

# **BY – LAWS**

## **Of the "Republic of Armenia Government Staff" Public Administration Institution**

### ***1. General Provisions***

1. The "Republic of Armenia Government Staff" Public Administration Institution (hereinafter, "the Staff") ensures the fully-fledged and efficient performance of the functions vested in the Republic of Armenia Government, as well as the sound operation of the Republic of Armenia Government and its engagement in civil law affairs.

The Staff is headed by the Chief of Staff of the Republic of Armenia Government (hereinafter, "the Chief of Staff").

2. The Staff carries out its activities in accordance with the RoA Constitution, the RoA legislation, and these By-Laws.

3. The By-Laws and Structure of the Staff are approved by the Republic of Armenia Government, the number of Staff-by the Republic of Armenia Prime Minister, and the Staff employment lists-by the Chief of Staff.

4. The Staff shall be managed by the Republic of Armenia Government, the Republic of Armenia Prime Minister, and the Chief of Staff within the scope of the powers vested in them by the Republic of Armenia Constitution, laws, Republic of Armenia Government decrees, and these By-Laws.

5. The Staff shall have a round seal bearing the coat of arms of the Republic of Armenia and its name in Armenian, as well as blanks, a symbol, and other identification means.

6. The Staff system comprises the structure of the Staff (structural units, i.e. secretariats, departments, and divisions) and public non-for-profit organizations and institutions placed under its authority.

7. The Staff is an organization that does not have legal personality, which shall be subject to registration by the entity conducting the registration of legal entities in accordance with a procedure prescribed by the Republic of Armenia legislation.

8. The Staff may, within the boundaries of its authority, purchase and exercise proprietary and personal non-proprietary rights on behalf of the Republic of Armenia, bear responsibilities, and act as a plaintiff or respondent in court.

9. The Staff shall have its autonomous balance sheet.

10. The Staff may not perform for-profit activities. The Staff may enter into transactions to purchase goods, services, and works for the Republic of Armenia, or sell, goods, perform work, and render services on behalf of the Republic of Armenia, the compensation for which shall be credited to the respective sub-accounts of the Consolidated Treasury Account of the Republic of Armenia. Stamp duties may be

charged in return for operations performed and services rendered by the Staff, in the amount and procedure prescribed by law.

11. The Staff shall perform its financial operations by means of the treasury system. Procurement for the needs of the Staff shall be carried out in accordance with the procedure prescribed in the Republic of Armenia Law on Procurement.

12. The Republic of Armenia shall bear liability for the obligations of the Staff.

13. The Staff shall be located in the City of Yerevan, at 1 Government House, Republic Square.

## ***2. Key Objectives and Functions of the Staff***

14. The key objectives of the Staff are:

- a) To prepare, in accordance with the established procedure, draft laws submitted to the Republic of Armenia Government, draft normative decisions of the Republic of Armenia National Assembly, draft Decrees and Orders of the Republic of Armenia President, and draft decrees of the Republic of Armenia Government and the Republic of Armenia Prime Minister for discussion in the Republic of Armenia Government;
- b) To ensure the drafting and development of the Republic of Armenia Government Program of Activities, and to oversee the execution of annual programs of activities;
- c) To conduct regular analyses of the state of affairs in the economy or the respective legal or public administration spheres, to discover the urgent issues, and to initiate the elaboration of recommendations; and
- d) To oversee the execution of decrees and assignments issued by the Republic of Armenia Government and Prime Minister to ministries and other central and local authorities of the Republic of Armenia.

15. In line with its key objectives, the Staff shall perform the following functions:

- a) Drafting the Republic of Armenia Government Program of Activities in accordance with the regulations on the activities of the Republic of Armenia Government;
- b) Preparing and submitting to the Republic of Armenia Government, within 10 days after the end of each quarter, a report on the issues discussed during the preceding quarter; within a month after the end of each year, submitting a report on the progress of executing the respective Annual Program of Activities of the Republic of Armenia Government;
- c) Preparing issues submitted to the Republic of Armenia Government for discussion;
- d) Holding a preliminary preparatory discussion on the issues submitted before a session of the Republic of Armenia Government, during pre-sessions conducted by the Chief of Staff and/or in structural units of the Staff ahead of every session of the Republic of Armenia Government;
- e) Issuing opinions and producing analyses and informational materials and recommendations on the issues to be discussed in the Republic of Armenia Government;
- f) Examining documents submitted to the Republic of Armenia Government and the Republic of Armenia Prime Minister 15 days in advance and, if necessary, requesting from the party raising the issue additional documents, materials, justification, and summoning either the central government authority that is in charge of or holds a stake in the issue in question, or representatives of the Republic of Armenia President's Staff

or other officials;

