

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 16 July 2020

ON AUDIOVISUAL MEDIA

Law of the Republic of Armenia on Audiovisual Media_2020_Eng

CHAPTER 1

GENERAL PROVISIONS

Article 1. Objective, subject matter and scope of the Law

1. The objective of this Law shall be:
 - (1) to ensure the right of everyone to receive reliable information;
 - (2) to guarantee the right to express opinions;
 - (3) to guarantee the editorial independence of audiovisual media service providers;
 - (4) to guarantee the independence of state regulatory body;
 - (5) to promote the development of diversity of audiovisual programmes;
2. This Law shall prescribe the status of audiovisual media service providers and operators, regulate the procedure for authorising, licensing and submitting notifications, grounds for rights and responsibilities, relations arising during the operation of entities constituting the subject matter of this Law.

3. This Law shall not extend (except for the activities of network operators) to additional audiovisual or textual information (interactive television) broadcast in parallel with audiovisual products or as part of audiovisual products or available through audiovisual products.
4. The scope of this Law shall extend to:
 - (1) audiovisual media service providers;
 - (2) operators;
 - (3) audiovisual programming distributors;
 - (4) state regulatory body;
 - (5) body ensuring regulation of the activities of and exercising control over the audiovisual media service providers in the Republic of Armenia.
5. Within the meaning of this Law, an audiovisual media service provider shall be considered operating in the Republic of Armenia, where it meets one of the following requirements:
 - (1) registration and transmission of audiovisual information is within the territory of the Republic of Armenia;
 - (2) uses frequencies provided by the authorised body of the Republic of Armenia;
 - (3) uses the slot provided by the authorised body of the Republic of Armenia within the public multiplex;
 - (4) uses the slot provided by a private multiplex operating in the Republic of Armenia;
6. Within the meaning of this Law, an operator shall be considered to be operating in the Republic of Armenia where it uses a station located in the territory of the Republic of Armenia for satellite signal, frequencies under the disposal of the

Republic of Armenia or an Internet connection being provided in the territory of the Republic of Armenia.

Within the meaning of this Law, audiovisual information distributors (OTT operators), who make these distribution through infrastructures of network operators or the Internet, shall also be considered as network operators.

Article 2. Legislation on audiovisual media of the Republic of Armenia

1. Legislation on audiovisual media of the Republic of Armenia includes the Constitution of the Republic of Armenia, this Law, Laws of the Republic of Armenia “On mass media”, “On electronic communication”, “On copyright and related rights”, “On language”, “On advertisement”, the Electoral Code of the Republic of Armenia, legal acts of the state regulatory body, other legal acts and treaties of the Republic of Armenia regulating the field of audiovisual media.
2. Where treaties of the Republic of Armenia prescribe norms other than those provided for by this Law, the provisions of the treaties shall apply.

Article 3. Main concepts used in the Law

1. The following main concepts shall be used in this Law:
 - (1) **audiovisual media service provider** (hereinafter referred to as "the Broadcaster, audio media service provider - audio programme broadcaster") — an organisation founded by the Republic of Armenia or a natural or legal person authorised by the state regulatory body, which prepares audiovisual information and presents it to the consumer and bears editorial responsibility for the content of audiovisual products;

- (2) **state regulatory body**— an independent state body which ensures the freedom, independence and diversity of mass media being broadcast, supervises over the activities of Broadcasters, operators and audiovisual programming distributors;
- (3) **operator** — a network or multiplex operator which offers communication service (networks, audiovisual systems, slots, etc.) and is responsible for delivering audiovisual signal to consumers through the operation of technical infrastructure;
- (4) **multiplex operator** — a natural or legal person which exclusively ensures the technical operation of multiplex distribution and infrastructure and uses the limited frequency resource;
- (5) **network operator** — a natural or legal person which owns, under the right of ownership or other right, a cable or other network (except for cases when limited frequency resource is used) and ensures the technical operation of the given infrastructure;
- (6) **public broadcaster** — a Broadcaster deemed to be the property of the company that is 100 per cent owned by the Republic of Armenia;
- (7) **thematic scope** — the scope of audiovisual programmes according to content-based specifics;
- (8) **consumer** — person receiving (watching and/or listening to) at least one Broadcaster's information;
- (9) **affiliated person** — a parent, a spouse, a child, a brother, a sister;
- (10) **audiovisual programme distributor** — a natural or legal person which provides - for the purpose of distribution - audiovisual programmes to the operator based on a contract concluded with the Broadcaster;
- (11) **multiplex** — receipt of integrity of several data flows combined in a single flow (digital network), which can further be split again;

- (12) **public multiplex** — a Broadcasting Digital Network deemed to be the property of the company that is 100 per cent owned by the Republic of Armenia;
- (13) **slot** — a part of the digital flow in multiplex, which is sufficient to broadcast no more than one programme;
- (14) **transmission** — distribution of audiovisual information within the borders of a certain territory;
- (15) **audiovisual information** — audiovisual material provided to the consumers through frequencies and other possible technical means (transmitter, satellite, cable network, etc.), including additional audiovisual or textual information (interactive television) broadcast in parallel with audiovisual products or as part of audiovisual products or available through audiovisual products;
- (16) **linear audiovisual information** — audiovisual material provided to the consumers for the purpose of simultaneous watching and/or listening in the sequence pre-arranged by the Broadcaster or the operator;
- (17) **non-linear audiovisual information** — audiovisual material provided by the Broadcaster or the operator to an individual consumer upon his/her request for the purpose of watching and/or listening at the moment he/she wants according to the playlist (catalogue);
- (18) **audiovisual programming** — audiovisual materials in the sequence pre-arranged by the Broadcaster;
- (19) **audiovisual programme** — material limited in time containing images and/or sounds being distributed, which is independent and complete in the sense of organisation and is deemed to be subject matter of copyright and/or related rights;

- (20) **programme of first recording** — an audiovisual programme being broadcast for the first time;
- (21) **audiovisual programme in Armenian** — an audiovisual programme accompanied by any means of perception in Armenian (dubbing, sound recording and/or subtitling);
- (22) **audiovisual advertisement** — dissemination of information about legal or natural persons, goods, concepts or initiatives through the Broadcaster, which is intended to generate or maintain an interest towards the given natural or legal person, goods, services, concepts or initiatives for the purpose of receiving profit;
- (23) **authorisation** — issuance, by the state regulatory body, of a document granting a status of a Broadcaster to a natural or legal person;
- (24) **exclusive right** — the exclusive right to disseminate the audiovisual information deemed to be the intellectual property of other people throughout a certain geographical area;
- (25) **important event** — a political, cultural, religious, sporting event of state or national significance or other event equivalent thereto;
- (26) **monitoring** — observation conducted by the state regulatory body with a view to assessing compliance of activities of Broadcasters and operators with the requirements of legislation on audiovisual media;
- (27) **re-broadcasting** — later broadcasting of already recorded (audio and/or video recorded) audiovisual programme conditioned by the technical reasons specific to the process of simultaneous or almost simultaneous broadcasting by another Broadcaster or network operator of audiovisual programming due to fluctuations caused by short-term interruptions from the broadcasting of audiovisual information to its receipt;

(28) **code of ethics** — a document independently drawn up by the Broadcaster on its own ethical norms in accordance with international standards.

Article 4. Free choice of audiovisual information

1. The right to free choice, production and distribution of audiovisual information shall be guaranteed in the Republic of Armenia. The censorship of audiovisual information shall be prohibited.
2. Everyone shall have the right to free choice of audiovisual information.
3. The State shall create necessary conditions and undertake measures in order that audiovisual programmings of the Public broadcaster (at least one audiovisual and one audio channel) are received throughout the territory of the Republic of Armenia.
4. An operator or the Broadcaster must not, within regions of overlap of relevant zones of coverage, interfere with the consumers' right to receive other audiovisual information being disseminated on legal grounds.

Article 5. Rights of persons to accessibility of audiovisual information

1. Where the Broadcaster or the operator broadcasts the audiovisual information to an indefinite number of persons and on a free basis, everyone shall have the right to use such service for consumer purposes free of charge and without informing the Broadcaster or the operator.
2. In other cases, the price and conditions for the information to be provided by the Broadcaster or the operator shall be set on a contractual basis.

CHAPTER 2

GENERAL REQUIREMENTS FOR AUDIOVISUAL INFORMATION OF BROADCASTERS OPERATING IN THE REPUBLIC OF ARMENIA

Article 6. Language of audiovisual information

1. Language of audiovisual information shall be Armenian, except for cases prescribed by this Law.
2. Audiovisual information broadcast in foreign languages must be accompanied by means of perception in Armenian (dubbing, sound recording and/or subtitling). Accompaniment by means of perception in Armenian shall be applied exclusively to audiovisual information in the original language.

This provision shall not extend to:

- (1) audiovisual information disseminated only through sound;
 - (2) audiovisual programmes representing the culture of national minorities of the Republic of Armenia by the Broadcasters in accordance with the procedure prescribed by the state regulatory body;
 - (3) audiovisual programmes produced for the purpose of teaching a foreign language;
 - (4) musical compositions that are deemed to be an audiovisual programme or a part of it;
 - (5) on audiovisual programmes transmitted only abroad.
3. In case of using the names of the Broadcasters in foreign languages during the screen display, continuous transliteration into Armenian shall be mandatory.

4. The Broadcasters that also broadcast children's and/or news audiovisual programmes shall be obliged to ensure in their programming accessibility of perception of information for consumers with hearing problems, to broadcast, during the hours prescribed by the state regulatory body, at least one children's and one news audiovisual programme respectively, presenting it with sign language interpretation or with Armenian subtitles.

Article 7. Ensuring reliable information in audiovisual programmes

1. The Broadcasters shall ensure:
 - (1) the right of a person to respond to a speech directly addressed to him or her;
 - (2) informing, within a short period of time, about untrue data in the submitted information during the same programme, and, in case it is impossible - during another programme;
 - (3) informing about the anonymous sources of presented facts or those the reliability of which has not been sufficiently verified.
2. The Broadcaster shall, during audiovisual programmes, comply with the following requirements:
 - (1) live programmes shall be accompanied with the writing "Live";
 - (2) the rerun of an audiovisual programme shall, throughout the broadcast, be accompanied with the writing "Rerun", except for cinematographic and musical compositions;
 - (3) archival video and audio recordings must be enumerated or accompanied with the writing "Archive".

Article 8. The right to receive information on important events

1. Everyone shall have the right to receive, without prior individual permission, information about important events through the Broadcasters.
2. Broadcasters whose programmings include news audiovisual programmes, shall be required to cover the important events.
3. The scope of important events shall be approved by the state regulatory body.
4. Where an important event lasts for several days, at least one video shall be created for each day of the event.
5. The duration of one video cannot be less than 60 seconds.
6. The exclusive right to fully disseminate the important events with the participation of the national sports teams of the Republic of Armenia shall belong to the Public Broadcaster.

