, immovable monuments of history and culture;

(g) pipeline and utility infrastructures;

(h) urban development documents, including re-usable generic architectural and construction designs elaborated in accordance with the requirements of the procedure established by the Government and put into operation upon the order of the head of authorised state administration body in the field of urban development (except for the cases provided for by point (e.1) of paragraph three of Article 6 of this Law).

The boundaries of the objects referred to in points (a)-(g) of this Article shall be determined and amended under the procedure prescribed by law and other legal acts.

The objects of urban development activities in the Republic of Armenia shall be classified into five degrees (categories) according to the risk level based on their volume, significance, importance and complexity, as well as the safety of people and the environment.

(Article 3 amended by HO-226-N of 23 June 2011, supplemented by HO-185-N of 21 December 2015, HO-51-N of 4 March 2022, HO-433-N of 16 November 2022)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 4. Entities engaged in urban development activities

The entities engaged in urban development activities shall be the Republic of Armenia, local self-government bodies, natural and legal persons, individual entrepreneurs of the Republic of Armenia and of foreign countries, stateless persons, as well as foreign states and international organisations, which may act as participants of urban development activities (developers, persons drawing up urban development documents, entities conducting expert examination of urban development documents, entities performing construction works, entities exercising technical control over the construction quality, entities providing services for the exploration and survey of objects of urban development activities, entities exercising supervision over urban development activities and other responsible professionals).

The rights and obligations of entities engaged in urban development activities shall be prescribed by law.

(Article 4 edited by HO-494-N of 11 December 2002, supplemented, amended by HO-433-N of 16 November 2022)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

CHAPTER II

IMMOVEABLE PROPERTY IN THE FIELD OF URBAN DEVELOPMENT

Article 5. Jurisdiction over the immovable property in the field of urban development

(Article repealed by HO-494-N of 11 December 2002)

CHAPTER III

RIGHTS AND OBLIGATIONS OF THE ENTITIES ENGAGED IN URBAN DEVELOPMENT ACTIVITIES

Article 6. Rights and obligations of the developers

While performing urban development activities the owner of the immovable property or the user entitled to modify it shall act as a developer (hereinafter referred to as “the developer”).

The owner of the object of urban development activities may use the object owned thereby only as of its intended purpose. The owner shall ensure the qualitative condition for the operation of the object of urban development activities in accordance with regulatory-technical documents.

Developers shall have the right to:

(a) select the objects of urban development activities, determine the amounts of investments in accordance with the approved urban development programme documents, involve, on a

contractual basis, the persons drawing up urban development documents of the object and the entities performing construction works;

(b) make amendments to the urban development documents under observance of the norms of architectural and planning assignment, technical conditions, copyrights for performing works not requiring construction permit in accordance with Article 23 of this Law;

(c) transfer their rights to other natural and legal persons in a prescribed manner;

(d) appeal, through judicial procedure, against the actions restricting their rights in the field of urban development;

(e) apply the re-usable generic designs of residential, public and industrial facilities, which serve as a basis for launching construction programmes and financing them (irrespective of the source of financing), where such condition is provided for by the contractor contract of construction and contract of consultation services. Moreover, the amount of financial allocations for construction programmes (works, consultation services), implemented under re-usable generic designs at the expense of the State Budget, prior to completion of adaptation (localisation) of designs (within the time period provided for by legislation or the contract), shall be subject to calculation in accordance with the procedures prescribed by regulatory documents of the pricing pattern approved by the authorised state administration body in the field of urban development and the consolidates indexes;

(e.1) in the cases provided for by the contractor contracts, the disposal, possession, further application (use) of the re-usable designs, ordered at the expense of the funds not generated from the State Budget, by the same developer (client) within the framework of other programmes, at his or her own discretion, may be done only through elaboration of tie-in designs, without ensuring their approval and application upon the order of the head of the authorised state administration body in the field of urban development, provided for by point (h) of the first paragraph of Article 3 of this Law. Moreover, the developer (client) shall have the right to provide, for the purpose of adaptation, the re-usable generic designs to persons determined at his or her discretion under the terms determined at his or her discretion.

Developers shall be obliged to:

(a) performing the construction as prescribed by law, in accordance with the approved architectural and construction design (except for the cases provided for by points (e) and (e.1) of the third paragraph of this Article), on the basis of the construction permit;

(b) reach an agreement on indemnity of losses to be inflicted with entities bearing these losses resulting from construction, prior to starting the construction, as well as in the course of construction;

(c) carry out urban development activities (except for works not requiring construction permit prescribed by Article 23 of this Law) exclusively in accordance with the approved urban development documents;

(d) obtain from relevant local self-government bodies an architectural and planning assignment for carrying out urban development activities, including baseline data or technical conditions for designing engineering infrastructures;

(e) ***(Point repealed by HO-226-N of 23 June 2011)***

(f) ensure expert examination of the urban development documents thereof through the procedure established by the Government.

The person drawing up the design documents may submit the documents for expert examination by the person possessing relevant licence, where such condition is provided for by the contractor contract on design works.

In case of not contradicting the requirements prescribed by the legislation of the Republic of Armenia on expert examination of objects, expert examination of design documents of low-tech and small objects defined by the Government may, upon mutual consent of the developer and the person drawing up urban development documents, be replaced by a deed of guarantee of the contractor responsible for the design release works on the compliance of the design with the requirements of the legislation of the Republic of Armenia and the regulatory-technical documents. Design organisations or persons having participated in elaboration of urban development documents may not carry out or engage in the expert examination of the designs elaborated thereby;

(g) ensure coordination of urban development design documents with the interested parties, as prescribed by this Law;

(h) observe the norms of copyright, ensure the author's supervision during the process of practical realisation of the design of the object of urban development activities as prescribed by law, if such requirement is stipulated by contractor contract on design works. The rules for the author's participation in the process of practical realisation of the design shall be established by the Government;

(i) ensure, as prescribed by law, technical quality control of construction over the works specified in point 3 of part 4 of Article 21 of this Law.

In case of not contradicting the requirements prescribed by the legislation of the Republic of Armenia, technical supervision over the quality of construction of low-tech objects defined by the Government may, upon the mutual consent of the developer and the entity performing construction works, be replaced by a deed of guarantee of the contractor responsible for construction works on the compliance of construction works with the requirements of the legislation of the Republic of Armenia, approved design and the regulatory-technical documents.

(j) complete the development within the time limits calculated by the norms on the duration of construction of buildings and constructions for the given urban development activities and prescribed by the construction or demolition permit, and ensure the documentation of the operation of the completed construction facility;

(k) reach prior agreement with persons — entitled to purchase an immovable property in the building being built — with regard to changes of the architectural and construction designs for the construction of the object, which lead to variations of parameters and plans of future properties burdened with the right, by initiating rescission of or amendment to a contract on the right to purchase an immovable property in the building being built.

Obligations provided for by this Article shall not arise, where the urban development activities carried out does not require a construction permit, in accordance with Article 23 of this Law.

In case of transferring the rights of the developer over the land parcel occupied by the building, construction being built and over the building, construction being built to another person, in full or in part, starting from the moment of state registration of the rights arising from the transfer, the acquirer shall act as a developer (co-developer) prescribed by this Article and shall bear the obligations arising therefrom prescribed by this Law and other laws for the participants of urban development activities and third parties.

(Article 6 edited by HO-494-N of 11 December 2002, amended by HO-7-N of 26 December 2008, amended, supplemented, edited by HO-226-N of 23 June 2011, supplemented by HO-89-N of 19 June 2015, amended by HO-265-N of 23 March 2018, supplemented by HO-233-N of 26 May 2021, HO-51-N of 4 March 2022, amended by HO-430-N of 16 November 2022, HO-139-N of 13 April 2023, amended, edited by HO-433-N of 16 November 2022)

(Law HO-233-N of 26 May 2021 contains a transitional provision)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 7. Rights and obligations of owners of objects of urban development activities

(Article repealed by HO-494-N of 11 December 2002)

Article 7.1. Rights and obligations of entities engaged in urban development activities in accordance with the types of urban development activities

1. The entity engaged in urban development that draws up urban development documents shall:

(1) have the right to:

(a) obtain baseline data required for design from State, local self-government and other bodies, including baseline materials required to meet the technical conditions for designing the engineering infrastructure of the object (such as water supply, water drainage, power supply, etc.) and any additional conditions (if any) specified by the developer in the technical specification;

(b) include additional materials in design documentation;

(c) participate in the stages on reaching agreement on the project provided for by law.

(2) be obliged to:

(a) comply with the requirements of legislation and permissions for the design of urban development documents;

(b) secure the copyrights of responsible professionals elaborating urban development documents in accordance with the Law of the Republic of Armenia “On copyright and related rights” and other legal acts, if such requirement is specified in the employment contract.

2. The urban development entity that conducts the expert examination of urban development

documents shall:

(1) have the right to:

(a) provide an expert opinion on urban development documents and methodology;

(b) require from the developer, as well as the contractor responsible for works forming an integral part of the project, the submitted documents supporting the architectural and construction solutions, provided for by law, in order to prepare an expert opinion on urban development documents;

c. return the materials to the contractor, in case they are incomplete, with a proposal to submit the required documents;

(2) be obliged to:

(a) ensure the involvement of experts in the study, analysis and assessment of the object of urban development activities during the expert examination;

(b) confirm the compliance of design solutions provided for by urban development documents to the requirements of legislation of the Republic of Armenia;

(c) refuse to conduct expert examination of designs developed thereby;

(3) may also exercise other rights and obligations stipulated by the legislation of the Republic of Armenia.

3. Urban development entities performing construction works shall:

(1) have the right to:

Entities performing construction works shall have the right to:

(a) refuse to use construction materials, building constructions, installations and engineering equipment, where they do not comply with existing standards or regulatory requirements;

(b) terminate construction works in case of detecting legal regulatory violations in the architectural and construction design documents and require an alternative expert examination of design documents.

be obliged to:

(a) observe the requirements of the approved design, regulatory-technical documents in the course of construction works;

(b) eliminate, at their own expense, the detected defects within the time period provided for by the contract (but not later than within one year from the date of formulation of final act on construction works), where these defects have arisen as a result of the violations committed thereby in the course of construction;

4. Urban development entities exercising technical control over the construction quality:

(1) shall have the right to:

(a) give instructions and orders, to professionals responsible for performing construction works, with regard to excluding the use of materials, building constructions, installations and engineering equipment that do not comply with state standards, technical conditions and other regulatory documents, as well as with the architectural and construction project;

(b) waive technical quality control of construction if the recorded voluntary actions of the developer and (or) contractor organisation performing construction works resulted in deviations from the requirements set by regulatory-technical documentation or architectural and construction design solutions, which may reduce the load-bearing capacity, sustainability of the object of urban development activities and affect the reliability;

(c) appeal, as prescribed by the legislation of the Republic of Armenia, against the actions of officials related with exercise of technical control;

(d) verify the compliance of construction works with architectural and construction projects and with the requirements of regulatory-technical documents, by conducting the necessary technical studies or tests at all stages of construction.

(2) be obliged to:

(a) verify the quality of construction works and their technological sequence and the compliance thereof with the solutions and requirements specified in architectural and construction project at all stages of construction;

(b) verify the compliance of construction works with the requirements established by the legislation of the Republic of Armenia and the technical conditions of special works at all stages of construction works and record the results of the verification in the performance documents;

(c) stop construction in case of detecting defects threatening the load-bearing capacity, sustainability and reliability of the object of urban development activities or in case of failure to

comply with the instructions, given thereby, within a reasonable time or occurrence of technical accidents, and notify within 48 hours the developer and the inspection body exercising supervision in the field of urban development by sending a message to the indicated phone number or that recorded in electronic registers or by using electronic systems, including e-mail and other means of electronic communication established by the legislation of the Republic of Armenia (hereinafter referred to as “means of communication”);

(d) comply with the requirements established by the procedure for exercising technical control over the construction quality;

(e) in case of detecting incomplete works and defects, draw up the list thereof together with the contractor organisation performing the construction of the facility and set the deadlines for their elimination;

(f) inform the developer about construction works performed in violation of the approved architectural and construction projects, technical conditions, construction norms and rules or those performed with materials, building constructions or installations of improper quality;

(g) give binding instructions and orders on elimination of detected defects and violations, to the urban development entity performing construction;

(h) participate in the interim acceptance of objects of urban development activities stopped by construction organisations, as well as of individual parts thereof, installations and nodes not later than within 3 months after stopping, as well as in their delivery by relevant formulated act, by indicating the actual state of these objects.

(3) must possess the right to appropriate urban development activities, prescribed by law.

The exercise of technical quality control over an object of urban development activities, by the contractor organisation performing the given construction, shall be prohibited.

5. The urban development entity providing services for the exploration and survey of objects of urban development activities shall:

(1) have the right to:

(a) acquire necessary information on design documents and exploitation conditions of buildings and constructions;

(b) carry out certification of buildings and premises;

(c) conduct engineering and geological surveys, implement engineering and protective measures and draw up materials based on their results;

(d) provide engineering geodetic services.

