

Land Code of Republic of Armenia

This code regulates the land relations on the territory of Republic of Armenia and intends to provide: scientifically motivated effective land use and maintenance; Environment Protection and Improvement; creation of conditions for equal development of all economic forms based on a variety of property; preservation of rights of citizens, enterprises and organizations; legal reinforcement of rule of law in the sphere of land relations.

Part I. General Provisions Chapter I. Main Provisions

Article 1. Land Legislation of the Republic of Armenia.
Land relations in the Republic of Armenia are regulated by this code and other legislative act of legislation of the Republic of Armenia adopted on the basis of it.
Relations connected (concerning) with use and preservation of the underground resources of the earth: forest, water and air territories, as well as, vegetable and animal kingdoms, are regulated by special legislation of the Republic of Armenia.

Article 2. Property Right to Land
Land is the national wealth of the Republic of Armenia and the property of the people living on the territory of the Republic.
Every citizen of the Republic of Armenia has a right of ownership of land. The order and conditions for allotting land as of land allotment property are determined by this code and other RA legislation deeds being adopted on the base of it.

Article 3. Land Stock Composition.
The land stock of the Republic of Armenia according to its special purpose importance is divided into:

1. Lands of agricultural importance;
2. Lands of populated areas (towns, settlements, villages);
3. Lands of industry, transportation, communication, defense and other importance;
4. Lands of natural protection, health, resort; sports and historic-cultural importance;
5. Lands of forest stock;
6. Lands of water supply;
7. Lands of preservation (Preserved Lands').

Assignment of lands to one of the above-mentioned categories and their transition from one to another are realized by the Council of Ministers of the Republic of Armenia.

Article 4. Forms of Land Property (Forms of ownership of Land).
The forms of ownership of land in the Republic of Armenia are:

- a) ownership of citizens of the Republic of Armenia;
- b) collective ownership;

- c) state ownership.

Article 5. Allotment of Land as Property

1. Land, is allotted to the citizens of the Republic of Armenia as property:

- a) for operating agricultural (peasant's) and agricultural (peasant's) collective farms;
- b) as a plot of land attached to the house, or for the construction of a dwelling-house and serving it;
- c) for gardening (country-house).

2. Collective ownership of land is formed by voluntary unification of land lots of individual owners or by allotting land as a collective property.

3. State property lands are the lands that are not objects of citizens' or collective property rights.

4. Other cases of allotting land as property can be established as well by the Supreme Council of the Republic of Armenia.

Article 6. Allotting State Property Lands for Permanent Use.

Land use is considered permanent, if no definite time (term) condition is established for it.

The state property lands are allotted for permanent use:

- a) to citizens of the Republic of Armenia;
- b) to the beneficiaries of collective property rights;
- c) to the state enterprises, institutions, public and religious organizations;
- d) to the organizations mentioned in the article 48 of this code-for defense needs.

The state property lands are allotted for permanent use to the suitable beneficiaries during the whole period of their activity.

Other cases of allotting land for permanent use can be established as well by legislation of the Republic of Armenia.

Article 7. Allotting Land for Temporary Use.

State property lands can be allotted to the citizens, enterprises, institutions and organizations of the Republic of Armenia according to the established order for temporary use, for a short period of time up to three years and for a long period of time from three to ten years.

These terms can be prolonged proceeding from (based on) production necessity according to the order established by the legislation.

State property lands can be allotted to other states, legal persons and citizens, international organizations, associations and joint enterprises (ventures) only for a temporary use according to the procedure established by legislation.

The terms of allotting lands of citizens' and collective ownership for temporary use are established by the reciprocal agreement of the partys and signed by a contract.

Article 8. Land Rent

Land can be allotted to the citizens, legal persons, other economic organizations, of the Republic of Armenia and other states, as well as international organizations and associations for use rental conditions.

The lessor of the state property land is the Council of Ministers of the Republic of Armenia, corresponding Councils of People's Deputy within the limits of their competence. The lessors of lands of the citizens' and collective ownership are the owners of these lands.

The rental conditions are determined by the reciprocal agreement of the partys and signed by a contract.

The subrent of lands is permitted if it is provided by the agreement about rent.

Land rent relations are regulated by this code and other acts of legislation of the Republic of Armenia.

Article 9. Compensation for Land as Property and Land Utilization (Land Ownership and Land Use Being Paid)

During land reforms state lands are allotted as a property:

- a) for operating a peasant's and peasant's collective farms with partial compensation according to the order and conditions established by the law of the Republic of Armenia "About Peasant's and Peasant's Collective Farms";
- b) as a land plot attached to the house with payment, of their cadaster value calculated according the situation of the time of allotment except for those citizens, who, with valid excuse, were not able to realize their property right regarding land during the land reform and were not a member of an peasant's and peasant's collective farm. Plots, of land, attached to the house, are allotted as property to those citizens for free;
- c) for gardening (country house) according to the order and prices established by the Council of Ministers;
- d) for building houses in the towns and settlements and serving it with payment of maximum prices or according to another order determined by the Council of Ministers.

The right to sell lots allotted as property is effective after paying their value completely.

The right to sell the lots of peasant's and peasant's collective farms appears, after three years from the moment of obtaining a property right towards the land during land reforms.

After the process of land reforms, the allotment of state lands, as property, as well as, the sale of lots owned by

citizens or collectives, are realized at (on) free market forming prices.

The plots of lands attached to houses, as well as, lots that the citizens of the Republic of Armenia have for gardening (country house) and constructing a dwelling houses and its services, are left to them as a property for free.

In case of their transfer the cadaster valuation price accounted by the situation of the moment of their allotment, is exacted from the citizens.

Land use in the Republic of Armenia is chargeable.

The charge for the use of land established in the form of land a tax which is exacted according to the order established by the Republic of Armenia.