Article 9. Prohibition of misuse of audiovisual programmes

1. It shall be prohibited to disseminate, through audiovisual programmes, calls for acts prohibited by the law. In case such calls are made during live broadcasting, the Broadcaster shall not be subjected to liability where during the live broadcasting the author of the calls has been warned about the violations and the broadcasting has been interrupted after the calls have been repeated.
2. The state regulatory body shall apply to the competent bodies in case of detecting elements of administrative offences or an act prohibited by the Criminal Code of the Republic of Armenia during the performance of the supervisory functions assigned thereto by law.
3. Audiovisual programmes with erotic content and films containing horror and explicit violence, as well as programmes with potential negative impact on health,

mental and physical development, upbringing of minors may be broadcast from 24:00 to 6:00. The criteria for determining these programmes shall be prescribed by the state regulatory body.

4. The broadcasting by the Broadcasters of advertisement and entertainment programmes shall be prohibited on mourning and remembrance days declared by the State.
5. Broadcasters or operators may distribute the programmes referred to in paragraph 3 of this Article without any time limits where there is a technical possibility for consumers to impose an artificial ban (code) on the access of those programmes.
6. Audiovisual programmes the participants of which may, during the live programme, conditioned by the nature of the programme, perform actions prohibited by law due to an interpersonal conflict arisen as a result of dislike resulting from a long time dispute, previously known to the Broadcaster, shall be prohibited.
7. Audiovisual programmes that pursue or contain information that promotes discrimination based on national, racial, gender or religious affiliation shall be prohibited.
8. Distribution of an audiovisual programme or part of it by the Broadcaster, and in case of non-linear information — by the operator without the consent of the owners not being subject of the copyright or related rights shall be prohibited.

CHAPTER 3

ORGANISATION OF AUDIOVISUAL PROGRAMMES OF BROADCASTERS OPERATING IN THE REPUBLIC OF ARMENIA

Article 10. Audiovisual programmes

1. The Broadcasters shall perform the broadcasting of audiovisual programmings in public multiplex through the slot provided by the state regulatory body and in private multiplex — through the slot provided by the private multiplex operator.
2. The Private Broadcaster shall broadcast the Public Broadcaster's programmes provided for by sub-point "f" of point 3 of part 6 of Article 22 of this Law without modifications, including with the same baseline data and without an advertisement.
3. Independent audiovisual programmes may be broadcast only in case of availability of documents certifying the right to their broadcasting.
4. Complete broadcasting of information (captions, audio presentation) on the audiovisual programme and the author thereof shall be mandatory, except for musical compositions of the broadcaster of audio programming.
5. Children's, educational, cultural and sports thematic audiovisual programmes shall comprise at least 20 per cent of the weekly airtime in the programming of the Broadcaster having obtained a licence.

The requirement of this part shall not extend to the broadcasters of audio programmings.

6. Armenian audiovisual programmes broadcast by one Broadcaster may not be less than 55 per cent of the total monthly airtime.
7. In news programmes of the Broadcaster the coverage of the same theme shall not exceed 25 per cent of the total airtime of the programme.
8. An audiovisual programme containing scenes of smoking shall be accompanied by

wording "Smoking harms your health" in a visible size and with a duration of five seconds at the beginning of the programme.

Article 11. Audiovisual programmes during election (referendum) campaign

1. During the time period prescribed by the law for the election campaign (referendum):
 - (1) audiovisual programmes shall be broadcast in accordance with the legislation on elections (referendum);
 - (2) Broadcasters shall be obliged to ensure equal conditions for candidates and participating political parties, alliances of political parties (parties participating in referendum campaigns) by publicly announcing the price of their airtime for paid audiovisual programmes and other essential conditions for the broadcasting contract;
 - (3) news programmes being broadcast by Broadcaster must provide impartial and unprejudiced information on election (referendum) campaigns of candidates, political parties, alliances of political parties (parties participating in referendum campaigns) in observance of the procedures provided for by the Electoral Code and the decisions of the Central Electoral Commission of the Republic of Armenia ensuring equal conditions for coverage;
 - (4) election (referendum) campaign audiovisual programmes (in case of the Public Broadcaster — also free-of-charge airtime prescribed by law) provided to candidates, political parties, alliances of political parties (parties participating in referendum campaigns) at the expense of the campaign fund must be accompanied by mandatory uninterrupted subtitles “Election (Referendum) campaign” on the screen, while this must be reminded no less

than twice during each programme in case of audio programmes.

2. On the voting day of elections (referendum) and on the preceding day it shall be prohibited to broadcast a campaign material or a material contributing to the campaign in the form of informational, editorial, documentary, copyrighted or other programmes or otherwise conduct election (referendum) campaign.
3. In case a campaign is carried on during a live broadcasting on the voting day of elections (referendum) and on the preceding day, the Broadcaster shall not be subjected to liability where during the live broadcasting the author of the calls has been warned about the violation and the broadcasting has been interrupted after the he or she has kept conducting campaign.

Article 12. Audiovisual programmes during martial law or state of emergency

1. During martial law or state of emergency, the Broadcasters shall be obliged to allocate airtime to the Prime Minister or the official who is officially the Commandant in the emergency area during a state of emergency, for making official statements.
2. The procedure for and conditions of allocation of airtime by the Broadcasters shall be established by the state regulatory body.
3. Restrictions on the dissemination of information by the Broadcasters during martial law or state of emergency shall apply within the framework prescribed for by the Law "On legal regime of martial law" and the Law "On the legal regime of the state of emergency".

Article 13. Procedure for storage of audiovisual programmes of the

Broadcaster having obtained a licence for using the slot in a public multiplex

1. The Broadcasters having obtained a licence shall be required to maintain an electronic register of audiovisual programmes and store audio and video records of their audiovisual programmes for a 45-day period starting from the day of broadcasting, except for cases provided for by sub-point "f" of point 3 of part 6 of Article 22 of this Law.
2. The audiovisual programmes must be registered in the electronic registers of audiovisual programmes accessible for the state regulatory body, the form of and procedure for keeping of which shall be established by the state regulatory body.
3. The state regulatory body shall — based on the data of the electronic register of audiovisual programmes — oversee compliance of the activities of the Broadcasters with the legal requirements. The state regulatory body shall randomly conduct monitoring of audiovisual programmes being broadcast by the Broadcasters at least five days in a month for each Broadcaster. The results of the monitoring shall be compared with the data of electronic registers.
4. Audio and video records of audiovisual programmes may — upon the expiry of 45 days — be deleted, unless the Broadcaster has duly been notified of the refutation, correction of the information contained in the programmes or of availability of judicial disputes during that period. The mentioned audio and video records need not be stored after the settlement of controversial issues.

Article 14. Sponsorship in broadcasting audiovisual programmes of the Broadcasters

1. Sponsorship is the participation of a natural or legal person not being deemed to be a Broadcaster or not being engaged in the creation of audiovisual programmings in the direct or indirect financing of an audiovisual programme with a view to advertising the name, trademark, reputation or activity of that person.
2. The provisions of the Law "On advertising" regulating advertising in electronic mass media shall apply to the sponsorship for audiovisual programmes.
3. The content and scope of sponsored audiovisual programmes shall not be affected by interference of the sponsor or affected in any other way.
4. Sponsorship shall be prohibited:
 - (1) by or at the expenses of funds of foundations founded with the participation of political parties, members of governing bodies of political parties, campaign funds and religious organisations or by foundations regulated by them;
 - (2) in case of news broadcasts, official messages and political programmes;
 - (3) by natural or legal persons engaged in making reference to the names, production and sales of prescription drugs, as well as in activities prohibited by law.
5. In case of sponsorship by natural or legal persons engaged in manufacturing of alcoholic beverages, tobacco, medicinal products, medical equipment, weapons and ammunition, as well as persons engaged in activities of organising methods of medical treatment, lottery, game of chance, casino, restrictions provided for by the Law "On advertising" shall apply.

6. A sponsored audiovisual programme shall clearly contain the name or any other logo matching the sponsor, as well as the trademark used for its goods and services, which may be presented during the programme, but no more than three times during an hour, with duration of 15 seconds each.
7. The broadcasting of an advertisement by the Broadcasters shall be carried out in compliance with the requirements of this Law and the Law "On advertising".

CHAPTER 4

THE BROADCASTERS AND OPERATORS

Article 15. Foundation of Private Broadcasters

1. When founding (establishing) Broadcasters or thereafter, the share of foreign capital shall not be equal to or more than fifty per cent of shares required for adoption of decisions of the organisation, unless otherwise provided for by the international agreement.
2. The following may not be the founders (participants) of Private Broadcasters:
 - (1) the President of the Republic of Armenia and affiliated persons thereof;
 - (2) state administration and local self-government bodies;
 - (3) members of the Government and affiliated persons thereof;
 - (4) Deputies of the National Assembly and affiliated persons thereof;
 - (5) judges and affiliated persons thereof;
 - (6) heads of communities and affiliated persons thereof;

- (7) members, employees of state regulatory body and affiliated persons thereof;
- (8) political parties, including members of governing bodies of political parties and affiliated persons thereof;
- (9) foundations of political parties;
- (10) religious organisations;
- (11) citizens under the age of 18.

Article 16. Foundation of private multiplex operator

1. The activities of private multiplex operator shall — through the procedure prescribed by law, based on the licence issued by the state regulatory body — be carried out by a legal or natural person registered in the Republic of Armenia, during the founding (establishing) of which or thereafter, the share of foreign capital shall not be equal to or more than 50 per cent of shares required for adoption of decisions, unless otherwise provided for by the international agreement.
2. The area of coverage of a private multiplex must not be smaller than the area of the city of Yerevan or one marz.

Article 17. Guarantee of independence of the Broadcasters and operators

1. Interference in the activities of the Broadcasters and operators shall be prohibited.
2. State authorities may interfere in the activities of the Broadcasters and operators only in the cases prescribed by the legislation.

Article 18. Anti-monopoly guarantee

1. Legal and natural persons may simultaneously become founders and/or

participants of not more than two licensed Broadcasters (of one republican and one metropolitan, one republican and one marz or one metropolitan and one marz coverage).

2. The provisions of this Article shall not extend to the audio programmings transmitted by the Broadcasters.

Article 19. Sources of income of the Broadcasters and operators and the publication thereof

1. Income of the Broadcasters shall be generated from the funds received from advertisement, paid airtime, sponsorship, sales of audio, video materials and audio-and-video materials of in-house production, subscription fees, investments of founders and other sources not prohibited by law. The income of the Public Broadcaster shall also be regulated by Article 29 of this Law.
2. The Broadcasters and operators shall be obliged to ensure transparency of their financing sources, publish their annual financial statements and information on their annual income by 1 May of the year following the reporting year in accordance with the sources of income indicated in part 1 of this Article, as well as publish information on the founders and participants.
3. By 1 April of each year the Broadcasters and operators shall be obliged to submit the state regulatory body information on the revenue-generation gap and the amount of the revenue (hereinafter referred to as "the Revenue") of the previous year.

Article 20. Baseline data

1. The Broadcasters shall be obliged to announce, on a daily basis, their names, introduce logos, while broadcasters of audio programmings — their sound signals.

2. The Broadcasters shall be obliged to:
 - (1) constantly broadcast the logo of the company while broadcasting audiovisual programmes, except advertising programs;
 - (2) present (announce) information on the producer of the audiovisual programme at the end of each programme being broadcast;
 - (3) act under the name mentioned in the authorisation request.
3. Using the name of a political initiative, political party or of the foundation of the political party as a name of the Broadcaster shall be prohibited.