(2) be obliged to:

(a) provide recommendations, based on the survey results, for reinforcing and replacing the damaged elements and eliminating the causes giving rise to damages;

(b) choose adequate methods for exploration and survey and give final recommendations for settlement of issues;

(c) when determining the strength and other characteristics of fabrication materials, give preference to the non-destructive testing methods (such as determining the strength of concrete by using mechanical devices);

(d) carry out survey of the technical state of buildings and premises in accordance with the requirements of legislation in force in the Republic of Armenia.

Entities engaged in urban development activities, carrying out urban development activities falling under class 6.1, shall be obliged to possess an official website, which must contain at least information on services, professionals, as well as provide contact details.

7. Entities engaged in urban development activities shall be obliged to:

(1) maintain information containing state secret defined by law regarding objects of urban development activities;

(2) ensure the performance of works and services, in objects of urban development activities, established by relevant working procedure in accordance with the types of urban development activities;

(3) submit statistical and other information in accordance with the procedure established by the legislation of the Republic of Armenia;

(4) exercise other duties established by law.

(Article 7.1 supplemented by HO-433-N of 16 November 2022, HO-314-N of 12 July 2024)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 8. Rights and obligations of persons drawing up urban development documents

(Article repealed by HO-433-N of 16 November 2022)

Article 9. Rights and obligations of entities performing construction works

(Article repealed by HO-433-N of 16 November 2022).

CHAPTER IV

STATE ADMINISTRATION IN THE FIELD OF URBAN DEVELOPMENT

Article 10. Competence of the Government in the field of urban development

1. In the field of urban development, the Government shall:

(1) approve the republican and marz programmes of urban development and territorial development;

(2) approve the urban development documents prescribed by points (a) and (b) of part 4 of Article 17 of this Law, as well as other urban development documents in the cases provided for by this Law;

(3) approve the programmes for ensuring the accessibility of residential, public, industrial buildings and premises, transport infrastructures for persons with disabilities, and set priorities;

(4) taking into consideration the technical condition of residential, public, industrial buildings and premises, approve the procedure for declaring them as inoperable;

(5) approve the procedures for survey of technical condition and certification of buildings and premises;

(6) approve the procedure for elaborating and approving the urban development regulatory-technical documents;

(7) establish the procedure for altering the intended purpose and operational significance of land parcels, in the absence of urban development programme documents (spatial planning documents);

(8) approve the procedures for elaborating, approving the urban development programme documents, designing the area planning outline, overall plans;

(9) approve the procedures for state complex expert examination of urban development programme and architectural and construction designs;

(10) develop the pricing policy in the field of construction, approve the estimate norms for pricing and the procedures for their application;

(11) approve the procedures for organising construction works (production) and providing services of technical and copyright control over them;

(12) approve the procedures for carrying out urban development activities (giving architectural and planning assignment, design assignment, construction and demolition or dismantling permits, certificates of completion of construction and operation, elaborating, reaching agreement and exercising expert examination of programme documents, as well as architectural and construction documents);

(13) approve the programme for carrying out actions for improving the seismic strength (earthquake resistance) of buildings and premises;

(14) approve urban development programmes and programmes for preservation, re-use and modernisation of urban development heritage, implemented with State participation;

(15) approve the lists and methodology of classification of objects of urban development activities as of the risk level, the lists of works and services requiring and not requiring a construction permit;

(16) approve the procedures for registration of families left homeless due to earthquake in settlements of the disaster area, determination of housing priorities and out-of-priority allocation of apartments, the rules of procedure of the commission organising the activities of the housing programme implemented to settle their housing issues, set a deadline for re-registering these

families and submitting thereby the required documents;

(17) approve the list (methodology) of classification of residential, public and industrial buildings and premises as of the intended purposes and operational significance, the procedure for altering the intended purpose (operational significance) of buildings and premises or a part thereof;

(18) establish the state policy for regulating the fundamental issues of emergency housing fund subject to reinforcement, reconstruction and demolition, and in case of reinforcement, and reconstruction or demolition of the housing fund — the procedure for temporary relocation of the citizens of this fund, the procedures for conducting survey of the technical condition of the housing fund and maintaining the opinions delivered in the result of the survey, establishing an information system regarding the technical condition of the housing fund;

(19) approve, based on the proposal submitted by the developer, the procedure for selling apartments and parking lots of the multi-apartment buildings and building complexes within the scope of housing programmes for public servants;

(20) approve the procedure for introducing and applying re-usable generic architectural and construction designs of residential, public and industrial buildings and premises, including linear infrastructures, i.e. highways, railroads and automobile roads, gas pipelines, communication and power supply lines or parts thereof in the Republic of Armenia, and their catalogues;

(21) approve the procedure for certification, re-qualification and testing, forms of certificates, the procedure for establishing a registry for licensed persons and certified professionals, modifying, supplementing the data, maintaining the register, the list of state bodies having access to the register, the procedure for rating and monitoring the licensed entities engaged in urban development activities;

(22) approve the lists of works and services not requiring a licence in the field of urban development;

(23) approve the five-year schedule for organising and certifying the ongoing professional development (hereinafter referred to also as “OPD”) of the professionals entitled to professional activities as prescribed by the legislation of the Republic of Armenia;

(24) approve, upon submission of the state administration body in the field of urban development, the procedure for issuing a short-term permit for urban development activities of foreign professionals and organisations at the initiative or invitation of organisations operating in the Republic of Armenia;

(25) approve the rules of ethics of the responsible professional upon submission of the state administration body in the field of urban development;

(26) exercise other powers prescribed by law.

2. In the programme provided for by point 14 of part 1 of this Article the Government shall define the main conditions of the programme. For the purpose of fulfilling these conditions the authorised person specified in the programme and the entity implementing the programme shall conclude relevant contract as prescribed by the legislation, which shall include also the main conditions of the programme approved by the Government and the legal consequences provided for by the legislation for the violation thereof.

(Article 10 edited by HO-494-N of 11 December 2002, amended, supplemented by HO-167-N of 8 July 2005, edited, amended by HO-265-N of 23 March 2018, supplemented by HO-428-N of 16 November 2022, edited by HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 10.1. Authorised state administration body in the field of urban development

(Title edited by HO-265-N of 23 March 2018, HO-139-N of 13 April 2023)

1. Authorised state administration body in the field of urban development shall be the Committee for Urban Development (hereinafter referred to as “the Committee”).

2. The Committee shall be directly headed by the chairperson of the Committee.

3. The Committee shall:

(1) implement the Government policy in the field of urban development;

(2) develop draft state programmes and submit them to the Prime Minister, and following their approval — supervise the implementation thereof within the scope of the powers thereof;

(3) elaborate draft laws and other legal acts ensuring the development of the field of urban development and regulating the activities therein, and submit them to the Prime Minister;

(4) elaborate for the Republic and separate administrative territorial units or groups thereof

urban development programme documents covering territories for territorial organisation of landscape, health resort, recreation and other functional systems, as well as for distribution of production capacities, engineering, transportation, utility and social infrastructures, historical-cultural territories and specially protected nature areas;

(5) organise and coordinate works of elaboration of legal regulatory documents (except for national standards), as prescribed by law;

(5.1) approve the urban development regulatory-technical documents;

(6) ensure the elaboration of urban development programme (spatial planning) documents prescribed by points (a)-(b) of part 4 of Article 17 of the Law and the monitoring of their implementation after the approval of these projects;

(7) coordinate, in observance of the requirements prescribed by parts 7, 8 and 8.1 of Article 14.3 of this Law, the works of elaboration of micro-regional and local spatial planning documents, and ensure the supervision over the implementation of these documents after the approval thereof, as well as elaborate the strategy for stable urban development of territories and settlements;

(8) deliver opinion on the urban development documents within the framework of the programmes for development of transportation and engineering infrastructures;

(9) elaborate recommendations on the procedure for separation, operation of special control facilities of urban development activities, as well as draft urban development programme documents, and submit them to the Prime Minister for consideration;

(10) develop criteria for programmes of harmonising urban development and landscape systems, the norms and rules for spatial planning, as well as urban development and landscape criteria for various functional territories;

(11) elaborate spatial development programmes aimed at improving the ecological state of cities, reducing the negative impacts of urbanisation on the environment, as well as raising the level of adaptability to climate change;

(12) elaborate and submit to the Prime Minister recommendations on maintenance and safe operation of buildings (including multi-apartments buildings), premises, as well as on the modernisation (including energy-saving and increase of energy efficiency) thereof;

(13) elaborate programmes for urban development re-building and development of historical and architectural environment of settlements, development of the field of architecture, development of special control facilities of urban development, development of the field of construction, and exercise the monitoring thereof;

(14) support the implementation of the investment programmes for development of urban development, architectural and landscape complexes within the framework of the public-private sector cooperation;

(15) establish urban development restrictions and norms for the use of settlement lands, as well as other lands envisaged for development;

(16) conduct the maintenance of urban development cadastre of the territory of the Republic of Armenia and the cadastral generalisation;

(17) conduct licensing of urban development activities;

(18) carry out the state management of land resources of the Republic of Armenia;

(19) ensure the elaboration of state and target-oriented scientific, scientific-technical programmes in the field of urban development in the territory of the Republic of Armenia, the implementation of technical policy and the coordination of these activities;

(20) organise and coordinate the works of certification of buildings, research of seismic strength, as well as scientific-research and design-experimental works;

(21) organise and conduct the state complex expert examination of design documents of facilities with 4th and 5th risk level (category), as well as those exceeding the maximum number of floors prescribed by the construction norms of the Republic of Armenia;

(22) ensure the development of programmes for protecting the objects of urban development activities from dangerous geological phenomena and the exercise of monitoring thereof;

(23) organise tenders held for the selection of the best architectural solutions for the objects of urban development activities and support the implementation thereof;

(24) draw up plans in the field of civil defence and mobilisation trainings, organise the accounting of mobilisation resources of the Committee and works for elaborating regulatory-technical documents relating to the urban development activities in the field of civil protection;

(25) coordinate the labour activities of the state non-commercial organisations under the subordination of the Committee;

(26) approve the re-usable generic and probational designs of buildings and premises and recommend them for use;

(27) approve the list of required professional qualifications relevant to the types and subtypes of professional activities prescribed by Article 21 of this Law;

(28) approve the working procedures for performance of works and delivery of services in objects of urban development activities relevant to the types of urban development activities prescribed by Article 21 of this Law, and professional profiles of responsible professionals;

(29) approve the individual composition, rules of procedure of the qualification commission, ethics commission and quality assessment commission, the procedures for selection of the members thereof and examination of cases thereby, the form of declaration on presence or absence of the conflict of interests;

(30) approve model forms of reports submitted by licensed persons and of employment contracts concluded with professionals, test questionnaires, the requirements for the text of the statement;

(31) approve the requirements for organisation, implementation of measures ensuring the OPD and participation therein, types, number of the OPD credits granted for each specialisation and the criteria for granting them;

(32) exercise the registration of professionals certified in the field of urban development, as prescribed by the legislation of the Republic of Armenia;

(33) carry out, in the cases prescribed by law, the certification of professionals and approve the certificates granted to professionals;

(34) maintain the registers of professionals of the 1st, 2nd and 3rd class and licensed organisations of the 1st, 2nd and 3rd class carrying out urban development activities, which at least include the personal data of professionals (name, surname, father's name, date of birth), information on education, qualification, re-qualification, specialisation, professional activities and OPD certificates, data of licensed persons (name and registered office, surname, name, place of residence and record-registration address), information on the type, validity period of the licence, extension of the validity periods of licences, information on reissuance, suspension, termination of the licence, the enclosure or certificate, and the ranking, other information provided for by law or procedures for licensing;

(35) define the criteria for assessment of the quality of performance of works or provision of services by licensed entities engaged in urban development activities;

(36) approve the consolidated indices of costs of types of buildings, premises, constructions that are built, undergone capital repair, reconstructed, renovated, reinforced, expanded, modernised, refurbished, repaired, demolished or dismantled, and those of construction works;

(37) elaborate and approve methodical instructions, guidelines, manuals required to ensure the urban development activities, and define (localise) the terminology used in the field of urban development;

(38) elaborate the programme for carrying out actions for improving the seismic strength (earthquake resistance) of buildings and premises;

(39) define a set of urban development measures (norms, rules) ensuring the access of persons with disabilities to buildings and premises, including transport and engineering infrastructures, the conditions for their application;

(40) maintain the electronic registers of licensed organisations and professionals in the field of urban development;

(41) elaborate the composition and content of design documents for residential, public and industrial buildings and premises, as well as the list (methodology) of classification of their intended purpose (operational significance), the procedures for altering the operational significance of buildings, premises or a part thereof, and those for altering them;

(42) taking into consideration the technical condition of residential, public, industrial buildings and premises, elaborate the procedure for declaring them as inoperable;

(43) elaborate and approve the model forms of certificates of buildings and premises, methodology for filling in the certificates;

(44) elaborate the procedure for developing and approving the urban development regulatory-technical documents;

(45) elaborate the procedures for state complex expert examination of projects of urban development programmes and architectural and construction designs;

(46) coordinate development and investment programmes specified in urban development programme documents;

(47) establish Urban Development Board adjunct to the Chairperson of the Committee;

(48) establish Scientific and Technical Board adjunct to the Chairperson of the Committee;

The Urban Development Board shall be an advisory body established for the purpose of collegial discussion and evaluation of a set of architectural and engineering, urban development issues, where the composition and rules of procedure thereof shall be approved by the Chairperson of the Committee.