Charter 2. Questions of Supreme Council's Disposal
(Management) and
Competence of Council of Ministers, Local Councils of
People's Deputy
of the Republic of Armenia in the Sphere of Regulation of
Land Relations

Article 10. Management Issues (Ruling) of the Supreme Council of the Republic of Armenia.

The Supreme Council of the Republic of Armenia

1. realizes the regulation of land relations on the whole territory of the Republic of Armenia;
2. establishes the partial compensation and payment order for the lands allotted as property; conditions and privileges, as well as, the payment order and conditions for the lands allotted for use.
3. confirms the dimensions of the territories of regions, towns, settlements and rural areas allotting the land to the disposal of corresponding Councils;
4. confirm the land balance of the Republic of Armenia per year;
5. determines the order and conditions of banding land resources of the Republic of Armenia to other states for use.
6. realizes other authorizations established by law.

Article 11. Competence of Council of Ministers of the Republic of Armenia

The Council of Ministers of the Republic of Armenia

1. determines the composition of land inventory categories of the Republic;
2. clarifies and presents to the confirmation of the Supreme Council of the Republic of Armenia the dimensions of the territories of rural areas;
3. prepares and organizes the land preservation order, realizes a control over their use and maintenance;

4. operates the land cadaster system and organizes the system of land use on the whole territory of the Republic;
5. establishes a tax exaction order for the lands allotted as property and allotted for use;
6. conducts (prepares) an annual land balance of the Republic;
7. considers and presents suggestions to the Supreme Council of the Republic of Armenia about the solution to interregional land disputes;
8. realizes other authorizations established by law.

Article 12. Competence of Local Council of People's Deputy.

The Local Council of People's Deputy within their competence

1. attach as property the lands allotted to the citizens by the established order;
2. dispose the lands attached to them by according to the established order, as well as, allot them to the enterprises, organizations and individuals for use and rent them not altering the category of the lands;
3. organize the system of land use;
4. take back the lands allotted by them, as property, for use and rent, according to the established order;
5. organize the exaction of land payment and rent;
6. realize controls upon the land use and maintenance;
7. confirm the land balance of their territories;
8. solve land disputes;

Chapter 3. The Order of Allotting Lands and Taking Them Back

Article 13. The Order of Land Allotment.

Giving the land as a property and for use is realized by the allotment order.

The land allotment is realized based on the decisions of the Council of Ministry, Region, City, Settlement, Village Councils of People's Deputy within their purview (competence). For the purpose of operating peasant's and peasant's collective farms, land allotment as a property is realized according to the order established by the law of RA "About Peasant's and Peasant's Collective Farms". The conditions of land allotment and land use are noted in the decisions about land allotment.

Giving the land lot as property or for use to another owner or land user is realized after the termination of the right of the owner or land user to the given land lot according to the order established by the law.

Land suited for agricultural needs, first of all, are to be allotted to agricultural activities.

Land suitability for agricultural needs is established by the land cadaster.

Article 14. Agencies Having Right of Giving Lands to Citizens as a Property, as well as, for use.
Village Councils of People's Deputy allot land lots as property and for use from the lands being under their disposal.
City (Settlement) Councils of People's Deputy allot land lots as property and for use from the lands being under their disposal.
Region Councils of People's Deputy allot land lots as property and for use from the lands being under their disposal, as well as from the reserved stock's lands within their jurisdiction.
During land reforms and privatization process, for the purpose of creating peasant's and peasant's collective farms, the Local Councils of People's Deputy, allot land lots as property by the presentation of the corresponding commissions of Land Reforms and Privatization.
The land stock category alteration related to land lot allotment is made by the Council of Ministers of the Republic of Armenia.

Article 15. Taking Back Land Lots Given as Property and for Use.

Land lots allocated to the citizens as property can be taken back only by the corresponding Councils of People's Deputy according to the provisions of article 21 of this Code.

Lands lots allotted for use can be taken back by the corresponding Councils of People's Deputy according the provisions of article 22 of this Code.

Taking back valuable and fruitful lands, lands under preserved natural and historic-cultural objects, as well as, preserved land, for not appropriate use, is prohibited.

The list of these lands is established by the Supreme Council of the Republic of Armenia by the presentation of the Council of Ministers of the Republic.

In exceptionally necessary cases the mentioned lands can be taken back under the decision of the Supreme Council of the Republic of Armenia.

Experimental plots of research institutes educational organizations, as well as, lands allotted for sports needs, can be taken back by the order established by the Council of Ministers of the Republic of Armenia.

Article 16. Allotting Lands for Non-Agricultural Needs

Lands that are not suitable for agriculture or agricultural land areas of poor quality not exceeding the regional average level according to the cadaster valuation system, are allotted to the enterprises and organizations for non-agricultural needs.

Other lands are permitted to be allotted, as well, for electrical transmission, communication, roads, main pipe-lines and other lineal structural constructions, according to the

land allotment norms, design-technical documents established for that purposes.

Taking back agricultural land areas valued higher than the regional average level under the cadaster valuation; suburban, green and forest belts, and allotting them for non-agricultural needs can be allowed only in exceptional cases under the decision of the Council of Ministers of the Republic of Armenia.

Article 17. The Procedure for Raising Mediations About Land Lot Allocation and Their Consideration.

The procedure for raising mediations about land lot allotment and for their consideration is established by the Council of Minister of the Republic of Armenia.

Article 18. Documents Confirming Land Property Right and the Right of its Permanent Use.

The right of land property and the right of its permanent use is confirmed by the corresponding state act, which is given by the corresponding Local Council's Executive Committee of People's Deputy.

The owner, purpose and conditions of land allotment and use, the name of the lot, its location, dimensions, borders, cadaster valuation and other data are noted in the state act of the land property right.

The land user, dimensions and borders of the lot, its cadaster valuation, conditions of use of the lot according to the special-purpose importance of the allotment are stated in the state act of the right of permanent land use.

The forms of state acts, their registration and allotment order are determined by the Council of Ministers of the Republic of Armenia.

