

LAW
OF THE REPUBLIC OF ARMENIA

Adopted on 14 April 2011
by the National Assembly of the Republic of Armenia

ON THE NATIONAL ACADEMY OF SCIENCES
OF THE REPUBLIC OF ARMENIA

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CHAPTER 1
GENERAL PROVISIONS

Article 1. Subject matter of the Law

This law prescribes legal basis for the organization and operation of the National Academy of Sciences of the Republic of Armenia, its guarantees, basic principles of its interrelations with the participants and subjects of public bodies, scientific, scientific and technical, innovative activities and is aimed at protecting scientific potential of the Republic of Armenia, development of fundamental and applied sciences as a background for scientific and technical progress, economic, social and cultural development of the Republic.

Article 2. Main concepts used in the Law

1. The following main concepts are used in this Law:
 - 1) *The National Academy of Sciences of the Republic of Armenia* (hereinafter referred to as the Academy) is founded by the Republic of Armenia highest self-governing scientific organization with a special status;
 - 2) the titles of *Academician and Corresponding member of the Academy* are the highest scientific ranks of the Academy, which are granted only by the Academy;

- 3) *Honorary member of the Academy* is a well-known Armenian or foreign scientist, public figure who contributes to the activities of the Academy
- 4) *Foreign member of the Academy* is a well-known scientist in the world who has outstanding scientific results of the activities related to Armenia;
- 5) *General Assembly of the Academy* is the highest governing body of the Academy;
- 6) *Presidium of the Academy* is a body carrying out the current government of the Academy
- 7) *President of the Academy* is a governing body of the Academy;
- 8) *Division of the Academy* is the association of the academicians, corresponding members and foreign members of the Academy, scientists and scientific organizations of the Academy acting in the same field of science;
- 9) *Staff of the Academy* performs the functions according to the decisions of the governing bodies of the Academy;
- 10) *Honorary award* is an award granted to the academicians and corresponding members of the Academy in an amount determined by the Government of The Republic of Armenia;
- 11) *Scientific, scientific and technological organization of the Academy* is an organization within the Academy system performing scientific, scientific and technical researches.

Article 3. The Academy status

1. The Academy is founded by the Republic of Armenia highest self-governing scientific organization with a special status, which organizes, performs and coordinates fundamental and applied research required for knowledge-based economic, social and cultural development.
2. The Academy is a corporate non-profit organization, specific features of organizational - legal form and status of which are defined by this Law.
3. The Academy acts pursuant to this Law, legislation of the Republic of Armenia, international treaties as well as its Statute.
4. Full name of the Academy is “The National Academy of Sciences of the Republic of Armenia”.
5. The Academy for the issues committed to it may perform separate functions of an authorized state governing body such as execution of general governing of scientific organizations, legal entities and institutions of its system providing its normal activity.

6. The Academy has its own property and on his behalf may gain and exercise property and personal non-property rights, bear responsibilities and appear in court as a plaintiff or defendant.
7. During the formation of the state budget of the Republic of Armenia the basic funding amount of the Academy is specified in a separate line, and the funding of the Academy from the state budget in accordance with contract (thematic) and targeted forms of scientific and technological activities is made in the order established by the Government.
8. The Academy has its own balance.
9. The Academy has a round stamp with a State Emblem of the Republic of Armenia and its name in Armenian, Russian and English, the Academy may have blanks with its name, emblem and other identification means.

Article 4. Specific features of the Academy status

1. The specific features of the Academy status are.
 - 1) The Academy subordinates directly to the Government;
 - 2) The President of the Academy participates in the Government sessions;
 - 3) The Academy is the official advisor to the Government on scientific activity matters, and the proposals of the Academy are to be considered by the Government and relevant public administration bodies.
2. The Academy examines the normative legal acts in the field of science in the prescribed order.

Article 5. Liability of the Academy

1. The Academy shall be liable for its obligations with the property belonging to it.
2. The Academy shall not incur liability for the obligations of its founder.

Article 6. Foundation and state registration of the Academy

1. The founder of the Academy is the Republic of Armenia represented by the Government.
2. The types of business activity of the Academy are determined by the decision of the founder as well as the value and composition of the property settled on the Academy or attached to it, also as other provisions not contrary to law.
3. The Academy is subject to a state registration in the prescribed order.

Article 7. The exceptional powers of the Academy founder

1. The exceptional powers of the founder are:
 - 1) approval of the Statute and structure of the Academy and making changes and amendments, as well as approval of the new edition of the Statute;
 - 2) determination of the Academy governing system;
 - 3) reorganization and liquidation of the Academy.