- g) Submitting to the Republic of Armenia President for his consent draft Decrees and Orders of the Republic of Armenia President, prior to their incorporation in the agenda of a forthcoming session of the Republic of Armenia Government;
- h) Ensuring a discussion of issues submitted to the Republic of Armenia Prime Minister for review, including draft decrees of the Republic of Armenia Prime Minister;
- i) Ensuring the whole preparatory work for sessions of the Republic of Armenia Government;
- j) Developing a timetable of sessions of the Republic of Armenia Government in line with the Program of Activities of the Republic of Armenia Government for the current year and the ongoing urgent issues;
- k) Organizing, within a two-day period, the delivery of assignments produced in a session of the Republic of Armenia Government, in the form of excerpts from the minutes of the session in question, to central executive authorities, their heads, and heads and officials of public and other entities;
- l) Within two days of receiving the endorsed decrees of the Republic of Armenia Government, organizing their delivery to the Republic of Armenia President, the Republic of Armenia National Assembly, the central executive authorities, regional administration, and other respective authorities in accordance with the prescribed procedure;
- m) Registering and enumerating decrees of the Republic of Armenia Government and the Republic of Armenia Prime Minister in separate registers, in accordance with the regulation on the activities of the Republic of Armenia Government as provided by a decree of the Republic of Armenia President;
- n) Organizing the reception of citizens in the Republic of Armenia Government and the discussion, analysis, and consolidation of their applications, complaints, and suggestions, and periodically reporting to the Republic of Armenia Prime Minister on the status of applications;
- o) Ensuring oversight of the execution of decisions and assignments of the Republic of Armenia Government and the Republic of Armenia Prime Minister; and
- p) Monitoring the execution of the Program of Activities of the Republic of Armenia Government.

### **3. Management of the Staff**

16. The Staff shall be managed by the Republic of Armenia Government, the Republic of Armenia Prime Minister, and the Chief of Staff, within the frameworks of the powers vested in them under the Republic of Armenia legislation and these By-Laws.

17. The Republic of Armenia Government may:

- a) Reorganize and terminate the activities of the Staff;
- b) Approve the By-Laws of the Staff and any amendment thereto; and
- c) Determine the composition and amount of property to be entrusted to the Staff.

18. The Republic of Armenia Prime Minister may:

- a) Lead the activities of the Staff;
- b) Submit proposals to the Republic of Armenia Government in accordance with the spheres of activities, goals, and objectives prescribed by laws, other legal acts, and these By-Laws;
- c) In accordance with a procedure prescribed by the Republic of Armenia legislation, appoint to and dismiss from positions of senior civil servants, and apply incentives and

disciplinary sanctions in relation to them;

d) Appoint and dismiss his advisors, press secretary, and assistants;

e) Within the framework of the authority vested in him under laws and these By-Laws, suspend or nullify such decrees, instructions, assignments, orders, and commands of the Chief of Staff, heads of detached units of Staff, and public non-for-profit organizations placed under the authority of the Staff, which contradict the provisions of the Republic of Armenia legislation;

f) Approve the annual reports on the activities of the Staff, including financial reports, accounting returns, and the annual balance sheet, examine the results of the audits of their activities, approve the preliminary estimate of annual Staff maintenance costs, the execution reports, and the findings of the financial credibility audits;

g) Monitor the maintenance and sale of public property assigned to the Staff;

h) Approve the number of Staff members; and

i) Perform other functions provided by laws, other legal acts, and these By-Laws.

19. The Chief of Staff may:

a) Head and organize the ongoing activities of the Staff;

b) Return draft laws and other legal acts of the Republic of Armenia, as well as underlying materials, which have been submitted to the Republic of Armenia Government or the Prime Minister, if such drafts or materials have been submitted in violation of the regulation on the activities of the Republic of Armenia Government approved under a decree of the Republic of Armenia President;

c) Report to the Republic of Armenia Prime Minister the receipt of documents from the Republic of Armenia President or the Republic of Armenia National Assembly within one day of such receipt, and the receipt of documents by the Staff concerning discussions of draft Republic of Armenia laws and legal acts submitted to the Republic of Armenia Government alongside with the necessary supporting documents and materials (one copy) and a cover letter of the submitting minister;

d) Submit to the Republic of Armenia Prime Minister for an inscription notes, letters, telegraphs, and other documents that do not require a decree of the Republic of Armenia Prime Minister to be taken, which have been received from the Republic of Armenia ministers, regional authorities, other public authorities and officials, and local self-government bodies;