Article 19. Documents Confirming Right of Land Rent and Other Temporary Use.

The right of land rent and other temporary use is established by a contract. The form of the contract and its registration order is determined by the Council of Ministers of the Republic of Armenia.

A plan of the rental land and the land allotted for other temporary use should be attached to the contract.

Article 20. Realization of Right of Land Property, Land Use and Land Rent.

The beneficiaries of the right of land property, land use and land rent undertake the use of a plot of the land allotted to them by the decision of the corresponding Council of People's Deputy after the clarification of the boundaries of the plot in the locality made by the Land Development Bodies and after getting the documents confirming their right of land use and land property right.

Chapter 4. Termination of the
Right of Land Property,
Land Use and Land Rent

Article 21. Termination Bases of the Right for Land Property.

The property right regarding land or one part of it terminates when

1. the land-owner voluntarily relinquishes the plot or transfers it;
2. the plot is taken back for government or public needs;
3. the plot is confiscated according to the procedures and bases established by law;
4. the owner of the land dies and no heir exists (or no heir claims his rights);
5. the plot is used not according to its expedient importance;
6. the plot is used in such ways which result in the reduction of land fruitfulness, their chemical and radio-active pollution, violation of ecological safety requirements;
7. the land tax is not paid periodically within the established period of time;
8. historic-cultural monuments are discovered on the plot;
9. the owner fails to pay the partial or complete payments for the land allotted to him during the privatization process within established period of time starting from January 1st of the year of privatization (as amended by the law of RA dated 29.07.91).

Article 22. Termination Bases of the Right of Land Use and Land Rent

The right of land use and land rent terminates when

1. the land owner or the land lessee (tenant) relinquishes voluntarily the plot;
2. the activity of the land user or land lessee is terminated;
3. the plot is used not according to its expedient significance;
4. the plot is used not effectively (for the lands of agricultural importance it is expressed by periodically low productivity as compared with the normatives of the cadaster valuation);
5. the plot is used in such ways that results in the reduction of land fruitfulness, their chemical and radio-active pollution, violation of ecological safety requirements;
6. the land taxes or rents are not paid periodically within the established period of time;

7. the plot allotted for the agricultural production is not used for one year and the plot allotted for non-agricultural needs is not used for two years;
8. the plot is taken back for government or public needs or in relation with privatization needs-at the end of the economic year, coordinating the concrete time with the lessee. (as amended by the Law of RA dated 29.07.91)
9. the period of time fixed for the use of the plot allotted is expired;
10. historic-cultural monuments are discovered in the plot.

Article 23. Termination Order of the Right of Land Property, Land Use and Land Rent.

In all cases provided by the 21st and 22nd articles of this Code the decision on the termination of the right of land property, land use, land rent is made by the Supreme Council of the Republic of Armenia, Council of Ministers, the corresponding Local Councils except for the case provided in the 47th article of this Code when the right for the allotted plot is terminated by the decision of the administration of the enterprise, institution having allotted it.

The right of the land property, land use and land rent is terminated by the decision of the corresponding Council of People's Deputy from the day the decision is made.

In the cases provided in the 3rd, 4th, 5th, 6th and 7th sections of the 22nd article of this the decisions on the termination of the right of land use and land rent are made based on those documents that testify that after receiving a proper written warning, the land users or land lessees have not taken any measures to terminate within the established period of time the violations made by them.

In the case of terminating the right of land property, land use and rent the corresponding Council of People's Deputy makes a decision to exact for the damages done to the land.

Chapter 5. Right and Obligations of Land Owners, Land Users and Land Lessees, Protection and Guarantees of Their Rights.

Article 24. The Rights of Land Owner

The land owner has all rights of an owner (the rights of sale, mortgage, exchange, grant, inheritance) and has the right

1. to manage the land independently;
2. to own the produced agricultural production and all profits received from its realization;
3. to use for economic needs the widespread natural minerals, peat, forests, water objects, as well as, exploit other useful qualities of land according to the established order;

4. to construct dwelling, production, cultural and personal service buildings and other structures according to the order and conditions established by law;
5. to turn over the plot or one part of it for rent or temporary use;
6. to do other actions not contradicting the law.

Article 25. Obligations of Land Owner

The land owner is obliged to

1. use the land effectively, according to its expedient importance, not to reduce its fruitfulness, use natural protection technologies of production, not to allow any aggravation of the natural protection situation because of the economic activity;
2. to use the land effectively, to apply natural protection technologies of production, not to allow any aggravation of the natural protection situation because of the economic activity.
3. to realize the complex measures provided by the 60th and 61st articles of this Code;
4. to pay land taxes within established periods of time;
5. not to violate the rights of other land users and land owners.

Article 28. Rights of Land Lessees and Other Temporary Land Users.

The land lessees and other temporary land users have the right

1. to use the land according to the conditions of its allotment;
2. to own sowings of agricultural crops and produced production;
3. to receive compensation for the land improvement expenses in case the right of land use is terminated.

Article 29. Obligations of Land Lessees and Other Temporary Land Users

The land lessees and other temporary land users are obliged

1. to provide land use according to the expedient importance and the conditions of land allotment;
2. to use the land effectively, to apply natural protection technologies of production, not to reduce its fruitfulness, not to allow any aggravation of the natural protection situation because of the economic activity;
3. to realize the complex measures provided by the 60th and 61st article of this Code;
4. to pay land taxes and land rent within established periods of time;
5. not to violate the rights of land owners and other land users.

Article 30. Protection of Rights of Land Owners, Land Users and Land Lessees.

The government, economic and other bodies and organizations are prohibited to interfere in the economic activities of land owners, land users and land lessees except in cases when the acting (present) legislation or contract is infringed upon. The infringed rights are subject to be restored according to the procedure established by law.

The damages caused by the infringement of the rights of land owners, land users and land lessees and missed profits are subject to a full compensation.

