

THE COUNCIL OF MINISTERS  
OF THE REPUBLIC OF ARMENIA

DECISION

About the Order of Creation and Consideration of Land  
Allotment Mediations

/March 5, 1991, #166

Yerevan/

The Council of Ministers of the Republic of Armenia decides:

1. To confirm the regulation about the order of creation and consideration of land allotment mediations /attached/.
2. To consider abolished decision # 715 of the Council of Ministers of Armenian SSR, December 13, 1974, "About Confirmation of Regulation of Land Allotment Mediation Creation and Discussion order".

Prime Minister of  
the Republic of Armenia

V. Manukian

Deputy secretary  
of the Council of Ministers  
of the Republic of Armenia

H. Hakobian

Confirmed by the decision  
of the Council of Ministers  
of Republic of Armenia  
March 5, 1991, decision # 166

### Regulation

#### About the Order of Creation and Consideration of Land Allotment Mediations

#### General provisions

1. The following regulation determines the order of condemnation and allotment of all kinds of land plots, independently of the fact of who uses or owns them.
2. It is prohibited for Ministries, departments, organizations, planning agencies or other institutions to make surveys or projects on land plots belonging to agricultural organizations, institutions, forestry, private owners or land users, without the decision of the Council of Ministers of Republic of Armenia.
3. In the case of condemnation or temporary use of land for state or public needs land users or land owners must be compensated for their usage. Compensation must be paid for damages caused to land, houses, cultural social objects, industrial and other buildings, for their transportation to new places, for the price of fruit and other perennial trees and the price of any unfinished activity (ploughing, fertilizing, sowing, etc.), for the price of agricultural harvest and other expenses of land user and land owners, which concern land condemnation and allotment.

Land plots allotted to citizens, farmers and collective farms of the Republic of Armenia can be alienated when new land plots are allotted to citizens, farmers and collective farms, by their agreement.

Organizations and institutions must compensate a citizen, a farmer or a collective farm by building new houses, industrial and other objects on the new plot, if such objects have existed on the former plot, and by paying other expenses.

4. On the land plots of farmers or collective farms agricultural production objects can be built only when authorized by the local (regional or city) councils. The list of settlements where the building of agricultural production objects is allowed only for personal plots is made by the Council of Ministers of the Republic of Armenia.
5. Citizens, farmers and collective farms, institutions and organizations can begin using their plots after the determination of the boundaries of these plots and upon receipt of documents authorizing their right to the plots. Citizens, farmers and collective farms can buy and sell their plots according to the order, determined by the Law "About Farmers and Collective Farms".

#### The Order of Condemnation and Allotment of Plots

6. To alienate or allot plots for building objects of state importance the local land agency creates a registration record . A preliminary survey (land estimation and registration of plans) is made to determine the location of objects, for the registration document. The registration document is made for building the object in its entirety.
7. In the case of allotment of an extra plot for the existing structure, during the preparation of registration document a thorough survey of the preliminary allotted plot is made and the method of its use is examined.

8. The allotment of plots for non-agricultural uses is made gradually, according to their development and, as a rule, after the collection of the harvest.
9. If the plot is allotted for minerals extraction by the open method or for a kind of building which spoils the fertile layer of land, then the organizations and institutions allotting land plots must extract and save this layer in order to use it later for the recultivation of the land.

### The Order of Creation and Consideration of Land Allotment Mediations

10. Citizens, farmers and collective farms of the Republic of Armenia, institutions, public and religious organizations must produce a request for a plot allotment to the local deputy council executive committee, indicating the location of the plot, allotment purpose and the size of the needed plot.
11. The executive committee of the local deputy council considers the request within 10 days and makes a registration document for the plot through the land agency.
12. If the requested plot is owned by citizens, farmers or collective farms, during the preliminary consideration of allotment the requirements of the former owner must be satisfied, according to Article 3 of the following regulation.

Land disputes concerning allotment, condemnation, termination of rights for land owning and using are solved by the court.

13. In the preparation of documents for land allotment, a map of the region, project of the plot development, master plan of the settlement development, physical geography and survey materials, comparative land estimation materials,

seismologic, ecological and other materials necessarily must be considered.