The Scientific and Technical Board shall be an advisory body established for the purpose of delivering science-based professional positions, opinions and recommendations related to the application of norms prescribed by the urban development legislation, where the composition and rules of procedure thereof shall be approved by the Chairperson of the Committee.

(Article 10.1 edited by HO-494-N of 11 December 2002, amended by HO-167-N of 8 July 2005, supplemented, amended by HO-185-N of 21 December 2015, edited by HO-265-N of 23 March 2018, supplemented by HO-168-N of 25 March 2020, HO-430-N of 16 November 2022, edited, supplemented, amended by HO-139-N of 13 April 2023, amended by HO-433-N of 16 November 2022)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 10². Competences of territorial state government bodies in the field of urban development

Competences of territorial state government bodies in the field of urban development shall be prescribed by this Law, other laws and legal acts.

(Article 10² edited by HO-494-N of 11 December 2002)

(Chapter edited by HO-494-N of 11 December 2002)

CHAPTER V

COMPETENCE OF LOCAL SELF-GOVERNMENT BODIES IN THE FIELD OF URBAN DEVELOPMENT

Article 11. Competence of local self-government bodies in the field of urban development

Competence of local self government bodies of the Republic of Armenia in the field of urban development shall be established by the Law of the Republic of Armenia “On local self-governance”, this Law and other laws.

In the cases and under the procedure established by the Government, the local self-government bodies shall adopt the urban development charter of the community, which being based on local peculiarities, not contradicting the legislation of the Republic of Armenia, the requirements of the overall plan and territorial zoning of the community (settlement) shall be aimed at preservation and improvement of the aesthetic features of urban development environment in the given community, through establishing conditions and criteria for the architectural and landscape appearance, as well as installation or modification of equipment and other elements, finishing materials, toning and outdoor lighting.

(Article 11 edited by HO-167-N of 8 July 2005, amended by HO-7-N of 26 December 2008, HO-226-N of 23 June 2011, edited by HO-185-N of 21 December 2015, amended by HO-265-N of 23 March 2018)

CHAPTER V.1

MAIN REQUIREMENTS TO ONGOING PROFESSIONAL DEVELOPMENT IN THE FIELD OF URBAN DEVELOPMENT AND PROFESSIONAL ACTIVITIES

(Chapter supplemented by HO-433 of 16 November 2022)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 11.1. Continuous professional development and the main requirements to professional activities in the field of urban development

1. Continuous professional development shall be deemed as a process ensuring the ongoing enhancement of professional capacities, abilities and skills of physical persons carrying out professional activities in the field of urban development.

2. Certified professionals in the field of urban development shall be physical persons entitled to carry out professional activities, who have obtained, as prescribed by the legislation of the Republic of Armenia, relevant CPD certificate and are registered in the register of professionals maintained by the state administration body in the field of urban development (hereinafter referred to as “certified professional”), except for persons providing engineering geodetic services, the qualification requirements for which are prescribed by the Law “On Geodetic and Cartographic Activities”.

3. Professionals, based on their work experience, on the volume and complexity of the tasks they perform, shall be divided into 1st, 2nd and 3rd classes:

(1) 1st class professional may carry out urban development activities in the objects of urban development activities of 1st, 2nd, 3rd, 4th and 5th risk level and act as responsible professional of urban development activities of the 1st, 2nd and 3rd classes;

(2) 2nd class professional may carry out urban development activities in objects of urban development activities of the 1st, 2nd and 3rd risk levels and act as responsible professional of urban development activities of the 2nd and 3rd classes;

(3) 3rd class professional may carry out urban development activities in objects of urban development activities of the 1st and 2nd risk levels and act as responsible professional of urban development activities of the 3rd class.

4. The requirements for professional qualifications corresponding to the types of professional activities in the field of urban development shall be approved by the legal act of state administration body in the field of urban development.

5. Persons having received professional education in the field of urban development in other States (including the citizens of the Republic of Armenia and foreigners with residence status in the Republic of Armenia) may carry out activities of a responsible professional in the field of urban development in the Republic of Armenia on the basis of international treaties of the Republic of Armenia, in case of mutual recognition of documents certifying the fact of professional education or existence of CPD certificates in accordance with the procedure established by the legislation of the Republic of Armenia.

6. Certificate of a 3rd class professional may be obtained by a person having received relevant master’s degree, having gained 90 per cent and higher average qualification score (AQS), provided that the state duty prescribed by law is paid thereby and the application for certification is submitted thereby not later than within two years after graduating from relevant higher education institution, otherwise the certification shall be carried out as prescribed by this Law.

7. A professional with a 3rd class certificate, having practiced at least three years of professional activities during the last five years, may be certified in the next five-year stage as a 3rd class professional without reaching the minimum threshold of CPD credits.

8. A professional in relevant field, having practiced at least three years of professional activities during the last five years and having overcome 75 per cent threshold of minimum CPD credits, in order to continue professional activities and to obtain CPD certificate may undergo an assessment of theoretical knowledge and practical skills (hereinafter referred to as “testing”) and obtain a CPD certificate.

9. The activities of relevant professional having failed to overcome the 75 per cent threshold of minimum CPD credits during the last five years shall be temporarily suspended before obtaining a new CPD certificate (except for the cases prescribed by points 6 and 7 of this Article).

10. A physical person with basic professional higher education in the field of urban development may, as prescribed by law, attend courses held under educational requalification programmes and following successful testing of knowledge — obtain relevant CPD certificate corresponding to the type and subtype of urban development activities provided for by Article 21 of this Law.

11. For the purpose of requalification, the minimum number of HEI’s academic credits for each professional educational requalification programme shall be set at least 45 academic credits (European System of Accumulating and Transferring Credits (ECTS)).

12. The requalified professional shall not be granted a CPD certificate, if the professional has not met the requirements prescribed by parts 3-5 of Article 11.4 of this Law.

(Article 11.1 edited by HO-314-N of 12 July 2024)

Article 11.2. Planning measures which ensure CPD for professionals responsible for activities in the field of urban development

1. Planning measures which ensure CPD for respective professionals responsible for the types of activities in the field of urban development shall be implemented by state administration body in the field of urban development.

Article 11.3. The process of organising continuous professional development

1. The continuous professional development shall be implemented by combination of the principles of consistency and versatility, as prescribed by the legislation of the Republic of Armenia.

2. The consistency of CPD shall be ensured with a five-year cycle based on the assessment of professional activities carried out during these years, as well as assessment of obtained knowledge and professional skills. CPD credits shall be granted for obtained knowledge and professional skills.

3. The following types shall be defined to ensure the versatility of CPD:

(1) developing theoretical knowledge through participation in professional courses, seminars, symposiums, scientific and practical conferences and congresses in the Republic of Armenia or other States;

(2) developing practical skills through professional improvement at workplace, participation in scientific and practical events;

(3) self-education and self-development through participation and (or) implementation of distance learning courses or submission of the results of scientific work, publication of works and (or) practical research.

4. The minimum number of CPD credits required for certification shall be established upon five-year cycle as follows:

(1) for 1st class professionals — a minimum of 240 CPD credits;

(2) for 2nd class professionals — a minimum of 160 CPD credits;

(3) for 3rd class professionals — a minimum of 100 CPD credits.

5. The types of CPD provided for by points 1 and 2 of part 3 of this Article may, in accordance with the procedure established by the state administration body in the field of urban development, be carried out by the following local, foreign and (or) international organisations:

(1) educational institutions implementing urban development educational programmes as prescribed by law;

(2) professional non-governmental and self-regulating urban development organisations;

(3) construction or design organisations;

(4) other organisations engaged in urban development activities.

Article 11.4. Certification of continuous professional development results and CPD certificate

1. Continuous professional development certificate shall be a document certifying the right of a responsible professional in the field of urban development to carry out professional activities, which shall be granted in case of obtaining CPD credits, as prescribed by this Law, and carrying out professional activities within time limits defined by this Article.

2. CPD assessment shall be carried out through certification.

3. CPD certificate shall be granted for a period of five years. At least three months prior to the expiry of the validity period of CPD certificate, the professional shall apply to the state administration body in the field of urban development, as prescribed by the legislation of the Republic of Armenia, to obtain a CPD certificate for the subsequent five years.

4. CPD certificate shall be issued in case of meeting the requirements prescribed by the legislation of the Republic of Armenia and in case of paying state duty under the procedure and in the amount prescribed by the Law of the Republic of Armenia “On state duty”.

5. CPD certificate (except for the cases prescribed by parts 6-8 of Article 11.1 of this Law) shall be issued if the professional:

(1) has obtained the minimum quantity of CPD credits prescribed by this Law, according to his or her training level;

(2) possesses, as of the types and subtypes of activities carried out in the field of urban development prescribed by Article 21 of this Law, relevant bachelor's degree in the Republic of Armenia or higher education degree of a certified professional, or in case of possessing basic education — has acquired the necessary professional requalification education or has obtained relevant degree in a foreign State, which has been recognised and the equivalence whereof has

been confirmed in the Republic of Armenia as prescribed by law;

(3) has, as of the types and subtypes of activities carried out in the field of urban development provided for by Article 21 of this Law, continuous professional work experience during the last five years in the case of possessing bachelor's degree or having obtained relevant degree in a foreign State, or possesses at least three years of professional work experience during the last five years in case of possessing relevant master's degree or an relevant higher education degree of a certified professional or having obtained a respective degree in a foreign State;

(4) has a good command of Armenian.

6. CPD certificate shall not be issued if the professional has failed to meet the requirements prescribed by parts 3-5 of this Article or parts 6-8 of Article 11.1 of this Law.

7. The state administration body in the field of urban development shall take decisions on certification and testing based on the opinion issued by respective qualification commission prescribed by point 29 of part 3 of Article 10.1 of this Law, operating within an organisation or educational institution that implements the CPD ensuring measure prescribed by Article 11.3 of this Law. However, the state administration body in the field of urban development shall be entitled not to take as a basis the opinion of the commission for making a decision. In such case, it must justify, in its decision, the reasons for not taking as a basis the opinion of the commission.

Article 11.5. The responsible professional in the field of urban development, the rights and obligations thereof

1. The responsible professional shall be a person involved in relevant enclosure attached to the licence issued to a licensed urban development entity, who possesses a CPD certificate and is registered in the register of professionals, except for persons providing engineering geodetic services, who may be responsible specialists only if they have a qualification certificate for geodetic activity and Markscheider activities prescribed by the Law "On Geodetic and Cartographic Activities".

2. The responsible professional shall have the right to:

(1) carry out professional activities in the field of urban development subject to licensing and (or) not requiring a construction permit in accordance with their education, qualification and specialisation as prescribed by law;

(2) provide evidentiary justifications not provided for by urban development documents;

(3) freely express a professional opinion on issues regarding the object and methodology of urban development activities;

(4) attend, as prescribed by law, the types of CPD defined by Article 11.3 of this Law;

(5) apply to the Ethics Commission provided for by this Law, if he or she believes that other responsible professionals have violated the rules of professional ethics;

(6) avail of other rights prescribed by law.

3. The responsible professional shall be obliged to:

(1) be guided by mandatory requirements prescribed by urban development documents when carrying out activities in the field of urban development;

(2) comply with the requirements of legislation;

(3) elaborate, fill in, maintain and circulate urban development documents as prescribed by the legislation of the Republic of Armenia, and endorse them by personal signature;

(4) maintain, in the cases prescribed by law, the confidentiality of information pertaining to the objects of urban development activities;

(5) improve his or her professional knowledge and skills, engage in CPD process in accordance with the professional qualification requirements;

(6) carry out his or her professional activities in accordance with professional characteristics approved by the state administration body in the field of urban development of the Republic of Armenia;

(7) inform the state administration body in the field of urban development, within a period of 15 days, of the changes in his or her data entered in the registers of certified professionals (except for the cases where data are automatically updated from existing databases);

(8) maintain the rules of ethics of a responsible professional;

(9) perform other obligations prescribed by law.

4. The responsible professional shall bear an obligation for failure to perform or improper performance of obligations prescribed by law.