Article 31. Guarantees of Rights of Land Owners and Land Users.

The plots owned by the citizens may be taken back for government or public needs in the case of extreme necessity, on the condition that a full compensation is given or an equivalent plot is allotted to the land owner.

The plots disposed to the use of the citizens may be taken back for government or public needs only if an equivalent plot is allotted.

Those enterprises, institutions and organizations to whom the plot is (re) allotted, construct dwelling, production and other buildings in the new place if there were such and fully compensate the landowner or land user for all other damages.

Part II. Land of Agricultural and

Other Importance

Chapter 6. Lands of

Agricultural Importance

Article 32. Lands of Agricultural Importance

Lands of agricultural importance are the arable (lough-) lands, perennial nurseries, hayfields, pastures, as well as other land lots determined for agricultural purposes.

Article 33. Allotment of Lands of Agricultural Importance
Lands of Agricultural Importance are Allotted.

1. to citizens for operating peasant's and peasant's collective farms and for gardening (country-house);
2. to agricultural enterprises and organizations, collective farms for realizing agricultural activities;
3. to research, educational and other agricultural enterprises, institutions, rural productive-technical schools and public schools for research, educational purposes, for introduction of advanced technology and agricultural activities;
4. to non-agricultural enterprises, institutions and organizations for realizing auxiliary agricultural activities;

5. in the cases provided by the legislation of the Republic of Armenia lands of agricultural importance can be allotted also to other organizations and individuals for realizing agricultural activities.

Article 34. Allotting Lots to Citizens as a Plot of Land Attached to the House.

Lots are Allotted to citizens as plots of land attached to the house on property right, by the Local Councils of People's Deputy having the right of allotting lots according to the 14th article of this Code, within the dimensions provided by the 39th article of this Code.

Article 35. Allotting Plots to Citizens for Gardening (country house).

Plots are allotted to citizens and collectives for gardening on property right, by the Councils of People's Deputy having the right of allotting lots according to the 14th article of this code, from the lands turned over at their disposal according to the projects of land development.

The Council of Ministers of the Republic of Armenia establishes normatives for constructing dwellings and other structures on the plots allotted to citizens for gardening (country house).

Citizens can be allotted lots for temporary use, with the purpose of growing vegetable and small-fruit plantations.

Article 36. Allotting Land to Agricultural Enterprises, Organizations and Collective Farms for Use.

The agricultural enterprises and organizations are allotted lands, for use, by the corresponding Councils of People's Deputy having a right of allotting plots, according to the 14th article of this code.

Land use by collective farms is realized on rental bases.

The agricultural enterprises and organizations can lease and rent plots.

Article 37. Allotting Land to Research, Educational and Other Agricultural Enterprises, Institutions, Rural Production Technical Schools and Public Schools for Use.

Plots are allotted to research, educational and other agricultural enterprises, institutions, rural production technical schools and public schools for use in purposes of research, educational purposes and realization of agricultural activities, according to the 14th article of this code, by the Councils of People's Deputy having the right of allotting plots.

Article 38. Allotting Land to Non-Agricultural Enterprises, Institutions and Organizations for Use.

Plots are allotted to non-agricultural enterprises, institutions and organizations for use in purpose of realizing auxiliary agricultural activities, according to the 14th article of this code, by the council of People's Deputy having the right of allotting plots.

Article 39. Dimensions of Plots being Allotted to Citizens. Dimensions of the plots, being allotted for gardening, as plots attached to houses, are

1. up to 0,25 hectare, as plot attached to the house for the citizens living in rural places. On irrigation land dimensions of plots allotted for that purpose are reduced to the extent of a half.

Other plot dimensions can be established by the Supreme Council of the Republic of Armenia for mountainous and frontier regions.

2. up to 0,07 hectare for gardening (for a country house). More than the established dimensions can be allotted small bits of land generated because of land use regulation.

They can be allotted to the citizens living in rural areas, by the corresponding Councils of People's Deputy, if these small bits of land can not be used for the production needs of peasant's and peasant's collective farms, enterprises and organizations or turned over to other citizens.

Article 40. Land Use of Peasant's and Peasant's Collective Farms.

The relations concerning land use by peasant's and peasant's collective farms are regulated by the Law of RA "About Peasant's and Peasant's Collective Farms".

Article 41. Land Use by State Agricultural Enterprises.

Plots are allotted to state agricultural enterprises for use in management purposes.

The principles of legislation of the Republic of Armenia regarding the creation and activity order of state enterprises apply to state agricultural enterprises.

Chapter 7. Lands of Populated

Areas

Article 42. Lands of Town and Settlements.

All lands within the borderline of towns and settlements are under the disposal of city and settlement councils of People's Deputy.

The borderline of towns and settlements is the external border of a town (settlement) which separates the lands of towns (settlements) from lands of other categories.

Including the plots into the border of a town, settlement does not terminate the right of land property and land use. All lands of towns and settlements are used according to the masterplans of towns and settlements, projects of developing and planning their territory and plans of land economic structures.

The lands that are worthless for agriculture, and situated near the permanent place of residence of the citizen, and are within the city border can be allotted to the citizens, for use for gardening and vegetable growing by the decision of City Council's Executive Committee of People's Deputy. Any kind of construction is prohibited on these plots. The plots having a special ecological value (territories occupied by monuments of nature, wild vegetation, etc.) can not be allotted for the mentioned purposes.

Article 43. Lands of Rural Areas

All those lands that are situated within the borders established for rural areas and are cut (separated by land developings in the location, are considered lands of rural areas.

The lands of rural areas are under the disposal of the village Councils of People's Deputy.

Article 44. Allotting Plots to Citizens for Dwelling Construction.

The citizens of the Republic of Armenia have the right to get plots in the towns and settlements for dwelling construction and serving it.

In the town and settlements plots are allotted to the citizens for dwelling construction up to the extent of 0,04 hectare.