14. Land plots are selected by two or more methods taking into consideration their economic and other advantages.
15. Local land reform and privatization committee activity results are registered by a deed, in which the areas of the registered plot with its land variations, its kadastral estimation, compensation price, characteristics, and the conclusion of the committee about its location expediency are described.
16. Land allotment for non-agricultural uses is made in two phases-preliminary and final.
  - a. The purpose of preliminary allotment is to make the plan of the object location, considering the size of the necessary plot.
  - b. The purpose of final allotment is to make the final allotment of the plot, boundaries of which were defined by the plan.
17. The documents of land allotment (preliminary and final) are presented to the Agricultural Ministry of the Republic of Armenia by the executive committee of the local deputy council.
18. For preliminary allotment the following documents are necessary:
  - a. Request of the higher body of the mediator organization or institution for land allotment.
  - b. Joint deed of local and regional committees, which select plots.
  - c. Deed about estimation of the plot.
  - d. Conclusion of the local deputy council.
  - e. Map of the allotted plot landscape, where the boundaries and area of the requested plot and its cadastral estimation indices are indicated.

f. Agreement of the land owner or user for the allotment of the plot.

g. Agreement of the higher organization of the former user.

19. The Agricultural Ministry considers the preliminary allotment documents and presents its conclusion together with the drafts of its decisions and documents to the Council of Ministers of the Republic of Armenia, to be considered.

If within 2 years after the decision about building of the object is made, the materials about final allotment are not presented to the Council of Ministers in the established order, the land user loses his/her right of land use.

20. For final allotment the following documents are necessary:

a. Development plan of the allotted plot with its land variations.

b. Final deed of land estimation.

c. Title-page of building.

d. Decision of the Agricultural Ministry of the Republic of Armenia together with the draft of the decision.

These documents are presented for discussion to the Council of Ministers of the Republic of Armenia and it in turn makes a decision about land allotment for construction of the object.

Only after a State deed of right for land use is given to organizations and institutions, they have established the right to begin construction.

After a decision about land allotment the new land user must compensate the damages caused to the former user within 3 months, according to the estimation deed.

21. In the case of minerals extraction by the open, method a conclusion of appropriate bodies about natural reserves is necessary for land allotment.
22. In the case of allotment of plots which have preservation importance (preserves, national parks, botanical gardens, natural monuments), substantiation of special conditions of the requested area is necessary, except the documents described in Articles 18 and 20 of the following regulation.
23. Allotment of plots of recreational areas (rest homes, holiday hotels, health resorts, tourist centers, health camps, children tourist centers, parks around cities and settlements, green zones, and sport camps, which are not included in plots of health importance) is made according to Articles 18 and 20 of the following regulation.
24. In the case of the allotment of plots which have historical-cultural importance (historical-cultural preserves, memorial parks, historical and architectural monuments, architectural-landscape complexes), substantiation of special conditions of the requested area is necessary, except the documents, described in Articles 18 and 20 of the following regulation.
25. Allotment of plots included in forest, water reserves, transportation communication and other non-agricultural land is made accordingly to Articles 18 and 20 of the following regulation.
26. Accommodation of objects which negatively influence the land and environment is made by a state committee constituted by the Council of Ministers of the Republic of Armenia, which includes representatives of the central, branch, regional, and local committees of land reform and privatization, the architectural and urban development state committee, the central agency of historical and cultural

monuments preservation and use, the State committee of nature and land development service and other interested organizations. Land allotment for the mentioned purposes is made according to Articles 18 and 20 of the following regulation.

27. If land plots, allotted for non-agricultural uses to organizations and institutions are not used in their designed purposes within 2 years, they are alienated by the established order and remain under the authority of the local council.

28. Personal plots are allotted to citizens with the right to own them from the reserve supply in the following order: the local (village, settlement) deputy council creates mediation with the regional deputy council, which creates a registration document within 10 days and after making its decision sends it to the Agricultural Ministry of the Republic of Armenia, attaching the following documents:

- a. Mediation of the local (village, settlement) deputy council.
- b. Map of allotted plot, with the description of land variations.
- c. Conclusion of chief engineer-land surveyor.
- d. Decision of the regional deputy council.