Article 21. Satellite audiovisual broadcasting

Broadcasters may carry out satellite broadcasting after concluding a contract with a relevant satellite agency and notifying the state regulatory body.

CHAPTER 5
PUBLIC BROADCASTERS

Article 22. Status of public broadcasters and principles of the activities thereof

1. Public Broadcasters shall be founded by the Government in the form of closed joint stock companies.
2. The number of public broadcasters may not be less than three, with two programmes of general and one programme of educational-cultural thematic scope.
3. The public broadcaster may transmit only one programming through the public multiplex when having no authorisation and licence for using the slot. In case of wishing to transmit an additional programming, the public broadcaster shall take part in a competition for using the public multiplex slot in the manner prescribed by Article 45 of this Law.
4. Within the meaning of the Law "On joint stock companies", the authorised body for the Public Broadcaster shall be the Council of Public Broadcaster (hereinafter referred to as "the Council").
5. Public Broadcasters shall be guided by the principles of objectivity, democracy, impartiality, diversity, pluralism, as well as shall ensure freedom of expression, conscience, thought, belief and creation.
6. Public Broadcasters shall be obliged to:
 - (1) ensure the diversity of informational, educational, cultural and entertainment programmes being broadcast;
 - (2) allocate the daily airtime to Armenian audiovisual programmes, except for cases provided for by this Law;

- (3) develop and implement programming policy:
- a. to use the most watched airtime for broadcasting of information of wide publicity by presenting the official message (information), diversity of opinions with regard to the problem or issue;
 - b. to provide such programmes to the consumers, which take into account the interests of various regions of the Republic of Armenia, national minorities, different layers and social groups of society;
 - c. to provide such programmes to the consumers, which are aimed at overcoming stereotypes including features of national, racial, religious and gender discrimination;
 - d. to provide such programmes to the consumers, which are aimed at raising the legal consciousness, social responsibility and media literacy level of the population, providing complex information to the population about social-political, international events, managing and decreasing disasters in the Republic of Armenia;
 - e. to provide airtime (at least 30 minutes through the airtime of the Public audiovisual broadcasters and 2 hours — through the airtime of Public audio broadcaster per week during day-time) for broadcasting programmes about the life and culture of national minorities of the Republic of Armenia;
 - f. to ensure — in case of being the right holder — the circulation of educational, cultural and children's audiovisual programmes (including films and their dubbings) for Broadcasters conducting transmission in marzes, no later than three years after the first recording thereof.

7. It shall be allowed to show advertisements with duration of up to five minutes

during one airtime of audiovisual programmes of the Public Broadcaster, as well as mention the sponsors during cultural, educational, scientific and educational and sports audiovisual programmes in compliance with this Law.

8. Time limit prescribed for the broadcasting of the advertisement of the Public Broadcaster by this Law shall not extend to cases of mentioning, in compliance with this Law, the sponsors during cultural, educational, scientific and educational and sports audiovisual programmes. Mention about the sponsors during the broadcasting of cultural, educational, scientific and educational and sports programmes must not exceed 2,5 per cent of the total duration of the programme.
9. Public Broadcasters shall be allowed to show social advertising as prescribed by the Law "On advertising". During the period from 00:00 to 18:00 social advertising shall be broadcast free-of-charge. During the period from 18:00 to 00:00 social advertising shall be broadcast on a paid basis as prescribed by the Law "On advertising".
10. The statutes of Public Broadcasters shall be approved by the Council.
11. Public Broadcasters shall operate in accordance with this Law, their statutes and other legal acts.
12. Production of the official message (information) of Public Broadcasters to be broadcast shall be carried out by the staff (sub-division) of the body submitting that message (information) or by the Public Broadcasters or other television and Broadcasters upon the consent of that body.

Article 23. Council of the Public Broadcaster

1. The body ensuring regulation of and exercising control over the Public Broadcaster shall be the Council.
2. The Council shall comprise seven members — Chairperson of the Council and six members of the Council. Gender representation must be ensured within the Council.
3. Members of the Council shall be appointed by the Prime Minister through competition procedure, for a term of six years. The same person may not be included in the composition of the Council for more than two consecutive terms.
4. Persons holding the citizenship of the Republic of Armenia, having command of the Armenian language and higher education, figures in the fields of audiovisual sphere, as well as that of science, education, culture and journalism may be a member of the Council.
5. The following persons may not be nominated as a candidate for a member of the Council:
 - (1) person declared as having no active legal capacity or having limited active legal capacity by court judgment having entered into legal force;
 - (2) a person who has been convicted of a crime and the conviction has not been cancelled or expired in the prescribed manner;
 - (3) members of governing bodies of political parties and affiliated persons thereof;
 - (4) founders of Private Broadcasters;
 - (5) the President of the Republic of Armenia and affiliated persons thereof;
 - (6) members of the Government and affiliated persons thereof;
 - (7) the Chairperson of the National Assembly and affiliated persons thereof;

6. Within one month after having been appointed as a member of the Council, the member of the Council shall be obliged to:
 - (1) stop performing entrepreneurial or political activities;
 - (2) resign from paid work, except for scientific, educational or creative work.

Article 24. Procedure for activities of the Council

1. The Council shall operate in accordance with this Law, other laws and the statute approved thereby.
2. The Council shall carry out its activities through everyday activities and sittings. Sittings of the Council shall be convened on the initiative of the Chairperson of the Council or upon the request of at least three members of the Council, but no less than once a month.
3. In case of absence of the Chairperson of the Council or the impossibility for him or her to perform his or her duties, the sitting shall be presided by the member of the Council substituting him or her, and in case of absence of the latter — by the eldest member of the Council.
4. A sitting of the Council shall have quorum, where more than half of the members of the Council attend the sitting.
5. The decisions of the Council shall be adopted by the majority of votes of the total number of the members of the Council participating in the sitting.
6. The sittings of the Council shall be recorded.
7. The Council shall ensure the publicizing of its activities. The Council shall regularly provide information on its activities, decisions adopted and programming to the mass media and publish it on the official website thereof.
8. The coefficient of calculation of the main salary of the Chairperson of the Council shall be 10, whereas that of the members of the Council — 7.5. The salary of the

Chairperson and the members of the Council shall be determined by multiplying the basic salary prescribed by the Law of the Republic of Armenia “On remuneration for persons holding state positions and state service positions” by the coefficients indicated in this part.

Article 25. Procedure for appointment and termination of powers of members of the Council

1. The state regulatory body shall establish a temporary competition commission (hereinafter referred to as "the Competition Commission") with a view to holding the competition for the vacant position of member of the Council.
2. The Competition Commission shall comprise 5 members, including the Chairperson, which shall be elected, through open voting, by the members of the Competition commission during the first sitting.
3. The Chairperson and the members of the Competition Commission shall hold office until the vacant position of member of the Council is completed.
4. Representatives of the fields of journalism, Broadcaster management, science, culture and arts, as well as representatives of non-governmental organisations may be members of the Competition Commission.
5. The procedure for the formation of the Competition Commission shall be established by the state regulatory body.
6. The daily activities of the Competition Commission shall be provided by the state regulatory body.
7. The Competition Commission shall carry out its activities through sittings. Sittings of the Competition Commission shall be convened and held by the Chairperson of the Competition Commission, and in case of impossibility thereof — by the eldest member of the Competition Commission.

8. Members of the Competition Commission shall act on a voluntary basis.
9. In case there is a vacant position of a member of the Council, the Chairperson of the Council, and in case there is a vacant position of the Chairperson of the Council — the eldest member of the Council shall, within a period of 3 days after the vacancy opens up, inform in writing the state regulatory body thereon for forming the Competition Commission.
10. The Competition Commission shall issue — within a period of one week after being formed — an announcement on the official website for public notifications, as well as on the official website of the Government and the state regulatory body on holding a competition for filling the vacant position of a member of the Council.
11. The following shall be indicated in the announcement:
 - (1) requirements for the candidate for the vacant position;
 - (2) the list of necessary documents to be submitted for participating in the competition, the place of, deadline for submission thereof, the date and time for holding the competition.
12. The competition shall be held also in the case when only one participant has applied for participating therein.
13. Where no application for participation in the competition has been submitted or no one has been recognised as a winner as a result of the competition, the competition shall be deemed as not having been taken place and a new competition shall be held.
14. The new competition shall be held on general basis, in the manner prescribed by this Article.
15. Documents shall be submitted to the state regulatory body within ten days following the day of publication of the announcement on holding the competition. The Competition Commission shall not consider documents submitted after the indicated deadline.

16. The sitting of the Competition Commission for determining the winner of the competition based on the results of the competition shall be convened within 10 days after expiry of the deadline for submission of documents.
17. The Competition Commission shall, upon examining the documents on participants of the competition, determine the winner of the competition. Where necessary, the Competition Commission may, before rendering a decision on the winner of the competition, hold an interview with the candidate.
18. Specialists in the field of broadcasting may participate in sittings upon the invitation of the Chairperson of the Competition Commission.
19. Decisions of the Competition Commission shall be adopted by the majority of votes of the total number of the members thereof. Members of the Competition Commission shall vote "for" or "against".
20. Following the results of the competition, the Competition Commission shall render one of the following decisions:
 - (1) on considering the competition as not having taken place and holding a new competition;
 - (2) on declaring a winner of the competition.
21. The Competition Commission shall declare as the winner of the competition one participant.
22. The Prime Minister shall appoint the participant having won the competition as a member of the Council within a period of three days after adoption by the Competition Commission of the decision on having been declared as a winner of the competition.
23. The list of documents necessary for the competition and the procedure for their submission shall be established by the Government.

24. Members of the Council may not be recalled from their office before expiry of the term of office, except for the cases when a member of the Council:
- (1) has resigned;
 - (2) has been elected or appointed to another position;
 - (3) has failed to attend, without a valid reason, two consecutive or in total three sittings of the Council during the past year;
 - (4) the criminal judgement of conviction rendered against him or her has entered into legal force;
 - (5) has lost citizenship of the Republic of Armenia;
 - (6) has been declared as having no active legal capacity or having limited active legal capacity by a court judgment having entered into legal force;
 - (7) has failed to fulfil the obligations prescribed by part 6 of Article 23 of this Law;
 - (8) has refused to participate in the voting for the election of the Chairperson of the Council;
 - (9) has died.

Article 26. Chairperson of the Council

1. The election of the Chairperson of the Council shall be carried out through the following procedure:
 - (1) the Council shall elect a Chairperson of the Council from among its members through secret voting for a term of four years;
 - (2) a Chairperson of the Council may not be elected in case there is a vacant position of a member of the Council. The same member of the Council may not be elected as the Chairperson of the Council for more than two consecutive terms;

- (3) the procedure for the election of the Chairperson of the Council shall be established by the decision of the state regulatory body;
 - (4) in case of failure to elect a Chairperson of the Council for three consecutive times, the Council shall be dissolved;
 - (5) the dissolved Council shall continue its activities until a new Council is completely formed.
2. The Chairperson of the Council shall:
- (1) organise activities of the Council and the Staff thereof;
 - (2) convene sittings of the Council and preside over them, sign decisions adopted by and minutes of sittings of the Council, except for the minute and decision on removing the Chairperson of the Council from the office, which shall be signed by the eldest member of the Council;
 - (3) oversee the implementation of decisions of the Council;
 - (4) hire and dismiss employees of the Staff of the Council;
 - (5) co-ordinate and ensure regular activities of the Council;
 - (6) represent the Council in the Republic of Armenia, foreign states and international organisations;
 - (7) act — within the scope of his or her competences, without a power of attorney — in the name of the Council and represent the interests thereof.
3. In case of absence of the Chairperson of the Council or impossibility to perform the duties thereof, he or she shall be substituted by the member of the Council appointed as a substitute by the Chairperson of the Council, and where the Chairperson of the Council has not appointed a substitute — by the eldest member of the Council.