Article 45. Allotting Plots for Individual and Collective Non Dwelling Construction and for Running Individual Work Activity.

Plots are allotted to the citizens for use, for individual and collective non-dwelling construction and for running individual work activity, according to the 14th article of this code, by the Council of People's Deputy having the right of allotting plots.

Chapter 8. Lands of Industry, Transportation, Communication, Defense and Other Importance

Article 46. Lands of Industry, Transportation, Communication and Other Importance.

Lands of industry, transportation, communication and other importance are those lands that are allotted for use to the corresponding enterprises, institutions and organizations for realizing the tasks given to them.

Dimensions of the plots being allotted for the mentioned purposes are determined according to the confirmed norms and project-technical documents, on the condition of their maximum effective use.

For mining purposes plots are allotted to the enterprises, institutions and organizations on condition that the allotment of the mine is registered and land territories having been allotted to their use before, are restored.

Article 47. Allotment Order and use of Official Lots of Land.

The enterprises, institutions and organizations of transportation, forest economy, forest industry, communication, water, fish hunting industry, as well as other branches of national economy can allot official land lots from the lands allotted to their use, to their employees not having a land property, by the decision of the administration.

Official land lots are allotted for use during the period of working in the given enterprise, institution, organization. In case of quitting the job, the rights of the employees for an official plot are terminated.

If the worker having done sowings of agricultural crops quits his (her) job, his (her) right of land lot use is terminated after gathering the crop.

If several members of a family work in the same enterprise and have a right of getting an official land lot, they are allotted one official land lot.

Hayfields and pastures can be allotted only to those workers who own livestock (cattle).

Construction on the official land lots is prohibited.

Official land lots are reserved for those individuals, who have terminated their work activities retiring on a retirement or disability pension and prior to retiring on a pension, have worked for at least ten years in the given enterprise, institution, organization.

* for the families of those employees who have taken up an elective office, called up for active military service or entered studies - during the whole period of being in the elective office, military service and studies;

* for the families of those employees having been killed while operating their official duties, for a disabled spouse or old parents - for life, and for children - till their coming of age and taking up a permanent job in other spheres.

The dimension of the official land lot is determined by the administration of the given enterprise, institution, organization based on the number of the employees and land lots being at its disposal for that purpose.

Article 48. Lands for Defense Needs

Lands of defense needs are considered the lands allotted to the permanent activity and distribution of armed forces,

border troops, inner (internal) and railroad military troops, defense, institutions, military educational institutions, enterprises and organizations.

The order of allotment and use of the lands for defense needs is established by the Supreme Council of the Republic of Armenia.

Article 49. Occupation of Lands for Doing Prospecting Work by Enterprises, Institutions and Organizations.

The enterprises, institutions, organizations doing research and geodetical, geological and other investigations can work on all lands regardless of their special-purpose importance. During prospecting works the land is not taken back from its owner, user or lessee.

The permission for the mentioned works is giving the Council of the Ministers of the Republic of Armenia for a period of not more than one year.

The date and place for starting that work, rates of payments for land use, duties (obligations) of compensating for damages and bringing the land to useful conditions, as well as, other conditions are determined by the contract signed with the landowner and land user.

The enterprises, institutions, organizations doing prospecting works are obliged to liquidate at their own expenses, violations done regarding lands, rehabilitate the former land lot for special-purpose use and turn over them to the landowners and land user by an act.

If the enterprises, institutions, organizations realize such prospecting works that, according to technology, require to occupy the plot or one part of it under temporary structures, by which is limited land use fully or partially, then they do corresponding payments and fully compensate the landowners and land users for all caused damages.

Chapter 9. Lands of Natural Protection, Sanitary, Resort, Sports and Historic-Cultural Importance

Article 50. Lands of Natural Protection

Lands of natural protection include reserves, national and arboreal parks, botanical parks, forest reserves (except for hunting), lands of natural monuments.

Preservation zones are established for providing the regime of reserves, national and arboreal parks, botanical parks, forest reserves (except for hunting), monuments of nature; such an activity which has a dangerous influence on providing their regime is prohibited in these zones.

The borders of these zones are marked with special information signs in the locality.

The order of use of lands of natural protection importance, as well as, the order of establishment and use of the zones having special conditions of land use are determined by the

legislation of the Republic of Armenia. The plots situated within the borders of the natural protection zones are not taken back from their owners and users. Any kind of activity on the lands of natural protection importance, contradicting their special-purpose function, is prohibited.

Article 51. Lands of Sanitary Importance

Areas having favorable natural medicinal factors for organizing treatment and prophylaxis are classified to the category of the lands of sanitary importance.

The lands of sanitary importance are subject to special preservation. Sanitary preservation zones are established in all health resorts for preserving natural medicinal factors. Those plots on which the mentioned zones are determined, are not taken back from the owners or users. A corresponding order is established for their use.

Those citizens, enterprises, institutions, organizations the activity of which is incompatible with medicinal qualities of nature and provision of the favorable conditions for the population's rest are prohibited to be allotted plots within the borders of those zones, neither for use, nor as property. The enterprises, institutions, organizations, proceeded from the interests of which zones having special conditions of land use are established, are obliged to fasten special information signs within the borders of the zones.

Article 52. Lands of Resort and Sports Importance

The lands used and provided for organizing vacations, tourism and sport for population, are considered lands of resort and sports importance.

Those plots that are occupied by health resorts; holiday hotels; rest homes; tourist hostels; tourist-sanitary camps; fishing and hunting huts; children's tourist stations; educational-tourist paths, signaled ways, sports structures, camps and bases being out of the lands of sanitary importance; green buffers surrounding the towns and other populated areas are classified to the category of lands of resort and sports importance. Lands occupied with forests, forest parks and other green arboreal lands situated outside the towns and other populated areas and having protective and sanitary-hygienic functions, are considered rest places and entered into the green zone.