Article 11.6. Suspending the validity of CPD certificate

1. Suspension of the validity of CPD certificate for a certain time period or under certain conditions shall prove to be temporary depriving the responsible professional of the right to engage in professional activities subject to CPD certification.
2. During the period of suspending the validity of CPD certificate the responsible professional shall be prohibited from engaging in any activity, function or operation defined by rules of procedure for conducting works and providing services in the object of urban development activities and during the period specified in the decision on suspension, except for the cases where they are aimed at implementing urgent measures provided for by the decision on suspension.
3. The decision on suspending the validity of CPD certificate must clearly specify the suspended activities, function or operation, as well as the reasons, legal grounds and time periods for suspension. If, due to the nature of violation, they or their consequences may be eliminated by temporarily depriving the responsible professional from the right to perform particular functions of the activities subject to certification or carry out separate operations reserved by the certificate, in such cases suspension of the entire validity of the certificate shall not apply.
4. Decisions on suspending the validity of CPD certificate that do not meet the requirements to the content of the decision on suspending the validity of the certificate, prescribed by part 3 of this Article, shall be considered as invalid.
5. If there are more than one ground for suspending the validity of the CPD certificate, a separate decision on suspension shall be made upon each ground.
6. The validity of CPD certificate shall be considered as suspended from the day following the date of informing the responsible professional of the decision of the state administration body in the field of urban development through means of communication, unless a later period is provided for by the decision on suspending the validity of CPD certificate or by law.
7. The suspension of the validity of CPD certificate shall be deemed as cancelled from the day following the date of expiry of the suspension period. If the period of suspension of CPD certificate is established before elimination of the cause of violation, the suspension of the validity of CPD certificate shall be deemed as cancelled on the fifth day following the date of entry, in the state administration body in the field of urban development (along with relevant supporting documents), of the statement of the responsible professional on elimination of violations, if during this period the state administration body in the field of urban development fails to take another decision or fails to set a shorter period on the ground of emergence of new circumstances and fails to properly inform the relevant responsible professional thereof.

Article 11.7. Procedure for suspending the validity of CPD certificate

1. The state administration body in the field of urban development may suspend the validity of CPD certificate due to violation of the requirements of legislation only on the basis of the motion filed by the inspection body exercising supervision in the field of urban development and the opinion of respective qualification commission, except for the cases provided for by law.
2. The qualification commission shall consider the issue on suspending the validity of the certificate and give relevant opinion as prescribed by this Law and statute of the commission.
3. The validity of CPD certificate may be suspended due to violation of the requirements of legislation not later than within three months following the date of committal of the violation, and in case of ongoing or continuous violations — within three months from the date of detecting it.
4. Where within 15 days after rendering the opinion on consideration, by the qualification commission, of the issue on suspending the validity of the certificate, no decision is made on suspending the validity of the certificate, the issue on suspending the validity of the certificate shall be deemed as rejected. In such case the state administration body in the field of urban development shall not be entitled to raise the issue on suspending the validity of the certificate for the second time on the same grounds.

Article 11.8. Cases of suspending the validity of CPD certificate

1. The validity of CPD certificate may be suspended:
 - (1) in case the professional fails to submit, by means of communication, to the state administration body in the field of urban development, relevant documents certifying the information on changes in his or her data entered in the registers of professionals provided for by

this Law, within a period of 15 days from the date of entry of these documents into legal force, or failure to submit these documents to the state administration body in the field of urban development (except for the cases of automatic data update from the existing databases);

(2) where the violation of requirements and conditions defined by the legislation of the Republic of Armenia in the course of carrying out activities subject to CPD certification:

(a) poses an immediate danger or risk to human life or health;

(b) was committed twice or more times by the responsible professional.

(3) in case the recorded violation was not eliminated by the responsible professional within 30 days after being subjected to liability;

(4) in case the responsible professional obstructs the conduct of inspections, in accordance with legislation, by persons exercising supervision and control defined by law, or fails to submit the required documents;

(5) in case the responsible professional violates the rules of ethics for the third time during one year.

2. In the cases provided for by points 1-4 of part 1 of this Article, the validity of CPD certificate shall be suspended before elimination of the cause of violation, whereas in the case provided for by point 5 the validity of CPD certificate shall be suspended for a period of six months.

3. The validity of CPD certificate shall be suspended on the grounds provided for by part 1 of this Article upon decision of the state administration body in the field of urban development, unless another procedure is established by law.

Article 11.9. Terminating the validity of CPD certificate

1. The validity of CPD certificate shall be terminated:

(1) in the case of detecting false or distorted information in the documents which serve as a ground for obtaining the certificate;

(2) in case of death of the certified professional;

(3) in case the validity of the certificate is suspended twice or more times during one year in accordance with points 1-4 of part 1 of Article 11.8 of this Law;

(4) in case of carrying out the activities suspended due to violation of the requirements on suspension, or particular function of these activities, or particular operation reserved by the certificate, during the period of suspension of the certificate;

(5) by means of declaring the certificate as having no effect.

2. In case of existence of the ground prescribed by part 1 of this Article, an application for terminating the validity of CPD certificate may be submitted not later than within one year from the date of committal of the violation, and in case of continuous violation — within one year from the date of detecting it, whereas in the cases provided for by point 1 of part 1 of this Article — within a period of 15 days from the date of detecting false or distorted information.

3. In case of detecting violations provided for by points 3 and 4 of part 1 of this Article, the state administrative body in the field of urban development shall be obliged to submit the application on terminating the validity of the certificate to the court within a period of 10 days from the date of suspension of the validity of the certificate. In case of failure to submit an application within the mentioned period, the ground for termination of the certificate shall be deemed as eliminated.

4. In case of terminating the validity of the certificate on the grounds provided for by points 1, 3 and 4 of part 1 of this Article, a person shall have the right to obtain a new CPD certificate one year after termination of the CPD certificate.

5. The validity of the certificate on the grounds provided for by points 1, 3 and 4 of part 1 of this Article shall be terminated through judicial procedure, except for the cases provided for by law, upon the application of the state administration body in the field of urban development.

6. The validity of the certificate shall be deemed as terminated on grounds provided for by points 1, 3 and 4 of part 1 of this Article, upon entry into legal force of relevant judicial act of the court.

7. The validity of the certificate shall be terminated on the ground provided for by point 2 of part 1 of this Article upon the decision of the state administration body in the field of urban development.

8. The validity of the certificate shall be deemed as terminated on the ground provided for by point 2 of part 1 of this Article from the date of death of the certified professional.

**Article
11.10.**

Registry of licensed persons and CPD certified professionals

1. The registry of licensed persons and CPD certified professionals shall be established and maintained by the state administration body in the field of urban development. The primary goal of the registry shall be to collect, record-register, store data on licensed persons carrying out activities in the field of urban development and on CPD certified professionals, and to maintain a register, to implement monitoring and ranking (study, analyse, forecast), as well as to ensure the transfer of these data in the cases provided for by law.

2. The procedure for establishing and maintaining the register, as well as the list of state bodies being granted access to the registry, shall be established by the Government.

CHAPTER VI

**PUBLIC PARTICIPATION IN THE IMPLEMENTATION OF URBAN DEVELOPMENT
ACTIVITIES**

Article 12. Objectives of public participation in the implementation of changes in living environment through urban development activities

(Title edited by HO-286-N of 6 July 2022)

1. Objectives of public participation in the implementation of changes in living environment through urban development activities shall be as follows:

- (1) mutual coordination of interests of the State, the public and citizens;
- (2) ensuring the publicity, participation and inclusiveness (also through on-line (remote) mode), except for the cases prescribed by law;
- (3) assisting in choosing the best solutions for urban development programmes and projects.

(Article 12 edited by HO-286-N of 6 July 2022)

Article 13. Rights of representatives of the public in the course of implementation of changes in living environment through urban development activities

(Title edited by HO-286-N of 6 July 2022)

1. In the course of implementation of changes in living environment through urban development activities the representatives of the public shall have the right to:

- (1) acquire precise information on the future changes in their living environment;
- (2) participate in the discussions of the published urban development programmes and projects before their approval, submit comments, recommendations, alternative projects and programmes substantiated by various legal acts and regulatory-technical documents;
- (3) subject the published urban development programmes and projects to independent expert examination at their own expense;
- (4) challenge, by way of superiority and through judicial procedure, the administrative acts adopted by the state administration and local self-government bodies and officials, their actions and inaction.

2. The respective marzpet and the head of community shall be obliged to ensure the participation of representatives of the public in the implementation of changes in living environment through urban development activities.

3. The procedure for participation of representatives of the public in informing of future changes in living environment through urban development activities and in consideration of published urban development programmes and projects, as well as in decision-making process, shall be established by the Government.

(Article 13 amended by HO-265-N of 23 March 2018, edited by HO-286-N of 6 July 2022, amended by HO-139-N of 13 April 2023)

(Law HO-286-N of 6 July 2022 contains a transitional provision)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 14. Informing of future changes in living environment through urban development activities

(Title edited by HO-286-N of 6 July 2022)

1. The respective marzpet and the head of community shall be obliged to inform the natural and legal persons of the changes in living environment, urban development environment provided for by draft urban development programme documents through the posts made on official websites of the Marzpetaran and community, public discussions with the involvement of various strata of society, as well as through measures of on-line display of programmes and projects, where possible, by informing and ensuring, if possible, the participation of representative of the authorised state administration body in the field of urban development in the public awareness-raising measures.

2. Outcomes of public discussions shall be of advisory nature.

(Article 14 amended by HO-494-N of 11 December 2002, edited by HO-286-N of 6 July 2022, amended by HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

CHAPTER VI'

TERRITORIAL ZONING AND SPATIAL PLANNING AT LOCAL AND MICRO-REGIONAL LEVELS

(Title supplemented by HO-185-N of 21 December 2015)

Article 14¹. Principles of territorial zoning

Territorial zoning (hereinafter referred to as “zoning”) shall establish mandatory requirements for the use of the territory of the community or individual parts thereof, land parcels and other immoveable property in compliance with the legal regime, intended and functional purpose, permitted use thereof.

Requirements established through zoning shall extend to all items of immovable property and shall remain valid in case the owners or users change.

Alienation and provision for use of state-owned and community-owned land parcels, alienation of property for public or state needs, as well as development of land plots, establishment of urban development restrictions and servitudes and other mandatory requirements in architectural planning assignments, construction and demolition permits shall be carried out on the basis of norms established through zoning in compliance with the intended and functional purpose of land plots, legal regime and permitted use (development) thereof.

Urban development activities contradicting the requirements established by zoning shall be prohibited.

Urban development activities in relation to the items of immoveable property not complying with the requirements established by zoning may be carried out only in the case where the non-compliance is reduced or eliminated as a result thereof.

(Article 14¹ supplemented by HO-494-N of 11 December 2002, edited by HO-226-N of 23 June 2011)

Article 14². Types of zoning

Zoning shall be carried out upon the principle of separating the primary (basic) and ancillary zones.

Primary zones shall be as follows:

- (a) zoning as of intended purpose of land plots;
- (b) zoning as of urban development, environmental, historical and cultural, agricultural, engineering-geological and other restrictions.

Ancillary zones shall be as follows:

- (a) zoning as of operational purpose, land tracks and permitted use, by envisaging marginal proportions thereof against total surface of the territory of the zone;
- (b) volumetric-spatial zoning as of development criteria, which define comprehensive indicators expressing the nature of development and extent of use (development density, height of buildings

and premises, correlation of developed, green surfaces, etc.) by proportions permissible for the territory of the given zone.

The requirements established by primary (basic) zoning may not contradict the requirements prescribed by urban development programme documents, the regimes for use of specially protected areas, lands of special significance, forest and water lands, restrictions on the use of lands of other intended purpose.

The requirements established by ancillary zoning may not contradict the requirements of primary (basic) zoning prescribed by overall plans of communities (settlements).

(Article 14² supplemented by HO-494-N of 11 December 2011, edited, supplemented by HO-226-N of 23 June 2011)

Article 14³. Regulation of urban development activities within administrative boundaries of the community

(Title edited by HO-226-N of 23 June 2011)

1. Within administrative boundaries of the community, the urban development activities shall be regulated by two urban development programme (spatial planning) documents subject to mandatory elaboration under this Law and other laws, that is by overall plan of the community (settlement) and urban development zoning project.

2. The overall plan of the community (settlement) (hereinafter referred to as “the overall plan”) shall be deemed as a strategic document stipulating the provisions for spatial development of the community, which shall establish the intended and operational purpose of land plots considered as objects of urban development activities within administrative boundaries of the community, the regimes for use and mandatory requirements thereof, as well as the primary, medium-term and advanced stages of development of territories for the purpose of ensuring the regulation and efficient management of land use for urban development purposes.

3. On the basis of the analysis and complex assessment of the actual condition of territorial resources and development according to the overall plan, the main directions of spatial development of the community shall be defined, interrelated solutions for the installation and development of social, cultural, industrial, agricultural, environmental, engineering and transportation infrastructures, as well as measures for the protection of the territory from natural and man-made hazardous phenomena, civil protection, preservation of landscapes, natural and historical and cultural heritage shall be enshrined, by mandatorily ensuring the conditions for sustainable and efficient use of the resources.

4. For the communities of the Republic of Armenia, involving exclusively rural settlements, a simplified overall plan shall be drawn up, which shall define minimum mandatory requirements for ensuring security of people, sustainability and guaranteed operation of buildings, premises, engineering and transportation infrastructures, harmonisation between urban development and natural environments.