The Agricultural Ministry of the Republic of Armenia considers the matter and presents its conclusion together with the draft decision to the Council of Ministers of the Republic of Armenia for determination within 10 days.

The Council of Ministers of the Republic of Armenia considers the matter and makes a decision regarding the allotment of the personal plot.

29. Plots are allotted to farmers and collective farms as private property with partial compensation, which can be paid by a one-time payment.

Allotment is made according to the decision of the Council of Ministers of the Republic of Armenia, taking into consideration the decision of the village, settlement, region or deputy council, within its authority.

The following documents must be included with the registration documents:

- a. Request of a farmer or a collective farm to the local deputy council, in which the purpose of the plot allotment is indicated.
- b. Conclusion of the appropriate committee of land reform and privatization and its decision about plot allotment to farmers or collective farms (for 2 years).
- c. Plan of plot development, where land variations are indicated.

After the decision of the Council of Ministers of the Republic of Armenia the plot boundaries are physically marked and a State deed about land use is given.

The Order of Allotment of State Reserve  
of Summer and Winter Pastures for Live-Stock Farming

30. Summer and winter pastures, independent of in which administrative region they are located, are leased for live-stock farming to farmers, collectives, agricultural organizations, institutions and citizens by the decision of the Council of Ministers of the Republic of Armenia for 1 year. Rent is paid to the accounts of the executive committees of the local deputy councils and is used for cultural- technical purposes.

31. Agricultural organizations, institutions, farmers, collective farms and citizens who need summer and winter pastures for live-stock farming present their requests to the Agricultural Ministry of the republic, indicating the location of the plot, as well as quantity and kind of live-stock.
32. The Agricultural Ministry considers the matter and presents its conclusion together with the draft decision to the Council of Ministers of the Republic of Armenia.
33. To the document of the Agricultural Ministry of the Republic of Armenia presented to the Council of Ministers of the Republic of Armenia the following documents must be attached:
  - a. Requests of agricultural organizations, institutions, collectives and citizens about plot allotment.
  - b. A resume about the quantity and kind of live-stock of the organizations, institutions, collectives or citizens.
  - c. Conclusion of the Agricultural Ministry of the Republic of Armenia and the decision project about plot allotment.
  - d. A resume about rental payment amount.
  - e. The map of the allotted plot.

The Order of Allotment of Plots for Horticulture (cottages)  
to Citizens and Collectives

34. Upon the request of citizens and collectives, plots for horticulture (cottages) are allotted by decision of regional deputy councils, according to the plan made and established for that region by the Council of Ministers. For the above-mentioned use plots can be allotted according to Articles 18 and 20 of the following regulation.

Land allotment to collectives is fulfilled by the appropriate organizations and institutions.

35. For the effective use of horticultural plots (cottages), which are established by the plan, the local deputy councils must allot the plots gradually, by land-masses, after allotting one land-mass entirely.

36. For collective horticulture (cottages) the development plans and estimation documents are prepared and confirmed by the executive committees of local councils and presented to citizens and collectives after they pay the cost of the plan to the accounts of the council.

Physical Setting of the Boundaries of Plots  
and Making Changes if Land Documents

37. After the decision of the Council of Ministers of the Republic of Armenia about plot allotment, the boundaries of the allotted plot are physically marked by the Republic land-survey agencies, in the presence of the regional chief engineer-land surveyor, the representative of the organization or institution, which takes the plot, the citizen who takes the plot as private property, and the representative of the former land owner or user.

38. During the physical setting of the boundaries the external boundaries of the plot are marked by special marks. After indication of the boundaries a deed is made. The plan of the plot is attached to the deed, and the boundaries and their sizes are applied to the plan. The deed together with the survey materials is attached to the registration document.

39. In connection with plot allotment, based on the changes in the form of uses of land owners and land users, the land agency changes the state deed about right of land owners and land users, the plan of the plot, the regional map and other land documents. The regional or city chief architect changes the master plan of the city, settlement, village development.

40. Based on the materials of land allotment the land agency prepares and the executive committee of the local deputy council presents the state deed about right to own or to use the plot to the organization, institution, collective or citizen.