Article 27. Competences of the Council

1. The Council shall:
 - (1) prescribe the overall broadcasting time of the audiovisual programmes and the number of audiovisual programmings of the Public Broadcaster;
 - (2) prescribe the procedure for and areas of use of financial means of the Public Broadcaster;
 - (3) approve the staff list, positions of the Staff of the Public Broadcaster, forms and conditions of contracts concluded with them and procedure for remuneration;
 - (4) prescribe the list of positions of the Public Broadcaster, holders of which shall not have the right to work in other means of the mass media;
 - (5) establish the procedure for holding competition for filling vacant positions of executive directors of the Public Broadcaster;
 - (6) appoint executive directors of the Public Broadcaster who have won the competition;
 - (7) appoint and dismiss deputy executive directors upon submission by executive directors of the Public Broadcaster;
 - (8) each year, by 20 January, hear the reports of the executive directors of the Public Broadcaster on the activities carried out in the previous year;
 - (9) regularly approve the programming policy upon submission by executive directors of the Public Broadcaster;
 - (10) approve its statute and the structure of the Public Broadcaster;
 - (11) approve the structure and staff list of the Staff of the Council;

- (12) approve the rules of professional conduct of journalists of the Public Broadcaster;
 - (13) examine — on the basis of complaints received or on the initiative thereof — cases of violation of the rules of professional conduct of journalists and deliver an advisory opinion;
 - (14) at least once a year, organise studies of public opinion on the activities of the Public Broadcaster and publish the results thereof;
 - (15) exercise other competences vested therein by the Law "On joint-stock companies";
 - (16) submit to the state regulatory body a report on the condition for ensuring diversity of informative, educational, cultural and entertaining programmes by the Public Broadcaster;
 - (17) announce a tender for performing an independent audit of financial and economic activities of the Public Broadcaster;
 - (18) apply incentives to and impose disciplinary penalties on the executive directors and deputy executive directors;
 - (19) render a decision — by the majority votes of the members, through secret ballot and within a two-week period — on satisfying or rejecting the motion of the founder of the Public Broadcaster on removing the Chairperson of the Council.
2. The decisions of the Council must be well-reasoned.
 3. The decisions of the Council shall be executed by the executive directors of the Public Broadcasters, within the scope of competences thereof.
 4. The Council shall organise its activities through a staff. The Staff of the Council shall be the "Staff of the Council of the Public Broadcaster" state organisation.

Article 28. Competences of executive directors of the Public Broadcasters

1. The executive directors of the Public Broadcaster shall:
 - (1) manage daily activities of the Public Broadcaster;
 - (2) submit to the Council the structure of programmes, proportions of their separate parts, the programme network for approval;
 - (3) issue orders;
 - (4) conclude contracts and oversee their execution;
 - (5) participate in the activities of the Council in an advisory capacity;
 - (6) represent the Public Broadcaster in the Republic of Armenia, foreign states and international organisations;
 - (7) act — within the scope of competences thereof, without a power of attorney — in the name of the Public Broadcasters and represent their interests;
 - (8) dispose — as prescribed by law, other legal acts and the Statute of the Public Broadcasters — the property, including financial means belonging to the Public Broadcaster;
 - (9) issue letters of authorisation, including letters of authorisation with the right to re-authorise, to act in the name of the Public Broadcasters;
 - (10) appoint and dismiss employees of the Public Broadcasters, except for deputy executive directors, apply incentives thereto and impose disciplinary penalties thereon;
 - (11) submit the annual reports of the Public Broadcasters to the Council for approval;
 - (12) ensure the professional development of employees;

- (13) exercise other competences provided for by law, other legal acts and the Statute of the Public Broadcasters.
2. In case of absence of the executive directors of the Public Broadcasters or impossibility to perform the official duties thereof, they shall be substituted and their powers shall be exercised by the deputy executive directors of the Public Broadcasters.

Article 29. Funding for the Public Broadcasters

1. Each year, the Council shall — within the time limit prescribed by the decision of the Prime Minister on commencing the budget process for the upcoming year as prescribed by the Law "On the Budget System of the Republic of Armenia"— draw up and submit to the authorised body of the public administration system of the Republic of Armenia in the field of public financial management the requests for budget funding for the Public Broadcasters for the upcoming year, by separately indicating the amounts to be allocated to the Council, the Public Broadcasters, to be included in the draft State Budget for the upcoming year.
2. Funding of the Public Broadcasters may not be less than the amount of budget funding for the previous year. The amount of budget funding of the Public Broadcasters may proportionally be changed due to the change in the proportion of the state budget.
3. The estimate of expenditures of the Public Broadcasters for the next year shall be approved by the Council, upon submission by the executive directors of the Public Broadcasters.

Article 30. Annual report of the Public Broadcasters

1. The Council shall, by April 1 of each year, submit to the National Assembly a report on the activities of the Public Broadcasters for the previous year (including programming and financial), as well as on the application of the provisions prescribed by part 6 of Article 22 of this Law.
2. The report on the activities of the Public Broadcasters for the previous year shall be posted on the official website of the Council.

CHAPTER 6

STATE REGULATORY BODY

Article 31. The state regulatory body

1. The state regulatory body shall be the Commission on Television and Radio.
2. The state regulatory body shall have a seal, stamp, form bearing the image of the Coat of Arms of the Republic of Armenia and the inscription of its name, as well as other identification means.
3. The state regulatory body shall, within the scope of competence vested therein by legislation or in case there are special functions provided, represent the Republic of Armenia in other states and international organisations. The state regulatory body may co-operate with the relevant establishments of other states and interested international organisations.
4. The seat of the state regulatory body shall be the city of Yerevan. The state regulatory body may, upon its decision, convene on-site sittings in other communities as well.

Article 32. Powers of the state regulatory body

1. The state regulatory body:
 - (1) shall allocate — through public and tender procedure — a slot;
 - (2) shall carry out authorisation of a legal or natural person;
 - (3) shall hold a tender for licensing the usage of the slot;
 - (4) shall carry out the licensing of the activity of a network operator;
 - (5) shall hold a tender for licensing the activity of a private multiplex operator;
 - (6) shall prescribe the [procedure](#) for holding a tender for licensing the usage of the slot, the activity of a multiplex operator, the [forms](#) of applications for participation in the tender, the [procedure for and the form of the application](#) for licensing of the activity of a network operator;
 - (7) shall approve the forms of the licence;
 - (8) shall draw up and publish the list of licensed persons, carry out control over fulfilment of the conditions indicated in the licence and the requirements of this Law;
 - (9) shall establish — by randomly observing audio and video records of audiovisual programmes — their compliance with the requirements of the legislation and the licence;
 - (10) shall oversee compliance of technical criteria for audiovisual programmes with the standards prescribed by the decision of the Government;
 - (11) shall impose measures of liability in case of violation of this Law or non-execution of decisions thereof;
 - (12) shall oversee observance by the Broadcasters of the procedure for the election campaign prescribed by the Electoral Code of the Republic of Armenia;

- (13) shall examine and give a response or conclusion with regard to complaints, suggestions and inquiries on the activities of the Broadcasters, operators and audiovisual programming distributors;
- (14) shall carry out permanent monitoring of the activities of the Broadcasters and operators;
- (15) may engage in the development of international treaties and draft legal acts with regard to the field of audiovisual media;
- (16) shall conduct inspections and examinations as and in the cases prescribed by the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia";
- (17) shall exercise supervision for ensuring of diversity of informative, educational, cultural and entertainment programmes in Public Broadcasters;
- (18) shall establish the procedure for and form of submission of the report prescribed by point 16 of part 1 of Article 27 of this Law by the Council;
- (19) shall establish the [procedure for and conditions](#) of allocation of airtime — during martial law or state of emergency — to the Prime Minister or the official who is officially the Commandant in the emergency area during a state of emergency;
- (20) shall prescribe the form of record on results of the permanent monitoring;
- (21) shall approve its structure as prescribed by law;
- (22) shall give a conclusion with regard to draft secondary regulatory legislative acts arising from this Law;
- (23) shall participate in the development of the policy in the field of audiovisual media;

- (24) shall prescribe the conditions for using the slot in a public multiplex and publish information on the availability of free slots;
 - (25) shall check the conformity of the requirements of the licence attached to the application for licensing the usage of a slot by the broadcaster;
 - (26) shall exercise other powers prescribed by this Law.
2. The state regulatory body shall request and receive necessary documents and other information from entities, state authorities and officials prescribed by this Law.
 3. In case of detecting violations of the requirements of legislation on audiovisual media, the state regulatory body shall have competence to assign the Public Broadcasters to eliminate the detected shortcomings within the time limit prescribed.
 4. The state regulatory body shall have the competence to:
 - (1) file a motion to the Council on subjecting the executive director of the Public Broadcaster to disciplinary liability, in case of detecting an act prohibited by an article of this Law, providing for a fine;
 - (2) file a motion to the Council on terminating the term of office of the executive director of the Public Broadcaster, in case of committal of acts prohibited by articles of this Law, providing suspension or termination of a licence, as well as in case of failure to eliminate the shortcomings within the time limit prescribed.
 5. In case of suspending or terminating an authorisation or a licence of the Broadcaster, the state regulatory body shall — within a three-day period — inform of it to the multiplex operator broadcasting the given programming for immediately terminating the broadcasting.

6. The state regulatory body may involve specialists and experts on voluntary or contractual basis when exercising the powers thereof.
7. The state regulatory body shall adopt secondary regulatory legislative, individual and internal acts prescribed by this Law.
8. The secondary regulatory legislative acts of the state regulatory body shall also be published on the official website of the state regulatory body.
9. The state regulatory body, members of the state regulatory body and the employees of the structural subdivisions of the state regulatory body shall be independent in exercising their powers and shall only obey the law. Unlawful influence on and interference into their activities shall be prohibited.

Article 33. Principles of activities of the state regulatory body

The state regulatory body shall carry out its activities on the basis of the principles of legitimacy, democracy, equality, impartiality, independence, collegiality and publicity.

Article 34. Requirements for candidates for members of the state regulatory body and members of the state regulatory body and the procedure for their remuneration

1. Each person having attained the age of twenty-five, being citizen of only the Republic of Armenia for the last four years, permanently residing in the Republic of Armenia for the last four years, having the right to suffrage and having command of Armenian, who has at least three years of professional work experience in the fields of broadcasting, economy, management, engineering, culture, arts or law, has higher education, is a reputable specialist in the field of mass media, may be a candidate for member of the state regulatory body.