5. The urban development programme documents (including the changes in the intended purpose of land parcels and design assignments elaborated within the composition of the latter) shall be approved by the Council of Elders of the community, upon submission of the head of community.

6. The urban development programme documents of the community and the design assignments shall be subject to coordination, under the procedure established by the Government, with state administration bodies (hereinafter referred to as “the interested bodies”) dealing with the elaboration thereof, prior to the submission thereof to the Council of Elders of the community for approval.

7. For the purpose of assisting in elaboration of local and micro-regional spatial planning documents and increasing the effectiveness of the process, an inter-agency commission coordinating the works of elaboration of local and micro-regional spatial planning documents (hereinafter referred to as “the Inter-Agency Commission”) shall be established within the Committee, through the involvement of interested state administration bodies. The Inter-Agency Commission shall coordinate the works of elaboration of spatial planning documents and ensure the compliance of the provisions included therein with the requirements of the legislation and other legal acts of the Republic of Armenia in terms of goals and tasks of charters of interested state administration bodies.

8. The local and micro-regional spatial planning documents and the design assignments thereof shall be discussed by the members of the Inter-Agency Commission, and they may be approved only in case of availability of the positive opinion of the Inter-Agency Commission, as prescribed by the legislation of the Republic of Armenia. The approved urban development programme documents and (or) the amendments made thereto shall be null and void without the positive opinion of the Inter-Agency Commission.

8.1. The spatial planning documents and the design assignments thereof, prescribed by part 8 of this Article, shall be submitted to the Inter-Agency Commission for consideration in terms of:

- (1) local spatial planning documents, by the head of community;
- (2) micro-regional spatial planning documents, by the Committee.

9. By approving the overall plan, the Council of Elders of the community shall, as prescribed by this Law and under the procedure established by the Government of the Republic of Armenia, be entitled to alter the intended purpose of land parcels in the volume and stages provided for by the overall plan.

10. Community-owned land parcels shall be alienated or provided for use in compliance with annual and four-year programmes approved by the Council of Elders of the community.

11. The head of community may, within the scope of his or her competences, in the cases and under the procedure established by the legislation of the Republic of Armenia, in accordance with part 9 of this Article, provide the land parcels with altered intended purpose under the right of ownership or use, as well as may provide architectural and planning assignments in order to carry out urban development activities.

12. The intended purpose of a land parcel shall be deemed as altered upon entry into force of the decision on provision of the given land parcel and (or) the architectural and planning assignment, rendered by the head of community in a prescribed manner, based on the application of the owner of the land parcel. The rights to the land parcel with altered intended purpose shall be subject to mandatory state registration. The head of community shall, within a period of 10 days, inform the state body registering rights over the immoveable property and the Committee of the alterations made to the intended purpose of the land parcel, by attaching the carbon copy of relevant decision on approval of these alterations, certified in a prescribed manner. In accordance with this part, no construction permit shall be issued for the facility envisaged in land parcels having no state registration.

13. Before entry into force of relevant decision prescribed by part 12 of this Article, the land parcel may be used by its owner or user in accordance with its previous intended or operational purpose.

14. In accordance with part 12 of this Article, the alterations to the intended purpose of land parcels shall, following their state registration, be included in the data of annual current record-registration of the land fund of the community and marz, as well as in the land balance-sheet of the community and marz.

15. Approved amendments to the urban development programme documents of the communities, including those prescribed by part three of Article 30 of this Law (including the development stages), shall be made under the procedure established by the Government.

16. In communities with approved overall plans and micro-regional combined spatial planning documents, the alterations to the intended purpose of land parcels shall be made by making relevant amendments to the overall plans and micro-regional combined spatial planning documents exclusively under the procedure prescribed by this Law.

17. The urban development zoning project (hereinafter referred to as “the zoning project”) shall be an enforcement (executive) document establishing the detailed conditions for spatial development of the community and shall serve as a ground for provision of land parcels and (or) architectural and planning assignments for urban development purposes, as well as for elaboration of design documents of buildings and premises and for construction permits.

18. The rules and regimes (regulations) for land use and development of the territories of settlements, their separate parts and areas outside the boundaries of settlements provided for or intended for urban development purposes shall be established by zoning projects by the principle “established zone - acceptable usage (development)”, through ancillary zoning prescribed by Article 14.2 of this Law, taking as a basis primary (basic) zoning prescribed by the overall plan. The permissible types and conditions for the use and development of lands for urban development purposes prescribed per separated zones, shall differ while passing from one zone into another, but remain stable within the same zone.

19. In communities with population of up to 15000, the zoning project shall be elaborated for all territories of the settlement, as well as for those outside the settlement that are developed or are subject to development within the composition of the overall plan.

20. The zoning project within the composition of the overall plan of the communities (except for the city of Yerevan) with population of more than 15000 shall be elaborated for territories separated by the overall plan for primary development, as well as for territories prescribed by the planning assignment of the overall plan and those deriving from the peculiarities of the given community, containing important urban development nodes.

For other territories of the communities referred to in the first paragraph of this part, the zoning projects shall be elaborated within the time limits and by the sequence prescribed by the overall

plan as separate urban development programme documents; moreover, the schedule for the elaboration thereof shall be included in the four-year development programme of the community.

21. No zoning projects shall be elaborated within the composition of the overall plan of the city of Yerevan. They shall be elaborated, approved and amended as self-standing urban development programme documents in compliance with the requirements of the second paragraph of part 20 and part 23 of this Article, as prescribed by this Law.

21.1. For communities of the Republic of Armenia including exclusively rural settlements, a simplified zoning project shall be elaborated by establishing minimum mandatory requirements for land use and development.

22. The zoning project elaborated within the composition of the overall plan shall be approved and amended under the procedure prescribed by parts 8 and 15 of this Article for the approval of and (or) amendment to the overall plan.

23. The zoning project, elaborated as a self-standing document, shall be approved by the Council of Elders upon submission by the head of community. In case it contains amendments to the requirements prescribed by the approved overall plan, the zoning project shall be approved by the Council of Elders of the community following the approval of the amendments to the overall plan made in compliance with this Law.

The carbon copies of the zoning project and the decision on approving it or making amendments thereto shall be submitted to the Committee within a period of three days.

24. The overall plan and the zoning project shall be elaborated on the basis of the design assignment approved by the Council of Elders of the community upon the order made by the head of community under the contractor contract on design works concluded, as prescribed by the legislation of the Republic of Armenia, with persons possessing relevant licence for drawing up urban development documents.

25. Urban development programme documents of the community shall be subject to urban development complex and environmental expert examination, as prescribed by the legislation of the Republic of Armenia.

26. Financial means generated from the sales of lands transferred to communities, under the right of ownership, by the State, as well as those generated as a result of alteration to the intended purpose of the lands shall be fully directed to elaboration of overall plans and zoning projects of the communities having no urban development programme documents.

27. Prior to the time limit prescribed by part 4 of Article 30 of this Law, in the cases and under the procedure established by the Government and depending on the budget capacities for the given year, co-financing at the expense of the State Budget may be envisaged by proportions gradually decreasing per years, as well as baseline materials (topographical survey and cadastral mapping materials) necessary for the elaboration of the overall plan may be provided, on free of charge basis, to communities, as state incentive measure directed to the provision of communities with urban development programme documents.

28. The four-year development programme of the community shall mandatorily contain provisions on elaborating urban development programme documents of the community (where the community does not have an overall plan and (or) zoning project approved in a prescribed manner) or on making amendments (supplements) to urban development programme documents or on the absence of the need to make them.

29. In case of a requirement having arisen as a result of adopting a new programme of state or community significance, necessary amendments shall be made to the approved overall plan and (or) the zoning project of the community, as prescribed by this Law, at the expense of the means envisaged for this purpose by the mentioned programme.

30. The head of community shall ensure the implementation of the overall plan and the zoning project within the scope of the competences reserved thereto by law. The head of community shall draw up and maintain the current urban development map of the community (hereinafter referred to as "the current map"), wherein the land parcels provided in a prescribed manner (with an indication on the alteration of intended or operational nature), the design and construction permits, as well as the amendments to the overall plan and the zoning project shall be reflected. The carbon copy of the current map approved in a prescribed manner shall be attached to the documents of the annual mandatory inventory of the community, which shall be submitted to the Council of Elders for approval. Amendments to the current map shall be made for the inventory documents in compliance with the requirements of Article 46 of the Law "On local self-governance".

31. The requirements prescribed by the approved overall plan and zoning project shall be mandatory for all entities engaged in urban development activities, shall extend to all items of immovable property, irrespective of the form of property; these requirements shall remain in force in case the owners or users change and shall serve as a ground for the implementation of, supervision over the urban development activities and for the settlement of disputable issues.

32. The provision of land parcels and (or) architectural and planning assignments for development purposes without the urban development programme documents of the community, approved in a prescribed manner, shall be prohibited after 1 July 2024.

33. The composition, content of the overall plans and zoning projects, as well as the procedure for the elaboration, expert examination, approval thereof and amendments thereto shall be established by the Government.

(Article 14³ supplemented by HO-167-N of 8 July 2005, amended by HO-116-N of 12 May 2009, edited by HO-226-N of 23 June 2011, supplemented, amended, edited by HO-185-N of 21 December 2015, amended by HO-171-N of 19 October 2016, HO-265-N of 23 March 2018, edited by HO-503-N of 29 December 2020, amended, edited by HO-286-N of 6 July 2022)

(Part 32 of Article 14.3 shall enter into force on 1 July 2024, according to part 4 of Article 30 of this Law.)

Article 14.4. Regulation of urban development activities through micro-regional planning

1. The main directions of spatial development of the groups of the communities of the Republic of Armenia with up to 15000 population (hereinafter referred to as “the micro-regional units”), formed on the grounds prescribed by part 3 of this Article, as well as the rules and regimes (regulations) of land use and development prescribed by the urban development zoning projects may be elaborated jointly — through assembling the micro-regional and local spatial planning documents, prescribed by points (b) and (d) of part 4 of Article 17 of this Law, within the framework of one common, combined spatial planning document. Moreover, the combined spatial planning document shall include the fundamental norms prescribed by the legislation of the Republic of Armenia with regard to both the spatial planning project and the overall plan and the zoning project.

2. In case of existence of combined spatial planning documents approved as prescribed by this Law, the overall plan of the separate community included within the composition of the micro-regional unit shall be considered as approved and shall serve as a ground for the exercise of powers in the field of urban development, prescribed by law, by the local self-government bodies.

3. Micro-regional units shall be formed based on their role and significance in the system of population distribution, peculiarities of urban development situation, common historical, cultural, infrastructural, as well as social and economic features, existence of common administrative boundaries of the communities, as well as taking into account the communities (hereinafter referred to as “the consolidated communities”) or inter-community unions (where available) newly formed, as prescribed by the legislation of the Republic of Armenia, as a result of consolidation of the communities within the boundaries of the marz.

4. The overall plans and zoning projects of communities with population of more than 15000, included in the composition of the communities or inter-community unions referred to in part 3 of this Article and lacking spatial planning documents, shall be elaborated as self-standing documents.

5. Where any community included in the micro-regional union possesses approved spatial planning documents, they shall be taken into account within the scope of elaboration of combined spatial planning documents, and may be adapted, where necessary, for the purpose of ensuring their inter-connection with the spatial development problems of other communities of micro-regional union.

6. Financing of elaboration of combined spatial planning document shall be implemented proportionally, at the expense of State and community budgets, as prescribed by parts 10 and 11 (only for elaboration of a zoning project) of Article 17 of this Law.

7. The combined spatial planning documents and the assignments thereof shall be elaborated in observance of the requirements of parts 7 and 8 of Article 14.3 of this Law and shall be approved by the Marzpet and Council of Elders of the communities, included in a micro-regional unit, of the Republic of Armenia.

8. The initiative of elaborating combined spatial planning documents may be advanced by:

(1) the Councils of Elders of communities, by coordinating it with relevant Marzpet of the Republic of Armenia;

(2) relevant Marzpet of the Republic of Armenia, by coordinating it with Councils of Elders of the communities included in a micro-regional unit;

(3) the Committee, by coordinating it with relevant Marzpet and Councils of Elders of the communities included in a micro-regional unit of the Republic of Armenia.

9. The combined spatial planning documents shall include the main requirements, prescribed by Article 14.3 of this Law, in terms of communities included in a micro-regional unit, and shall be elaborated, shall undergo expert examination and shall be agreed (including the reached agreements prescribed by part 8 of this Article), as well as approved and amended in compliance with the requirements of part 20 of Article 17 of this Law.