e) At the instruction of the Republic of Armenia Prime Minister, forward assignments to the Republic of Armenia ministries and regional authorities on the submission of issues for discussion, which concern the fulfillment of the requirements of draft laws of the Republic of Armenia, draft decisions of the Republic of Armenia National Assembly, draft decrees and orders of the Republic of Armenia President, and draft decrees of the Republic of Armenia Government or the Republic of Armenia Prime Minister, or the solicitation of their opinions or conclusions concerning such drafts, and forward to the respective executive authorities assignments on the fulfillment of requirements of notes, letters, instructions, telegraphs, and other documents received by the Republic of Armenia Government;

f) Summon and conduct consultative meetings to facilitate the execution of decrees and assignments issued by the Republic of Armenia Government and the Republic of Armenia Prime Minister by means of mobilizing heads, specialists, and experts of line authorities and regional authorities,

g) Present to the Republic of Armenia President or the Republic of Armenia Prime Minister for inscription documents that have been submitted to the Republic of Armenia Government for discussion;

h) Prolong deadlines for the execution of assignments upon instructions of the Republic of Armenia Prime Minister;

- i) Take part in sessions of the Republic of Armenia Government;
- j) Define a list of the invitees to a session of the Republic of Armenia Government or to the discussion of an issue during the session, and ensure their attendance to the session, with the consent of the Republic of Armenia Prime Minister;
- k) Submit to the signature of the Republic of Armenia Prime Minister decisions of the Republic of Armenia Government and the Republic of Armenia Prime Minister;
- l) Sign appendices to the decisions of the Republic of Armenia Government and the Republic of Armenia Prime Minister;
- m) Ensure that minutes of the sessions of the Republic of Armenia Government be taken;
- n) Define a mailing list of entities that shall receive decisions of the Republic of Armenia Government and the Republic of Armenia Prime Minister;
- o) Oversee that the execution of decisions and instructions of the Republic of Armenia Government and the Republic of Armenia Prime Minister is ensured;
- p) Periodically review the progress of executing instructions flowing from decisions of the Republic of Armenia Government and the Republic of Armenia Prime Minister and take measures to address shortcomings;
- q) Approve the Staff employment list and submit to the Republic of Armenia Prime Minister for approval the number of Staff members;
- r) In accordance with the established procedure, appoint to positions within the Staff of the Republic of Armenia Government and dismiss from such positions senior, leading, and junior civil servants and individuals who are not covered by the list of civil service positions, and apply incentives and disciplinary sanctions in relation to them;
- s) Within the scope of his authority, issue orders and instructions, act on behalf of the Staff without a power-of-attorney, and issue powers-of-attorney authorizing to act on behalf of the Staff, including transferable ones;
- t) In accordance with the Republic of Armenia legislation and these By-Laws, define the powers of the structural units of the Staff;
- u) Determine the distribution of work between his deputies;
- v) Ensure the protection of public assets assigned to the Staff or transferred to the Staff for utilization;
- w) Submit to the Republic of Armenia Government for approval the By-Laws and Structure of the Staff;
- x) Create consultative bodies;
- y) Submit to the Republic of Armenia Prime Minister for approval annual reports on the activities of the Staff, including financial reports, accounting returns, and the annual balance sheet; and
- z) Perform other functions provided by laws, other legal acts, and these by-laws.

#### **4. Assets of the Staff**

20. The assets of the Staff shall be created in the manner provided by law, as property reported in the balance sheet of the Staff, which has been obtained by means of transactions entered into by the Staff acting on behalf of either the Republic of Armenia Government or the Republic of Armenia, and property (including proprietary rights) assigned to the Staff for possession, utilization, and disposal. The Republic of Armenia Government may decide to entrust in the Staff the possession of public or other shares.

21. At any point in time, the Republic of Armenia Government shall enjoy the right to take back the property assigned to the Staff.

22. In the procedure and in cases provided by laws, other legal acts, and its By-Laws, the Staff shall have the right to utilize and possess, for the purposes of its activities and in line with the designation of such property, the property (and proprietary rights) assigned to the Staff. In the manner provided by laws and other legal acts, the Staff may dispose of (transfer or rent) the property and proprietary rights assigned to the Staff.

### ***5. Accounting and Reporting***

23. The Staff shall maintain accounting and submit to the respective authorities reports, estimates, and declarations on finance, budgetary settlements, taxes, customs fees, mandatory fees, and statistics in the manner provided by the Republic of Armenia legislation.

24. The credibility of the annual financial reports on the activities of the Staff may be audited in accordance with a procedure prescribed by the Republic of Armenia Government.