2. The following may not be a member of the state regulatory body:
 - (1) a person having been convicted on the basis of a criminal judgment of the court having entered into legal force, and the conviction has not been quashed or expunged in the prescribed manner;
 - (2) a person having been declared as having no active legal capacity or having limited active legal capacity upon a civil judgment of the court having entered into legal force.
3. Members of the state regulatory body may not, during their terms of powers, hold membership in any political party or otherwise engage in political activities. They must show political restraint in public speeches.
4. Members of the state regulatory body may not hold a position not conditioned by their status, in state or local self-government bodies, any position in commercial organisations, engage in entrepreneurial activities, as well as do other paid work, except for scientific, educational and creative work. Duties of the member of the state regulatory body shall prevail over other activities carried out thereby.
5. Within one month after undertaking the powers of the member of the state regulatory body, the member of the state regulatory body shall be obliged to:
 - (1) cease engagement in entrepreneurial or political activities;
 - (2) resign from positions held in state or local self-government bodies, as well as commercial organisations;
 - (3) resign from paid work, except for scientific, educational or creative work.
6. Each member of the Committee [state regulatory body] shall take the following oath when assuming his or her position:

"Assuming the duties of the member of the state regulatory body, I swear to — by remaining faithful to the Constitution and laws — protect human rights and fundamental freedoms, support in building civil society by ensuring the right to freely express the opinion, freedom of information and pluralism.

I swear that I will perform my duties objectively, with utmost integrity and honesty, act under the principle of publicity, impartiality and justice, regardless of any political or economic interest."

7. Relations with regard to remuneration of the members of the state regulatory body shall be regulated by the Law of the Republic of Armenia "On remuneration for persons holding state positions".

Article 35. Procedure for formation of the state regulatory body

1. The state regulatory body shall be composed of seven members. Members of the state regulatory body shall be elected by the National Assembly, upon recommendation of the competent standing committee of the National Assembly, by at least three fifths of votes of the total number of Deputies, for a term of six years, through gender representation.
2. The Chairperson of the state regulatory body shall, no earlier than one month before the day of termination of powers of the member of the state regulatory body and no later than one week before, whereas in case of vacancy occurred upon another ground — within a period of three days after the vacancy occurs, and in case of a vacant position of Chairperson of the state regulatory body — the member substituting the Chairperson of the state regulatory body shall inform in writing the competent standing committee of the National Assembly about it.
3. The National Assembly shall carry out the election of the member of the state regulatory body as prescribed by the Constitution and the Constitutional Law "Rules of Procedure of the National Assembly".
4. The state regulatory body shall elect a Chairperson of the state regulatory body from among its members. The member of the state regulatory body may be nominated as Chairperson of the state regulatory body by way of self-nomination or nomination by any other member of the state regulatory body upon his or her consent.

5. All members of the state regulatory body shall secretly vote in the election for the Chairperson of the state regulatory body.
6. A ballot paper shall be drawn up for voting, wherein all candidates shall be included.
7. The member of the state regulatory body shall have one vote when voting. Where the participant of the voting has given more than one vote, that ballot paper shall be deemed to be invalid.
8. Where, by the results of the voting, no candidate has received more than half of the votes, two candidates having received the most votes shall be self-nominated and an additional voting shall be held.
9. Where there are two candidates having received the majority of votes, an additional voting shall be held, whereby it shall be decided which of them may be self-nominated.
10. During the additional voting, each member of the state regulatory body shall have one vote. The candidate having received more than half of the votes during the additional voting shall be deemed to be elected. Where no one has received at least more than half of "for" votes of the participants of the voting, a new election shall be held.
11. The Chairperson of the state regulatory body shall be elected by the majority of votes of the total number of members of the state regulatory body. A member of the state regulatory body shall not have the right to refuse to vote and shall vote only "for" or "against".
12. The same person may not be elected as a member of the state regulatory body, including Chairperson of the state regulatory body for more than two consecutive times.
13. The Chairperson of the state regulatory body shall hold his or her office until the expiry of his or her term of office as a member of the state regulatory body.

14. Election of a new Chairperson of the state regulatory body shall be carried out within a period of ten days after replenishment of the composition of the members of the state regulatory body.

Article 36. Chairperson of the state regulatory body

1. Chairperson of the state regulatory body shall:
 - (1) ensure arrangement of the regular activities of the state regulatory body;
 - (2) represent the state regulatory body in relations with other bodies;
 - (3) draw up the agenda of sittings, convene and hold sittings of the state regulatory body; moreover, a member of the state regulatory body shall participate in drawing up the agenda of sittings of the state regulatory body by submitting recommendations on the agenda to the Chairperson of the state regulatory body;
 - (4) sign and publish the decisions of the state regulatory body, issue orders;
 - (5) oversee execution of the decisions adopted by the state regulatory body;
 - (6) submit the report on the activities of the state regulatory body for the previous year to the National Assembly;
 - (7) carry out overall management of the structural subdivisions of the state regulatory body;
 - (8) submit the draft statute, structure and the staff list of the structural subdivisions to the state regulatory body for approval;
 - (9) appoint and dismiss employees of the state regulatory body as prescribed by law.
2. In case of leave or secondment or temporary incapacity to work, the powers of the Chairperson of the state regulatory body shall be temporarily exercised by the member of the state regulatory body appointed by him or her.

3. In case of failure by the Chairperson of the state regulatory body to appoint his or her substitute, where being on leave or secondment, temporary incapacity for work, termination or imposed termination of powers, the duties of the Chairperson of the state regulatory body shall be fulfilled by the eldest member of the state regulatory body.

Article 37. Termination and imposed termination of powers of member of state regulatory body

1. A member of the state regulatory body may not be recalled from his or her position before expiry of the term of office.
2. The powers of a member of the state regulatory body shall be terminated in case of:
 - (1) violation of the incompatibility requirements;
 - (2) impossibility to fulfil his or her official duties for more than four subsequent months or more than six months during the calendar year due to temporary incapacity for work (except for reasons related to being on leave in case of maternity, birth of child or adoption of child) or acquisition, after being elected, of a physical impairment or disease that hinders his or her appointment to the position;
 - (3) failure to attend the sittings of the state regulatory body more than twice for a non-valid reason during the year;
 - (4) at least once, refusing to participate or abstaining from participating in the voting, except for the cases excluding participation in voting, prescribed by this Law;
 - (5) failure to inform — at least once — about the circumstances excluding his or her participation in the sitting of the state regulatory body.

3. The cases of termination of powers of a member of the state regulatory body shall be:
 - (1) expiry of the term of powers;
 - (2) loss of the citizenship of the Republic of Armenia or acquisition of citizenship of another state,
 - (3) entry into legal force of a criminal judgement of conviction rendered against him or her;
 - (4) entry into legal force of a civil judgment of the court on declaring him or her as having no active legal capacity, having limited active legal capacity, missing or dead;
 - (5) his or her resignation;
 - (6) his or her death.
4. The powers of a member of the state regulatory body shall be terminated in the cases prescribed by this Law by the National Assembly, by at least three fifths of votes of the total number of the Deputies.
5. The powers of a member of the state regulatory body shall terminate on the ground of point 5 of part 3 of this Article from the day of reiteration, by the member of the state regulatory body, of his or her resignation at the sitting of the state regulatory body or the day on which he or she fails to attend that sitting.
6. The powers of a member of the state regulatory body shall terminate on the ground of point 6 of part 3 of this Article on the day of his or her death.
7. The powers of a member of the state regulatory body shall terminate on the ground of point 1 of part 3 of this Article on the day of termination of his or her powers.
8. In case of termination of the powers of a member of the state regulatory body on the grounds provided for by points 5 and 6 of part 3 of this Article, the Chairperson of the state regulatory body shall immediately post an announcement on the official website of the state regulatory body.

9. The powers of a member of the state regulatory body shall terminate on the ground indicated in points 2-4 of part 3 of this Article from the day of adoption of a decision of the state regulatory body recording the existence of the relevant ground.

Article 38. Funding of expenditures of the state regulatory body

1. The activities of the state regulatory body shall be funded from the State Budget.
2. Each year, the state regulatory body shall — within the time limit prescribed by the decision of the Prime Minister on commencing the budget process for the upcoming year as prescribed by the Law "On the Budget System of the Republic of Armenia"— draw up and submit to the Government the requests of the state regulatory body for budget funding (estimate of expenditures) for the upcoming year, to be included in the draft State Budget for the upcoming year. Thirty per cent of fines, state duties and penalties charged during the twelve months prior to the moment of submission of the estimate of expenditures shall be added thereto for the purpose of own disposal.
3. The request for budget funding of the state regulatory body shall be included by the Government unchanged, where adopted, and changed — in case of objections, in the draft State Budget. The Government shall submit the budget funding request of the state regulatory body, along with the draft State Budget, to the National Assembly. The Government shall also submit to the National Assembly its substantiation on the changes in the budget request and — in case of existence — the objections of the state regulatory body to the substantiation.
4. The expenditure estimate of the state regulatory body must ensure the opportunity of proper exercise of the objectives and functions prescribed by this Law, including ensuring representation in international organisations, as well as payment of salary of the members of the state regulatory body.

Article 39. Annual report of the state regulatory body

1. The state regulatory body shall — by 1 April of each year — submit an annual report to the National Assembly on its activities for the previous year and the state of freedom of information in the programmes of the Broadcasters.
2. The report shall include complete information and statistics on all components performed in compliance with the activities and powers of the state regulatory body (including on tenders announced, licences issued, submitted and rejected applications for licensing the activity of network operators and their justification, audiovisual programmings represented by audiovisual programming distributors, detected violations and sanctions imposed against them, and exercise of other powers).
3. The report shall be submitted to the National Assembly by the Chairperson of the state regulatory body.
4. The report shall be considered in the National Assembly as prescribed by the Constitutional Law "Rules of Procedure of the National Assembly".
5. The state regulatory body shall publish its report on the official website of the state regulatory body.

Article 40. Procedure for activities of the state regulatory body

1. The state regulatory body shall organise its activities through sittings and working discussions.
2. Sittings of the state regulatory body shall be convened by the Chairperson of the state regulatory body on his or her own initiative or upon the request of at least three members of the state regulatory body.
3. Sittings of the state regulatory body shall be open, except for cases when issues on information containing a secret protected by law are considered, when they are

held closed upon the decision adopted by the majority of votes of the members attending the sitting of the state regulatory body.

4. The state regulatory body shall publish the venue, time and agenda of sittings on its website.
5. The Secretary General of the state regulatory body may participate in the sitting by the right of advisory vote.
6. The sitting of the state regulatory body shall be held by the Chairperson of the state regulatory body or the person substituting him or her. The sitting shall have a quorum, where more than half of the members of the state regulatory body attend the sitting.
7. Decisions of the state regulatory body shall be adopted by open voting (except for the cases provided for by law) by the majority of votes of members.
8. The member of the state regulatory body having a conflict of interests on any issue considered at the sitting of the state regulatory body shall be obliged to inform — before the discussion — the Chairperson and other members of the state regulatory body on the fact and nature of the conflict of interests, which must be recorded in the minutes of the sitting.
9. After informing, the relevant member of the state regulatory body:
 - (1) shall be obliged to waive expressing a position on the given issue and participating in the voting;
 - (2) must not be registered for the purpose of ensuring quorum of that sitting.
10. A sitting of the state regulatory body shall be postponed in cases:
 - (1) when there is no quorum;
 - (2) of end of the working day;
 - (3) of existence of other exclusive circumstances making examination of the issue

in the given sitting impossible.