(Article 14.4 supplemented by HO-185-N of 21 December 2015, amended by HO-171-N of 19 October 2016, HO-265-N of 23 March 2018)

(Chapter supplemented by HO-494-N of 11 December 2002)

CHAPTER VII

SYSTEMS OF LEGAL ACTS AND URBAN DEVELOPMENT REGULATORY-TECHNICAL DOCUMENTS REGULATING URBAN DEVELOPMENT ACTIVITIES, AND URBAN DEVELOPMENT DOCUMENTS

(Title amended by HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 15. System of legal acts regulating urban development activities and relations pertaining thereto

The system of legal acts regulating urban development activities and relations pertaining thereto shall consist of this Law, other laws and other legal acts.

Relations pertaining to urban development activities, arising during the exercise of the right to use land areas, water areas, forest areas, air space, subsurface, during the protection of the environment, social protection of persons with disabilities, preservation of historical and cultural monuments, as well as during the exercise of the right of ownership, property right, and copyright, shall be regulated by laws and other legal acts.

(Article 15 supplemented by HO-494-N of 11 December 2002, amended by HO-50-N of 7 February 2024)

Article 16. System of urban development regulatory-technical documents

(Title amended by HO-139-N of 13 April 2023)

The system of urban development regulatory-technical documents shall be a means of state regulation of urban development activities which shall define norms, rules, indicators of reliability, environmental protection, fire-prevention, sanitary and hygiene, those ensuring the mobility of persons with disabilities and other necessary norms, rules and indicators, as well as conditions for ensuring quality in the course of designing, implementation, and operation with the requirements to respective territory, separate building, premise, installations or construction materials.

The urban development regulatory-technical documents shall consist an integral part of the system of legal acts of the field of urban development and serve as a ground for expert examination, supervision over the urban development activities, settlement of disputable issues.

The fulfilment of the requirements of urban development regulatory-technical documents shall be mandatory for the entities engaged in urban development activities.

(Article 16 supplemented by HO-494-N of 11 December 2002, amended by HO-139-N of 13 April 2023, HO-50-N of 7 February 2024)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 17. Urban development documents

1. The urban development documents shall be a means of state regulation of urban development activities and shall be divided into the following two groups: urban development programme (or spatial planning) documents and architectural and construction design documents.

2. The urban development programme (or spatial planning) documents shall be elaborated for the Republic of Armenia, administrative territorial units of the Republic of Armenia, groups and separate sections thereof.

3. Urban development activities in the field of spatial planning shall prove to be the interrelated territorial establishment of economic, social, cultural and environmental factors and shall be aimed

at creation of favourable living environment, by defining the main directions and conditions for population distribution systems, proportional development and intended use of territories in urban development programme (or spatial planning) documents.

4. The urban development programme (or spatial planning (hereinafter referred to as “the spatial planning”)) documents shall be as follows:

(a) the main projects of population distribution and spatial organisation of the Republic of Armenia (national level);

(b) planning designs of the marzes of the Republic of Armenia (territorial/regional level), as well as planning designs of spaces including territories of more than one community (micro-regional level);

(c) overall plans of communities (settlements) of the Republic of Armenia (local level — strategic document of spatial planning);

(d) urban development zoning projects (local level — enforcement (executive) document establishing the detailed conditions of spatial planning);

(e) designs of historical and cultural justifications of settlements, protection zones of historical and cultural immovable monuments, specially protected nature areas;

(f) projects of territorial organisation of landscape, health resort, recreation and other functional systems, as well as for distribution of production capacities, engineering, transportation, utility and social infrastructures for the Republic and separate administrative territorial units or groups thereof.

5. Elaboration of the documents prescribed by points (a) and (b) of part 4 of this Article shall be mandatory for the Republic of Armenia and marzes, respectively, whereas the elaboration of the documents prescribed by point (c) — for communities, and that of the documents prescribed by point (d) — for developed territories within the boundaries of communities or those subject to development.

6. The documents prescribed by point (e) of part 4 of this Article shall be elaborated in compliance with the Law of the Republic of Armenia “On preservation and use of immovable historical and cultural monuments and historical environment” and the Law of the Republic of Armenia “On specially protected nature areas”.

7. The documents specified in point (f) of part 4 of this Article shall be elaborated where necessary and shall be approved by the client (except for the cases provided for by the legislation of the Republic of Armenia), as prescribed by the Government.

8. While drawing up the documents covered by part 4 of this Article, the provisions of other spatial planning documents approved in a prescribed manner shall be mandatorily taken into account in terms of document being drawn up.

9. While elaborating sector-based, state-targeted, community social and economic, as well as territorial development programmes, the provisions of the approved spatial planning documents shall be taken into account in terms of the given programme.

10. The spatial planning documents, subject to mandatory elaboration, prescribed by points (a) and (b) of part 4 of this Article shall be elaborated at the expense of the State Budget and approved in compliance with point 2 of part 1 of Article 10 of this Law, unless otherwise provided for by the legislation of the Republic of Armenia.

11. The spatial planning documents, subject to mandatory elaboration, prescribed by points (c) and (d) of part 4 of this Article, shall be elaborated at the expense of the State Budget and approved by the Council of Elders of the community in compliance with the requirements prescribed by Article 14.3 of this Law.

12. (*Part repealed by HO-226-N of 23 June 2011*)

13. The conditions of using the immovable property (land parcels, buildings, premises) for the purpose of carrying out urban development activities may not contradict the requirements prescribed by the approved urban development documents.

14. Architectural and construction design documents shall be as follows:

(a) development projects, as well as planning and improvement projects of functional territories for the purpose of carrying out urban development activities;

(b) projects of construction, reconstruction (including demolition), restoration, strengthening, modernisation of residential, public, industrial buildings and premises, as well as projects of engineering and transportation infrastructures and the parts thereof;

(c) the re-usable generic designs, approved in a prescribed manner, in respect of which positive expert opinion was granted, intended for construction of residential, public and industrial buildings and premises and for the development and improvement of territories. Draft adaptation documents of re-usable generic designs (of an underground section below point zero) shall be

subject to approval as prescribed by legislation.

15. For elaboration of architectural and construction design documents, the developer shall be given an architectural and planning assignment (design permit), which shall, based on the requirements of spatial planning documents of the community and those of urban development charter, establish the mandatory conditions, requirements and restrictions for the design of the given object of urban development activities.

16. *(Part repealed by HO-226-N of 23 June 2011)*

17. The design assignment given, under the contractor contract on design works, by the client to the licensed entity engaged in urban development activities, that draws up design documents, may not contradict the requirements of the architectural and planning assignment.

18. The architectural and construction design documents agreed upon, in a prescribed manner, with the body having given the architectural and planning assignment, shall be approved by the owner of the object of urban development activities or the person authorised thereby, in compliance with the requirements prescribed by part 4 of Article 23 of this Law.

19. The approved urban development documents shall serve as a ground for supervision over urban development activities and settlement of disputable issues and shall be mandatory for all entities engaged in urban development activities.

20. The procedures for elaboration, expert examination, coordination, approval, amendment of urban development documents shall be established by the Government.

(Article 17 edited by HO-494-N of 11 December 2002, HO-167-N of 8 July 2005, amended by HO-7-N of 26 December 2008, supplemented, edited and amended by HO-226-N of 23 June 2011, amended, supplemented by HO-185-N of 21 December 2015, amended by HO-265-N of 23 March 2018, supplemented by HO-51-N of 4 March 2022, amended by HO-139-N of 13 April 2023, HO-433-N of 16 November 2022)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

CHAPTER VIII

REGULATION OF URBAN DEVELOPMENT ACTIVITIES

Article 18. Land use in the field of urban development

Land use in the field of urban development shall be implemented by its intended purpose in compliance with the approved spatial planning documents, this Law and other legal acts.

(Article 18 amended by HO-494-N of 11 December 2002, HO-226-N of 23 June 2011)

Article 18¹. Vital infrastructures of settlements

The right to use land parcels necessary for the construction, reconstruction and operation of underground and overground engineering networks, constructions and communication channels, vital linear facilities shall be prescribed by law, as well as by the servitude agreement in compliance with the regulatory-technical documents and approved urban development documents.

The procedure for carrying out urban development activities (the procedures for development) for the purpose of construction of engineering and transportation infrastructures including territories of more than one community of strategic significance for the Republic shall be established by the Government.

(Article 18¹ supplemented by HO-494-N of 11 December 2002, HO-226-N of 23 June 2011, amended by HO-265-N of 23 March 2018, HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 19. Objects of urban development activities, subject to special regulation

1. Urban development activities shall fall under special regulation, where the development, planning, use of territories, serving the interests of citizens, the society, the State require additional legislative solutions.

2. Separation of territories of the objects of urban development activities, subject to special regulation, shall be determined given the necessity of ensuring the security of the State and the society, that of social and economic development, interrelated settlement of fundamental issues related to engineering and transportation infrastructures and environment, preservation of national, historical and cultural, urban development, landscape and scenic values, protection from natural and man-made phenomena, prevention of disasters and emergency situations and elimination of consequences.

3. The boundaries of the objects of urban development activities, subject to special regulation, may appear not to coincide with the boundaries of administrative-territorial units.

4. Special regulation of urban development activities may be carried out through elaboration, coordination and approval of special urban development norms and rules, urban development documents, as well as establishing special procedures for urban development activities.

5. The objects of urban development activities, subject to special regulation, may be separated:

(1) in the city of Yerevan;

(2) in the territory of catchment basin of the Lake Sevan, in specially protected nature areas, as well as in the territories of hydro-technical infrastructures dealing with the use of water resources;

(3) in the territories of free and special economic zones;

(4) in the territories of objects of urban development activities relating to the interests of more than one administrative-territorial unit;

(5) in the territories of lands of special significance and specially protected lands, prescribed by law;

(6) in the territories adjacent to automobile roads of interstate and republican significance.

6. The procedures for maintenance of objects and territories of urban development activities, subject to special protection, prescribed by this Article, which include protection zones of state automobile roads of interstate and republican significance and of common use, as well as procedures for implementation of development activities in territories and separation zones subject to special regulation, those for exercise of supervision over them and approval of design documents shall be established by the Government.

(Article 19 edited by HO-494-N of 11 December 2002, supplemented, edited by HO-167-N of 8 July 2005, amended by HO-104-N of 23 June 2015, HO-265-N of 23 March 2018, edited by HO-286-N of 6 July 2022, HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 20. State Urban Development Cadastre, monitoring of urban development activities and rating of licensed entities engaged in urban development activities

(Title edited by HO-433-N of 16 November 2022)

The State Urban Development Cadastre shall be a state information system serving as a ground for elaboration of state urban development policy and strategy for territorial development, urban development design documents, exercise of supervision over urban development activities, and shall contain accurate information on the objects of urban development activities, zoning and use of territories, urban development planning and development of territories and settlements, on urban development documents, norms, other legal acts, use of land parcels and other immoveable property, urban development restrictions and servitudes, improvement of social, engineering and transportation and other infrastructures of territories, seismic condition and other factors affecting the engineering-geological and geodesic, urban development activities during the construction.

The State Urban Development Cadastre shall form an integral part of the cadastral system of the Republic of Armenia, which is based on the State Real Estate Cadastre. The State Urban Development Cadastre shall include also data necessary for carrying out urban development activities, from other sector-based cadastres and information systems.

Information of the State Urban Development Cadastre, except for information containing state secret, shall be open and shall be provided under the procedure established by the Government.

Monitoring of urban development activities shall be deemed as a system for observing the changes in and the state of objects of urban development activities, which shall be carried out through studies of the state of vital function of the environment. Information obtained as a result of monitoring observations shall be included in the State Urban Development Cadastre.

In the community, the maintenance of State Urban Development Cadastre and the monitoring of urban development activities shall be performed by the head of community, whereas in the entire marz — by the Marzpet.

The maintenance of urban development cadastre of the territory of the Republic of Armenia and the cadastral generalisation shall be conducted by the authorised state administration body in the field of urban development.

The procedure for maintenance of State Urban Development Cadastre and the monitoring of urban development activities shall be established by the Government.

The rating of licensed urban development entities shall be a set of measures for data collection, quality assessment, analysis and registration of results aimed at supervising and improving urban development activities, which implies the use of certain methodology and tools.

The rating shall be classified according to degrees in descending order:

- (1) Highest;
- (2) High;
- (3) Medium;
- (4) Low.

The state administration body in the field of urban development shall implement the rating of licensed urban development entities by following stages:

- (1) data collection;
- (2) quality assessment in accordance with the criteria established by the state administration body in the field of urban development;
- (3) analysis and recording of results.

The state administration body in the field of urban development shall conduct the quality assessment of licensed activities automatically on the basis of information available in the register of licensed persons and professionals, in order to grant high, medium and low ratings in accordance with quality assessment criteria.

For the purpose of granting, in accordance with quality assessment criteria, the highest degree of rating to entities engaged in urban development and possessing high degree of rating, the state administration body in the field of urban development shall conduct quality assessment of licensed activities on the basis of an application submitted voluntarily by licensed entity engaged in urban development.

The highest degree of rating shall be granted through the Quality Assessment Commission.

State duties may be envisaged by law for rating of licensed entities engaged in urban development.