Any activity violating the special-purpose use the lands of resort and sports importance is prohibited.

The order of use and borders of the lands of resort and sports importance are determined by the legislation of the Republic of Armenia.

Article 53. Lands of Historic-Cultural Importance.

The lands of historic-cultural importance are the lands occupied by historic-cultural reserves and forest reserves, monument parks and monument complexes, cemeteries, archaeological and architectural monuments, architectural-landscape complexes.

Taking back, these lands for needs that have nothing to do with their expedient importance or realizing any activity on them contradicting their special purpose importance is prohibited.

the order of use of the mentioned lands is determined by the legislation of the Republic of Armenia.

Chapter 10. Lands of Forest

Stock

Article 54. Lands of Forest Stock.

Lands of forest stock are wooded (lands covered by woods), as well as not wooded (lands, not covered by woods) but allotted for the needs of forest economy.

Agricultural and other land lots not used temporarily for the forest economy and the forest industry needs, can be allotted by the enterprises of forest economy for use in agricultural purposes if it does not contradict the special-purpose importance of the given land lots.

The order of use of forest stock lands is determined by the legislation of the Republic of Armenia.

Chapter 11. Lands of Water

Supply

The lands of water supply are the lands occupied with water pools, ice-fields, sloughs, hydro-technical water-based economic structures, as well as, those lands that are separated for channels and collectors, and lands that make the transferring land zones round the water pools.

The order of use of lands of water supply is established by the legislation of the Republic of Armenia.

Chapter 12. Lands of Reserve

Stock

Article 56. Lands of Reserve Stock

Lands of reserve stock are all those lands owned by the state that have not been allotted as property or for use. Those lands, the ownership and right of use of which has been terminated according to the 21st and 22nd article of this code are, classified to the category of lands of Reserve Stock, as well.

Lands of reserve stock are under the disposal of the corresponding Councils of People's Deputy and are provided as property and for allotting for use.

Part III. Compensation for Damages of Land Owners, Land Users and Agricultural and Forest Economic Production Losses.

Article 57. Compensation for Damages Caused Because of Taking Back Plots or Occupying Them Temporarily, as Well as, Limiting Rights of Land Owners and Land Users.

Damages (including missed profits) caused because of taking back or occupying temporarily the plots, as well as, limiting the rights of landowners and land users or deterioration of the land quality by the activity of the enterprises, institutions, organizations and citizens, are subject to a full compensation to the landowners and land users who suffered those losses.

According to the order established by the legislation of the Republic of Armenia, damages are compensated by those enterprises, institutions and organizations that have been allotted the taken plots, as well as, those enterprises, institutions and organizations, the activity of which has brought to the limitation of the right of the landowners and land users or deterioration of the lands.

In case of taking back the plot for government or public needs, the former land owner has the right to get a full compensation.

Disputes related to the compensation of damages and determination of their extent are (to be) solved by court.

In case of discovering items of historical-cultural significance on the plot, if the landowner or land user immediately informs the corresponding bodies and it becomes necessary to take back the given land lot or one part of it or occupy it temporarily, then the landowner or land user, beside the full compensation for the damages are given an additional compensation according to the order established by the legislation.

Article 58. Compensation for Losses of Agricultural and Forest Economic Production.

Those losses of agricultural and forest economic production that are connected with taking back the agricultural lands and wooded lands of forest economy for use with the purposes that are not connected with operating the agriculture and forest economy; limiting the rights of the owners and land users or deterioration of land quality because of the activity of the enterprises, institutions and organizations, are subject to compensation to the corresponding Councils of People's Deputy. These damages are to be compensated regardless the compensation of damages as established by article 57 of this code.

The mentioned losses are compensated by those enterprises, institutions and organizations around the objects of which

maintenance, sanitary and preservation zones are established taking out of the circulation or deteriorating the agricultural and forest lands.

The enterprises, institutions, organizations as well as, citizens compensate for the agricultural and forest economic production losses if there has taken place deterioration of land qualities of other owners and land users because of their activity.

The determination order and extent of the losses subject to compensation, as well as, the list of the enterprises, institutions and organizations being exempted from their compensation, are established by the legislation of the Republic of Armenia.

The means (money) received from the compensation for losses are provided for reclamation of new lands, with the purpose of increasing the fruitfulness of lands and effectivity of forest stock's lands.

Part IV. Maintenance of Lands

The maintenance of lands includes a complex of economic, organizational, legal and other measures that are aimed to their special-purpose and effective use preventing the taking back of the lands from the circulation in an unjustified way, their preservation from the dangerous influence caused by human activities, as well as, rehabilitation and increase of the fruitfulness of the lands.

Article 60. Order and Content of Land Maintenance

Land-owners and land-users realize

- rational organization of the location (territory);
- rehabilitation, improvement and effective use of fruitfulness and other useful qualities of land;
- preservation of lands from water and wind sediments floods, waterloggings, double salt formings, hardenings, pollution with industrial waste, chemical and radio-active substances, other influences deteriorating the condition of land;
- preservation from covering the agricultural lands with shrubs, other influences deteriorating the cultural-technical condition of lands;
- rehabilitation of violated lands, their fruitfulness and useful qualities of land and including them into the economic circulation in time;
- taking off the productive stratum of the land, its maintenance and use before realizing the works related to the violation of the lands.

The government bodies take necessary measures regarding the maintenance of lands within the plans of the Republic.

Land maintenance works done according to the republican and territorial plans are realized at expenses of the state budget.

The cultural-technical and other works of the improvement of the plots of land-owners and land-users regarding the increase in fruitfulness of land, are realized at their own expenses. The order of land maintenance is established by the legislation of the Republic of Armenia.

Article 61. Ecological Requirements to Location, Projecting, Construction and Operation of Objects, Buildings and Structures Influencing the Condition of Lands.