11. Minutes of sittings of the state regulatory body shall be taken by the relevant structural subdivision of the state regulatory body. Minutes of sittings shall be signed by the person chairing the sitting. The minutes of the sitting or a part thereof may be published upon the assignment of the Chairperson of the state regulatory body. The relevant structural subdivision of the state regulatory body shall maintain a register of decisions of the state regulatory body.
12. The state regulatory body shall adopt an operations procedure, whereby the procedures for exercise of the powers of the state regulatory body shall be prescribed.

Article 41. Structural subdivisions of the state regulatory body

1. The state regulatory body shall organise its activities through structural subdivisions.
2. Remuneration for the structural subdivisions of the state regulatory body shall be carried out in compliance with the Law "On remuneration for persons holding state positions and state service positions".

Article 42. Permanent monitoring of activities of Broadcasters and operators

1. The permanent monitoring of activities of the Broadcasters shall be carried out through direct observation, whereas in case of operators — also through conduct of on-site observation. Results of the direct observation may be compared with the data of the electronic record–registration books of audiovisual programmes.
2. Permanent monitoring of activities of the Public Broadcasters shall also include the study on the diversity of informative, educational, cultural and entertainment

programmes, which shall be conducted in the ways prescribed by part 1 of this Article.

3. In case of having information on the violation of the requirements of legislation on audiovisual media, the on-site observation of the activity of the operator shall be carried out on the basis of the order of the Chairperson of the state regulatory body.
4. The order on carrying out an on-site observation shall indicate:
 - (1) title of the body carrying out on-site observation;
 - (2) title and place of location of the operator;
 - (3) name, surname and position of the person carrying out on-site observation;
 - (4) objective, time period of and legal grounds for the on-site observation;
 - (5) description of violation of the requirements of the legislation on audiovisual media.
5. Before commencing on-site observation at the operator, one copy of the order shall be handed over to the head of the operator, or another person having the right of substituting him or her.
6. Where the competent persons referred to in part 5 of this Article are not at the place of activities of the operator or refuse to receive the order on carrying out an on-site observation and verify the fact of receipt thereof through signature, the observation may immediately be carried out.
7. In case of carrying out an on-site observation at the operator, the latter shall provide persons carrying out the on-site observation with necessary workspace and technical means.
8. Based on the results of the permanent monitoring, the representative of the state regulatory body shall draw up a record on the results of the permanent monitoring.
9. The record on the results of the permanent monitoring shall indicate a brief

summary of the results of the permanent monitoring, as well as all factual circumstances having essential significance for initiating administrative proceedings or initiated administrative proceedings, including circumstances existing in favour of participants of proceedings. In case of comparison of the results of the observation and the data of the electronic record–registration books of audiovisual programmes, the record on the results of the permanent monitoring shall also indicate the non-compliance between the results of the observation and the data of the electronic record–registration books of audiovisual programmes, as well as the number and duration of non-compliance.

10. Evidence regarding the subject-matter of the permanent monitoring, and in case of carrying out on-site observation at the operator — those under the disposal of the latter shall be attached to the record, whereon a note shall be made in the record.
11. In case of conducting a direct observation, the record on the results of the permanent monitoring shall be signed by the person having carried out the permanent monitoring, whereas in case of carrying out an on-site observation at the operator — by the representatives of the state regulatory body and the operator.
12. The record on the results of the permanent monitoring carried out through direct observation shall be forwarded to the Broadcaster or operator within a period of three days after it is drawn up.
13. In case of having objections with regard to the results of the permanent monitoring, the Broadcaster or operator may — within a period of three days after receipt of the record on the results of the permanent monitoring — submit them to the state regulatory body.
14. In case of having objections with regard to the results of the on-site observation carried out at the operator, the representative of the latter shall make a note thereon in the record and sign it.

15. Where the person referred to in part 5 of this Article refuses to sign and receive the second copy of the record or is not at the place of carrying out the on-site observation, the second copy of the record shall be delivered by post.
16. In case the record on the results of the on-site observation is signed by the person having the right to substitute the head of the operator, a relevant note thereon shall be made in the record, and the carbon copy of the legal document (statute, order, decision, letter of authorisation or another document) on the basis whereof the given person has the right to substitute the head of the operator, shall be attached to the record.
17. Where the representative of the operator refuses to sign the record or otherwise hinders the carrying out of the on-site observation, the representative of the state regulatory body shall make a note thereon in the record, wherein the name, surname and position of the representative of the operator, having hindered the carrying out of the permanent monitoring, shall also be indicated.
18. The record on the results of the permanent monitoring may serve as a basis for initiating administrative proceedings, and serve as evidence in administrative proceedings within the scope of initiated administrative proceedings.
19. The form of record on carrying out permanent monitoring shall be approved by the state regulatory body.

CHAPTER 7

AUTHORISATION, LICENSING OF USAGE OF THE PUBLIC MULTIPLEX SLOT AND THE ACTIVITY OF OPERATORS

Article 43. Authorisation

1. For obtaining a status of a Broadcaster a legal or natural person shall submit an application for authorisation to the state regulatory body, wherein the following shall be indicated:
 - (1) name of the applicant;
 - (2) registration number of the legal person, and — for a natural person — the record-registration number;
 - (3) registered office of the legal person, and — for a natural person — the record-registration address;
 - (4) telephone number, e-mail address;
 - (5) title of the audiovisual programming;
 - (6) time and date of submitting the application;
 - (7) signature of the applicant.
2. The application for authorisation shall be granted within a ten-day period upon the submission thereof to the state regulatory body.
3. In case of change of any of the requirements provided for by points 1-5 of part 1 of this Article, the Broadcaster shall — within a three-day period — submit it to the state regulatory body.

Article 44. Broadcasters operating in public and private multiplex

1. The state regulatory body shall announce tenders in case of licensing the usage of a slot in public multiplex, the expiry of validity of the licence for using the slot, and in case a new or free slot is available.
2. Only Broadcasters operating in the Republic of Armenia may obtain a licence for using a slot in the public multiplex, unless otherwise stipulated by the international treaty concluded prior to the entry into force of this provision.
3. All the audiovisual programmings included in the public multiplex shall — upon their right to being distributed according to the territories of transmission of terrestrial frequencies — be provided to the network operators free of charge. The network operators shall be obliged to distribute the audiovisual programmings provided to them by the right of being distributed free of charge. Moreover, the sequence of programmings must start with the programmings of Public Broadcasters.
4. On the basis of expiry of validity of the licence for using the slot, tenders shall be announced four months prior to expiry of validity of the given licence.
5. In case a free slot is available in public multiplex, the state regulatory body shall announce a tender within a one-month period.
6. In case a new slot is available in public multiplex, the authorised body of the Government shall notify the state regulatory body thereof, which shall — within a one-month period — announce tenders for licensing the usage of the slot.
7. The criteria for thematic scope, the concepts thereof shall be defined by the decision of the state regulatory body.
8. In case of arising technical possibility of digital broadcasting, the broadcasters of audio programmes may be included in the multiplex according to the conditions of their licences.

9. Broadcasters operating in private multiplex shall carry out the broadcasting of audiovisual programmes through the slot provided by the private multiplex operator.

Article 45. Licence

1. The licence shall be a document issued by the state regulatory body, which authorises:
 - (1) the Broadcaster to use a public multiplex slot for carrying out broadcasting of audiovisual information;
 - (2) the legal or natural person to carry out activities of a multiplex operator;
 - (3) the network operator to re-broadcast the audiovisual programmes of Broadcasters operating in the Republic of Armenia and the foreign broadcasters, except for cases provided for by this Law and the legislation.
2. A licence may not be transferred or alienated to another person.
3. Broadcasting of audiovisual programmings in public multiplex without a licence shall be carried out by Public Broadcasters, except for the case referred to in part 3 of Article 22 of this Law and the Broadcasters based on an interstate treaty.
4. The licence for using the slot shall be issued for a period of seven years, the licence for activities of a multiplex operator shall be open-ended, and the licence for activities of a network operator shall be issued for a period of 10 years with the possibility of extension.
5. The renewal of the licence, extension of the validity and issuance of the copy thereof shall be carried out on the grounds of and as prescribed by the Law "On licensing".

Article 46. Tender for licensing the usage of public multiplex slot

1. The announcement for tender for licensing the usage of the slot shall contain information about the quantity of free slots ensuring the republican, metropolitan and marz coverage.
2. For participating in the tenders for licensing of the usage of the slot an application shall be submitted the form whereof shall be established through the procedure for holding tenders for licensing of the usage of the slot.
3. The following shall be attached to the application:
 - (1) a document on the general overview of the main directions and measures of implementing the objectives prescribed by the Broadcaster, which shall become conditions of the licence in case of obtaining a licence;
 - (2) documents substantiating financial resources;
 - (3) data on the technical means to be used;
 - (4) information on the number of staff members, their education and professional training;
 - (5) code of ethics, which shall become a condition of the licence in case of obtaining a licence;
 - (6) self-regulation measures ensuring the implementation of provisions of the code of ethics, which shall become conditions of the licence in case of obtaining a licence;
 - (7) the receipt attesting the payment of state duty prescribed by the Law "On state duty" for participating in the tender for licensing.
4. The applicant of the tender for licensing of the usage of slots ensuring the republican coverage may — upon desire — take part also in the tender for licensing of the usage of slots ensuring the metropolitan coverage, by making a note thereon in the application.

5. Broadcasters having submitted an application for tender for licensing of the usage of slots ensuring the republican and metropolitan coverage may not participate in the tender for licensing of the usage of slots ensuring the marz coverage.
6. Selection of the winner of the tender for licensing the usage of public multiplex slot shall be conducted through preferential secret voting of the members of the state regulatory body.
7. The procedure for conducting preferential voting shall be established by the procedure for holding a tender for licensing of the usage of the slot.
8. The state regulatory body shall take into account the following while selecting the winner of the tender:
 - (1) prevalence of programmes of in-house production;
 - (2) prevalence of programmes in Armenian;
 - (3) ability to promote pluralism;
 - (4) technical and financial capacities of the applicant;
 - (5) professional training of the staff.
 - (6) prevalence of programmes aimed at the recognition and strengthening of lasting national, universal, spiritual, cultural values;
 - (7) compliance with the obligations assumed by the application for licensing of the usage of the slot during the carrying out of the activity in case of an operating licensed Broadcaster.
9. In case of a level playing field during the tender for licensing, the preference shall be given to:
 - (1) the operating Broadcasters that have committed fewer or less dangerous violations of the legislation during their activity;
 - (2) the operating Broadcasters that have at least three years of experience in the

sphere of production and broadcasting of audiovisual programmes.

