

THE LAW OF THE REPUBLIC OF ARMENIA

Adopted on 5 February 2009

ON MAKING AMENDMENTS AND ADDENDA IN THE PROCEDURAL CODE OF THE REPUBLIC OF ARMENIA

Article 1. In Article 3 of the Procedural Code of the Republic of Armenia as of 21 February 2007 (hereinafter the Code),

- 1) replace the word “courts” with the word “court” in Paragraph 2 of Part 3;
- 2) write down Part 4 with the following changes:
“4. The administrative court is a specialized court”.

Article 2. Remove the words “civic, criminal, and,” from Part 1 Article 22 of the Code; replace the words “of the courts” with the words “of the court.”

Article 3. Write down Parts 1 and 2 Article 24 of the Code with the following changes:

“1. The following courts of first instance function in Yerevan:

- 1) Erebuni and Nubarashen district court of first instance composed of the chairman and 7 judges of the court;
- 2) Kentron and Nork-Marash district court of first instance composed of the chairman and 13 judges of the court;
- 3) Ajapnyak and Davtashen district court of first instance composed of the chairman and 5 judges of the court;
- 4) Avan and Nor Nork district court of first instance composed of the chairman and 9 judges of the court;
- 5) Arabkir and Kanaker-Zeytun district court of first instance composed of the chairman and 9 judges of the court;
- 6) Shengavit district court of first instance composed of the chairman and 6 judges of the court;
- 7) Malatia-Sebastia district court of first instance composed of the chairman and 6 judges of the court.

2. The following courts of first instance function in marzes:

- 1) Kotayk marz court of first instance composed of the chairman and 9 judges of the court;
- 2) Ararat and Vayots Dzor marz court of first instance composed of the chairman and 10 judges of the court;
- 3) Armavir marz court of first instance composed of the chairman and 7 judges of the court;
- 4) Aragatzotn marz court of first instance composed of the chairman and 5 judges of the court;
- 5) Shirak marz court of first instance composed of the chairman and 12 judges of the court;
- 6) Lori marz court of first instance composed of the chairman and 12 judges of the court;
- 7) Tavush marz court of first instance composed of the chairman and 5 judges of the court;
- 8) Gegharkunik marz court of first instance composed of the chairman and 8 judges of the court;
- 9) Syunik marz court of first instance composed of the chairman and 8 judges of the court.”

Article 4. Consider Chapter 4 of the Code invalid.

Article 5. Consider Chapter 5 of the Code invalid.

Article 6. In Article 36 of the Code,

- 1) in Part 1, add the words “one month later” after the words “from the moment.”

Article 7. Replace the number “15” with the number “19” in Part 1 of Article 37 of the Code.

Article 8. Remove the words “, civic and criminal” from Part 1 of Article 39 of the Code.

Article 9. In Article 40 of the Code, add the words “one month later” after the words “from the moment.”

Article 10. Consider Article 55 of the Code invalid.

Article 11. Write down Part 6 of Article 63 of the Code with the following changes:

“6. In the event the defendant, during criminal proceedings, violates the regulations of the trial, creates obstacles for the natural flow of the trial or does not obey the instructions of the chairman, the court applies a warning. In the meantime, the chairman explains to the defendant that in case the latter violates the regulations of the trial, creates obstacles for the natural flow of the trial or does not obey the instructions of the chairman yet another time, he/she can be removed from the court room. Causing obstacles for the natural flow of the judicial proceeding or disobedience to the instructions of the chairman by the defendant yet another time during the same hearing provide grounds for application of the sanction envisaged in Paragraph 2 Part 1 of this Article, in case of which, the hearing of the case is continued in absence of the defendant, however the verdict is announced in presence of the defendant.

In the event of demonstration of disrespectful attitude toward the court, the court applies the sanction envisaged in Paragraph 2 Part 1 of this Article to the defendant without a warning, and the hearing of the case is continued in absence of the defendant, however the verdict is announced in presence of the defendant, or the verdict is handed to the defendant immediately after the announcement.

According to the regulations established by this Part, the defendant is removed from the court room for the period up to 10 days.”

Article 12. In Paragraph 1 Part 2 of Article 75 of the Code, remove the words “criminal, civic and... of first instance”; replace the words “of the courts” with the words “of the court.”

Article 13. In Part 1 of Article 99 of the Code,

- 1) replace the word “one” with the word “two” in Paragraph 1;
- 2) replace the word “one” with the word “two” in Paragraph 2;
- 3) Consider Paragraph 3 invalid;
- 4) Consider Paragraph 4 invalid.

Article 14. Remove the words “or the 9-th” from Part 1 Article 118 of the Code; replace the words “by Paragraphs 9” with the word “Paragraph.”

Article 15. In Article 129 of the Code,

- 1) Remove the word “other” from Paragraph 3 Part 1;
- 2) Consider Paragraph 2 of Part 4 invalid.

Article 16. Remove the words “the chairman of another specialized court of first instance” from Article 132 of the Code.

Article 17. In Part 2 Article 193, replace the words “of the specialized courts” with the words “of the specialized court.”

Article 18. Transitory provisions

1. This law takes effect from 1 March 2009.
2. The functioning member judges of the Justice Council continue holding their positions until the end of the terms of their authority.
3. If, by the time this law takes effect, the sanction envisaged by Paragraph 2 Part 1 Article 63 of this Code is applied, the term of adjournment for the detained persons is counted in the term of the punishment.

11 February 2009 Yerevan
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