### ***6. Advisors, the Press Secretary, and Assistants of the Republic of Armenia Prime Minister***

25. The Republic of Armenia Prime Minister shall have advisors, a press secretary, and assistants, amongst whom the Prime Minister shall divide duties.

26. The advisors, the press secretary, and the assistants of the Republic of Armenia Prime Minister shall operate under the direct guidance of, report to, and be accountable before the Republic of Armenia Prime Minister.

The advisors, the press secretary, and the assistants of the Republic of Armenia Prime Minister shall be appointed and dismissed by the Republic of Armenia Prime Minister.

### ***7. Structural Units of the Staff***

27. The structure of the Staff shall consist of structural units (secretariats, departments, and divisions), which shall perform their functions in collaboration with one another. The heads of structural units of the Staff shall operate under the direct leadership of the Chief of Staff.

28. The heads of structural units of the Staff shall organize and manage the activities of their respective units, divide the work between the personnel of such units, ensure labor discipline, and be liable for the fulfillment of their tasks.

The head of a structural unit of the Staff may attend the sessions of the Republic of Armenia Government and consultative meetings with the Republic of Armenia Prime Minister.

29. The key objective of a structural unit of the Staff is to undertake, within the scope of its mandate, expertise of draft laws of the Republic of Armenia, draft normative decisions of the Republic of Armenia National Assembly, draft Decrees and Orders of the Republic of Armenia President, and draft decrees of the Republic of Armenia

Government and the Republic of Armenia Prime Minister, and preparation of issues submitted to the Republic of Armenia Government for discussion;

30. A structural unit of the Staff shall participate in the elaboration of the Program of Activities of the Republic of Armenia Government, make proposals on the fulfillment of the Program and the necessity of amending it, and perform the functions of the entity authorized by the Republic of Armenia Government to regulate the relationship between the state and religious organizations, as defined in the Republic of Armenia Law on the Freedom of Faith and Religious Organizations and to safeguard the customs of ethnic minorities and their rights to the development of their language and culture.

31. In pursuit of the goals set before a structural unit, the head of such a unit may:

a) Invite representatives of the central executive authority in charge of or interested in an issue and representatives of the Staff of the Republic of Armenia President, as well as other officials, to discussions of draft legal acts submitted to the Republic of Armenia Government or the Republic of Armenia Prime Minister, or of other documents submitted to the Republic of Armenia Government or the Republic of Armenia Prime Minister;

b) For the purpose of ensuring a comprehensive examination of the issues submitted to the Republic of Armenia Government or the Republic of Armenia Prime Minister for discussion, forward, through the Chief of Staff, the materials submitted to the Republic of Armenia Government or the Republic of Armenia Prime Minister to the respective entities for their expertise;

c) Refer to the Chief of Staff discrepancies emerging between a structural unit of the Staff, on the one hand, and the public entity that submitted an issue for discussion by the Republic of Armenia Government, on the other;

d) Obtain the consent of the relevant structural units and the Legal Department of the Staff concerning draft laws submitted to the Republic of Armenia Government, draft normative decisions of the Republic of Armenia National Assembly, draft Decrees and Orders of the Republic of Armenia President, and draft decrees of the Republic of Armenia Government and the Republic of Armenia Prime Minister for discussion in the Republic of Armenia Government;

e) Report, as necessary, to the Republic of Armenia Prime Minister and the Chief of Staff on such issues raised by the mass media, which either concern the Republic of Armenia Government and the Republic of Armenia Prime Minister, or may be addressed by either the Republic of Armenia Government or the Republic of Armenia Prime Minister;

f) If necessary, take part in discussions of issues by the relevant public administration bodies;

g) Ensure the transparency of the activities of the Republic of Armenia Government;

h) If necessary, carry out analysis of certain spheres and specific projects in such spheres, develop recommendations on how to improve projects on certain spheres and functions, and forward such recommendations to the respective public administration body through the Chief of Staff or the Republic of Armenia Prime Minister;

i) Issue an opinion on the reported annual activities in various spheres, alongside with recommendations, and share them with the Chief of Staff and the Republic of Armenia Prime Minister; and

j) At the instruction of the Republic of Armenia Prime Minister or the Chief of Staff, request reports on the situation in a given sphere from ministers of the Republic of Armenia or heads of public administration bodies and other public bodies adjunct to the Republic of Armenia Government.

32. The Chief Financial Officer of the Staff shall be responsible for the accounting of the Staff and the timely filing of financial, budgetary, and tax reports, statistic returns, and reports on mandatory fees.

***8. Reorganization and Termination of the Activities of the Staff***

33. The reorganization and termination of the activities of the Staff shall be carried out in accordance with a procedure prescribed by law.