10. The decisions of the state regulatory body shall be properly substantiated and reasoned. The state regulatory body shall ensure publicity of its decisions.
11. In case the winner of the tender abandons the right to receive a licence or the state regulatory body repeals the decision on granting a licence as prescribed by part 3 of the Article 51 of this Law, the right to receive a licence shall pass to the next participant having received the maximum scores.
12. The audiovisual programming of the Broadcaster having received a licence to use the slot ensuring republican coverage cannot be changed in any way within the entire territory of coverage.

Article 47. Application for licensing of the activity of a network operator

1. For licensing the activity of a network operator, the applicant shall — by a registered letter with a delivery notice or using other means of communication that ensure formulation of the message, or by hand with a receipt — submit to the state regulatory body an application, the form of which shall be defined by the procedure for licensing the activity of the network operator.
2. The following shall be attached to the application:
 - (1) copies of founding documents of the applicant;
 - (2) data on the technical means to be used;
 - (3) documents substantiating financial resources;
3. In case of detecting errors, deletions, omissions in documents submitted attached to the application, the state regulatory body shall, within a period of ten days after their receipt, inform the applicant thereon in an appropriate manner for the purpose of rectifying them. The applicant shall, within a period of ten days upon

receipt of the notice referred to in this part, submit documents to the state regulatory body without the shortcomings mentioned in this part.

4. The procedure for licensing the activity of the network operator shall be prescribed by the state regulatory body.

Article 48. Consideration of application for licensing the activity of the network operator and adoption of decision

1. The state regulatory body shall, during its sitting, consider the application for licensing the activity of the network operator and adopt a decision within 30 days after registering its entry.
2. A licence shall not be issued, where:
 - (1) documents referred to in part 2 of Article 47 of this Law are incomplete, obviously false or distorted;
 - (2) documents do not comply with the requirements of this Law and other legal acts;
 - (3) the applicant has failed to eliminate the shortcomings specified by the state regulatory body;
 - (4) there is a lack of technical capacity for broadcasting of audiovisual information.

Article 49. Activities of persons having obtained licence for activities of a network operator

1. Audiovisual programmings of Broadcasters, operating in the territory of the Republic of Armenia and outside of its boundaries, may be re-broadcast by a person having obtained a licence for activities of a network operator upon a

- contract signed with a distributor of audiovisual programmings or a broadcaster.
2. Re-broadcasting shall be carried out conditioned by the technical reasons specific to the process of simultaneous or almost simultaneous broadcasting due to fluctuations caused by short-term interruptions from the broadcasting of audiovisual information to its receipt.
 3. The person having obtained licence for a network operator may not be a distributor of audiovisual programmings.
 4. The person having obtained licence for a network operator may not produce and broadcast its own audiovisual programming.
 5. The network operator shall inform the state regulatory body of each change of the audiovisual programming being re-broadcast.

Article 50. Requisites of the licence

1. The licence shall contain the following information:
 - (1) name of the state regulatory body;
 - (2) series and number of the licence;
 - (3) date of issue of the licence;
 - (4) type of activity for which the licence has been issued;
 - (5) name and registered office of the legal person, and — for a natural person — name, surname, name and place of record-registration;
 - (6) area of coverage;
 - (7) validity of the licence;
 - (8) signature of the Chairperson of the state regulatory body;

- (9) seal impression of the Chairperson of the state regulatory body;
2. The winning bid of the tender shall be attached to the licence as a condition and shall be deemed to be an integral part thereof.

Article 51. Issuance of licence

1. Person having been declared as a winner in the tender for licensing, as well as having obtained a licence based on the application shall, within a period of 20 days upon receipt of the decision of the state regulatory body, pay a state duty in the amount fixed by the Law "On state duty".
2. The state regulatory body shall, within a period of ten days upon payment of the state duty prescribed by part 1 of this Article, issue licences to the specified persons.
3. Failure to pay the state duty within the time period prescribed by this Article shall be a ground for revoking the decisions on granting a licence, declaring as a winner in the tender and on issuing a licence.
4. Where the decision on declaring as a winner in the tender is revoked on the ground prescribed by this Article, the state regulatory body shall announce a tender and carry out licensing in the manner and under the conditions prescribed by this Law for licensing carried out through a tender, except for the case prescribed by part 11 of Article 46.

Article 52. Tender for licensing the activities of a private multiplex operator

1. The state regulatory body shall — in case of availability of free frequencies under its management — announce a tender for licensing the activities of a private

- multiplex operator. Where a tender is not held or there is no winner, the state regulatory body shall announce a new tender 10 days after the announcement thereof.
2. Within six months following the announcement of a tender for obtaining a licence for activities of a private multiplex operator, the following shall be submitted to the state regulatory body:
 - (1) an application;
 - (2) a plan for the creation of a multiplex network, including a schedule for launching the network;
 - (3) data on the technical means and equipment to be used;
 - (4) documents substantiating financial resources;
 - (5) copies of founding documents of the applicant.
 3. The form of application shall be established by the procedure for holding a tender for licensing the activity of a private multiplex operator.
 4. The state regulatory body shall, after expiry of the time limit for submission of applications for licensing of activities of a private multiplex operator, submit the plan and schedule for creation of the network to its selected expert group for technical expert examination which must be carried out within a maximum of two months.
 5. Where the expert group fails to give a technical expert examination opinion within two months, it shall be deemed to be complying with the necessary requirements.
 6. The state regulatory body shall — within a maximum of one month, following the receipt of the technical expert examination opinion, based on the expert opinion — adopt a decision on issuing a licence or on rejecting the application.

7. The procedure for (including the criteria for evaluation) holding a tender for licensing the activity of a private multiplex operator shall be defined by the state regulatory body.
8. The state regulatory body shall declare the tender for licensing the activities of the private multiplex operator as not having taken place where:
 - (1) no application has been filed within the time limit prescribed, or none of the submitted applications complies with the requirements of the legislation;
 - (2) a negative opinion has been issued as a result of the technical expert examination of the plan and schedule for creating a multiplex network of the sole participant or all participants of the tender;
 - (3) the size of the recommended area of coverage of the broadcasting network submitted by the plan for creating a multiplex network of the sole participant or all participants of the tender does not comply with the requirement prescribed by this Law.

CHAPTER 8

CONDITIONS FOR ORGANISING THE DISSEMINATION OF AUDIOVISUAL INFORMATION WITHOUT LICENSING

Article 53. Condition for organising the dissemination of audiovisual information without licensing

1. A licence for network broadcasting shall not be required, where the area of coverage and service is limited to buildings and territories belonging to the legal or natural person.
2. Organisation of the broadcasting of audiovisual information without licensing shall

not affect the quality of carrying out thereof by the Broadcasters operating in the given territory, as well as must not impede the operation of telecommunication technical means receiving and broadcasting audiovisual information.

3. Broadcasting of audiovisual information without licensing shall be carried out by non-linear Broadcasters, which carry out their activities after receiving the decision permitting their activity as defined by the state regulatory body.
4. Upon receipt of the decision of the state regulatory body permitting the activity, the non-linear Broadcasters may carry out their activities via network operators or other communication networks on a contractual basis.

Article 54. Activities of distributors of audiovisual programmings

1. A distributor of audiovisual programmings shall implement the activities thereof upon submitting a notification to the state regulatory body according to the legislation.
2. For each new audiovisual programming a notification shall be submitted.
3. The notification shall include the following:
 - (1) information about audiovisual programmings;
 - (2) information about natural or legal person deemed to be a distributor of audiovisual programmings;
 - (3) copy of the contract concluded with the rightholder of an audiovisual programming;
 - (4) information certifying that the Broadcasters and operator are founders or participants.
4. The state regulatory body shall confirm the notification within a period of 20 days.

5. In case there is incomplete, obviously false or distorted information in the notification or an advertisement is included in the foreign audiovisual programmings, it shall not be approved, except for cases when it had been impossible to obtain the version of that audiovisual programming which would not contain an advertisement.

CHAPTER 9

LIABILITY FOR VIOLATING THE REQUIREMENTS OF THE LEGISLATION ON AUDIOVISUAL MEDIA

Article 55. Liability for violating the requirements of the legislation on audiovisual media

1. Where the state regulatory body detects cases of violations of the requirements of the legislation regulating the field of audiovisual media, as well as where other state bodies detect — within the scope of their competence — cases of repeat violations of the requirements of the legislation regulating the field of audiovisual media and inform the state regulatory body thereon in writing, the state regulatory body shall apply the following administrative penalties:
 - (1) written warning;
 - (2) fine;
 - (3) suspension of an authorisation or licence;
 - (4) termination of an authorisation or licence.
2. The addressees of the administrative penalties shall have the right to apply to court with the request to revoke or change the decisions of the state regulatory body.

Bringing an action before the court with the above-mentioned request shall not suspend implementation of a decision on suspension of activities.

3. Administrative penalties prescribed by this Article shall not be applied to the Public Broadcaster.

Article 56. Written warning

1. In case there are violations detected as prescribed by part 1 of Article 55 of this Law, unless otherwise provided for by this Law, the state regulatory body shall — no later than within two months from the day of detecting the offence and/or being informed about cases of repeat offences detected by other state bodies within the scope of their competence — warn in writing the person having committed the offence, by requesting to remedy the violation and prescribing a reasonable time limit for remedying the violation.

Article 57. Fine

1. A fine may be imposed against a person having committed offences prescribed by this Article, no later than within two months from the day of committal of the offence, whereas in case of a continuing or a continuous offence — no later than within two months from the day of detecting it.
2. Failure by a person having received a written warning as prescribed by Article 56 of this Law to fulfil the defined requirement within the time limit indicated by the warning or repetition of the same violation which has become a ground for the warning within one year upon imposition of measures of administrative penalty prescribed by Article 56 of this Law shall:

entail imposition of a fine in the amount of 0.03 per cent of the Revenue, but not less than one hundred-fold of the fixed minimum salary.

3. Restriction by the Broadcasters and the operator of the right to receive other audiovisual information being disseminated on legal grounds within regions of coincidence of relevant zones of coverage shall:

entail imposition of a fine in the amount of 0.04 per cent of the Revenue, but not less than three hundred-fold of the fixed minimum salary.
4. Using the names of the Broadcasters only in foreign languages during the screen display, without continuous transliteration into Armenian shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than one hundred-fold of the fixed minimum salary.
5. Broadcasting of programmes in Armenian by a Broadcaster for less than 55 per cent of the total airtime, except for the cases provided for by law, shall:

entail imposition of a fine in the amount of 0.05 per cent of the Revenue, but not less than three hundred-fold of the fixed minimum salary.
6. Carrying out re-broadcasting by a network operator without contract, shall:

entail imposition of a fine in the amount of 0.04 per cent of the Revenue, but not less than fifty-fold of the fixed minimum salary.
7. Transmission — within the period prescribed by law for carrying out election campaign (with regard to the issue put to referendum) of elections (referendum) — of programmes on television without the compulsory continuous subtitle "Election (with regard to the issue put to referendum) campaign" on the screen, and in case of audio programmes — the failure to remind about it no less than twice during each programme shall:

entail imposition of a fine in the amount of 0.05 per cent of the Revenue, but not less than five hundred-fold of the fixed minimum salary.
8. Broadcasting of an advertisement of strong alcoholic beverages (with 20 and more volume per cent of alcohol) in the period between 06:00 and 22:30, broadcasting of an advertisement of tobacco and tobacco production, as well as direct or indirect

use or display of tobacco or types of tobacco products in audiovisual programmes for children and youth by the Broadcasters shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than two hundred-fold of the fixed minimum salary.