While locating the new and reconstructing objects, buildings, structures, as well as, inserting new technologies influencing negatively on the condition of lands, land maintenance measures must be provided and realized.

Exploitation of objects and application of technologies, that are not provided with the means preserving lands from decay and violation, are prohibited.

The allocation of the objects influencing on the condition of lands must be conformed with the land development, natural protection and other bodies of the Republic according to the order established by the legislation of the Republic of Armenia.

Article 62. Economic Stimulation of Effective Use and Maintenance of Lands.

The economic stimulation of effective use and maintenance of lands is directed to raise the personal interest of land owners and land-users for maintaining the fruitfulness of lands, preserving lands from the negative results of the production activity.

The economic stimulation of lands includes

- the allotment of means (money) from the republican and local budgets for the rehabilitation of lands violated through no fault of land-owners or land-users;

- the exemption from payment for the plots being in the condition of improvement or agricultural development during the commitment of works provided by the plan;

- giving credits on privileged conditions;

- partial compensation at the expense of the budget means for the reduction of income because of the temporary conservation of the lands violated not through the fault of the land-owners and land-users.

- encouragement of the citizens operating peasant's and peasant's collective farms, in case of land quality improvement, raise of land fruitfulness and production of ecologically clear output.

The order of realization of the measures related to the economic stimulation of the effective use and maintenance of lands is established by the legislation of the Republic of Armenia.

Part V. Government Control of Land Use and Maintenance

Article 63. Goals of Government Control of Land Use and Maintenance

The goals of the government control of land use and maintenance are to provide the commitment of land legislation requirements by all citizens, institutions, enterprises and organizations with the purpose of effective and special-purpose use and maintenance of lands.

Article 64. Bodies Realizing Government Control of Land Use and Maintenance

The government control of land use and maintenance is realized by the corresponding Councils of People's Deputy and Services of Land Development and Natural Maintenance of the Republic of Armenia. The order of realization of the government control of land use and maintenance is established by the Council of Ministers of the Republic of Armenia.

Article 65. Systematized Observation of Condition of Land (Monitoring).

Monitoring of lands is the observation system of the land stock's condition for revealing the changes of that condition in time, valuating them, preventing the results of negative phenomena and liquidating them.

The structure, content and order of realization of land monitoring are established by the Council of Ministers of the Republic of Armenia.

Part VI. State Land Cadaster.

Article 66. State Land Cadaster.

The state land cadaster is anticipated for providing the Councils of People's Deputy, interested enterprises, institutions, organizations and citizens with informations about land with the purpose of organizing effective use and maintenance of land regulation of land relations, land development, reasons of the rates of land rent, valuation of economic activities and realization of other activities related to use of land.

Article 67. Content of State Land Cadaster and its Operating Order.

The state land cadaster is the system of the necessary documents and information about the legal regime of lands, allocation of lands according to the land-owners, land-users and categories, as well as, about their qualification and national-economic valuation.

The operating of the state land cadaster is provided with carrying out of topographical-geodetical, land developing,

land agro-chemical, geological-botanical and other investigations and research; registration of land-owners and land-users, land records and valuation.

The state land cadaster is being operated by the State Land-Development Bodies by a common system, at the expenses of budget means.

The operation order of the state land cadaster is established by the Council of Ministers of the Republic of Armenia.

Part VII. Land Development

Article 68. Content and Importance of Land Development

Land development is a system of state measures that is directed to enforcement of land legislation, decisions made by the Councils of People's Deputy Under land legislation concerning organization of land use and maintenance; creation of favorable ecological environment and improvement of the natural landscape.

Land development anticipates:

1. development of Republic and regional plans; schemes of use and maintenance of land resources and land development projects;
2. determination and fastening of administrative-territorial formation borders in the locality;
3. making proposals of formation of new land use and regulation of the ones already existing resolving the inconsistencies of location of land lots, separating the land lots and their assignment in the location; preparation of the documents confirming the rights of land use and land ownership;
4. working out other projects of land development and rational use and maintenance of lands;
5. formation of work projects of new land development, preservation of lands from pollution and salt formation, improvement of agricultural lands, rehabilitation of violated lands;
6. substantiation of the allocation of the territories having a special natural protection, resort and reserve status, determination of borders and their establishment;
7. clarification and fixing of the borders of urban, settlement, rural populated areas;
8. organizing topographical-geodetical, cartographical, agro-chemical, geological-botanical and other investigations and research.

Article 69. Organizing Land Development

Land development is realized by the state Land Development bodies at the expense of budget means.

The preparation of land development projects related to the regulation of the location, radical improvement of the plots and their preservation from collapsing, salting is realized on

the initiative of the land-owners and land-users and at their expenses.

Part VIII. Solving Land

Disputes

Article 70. Bodies Having Right of Solving Land Disputes
Land disputed are solved by the Local Councils of People's Deputy, Court or State arbitration.

Land disputed of enterprises, institutions, organizations and citizens are solved by those Councils of People's Deputy at the disposal of which is the plot.

In case of disagreement with the decision of the Council of People's Deputy, the land disputes are considered by the court.

Inventory disputes related to the land relations are solved by the court or state arbitration according to their competence. Land disputes related to the land allotment, taking back and termination of the right of land property and land use are solved by the court and state arbitration.

Article 71. Solving of Disputes Between Republic of Armenia and Other States Related to Land Allotment and Land Use.

The disputes arisen between the Republic of Armenia and other states regarding the questions of land allotment and land use are debated by the order of mediation debates or other order established by the law.

Article 72. Solving of Disputes of the Republic of Armenia Citizens and Juridical Persons of Arisen in the Territory of Other States Regarding Land Use and Land Property.

The disputes regarding land use by the RA, juridical persons and citizens and their land ownership on the territory of other states are debated by the commission formed from the representatives of the interested states on a parity basis, based on the legislation of the corresponding state and interstate agreement.

If the commission does not come to a coordinated decision, the disputes are solved by the order of mediation debate.