In accordance with the monitoring procedure, the monitoring of performance of works or provision of services by licensed persons carrying out activities in the field of urban development and CPD certified professionals shall be ensured by the state administration body in the field of urban development.

(Article 20 edited by HO-494-N of 11 December 2002, amended by HO-7-N of 26 December 2008, HO-226-N of 23 June 2011, HO-265-N of 23 March 2018, HO-139-N of 13 April 2023, edited and supplemented by HO-433-N of 16 November 2022)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 21. Licensing in the field of urban development, types, subtypes, and class ranks of activities stipulating professional qualification requirements

1. Licensing in the field of urban development shall be exercised as prescribed by the Law of the Republic of Armenia "On licensing".

2. The types and corresponding subtypes of activities in the field of urban development (where transcripts are given in accordance thereof and professionals with proper professional qualification are required therefor) shall be classified into class ranks.

3. The urban development entities, licensed as of the class ranks in the field of urban development, shall be entitled to carry out licensed activities in the objects of urban development activities of relevant risk level defined by part 5 of this Article.

4. Types of activities in the field of urban development shall be as follows:

1) drawing up urban development documents (except for construction and architectural documents), which is classified into 1st, 2nd and 3rd classes with following subtypes:

- (a) power supply (internal and external power supply, electric lighting, power supply systems,

photovoltaic and wind power stations);

(b) thermal gas supply and ventilation (ventilation, heating and air conditioning systems, heating and gas supply systems);

(c) hydraulic engineering constructions (hydraulic engineering systems, hydraulic power facilities);

(d) water supply and drainage (internal and external water supply and drainage networks, hydro technical reclamation);

(e) transportation routes (automobile roads, railways and airports, artificial constructions such as bridges, tunnels, overpasses, flyovers, retaining walls, etc.);

(f) communication systems (telecommunication and signal systems, transmitters, receivers, antennas, amplifiers);

2) expert examination of urban development documents, which is classified into 1st and 2nd classes with the following subtypes:

(a) architecture (except for the reconstruction and restoration of objects of historical and cultural value);

(b) urban development and spatial planning;

(c) reconstruction and restoration of objects of historical and cultural value;

(d) residential, public and industrial facilities;

(e) power supply (internal and external networks of power supply and electric lighting, power supply systems, photovoltaic and wind power stations);

(f) thermal gas supply and ventilation (ventilation, heating and air conditioning systems, heating and gas supply systems);

(g) hydraulic engineering constructions (hydraulic engineering systems, hydraulic power facilities);

(h) water supply and drainage (internal and external water supply and drainage networks, hydro technical reclamation);

(i) transportation routes (automobile roads, railways and airports, artificial constructions such as bridges, tunnels, overpasses, flyovers, retaining walls, etc.);

(j) communication systems (telecommunication and signal systems, transmitters, receivers, antennas, amplifiers);

(k) engineering and geological research.

3) construction works which are classified into 1st, 2nd and 3rd classes with the following subtypes:

(a) residential, public and industrial facilities;

(b) power supply (internal and external power supply, electric lighting networks, power supply systems, photovoltaic and wind power stations);

(c) thermal gas supply and ventilation (ventilation, heating and air conditioning systems, heating and gas supply systems);

(d) hydraulic engineering constructions (hydraulic engineering systems, hydraulic power facilities);

(e) water supply and water drainage (internal and external water supply and water drainage networks, hydro technical reclamation);

(f) transportation routes (automobile roads, railways and airports, artificial constructions such as bridges, tunnels, overpasses, flyovers, retaining walls, etc.);

(g) communication systems (telecommunication and signal systems, transmitters, receivers, antennas, amplifiers).

4) construction technical quality control, which is classified into 1st and 2nd classes with the following subtypes:

(a) residential, public and industrial facilities;

(b) power supply (internal and external power supply and electric lighting networks, power supply systems, photovoltaic and wind energy stations);

(c) thermal gas supply and ventilation (ventilation, heating and air conditioning systems, heating and gas supply systems);

(d) hydraulic engineering constructions (hydraulic engineering systems, hydraulic power facilities);

(e) water supply and water drainage (internal and external water supply and water drainage networks, hydro technical reclamation);

(f) transportation routes (automobile roads, railways and airports, artificial constructions such as bridges, tunnels, overpasses, flyovers, retaining walls, etc.);

(g) communication systems (telecommunication and signal systems, transmitters, receivers, antennas, amplifiers);

5) provision of services of exploration and survey of objects of urban development activities, which is classified into 1st and 2nd classes with the following subtypes:

(a) engineering and geological research;

(b) engineering geodesy;

(c) engineering survey and certification of technical condition of buildings and premises.

5. Activities in the field of urban development shall be classified into types as of the risk level of objects of urban development activities and, accordingly:

(1) the 1st class type of activities shall be characterised by the ability to provide works and services at the objects of urban development activities of 1st, 2nd, 3rd, 4th and 5th risk level;

(2) the 2nd class type of activities shall be characterised by the ability to provide works and services at the objects of urban development activities of 1st, 2nd and 3rd risk level;

(3) the 3rd class type of activities shall be characterised by the ability to provide works and services at the objects of urban development activities of 1st and 2nd risk level.

(Article 21 edited by HO-494-N of 11 December 2002, HO-433-N of 16 November 2022, supplemented by HO-314-N of 12 July 2024)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 22. Urban development servitude

(Article repealed by HO-494-N of 11 December 2002)

Article 22.1. Architectural and planning assignment

1. The architectural and planning assignment (or the design permit) shall be a document which shall, based on the requirements of the spatial planning documents and those of the urban development charter of the community, define the mandatory requirements, conditions for the design of the given object of urban development activities, including the baseline data (hereinafter referred to as “the baseline data”) or technical specifications (hereinafter referred to as “the technical specifications”) and restrictions prescribed by the decision of the Government of the Republic of Armenia for the design of engineering infrastructures (water supply, drainage, energy supply, gas supply, etc.) of the object of urban development activities referred to in point (d) of Article 6 of this Law. The baseline data and the technical specifications shall be provided by the services carrying out engineering maintenance to the bodies giving an architectural and planning assignment upon the request by the latter and shall form an integral part of the architectural and planning assignment.

Services providing engineering maintenance shall provide the baseline data and the technical specifications after the receipt of the request of the body giving an architectural and planning assignment under the procedure and within the time limits established by the Government. Provision of baseline data or technical specifications in violation of the mentioned procedure and time limits shall entail liability prescribed by law.

The baseline data and technical specifications shall be provided based on the conditions of carrying capacity, solidity of the engineering infrastructures of the object of urban development activities, those of not violating the rights and legitimate interests of other persons and implementing the works necessary for their linking-up, with minimum costs, for the developer. The impossibility of ensuring the mentioned conditions must be precise and justified. The time limit for the response by the head of community to the request of the service providing engineering maintenance shall be established by the Government.

2. The requirements on urban development activities, preservation of historical and cultural monuments and environment, the sanitary and hygienic requirements, fire-prevention requirements, requirements for civil defence, protection of persons with disabilities and population groups with limited mobility, which are prescribed by the legal acts of the Republic of Armenia and are related to the design of the facility, as well as the requirements prescribed by other regulatory acts, shall be mentioned in the architectural and planning assignment.

3. In case of alienation or provision for use of land parcels owned by the State and communities for the purpose of carrying out urban development activities, the project of architectural and planning assignment shall be included in the package of documents for holding an auction or in the conditions on competition. In other cases of provision of the land parcel prescribed by the legislation, the architectural and planning assignment shall be provided along with the decision on allocation of the land parcel.

4. The architectural and planning assignment shall be given to the owner of the immovable property or the user entitled to modify it on the basis of the application submitted by the latter to the body prescribed by part 6 of this Article.

5. The conditions prescribed by the architectural and planning assignment shall serve as a ground for elaboration of architectural and construction design documents and shall be binding for all participants engaged in urban development activities. In case of transfer of the rights over the immovable property, the conditions prescribed by the architectural and planning assignment shall be observed, in full.

6. In the community, the architectural and planning assignment shall be given by the head of community through the system for on-line issuance of urban development permits coordinated by the authorised state administration body in the field of urban development, under the procedure and within time limits established by the Government.

7. Giving an architectural and planning assignment contradicting the requirements prescribed by the overall plan and the zoning project of the community shall be prohibited.

8. The head of community may refuse to give an architectural and planning assignment only in case of availability of any of the grounds provided for by the legislation.

(Article 22.1 supplemented by HO-226-N of 23 June 2011, amended by HO-265-N of 23 March 2018, supplemented, amended and edited by HO-233-N of 26 May 2021, amended by HO-139-N of 13 April 2023, HO-50-N of 7 February 2024)

(Law HO-233-N of 26 May 2021 contains a transitional provision)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 23. Construction permit

The construction permit shall be a document certifying the right of the developer to carry out certain construction activities both in the newly developed or reconstructed territories and in existing buildings, premises.

In the communities, the construction permit shall be given by the head of community through the system for on-line issuance of urban development permits coordinated by the authorised state administration body in the field of urban development under the procedure established by the Government.

The construction permit shall be issued after the architectural and construction design documents are coordinated by the body having given the architectural and planning assignment, under the procedure established by the Government, and are approved by the developer for the time period prescribed by point (j) of part 4 of Article 6 of this Law.

The construction permit shall be issued simultaneously with coordination of architectural and construction design documents of the given facility, whereas the project documents shall be considered as approved, where no written objection is filed, by the developer, to the approval of the design documents to the body prescribed by part 2 of this Article.

The list of works and services not requiring a construction permit in the field of urban development shall be established by the Government.

In case of failure to complete the development (except for the development carried out in rural settlements and individual dwellings) within the time limits provided for by point (j) of part 4 of Article 6 of this Law, the body issuing the construction permit shall warn the developer, in written form, about extending the time limit prescribed by the construction permit and completing the development within this time period or about alienating the object of urban development activities, owned thereby under the right of ownership. Moreover, the body issuing the construction permit may extend the duration of construction not more than for the time period calculated by the norms of duration of construction for the non-performed works of given area. In case of failure to comply with the mentioned requirement, the developer shall be subjected to administrative liability, as prescribed by law, by the body issuing the construction permit.

Where the developer fails to apply, within a period of one month after being imposed warning, to the body issuing the construction permit with an application to extend the construction period, or fails to complete the development within new time limit prescribed by the construction permit or fails to alienate the facility owned thereby under the right of ownership, the body issuing the

construction permit shall again subject him or her to administrative liability and apply to the court with a claim to sell the given area under the procedure and by price established by the court, but not less than in the amount of 75 per cent of the cadastral value of the area.

(Article 23 edited by HO-494-N of 11 December 2002, HO-167-N of 8 July 2005, amended by HO-7-N of 26 December 2008, HO-116-N of 12 May 2009, HO-226-N of 23 June 2011, HO-265-N of 23 March 2018, supplemented by HO-233-N of 26 May 2021, amended by HO-139-N of 13 April 2023, edited by HO-433-N of 16 November 2022)

(Law HO-233-N of 26 May 2021 contains a transitional provision)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 24. Demolition permit

The demolition permit shall be a document certifying the right of the owner to conduct the demolition of buildings and premises.

In the communities, the demolition permit shall be given by the head of community through the system for on-line issuance of urban development permits coordinated by the authorised state administration body in the field of urban development, as prescribed by the Government.

Where the construction of a newly build facility is not possible without the demolition of the building (s) and(or) premise (s) located in the same place, the construction permit, issued in a prescribed manner, shall also serve as a demolition permit with relevant indication thereon.

Where the engineering researches of the land parcel being developed are impossible without demolition, the demolition permit shall be issued simultaneously with the architectural and planning assignment prior to the receipt of the construction permit.

(Article 24 edited by HO-167-N of 8 July 2005, amended by HO-7-N of 26 December 2008, HO-116-N of 12 May 2009, HO-226-N of 23 June 2011, HO-265-N of 23 March 2018, supplemented by HO-233-N of 26 May 2021, amended by HO-139-N of 13 April 2023)

(Law HO-233-N of 26 May 2021 contains a transitional provision)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

Article 25. Certificate of completion of construction and operation permit

(Title edited by HO-89-N of 19 June 2015)

1. The completion of construction of buildings, premises (including the reconstruction, restoration, strengthening, modernisation, enlargement and improvement thereof) shall be documented by the certificate of completion of construction (hereinafter referred to as "the certificate of completion") after implementation of all construction works requiring a construction permit prescribed by the approved architectural and construction design documents having served as a basis for the construction permit of the given facility.

The certificate of completion shall be issued by the head of community through the system for on-line issuance of urban development permits coordinated by the authorised state administration body in the field of urban development, as prescribed by the Government, which shall serve as a basis for registration of rights over the completed facility and the separated units within the composition thereof.

2. After completion of the works prescribed by part 1 of this Article and implementation, by the developer at the expense of the latter, of other works prescribed by the approved architectural and construction design documents, the facility shall be admitted for operation by means of formulating the operation permit. The operation permit shall be issued by the head of community, as prescribed by the Government.