9. Commercial break during news programmes shall:

entail imposition of a fine in the amount of 0.03 per cent of the Revenue, but not less than three hundred-fold of the fixed minimum salary.

10. Failure by the Broadcaster to represent its baseline data every day on air shall:

entail imposition of a fine in the amount of one hundred-fold of the defined minimum salary.

11. Failure by the Broadcaster to broadcast its logo constantly during broadcasting of its programmes, (except for cases of broadcasting an advertisement) shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than three hundred-fold of the fixed minimum salary.

12. Audiovisual programmes of erotic nature and films containing horror and apparent violence, as well as violation of requirements for broadcasting of audiovisual programmes having potential negative impact on health, mental and physical development, education of minors shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than four hundred-fold of the fixed minimum salary.

13. Failure to notify the state regulatory body about satellite broadcasting shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than four hundred-fold of the fixed minimum salary.

14. Violation of requirements of Article 6 of this Law shall:

entail imposition of a fine in the amount of 0.03 per cent of the Revenue, but not less than two hundred-fold of the fixed minimum salary.

15. Violation of the established procedure for maintaining the electronic record-registration book of audiovisual programmes shall:

entail imposition of a fine in the amount of one hundred-fold of the defined minimum salary.
16. Violation of requirements of the Law "On advertising" by the Broadcaster shall:

entail imposition of a fine in the amount of 0.03 per cent of the Revenue, but not less than five hundred-fold of the fixed minimum salary.
17. Failure by the Broadcaster to maintain the audio and video recordings of broadcasted programmes for the period prescribed by this Law shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than three hundred-fold of the fixed minimum salary.
18. Violation of requirements of Article 7 of this Law shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than five hundred-fold of the fixed minimum salary.
19. Failure to ensure the requirements provided for by part 7 of Article 42 of this Law shall:

entail imposition of a fine in the amount of 0.01 per cent of the Revenue, but not less than one hundred-fold of the fixed minimum salary.
20. Violation of requirements of Article 8 of this Law shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than two hundred-fold of the fixed minimum salary.
21. Carrying out prohibited sponsorship shall:

entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than two hundred-fold of the fixed minimum salary.

22. Broadcasting by the Broadcasters of advertisement and entertainment programmes on days of mourning and remembrance designated by the State shall:
entail imposition of a fine in the amount of 0.03 per cent of the Revenue, but not less than four hundred-fold of the fixed minimum salary.
23. Failure by the Broadcaster, having obtained a licence, to meet the requirement of ensuring at least 20 per cent of the weekly airtime with audiovisual programmes of children's, educational, cultural and sports thematic scope shall:
entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than one hundred-fold of the fixed minimum salary.
24. Failure to meet the requirement of accompanying the audiovisual programme containing scenes of smoking with the wording "Smoking harms your health" in a visible size and with a duration of five seconds at the beginning of the programme, which shall:
entail imposition of a fine in the amount of 0.02 per cent of the Revenue, but not less than one hundred-fold of the fixed minimum salary.
25. Carrying out activities without the notification prescribed by Article 54 of this Law shall:
entail imposition of a fine in the amount of five hundred-fold of the fixed minimum salary.
26. Distribution of an audiovisual programming or part of it by the Broadcaster, and in case of non-linear information by the operator, without the consent of the rightholder thereof (not being subject of the copyright or related rights) shall:
entail imposition of a fine in the amount of one hundred-fold of the fixed minimum salary.
27. Failure to submit documents or other information defined by the decision of the state regulatory body or by the notice of the Chairperson thereof or the legislation

within the time period defined or submitting inaccurate or incomplete information shall:

entail imposition of a fine in the amount of five hundred-fold of the fixed minimum salary.

28. Failure to provide the state regulatory body with information about the details on generation of the revenue and the amount of the revenue of the previous year shall:

entail imposition of a fine in the amount of one hundred-fold of the fixed minimum salary.

29. Failure to act in compliance with the general profile of the main directions and measures of implementing the objectives of the Broadcaster shall:

entail imposition of a fine in the amount of two hundred-fold of the fixed minimum salary.

30. Failure to apply measures of self-regulation ensuring the provisions of the code of ethics shall:

entail imposition of a fine in the amount of the three hundred-fold of the fixed minimum salary.

31. Repetition of the same violation during one year by a person subjected to administrative penalty on the grounds prescribed by parts 2-30 of this Article shall:

entail imposition of a fine in the amount of three-fold of the penalty applied.

Article 58. Suspension and termination of authorisation or licence

1. The authorisation or licence of the Broadcaster shall be terminated, where:
- (1) the Broadcaster has been subjected to administrative penalty — on the ground prescribed by part 31 of Article 57 of this Law — thrice within a year (except for point 2 of part 1 of this Article), following which that person has

- committed an act deemed to be a ground for imposing any administrative penalty prescribed by part 1 of Article 55 of this Law during the same year;
- (2) the Broadcaster has been subjected to administrative penalty on the ground prescribed by part 31 of Article 57 of this Law, pursuant to part 7 of Article 57 of this Law, once within a year, following which the given Broadcaster has committed an act deemed to be a ground for imposing any administrative penalty prescribed by part 1 of Article 55 of this Law during the same year;
 - (3) technical means of the Broadcaster fail to comply with the accepted standards, as a result whereof there is a threat to human health, obstacles to the operation of other Broadcasters are created, technical quality of audiovisual programmes is not ensured;
 - (4) the Broadcaster having received a licence has failed, without any justified reason, to ensure broadcasting of audiovisual programmes for 24 hours at a stretch;
 - (5) the Broadcaster having received a licence has failed to broadcast audiovisual programmes within six months upon receipt of the licence;
 - (6) there is an application of the Broadcaster thereon;
 - (7) the requirements of part 1 of Article 9 of the Law have been violated;
 - (8) no airtime has been allocated during martial law or a state of emergency to the Prime Minister or to the Deputy Prime Minister who is officially the Commandant in the emergency area for making official statements.
2. After suspension of the authorisation or licence, in case of eliminating the violation referred to in part 1 of this Article within the time limits mentioned by the state regulatory body, the state regulatory body shall abolish the suspension.

The time period of suspension may not exceed 30 days.

3. The authorisation or licence shall be terminated, where:
 - (1) the legal person has been liquidated;
 - (2) there was a transfer of a licence to other natural or legal persons;
 - (3) essential false or distorted information is discovered in the documents submitted for licensing or authorisation;
 - (4) the violation prescribed by part 2 of this Article has not been eliminated;
 - (5) an application has been filed to that regard.
4. A person shall be exempt from liability for violations of technical rules committed during broadcasting of audiovisual programmes, failures or not ensuring broadcasting of programmes, where it is substantiated that those violations have been committed:
 - (1) due to a change in technical rules or standards by authorised state bodies;
 - (2) for the purpose of technical re-equipment, about which the person has informed the state regulatory body by a written justification, at least 30 days prior to its implementation, and has obtained authorisation;
 - (3) due to force majeure.
5. The Broadcasters shall, in cases prescribed by part 4 of this Article, within a reasonable time limit, recover the broadcasting of audiovisual programmes.
6. The provisions of this Article shall extend also to network operators, insofar as they are applicable.

Article 59. Termination of the licence for activities of a private multiplex operator

1. The licence for activities of a private multiplex operator shall be terminated in the

cases provided for by the Law "On licensing", as well as where:

- (1) the multiplex operator has failed to obtain the digital broadcasting network required by law within the time limits defined by the state regulatory body;
- (2) failure of its activities due to technical reasons has lasted more than three months.

CHAPTER 10

FINAL PART AND TRANSITIONAL PROVISIONS

Article 60. Final part and transitional provisions

1. This Law shall enter into force on the day following its official promulgation.
2. Upon the entry into force of this Law, Law HO-97 of 9 October 2000 "On television and radio" shall be repealed.
3. Upon the entry into force of this Law, the Broadcasters and operators shall continue their activities according to their licence validity period.
4. Within the meaning of this Law, television and radio companies having received a new licence at the time this Law enters into force shall be considered to be authorised and licensed broadcasters.
5. Within the meaning of this Law, television and radio companies having submitted an application for authorisation at the time this Law enters into force shall be considered to be authorised.
6. Within a period of six months following the entry into force of this Law, cable

television and radio companies broadcasting their own audiovisual programmes shall terminate broadcasting their own programmes.

7. Upon the entry into force of this Law, the cable television and radio companies shall be considered to be network operators and continue their activities according to their licence validity period.
8. Upon the entry into force of this Law, the network operators shall submit information to the state regulatory body on the audiovisual programming being re-broadcast within their network.
9. Upon the entry into force of this Law, the Chairperson, the members of the state regulatory body, the Chairperson and the members of the Council shall continue to hold office till the expiry of term of their powers.
10. The state regulatory body shall approve the criteria and concepts prescribed by part 7 of Article 44 of this Law within a one-month period following the entry into force of this Law.
11. For obtaining a decision permitting the activities with regard to the non-linear audiovisual information, the applications shall be submitted six months after the entry into force of this Law.
12. The procedure for formation of the Tender Commission shall be approved by the state regulatory body within a six-month period following the entry into force of this Law.
13. Broadcasters having applied for a licence at the time this Law enters into force shall receive a licence by the procedure and according to conditions prescribed by this Law.
14. For broadcasters of audio programmings regulations regarding slots provided for

- by this Law shall extend to analogue frequencies.
15. Within six months after the entry into force of this Law, the fines provided for by this Law shall be applied in the amount of 50 per cent.
 16. Within six months after the entry into force of this Law, a written warning shall be applied for committing acts prohibited by Articles 6 and 7 of this Law.
 17. After the entry into force of this Law, the composition of the Tender Commission formed by the Commission on Television and Radio shall be dissolved.
 18. When moving to digital broadcasting, the audio programming broadcasters, having received a licence, shall be obliged to bring their technical means in conformity with the means envisaged for broadcasting via digital broadcasting network.
 19. Part 3 of Article 49 of this Law shall not extend to contractual relations available at the moment this Law enters into force, until the expiration of the validity period of the contracts.
 20. After the entry into force of this Law, the provision of part 2 of Article 6 of this Law shall be effective after one year in case of presentation of cinematographic works.
 21. Part 2 of Article 44 of this Law shall enter into force from 1 January 2021.
 22. Upon the expiration of the licences to be announced in 2020, tenders for licensing the usage of all the slots shall also be announced together with the tenders for licensing the usage of the slot.
 23. At the time of entry into force of this Law, in case the tender for licensing the usage of public multiplex slot has been announced, but the voting for the applications has not taken place, it shall be cancelled and a tender shall be announced in the manner prescribed by this Law. State duty paid for participation

in the cancelled tender shall be valid in case of submitting an application for taking part in the new tender announced by the Broadcaster. In case the Broadcaster does not file an application for taking part in the new tender, the paid state duty shall be completely returned.

President of the Republic

A. Sargsyan

5 August 2020

Yerevan

HO-395-N

Date of official promulgation: 6 August 2020.