Article 73. Competence of Local Councils of People's Deputy in Solving Land Disputes.

To the competence of the Land Councils of People's Deputy is related the solution of land disputes of those citizens, enterprises, institutions, organizations whose lands are at the disposal of the corresponding Councils.

Article 74. Procedure for Disputes' Consideration by Local Councils of People's Deputy.

Land disputes are considered by the local Council of People's Deputy based on the application of one of the parties during one month from the day of receiving the application.

The materials regarding the solution of land disputes are prepared by the Deputy commissions of the corresponding Councils of People's Deputy, coordinated with the land development bodies.

The Council of People's Deputy makes a decision connected with the consideration of land disputes, where can be provided the implementation order of the decision and measurements regarding the rehabilitation of the infringed rights of land-owners or land-users.

Article 75. Rights and Obligations Parties Taking Part in Land Disputes.

The parties taking part in the land disputes, have the following rights: to get acquainted with the materials regarding the solution of land disputes; to make extracts from them; to take part in the session of the Local Council of People's Deputy while debating the land dispute; to present documents and other evidence; to arouse mediations; to give written and oral explanations; to make objections to arguments and considerations, to get the copy of the decision of the Local Council of People's Deputy on the land dispute; within 10 days from the moment of getting the copy of the decision regarding the land disputes, the decision of the city, settlement, village Council of People's Deputy to the Regional Council of People's Deputy and the decision of the Regional, City Council (cities dependent on the Republic) of People's Deputy to the Council of Ministers of the Republic of Armenia.

Article 76. Implementation (enforcement) of Decisions on Land Disputes.

The decisions on the land disputes are enforced by the Land Development bodies, if no other body (organ) is mentioned in the decisions.

The appeal of the decision of the Council of People's Deputy regarding the land dispute stops the enforcement of that decision.

Part IX. Responsibility for Violating Land Legislation

Article 77. Responsibility for Violating Land Legislation.

Those persons who are guilty in occupying plots without permission, spoiling agricultural and other lands, polluting them with chemical, radio-active substances and industrial waste and debris, in not fulfilling the requirements of the natural maintenance regime of land use in not returning the land occupied temporarily or in not fulfilling the duties of bringing the lands to the condition of special-purpose use, in

destroying the land boundary marks, in distorting the data of the registration of lands, record and valuation and in violation of the replacement of the objects influencing negatively on the condition of lands, their constructing, designing and maintenance, as well as, in other violation, bear civil, administrative or criminal responsibility according to the legislation of the Republic of Armenia. The enterprises, institutions, organizations and citizens are obliged to compensate for the damages caused because of the land legislation infringements done by them. The plots occupied without permission are returned according to the belonging, without compensating for the expenses that have been done during the illegal use. Bringing the plots to the condition for proper use, including the demolition of buildings, are done by the citizens, enterprises, institutions and organizations having occupied the plot without permission or at their own expenses.

Part X. International Contract
(Agreements or Conventions)

Article 78. International Contract (Agreements or Conventions).

If rules other than this Code contains, are established by the international contracts of the Republic of Armenia, then the rules of the international contracts are applied.

President of Supreme Council
of the Republic of Armenia
Ter-Petrosian

L.

Secretary of Supreme Council
of the Republic of Armenia
Sahakian

A.

29 th of January, 1991.

Decision of the Supreme Council of the Republic of Armenia
On Implementation of the Land Code
of the Republic of Armenia

The Supreme Council of the Republic of Armenia Decides:

1. To implement the land code of the Republic of Armenia from the 15th of March, 1991.
2. Before coordinating the legislation of the Republic of Armenia to the Land Code of the Republic of Armenia, the acting deeds of the legislation of the Republic of Armenia

are being applied so far as they do not contradict the code.

3. The Land Code of the Republic of Armenia is applied to the legal relations that will be generated after the implementation of the Code, that is from the 15th of March, 1991.
4. Regarding the land relations governed by law (legal relations) having been generated before the 15th of March, 1991, the Land Code of the Republic of Armenia is applied to the rights and responsibilities that will be generated after the implementation of the Code.
5. To establish that the decisions on land allotment that have been adopted before the 15th of March, 1991 by corresponding bodies, within their jurisdiction, but have not been executed till the moment of the implementation of the Land Code of the Republic of Armenia, are subject to execution according to the demands of the Code.
6. To authorize the Council of Ministers of the Republic of Armenia, by the 15th of March, 1991.
 - to present suggestions to the Supreme Council of the Republic of Armenia about making changes and additional proceeding from the Land Code of the Republic of Armenia in the acting legislative deeds of the Republic of Armenia;
 - to coordinate the decisions of the Council of Ministers of the Republic of Armenia to the Land Code of the Republic of Armenia;
 - to provide with revision and liquidation of the normative deeds contradicting the Land Code of the Republic of Armenia by the ministries, state committees and departments of the Republic of Armenia;
 - to fulfill the complex of measures directed to the realization of the Land Code of the Land Code of the Republic of Armenia, including the establishment of land payment principles, main provisions of land utilization, operation order of systematized observation of lands and land cadaster system; creation of such new state bodies that could provide with operation of systematized observation of lands, land state control of land utilization and maintenance.
7. To consider the Land Code of the Republic of Armenia established by RA law of the 18th of December, 1970, with all its changes and additions, invalid from the 15th of March, 1991.
8. To authorize the RA Parliamentary Permanent Commissions on Agrarian and Rural Development Issues, Nature Protection and Natural Resources' and Legal Issues to provide the control of the realization process of the measure anticipated by the present decision and, in case of necessity, to make suitable suggestions to the Supreme Council of the Republic of Armenia.

Chairman of the Supreme Council
of the Republic of Armenia
Petrosian.

Levon Ter-

Secretary of the Supreme Council
of the Republic of Armenia
Sahakian.

A.

4th of February, 1991. Yerevan.

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