Operation of the completed construction facility shall be permitted only after formulating the operation permit.

3. Operation of the construction facility shall be implemented in accordance with point (c) of Article 2 of this Law, at the expense of the owner(s) and (or) user of the facility. The minimum mandatory operation norms of the buildings, premises shall be established by the Government.

(Article 25 edited by HO-494-N of 11 December 2002, amended by HO-7-N of 26 December 2008, amended and supplemented by HO-226-N of 23 June 2011, edited by HO-89-N of 19 June 2015, amended by HO-265-N of 23 March 2018, supplemented by HO-233-N of 26 May 2021, amended by HO-139-N of 13 April 2023)

(Law HO-233-N of 26 May 2021 contains a transitional provision)

Article 26. Supervision over urban development activities

The state inspection supervision over the urban development activities within the territory of the Republic of Armenia shall be exercised by the inspection body exercising supervision in the field of urban development (hereinafter referred to as “the inspection body”).

The inspection body shall organise its activities by the administrative-territorial principle with the help of officers of the inspection body.

The inspection body shall:

(a) supervise the fulfilment of requirements of legal acts, urban development documents, regulatory-technical documents in the field of urban development activities;

(b) issue binding orders and instructions for the elimination of detected violations in the field of urban development, track the implementation thereof;

(c) impose administrative penalties in the cases and under the procedure prescribed by law, as well as submit reports to the competent body for subjecting the persons having committed offences in the field of urban development to criminal liability;

(d) exercise supervision over the urban development activities carried out in the objects of urban development activities and those carried out within the framework of state subvention programmes by economic operators carrying out road construction activities, within the entire time period of the works provided for by these programmes, for the purpose of ensuring supervision over the quality of the implementation thereof;

(e) exercise supervision over delivery, by the head of community, of a decision on demolition (dismantlement) of unauthorised construction in the land parcel owned by the State or community located within the administrative boundaries of the community and over execution, under the procedure prescribed by legislation, of the decision by the head of community within the scope of his or her powers;

(f) render an administrative act on demolition (dismantlement) of the unauthorised construction in the land parcel owned by the State, located within the administrative boundaries of the community, where the head of community has failed to render a decision on demolition (dismantlement) of unauthorised construction in the land parcel owned by the State, located within the administrative boundaries of the community, within the time limits mentioned in the administrative act on elimination of violations, entered into force and rendered by the inspection body, or has failed to ensure the execution of the decision on demolition (dismantlement) of the unauthorised construction within the scope of his or her powers. In the cases prescribed by this point, in case the person having built the unauthorised construction is unknown, the respective community shall act as the addressee of the administrative act.

The administrative act, rendered by the inspection body, on demolition (dismantlement) of the unauthorised construction in the land parcel owned by the State, located within the administrative boundaries of the community, shall with due consideration of the peculiarities provided for by this paragraph be submitted for compulsory enforcement under the rules for compulsory enforcement of public law monetary claims, provided for by Chapter 13 of the Law of the Republic of Armenia “On fundamentals of administrative action and administrative proceedings”, insofar as they are applicable, by virtue of their nature, to the submission of the administrative act, prescribed by this paragraph, for enforcement.

The administrative act, prescribed by this paragraph, shall be submitted for enforcement within a period of one month following its entry into force, by indicating also the address of the unauthorised construction subject to demolition (dismantlement) and the year, month and day of entry into force of the administrative act.

Within the territory of the marz, the Marzpet shall:

(a) ***(Point repealed by HO-226-N of 23 June 2011)***;

(b) supervise the activities of the heads of communities in the field of urban development, except for the cases prescribed by points (e) and (f) of the third paragraph of this Article.

Within the territories of the communities the head of community shall supervise the fulfilment of the requirements of the architectural and planning assignments given to the developers, the urban development charter of the settlements, the intended use of the lands and settled property for urban development purposes, as well as prevent, suspend the cases of unauthorised construction and ensure the elimination of the consequences thereof under the procedure prescribed by law.

In case of detecting an unauthorised construction in the land parcel owned by the State or community, located within the administrative boundaries of the community, the authorised state bodies for management of land resources shall be obliged to inform the head of relevant

community and the inspection body thereof under the procedure and within the time limits established by the Government.

(Article 26 amended by HO-7-N of 26 December 2008, HO-226-N of 23 June 2011, HO-171-N of 19 October 2016, HO-265-N of 23 March 2018, amended and supplemented by HO-366-N of 9 July 2020, supplemented by HO-400-N of 16 December 2021, amended by HO-139-N of 13 April 2023)

(Law HO-139-N of 13 April 2023 contains a transitional provision)

(Article amended by the Law HO-184-N of 11 April 2024 shall enter into force from 1 January 2026)

Article 26.1. Peculiarities of implementing urban development activities in the city of Yerevan

(Article repealed by HO-116-N of 12 May 2009)

Article 26.2. Peculiarities of implementing urban development activities on lands of special designation and historical and cultural lands of specially protected areas

(Title edited by HO-238-N of 3 July 2025)

1. The procedure for implementing urban development activities on lands of special designation prescribed by Article 24 of the Land Code of the Republic of Armenia, including the procedure for exercising the powers prescribed by point (d) of part 4 of Article 6, Articles 13 and 14, part 18 of Article 17, part 2 of Article 23, part 2 of Article 24, part 2 of Article 25 of this Law, shall be established by the Government in observance of the requirements of the Law “On state secret”.

2. Relations concerning the issuance of architectural-planning assignments, construction permits, construction completion and operation certificates for the reinforcement, repair, restoration, alteration and relocation of immovable monuments of history and culture dating back to the ancient, old and medieval periods, which are considered as State ownership of the Republic of Armenia and are not subject to alienation, located on historical and cultural lands of specially protected areas as defined in Article 23 of the Land Code of the Republic of Armenia, as well as immovable monuments of history and culture belonging to the Armenian Holy Apostolic Church (Mother See of Holy Etchmiadzin) under the right of ownership and transferred under the right to gratuitous use, shall be regulated by Article 9 of the Law “On the preservation and use of immovable monuments of history and culture and the historical environment”.

(Article 26.2 supplemented by HO-226-N of 23 June 2011, amended by HO-265-N of 23 March 2018, HO-93-N of 1 March 2023, edited by HO-238-N of 3 July 2025)

CHAPTER VIII.1

RULES OF ETHICS OF THE RESPONSIBLE PROFESSIONAL IN THE FIELD OF URBAN DEVELOPMENT AND THE ETHICS COMMISSION

(Chapter supplemented by HO-433-N of 16 November 2022)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 26.3. Rules of Ethics of the Responsible Professional

1. The rules of ethics in the field of urban development (hereinafter referred to as “the Rules of Ethics”) shall be the norms of professional conduct of the responsible professional regarding responsibility for obligations taken, professionalism, professional development, recognition of the rights and legitimate interests of the public, partners and others.

2. The Rules of Ethics shall cover both the relations with the public, partners and others, as well as any other relations based on or deriving from the activities of the responsible professional.

3. The Rules of Ethics shall not prejudice the adoption of additional rules or regulations on ethics for responsible professionals holding membership in non-governmental organisations.

Article 26.4. Procedure for establishment of Ethics Commission

1. The examination scheduled on issues regarding rules of ethics of the responsible professional

shall be conducted by the Ethics Commission for Responsible Professionals (hereinafter referred to as "the Ethics Commission").

2. In order to investigate the violations of the rules of ethics the Ethics Commission, acting on a voluntary basis, shall be established as prescribed by this Law.

3. Within one working day upon emergence of a legal ground for establishing Ethics Commission the licensing body in the field of urban development (hereinafter referred to as "Licensing Body") shall establish the Ethics Commission based on the random choice. The representative of the employer of the responsible professional may not be involved in the composition of the Ethics Commission.

4. The Ethics Commission shall be comprised of five members. A separate Ethics Commission for Responsible Professionals shall be established for each case. The same person may not be elected as a member of the Ethics Commission for more than two consecutive terms.

5. The Ethics Commission shall be comprised of one representative from among the professionals who hold a certificate for relevant type of activities and are registered in the register of professionals in the field of urban development, i.e. one representative — from non-governmental organisations protecting the rights of responsible professionals, one scientist holding a degree in urban development, one psychologist and one lawyer.

6. The Chairperson and the Secretary of the Ethics Commission shall be appointed from the state administration body in the field of urban development.

7. The members of the Ethics Commission shall be required to sign a declaration indicating the presence or absence of a conflict of interest in each investigated case.

8. In case of submitting a declaration indicating the presence of conflict of interests, the member of the Commission shall not participate in the investigation of the case.

9. The powers of the member of the Ethics Commission shall be terminated within three working days after the licensing body becomes aware of non-declared data indicating the presence of the conflict of interests.

10. The procedure for selection of the members of the Ethics Commission, the individual composition of the Ethics Commission, the working procedure of the Ethics Commission, the procedure for investigation of cases, the declaration form on the presence or absence of conflict of interests shall be approved by the licensing body.

11. The licensing body shall provide the means of logistics support required for organising the works of Ethics Commission.

12. The Ethics Commission shall investigate the violations of rules of ethics of responsible professionals that do not provide for criminal or administrative liability.

13. After investigating the case, the Ethics Commission shall render one of the following decisions:

(1) in case of detecting prima facie acts providing for criminal or administrative liability, or based on the absence of a violation of professional rules of ethics —

a. on rejecting the application;

b. on terminating the investigation of the case in the cases of initiating investigation of the case upon their own initiative;

(2) in case of establishing the violation of the rules of professional ethics not providing for criminal or administrative liability by law, within a period of one day —:

a. on submitting to the licensing body a proposal on entry of the information, on imposing a reprimand on the responsible professional having committed a violation for the first time during one year, in the register of certified professionals;

b. submit to the licensing body a proposal on entry of the information, on imposing a strict reprimand on the responsible professional in case of detecting a repeated violation, by the responsible professional, of the rules of ethics within one year, into the register of certified professionals;

c. submit to the licensing body a proposal on suspending the certificate of the responsible professional for a period of one month, based on point 5 of part 1 of Article 11.8 of this Law, in case of violation, by the responsible professional, of the rules of ethics for the third time during one year.

14. The Ethics Commission shall inform, within a period of one day, through means of communication, the parties to official investigation about the decision rendered upon the results of official investigation.

15. The licensing body shall, if appropriate, transfer relevant information provided for by sub-points (a) and (b) of point 2 of part 13 of this Article to competent bodies in order to subject the respective responsible professional to disciplinary liability.

16 he licensing body shall maintain, in a prescribed manner, the register of persons having committed a violation of professional ethics.

CHAPTER IX

SETTLEMENT OF DISPUTES RELATED TO URBAN DEVELOPMENT ACTIVITIES AND LIABILITY FOR VIOLATING THE URBAN DEVELOPMENT LEGISLATION

Article 27. Settlement of disputes related to urban development activities

Disputes related to urban development activities shall be settled through administrative or judicial procedure.

(Article 27 supplemented by HO-433-N of 16 November 2022)

(Law HO-433-N of 16 November 2022 contains a transitional provision)

Article 28. Liability for violating the urban development legislation

The entities engaged in urban development activities shall be held liable, as prescribed by law, for violation of urban development legislation of the Republic of Armenia.

CHAPTER X

INTERNATIONAL COOPERATION IN THE FIELD OF URBAN DEVELOPMENT

Article 29. International cooperation in the field of urban development

International cooperation in the field of urban development shall be carried out in compliance with this Law, other laws and international treaties of the Republic of Armenia.

The urban development activities of foreign States, natural and legal persons thereof, enterprises lacking the status of a legal person, international organisations within the territory of the Republic of Armenia shall be regulated by this Law, other legal acts of the Republic of Armenia and relevant international treaties of the Republic of Armenia.

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

CHAPTER XI

TRANSITIONAL PROVISIONS

(Title amended by HO-494-N of 11 December 2002)

Article 30. Transitional provisions

(Title amended by HO-494-N of 11 December 2002)

1. In case of absence of approved spatial planning documents, before the elaboration and approval thereof the urban development activities in the given community shall be regulated under the procedure established by the Government.

2. Prior to approval of the overall plans of the communities, changes in the intended purpose of land parcels within the administrative territory of the community shall be approved by the Council of Elders of the community under the procedure established by the Government, in case of availability of a positive opinion of the Ad Hoc Inter-Agency Commission established to that end.

3. Prior to the entry into force of this Law, the overall plans approved by the Government shall — upon the approval of the Council of Elders of the community — be considered as approved by the Council of Elders of the community.

4. Part 32 of Article 14.3 of this Law shall enter into force from 1 July 2024.

(Article 30 edited by HO-141 of 26 December 2000, amended and supplemented by

HO-494-N of 11 December 2002, edited by HO-167-N of 8 July 2005, HO-226-N of 23 June 2011, amended by HO-185-N of 21 December 2015, HO-265-N of 23 March 2018, edited by HO-503-N of 29 December 2020)

**President
of the Republic of Armenia**

R. Kocharyan

Yerevan
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