Article 8. The Academy Statute

1. The Statute is a constituent document of the Academy, which is approved and amended by the Government of the Republic of Armenia upon the recommendation of the Academy General Assembly. The changes and amendments to the Academy Statute are made in the same order.
2. The Academy Statute includes:
 - 1) the Academy name;
 - 2) location of the Academy Presidium;
 - 3) objectives and scope of the Academy activities, including types of its business activities;
 - 4) the Academy governing bodies, their structure and powers;
 - 5) procedure of formation, possession, use and disposal of the Academy property;
 - 6) procedure of the Academy profit use.

Article 9. Objectives and main directions of the Academy activities

1. Objectives of the Academy are:
 - 1) scientific support of economic, social, governmental and legal system development, rational (normal) usage and preservation of nature and culture of the Republic of Armenia;
 - 2) systematization and organization of the fundamental and applied scientific researches and processing on the main directions of armenology, physico-mathematical, natural, technical, humanitarian and social sciences;
 - 3) submission of the list of priority directions on fundamental and applied scientific researches together with the state's authorized bodies of the Republic of Armenia, making suggestions to the Government of the Republic of Armenia in the prescribed order concerning the legislation on the improvement of scientific, scientific and technical activities;

- 4) disclosure of fundamental new ways of scientific and technical progress, participation in processing of suggestions for practical application of local and global scientific achievements;
- 5) creation of conditions for development of scientific schools, preparation of highly qualified researchers, up-grading the scientists and professionals (including at foreign scientific centers);
- 6) ensuring the development of scientific and technical information system;
- 7) creation of conditions for the development of international scientific cooperation.

2. Main directions of the Academy activities are:

- 1) analysis of existing situation in scientific and technical field and providing foresights on future development tendencies;
- 2) creation of scientific, scientific and technical councils, panels of experts and commissions on the underlying problems of armenology, physico-mathematical, natural, technical, humanitarian and social sciences;
- 3) making suggestions to the Government of the Republic of Armenia concerning the legislation on the improvement of scientific and scientific and technical activities;
- 4) determination of main directions of the scientific organizations' and other structural bodies' activities within the Academy system;
- 5) preparation of highly qualified scientific and pedagogical (including master degree) personnel, scientific examination of draft documents' related to scientific, scientific and technical and economic programs, innovation projects submitted to the Government in the order established by the authorized state body;
- 6) development of scientific and technical potential, strengthening the facilities and equipment, ensuring the organization of experimental production of the technical and high-tech scientific and technical products of the Academy, as well as creation and outspread of new means and measures of the research;
- 7) preparation and submission in the established order of capital investment projects aimed at the development of scientific organizations and other structural bodies within the Academy system;
- 8) international scientific, scientific and technical cooperation, development of mutually beneficial ties with the foreign academies of sciences and other scientific organizations, execution of interstate scientific, scientific and technical programs and projects, participation in the activities of international scientific, scientific and technical organizations and associations;

- 9) ensuring the participation of foreign (including Armenian Diaspora) scientific potential in the fundamental and applied researches made in the scientific organizations of the Academy system;
- 10) increasing the scientific level of educational system, up-grading the teaching staff of the higher educational institutions, supporting the creation of educational programs and handbooks;
- 11) propaganda and dissemination of knowledge and publishing activities;
- 12) establishment in the Academy system of scientific, educational and scientific production joint centers in the prescribed order;
- 13) creation and development of a personal scientific and technical information resources, including its dissemination on domestic and international computer networks;
- 14) organization and conducting of scientific sessions, conferences, seminars and meetings, as well as participation in similar events.

Article 10. Rights and responsibilities of the Academy towards the organizations in its system

1. Through its governing bodies the Academy accomplishes general governing of the organizations in its system, ensures their normal activity.
2. The Academy:
 - 1) in the order prescribed by the organization statute forms its governing bodies and realizes early termination of powers
 - 2) exercises control over the organization activities;
 - 3) listens the reports on the activities of the organization, examines the results by the audit of their activities;
 - 4) exercises control over the use and maintenance of the state property assigned to the organization;
 - 5) if the organization hasn't got a collegial administrative body, the Academy approves the annual reports and annual balance sheets of the organizations;
 - 6) exercises other functions stipulated in this Law, Statute of the organization and the founder's decisions.

CHAPTER 2

SYSTEM AND STRUCTURE OF THE ACADEMY

Article 11. The Academy system

1. In the structure of the Academy are included the academicians (full members), corresponding members of the Academy, foreign and honorary members of the Academy, as well as the Academy divisions, the Academy staff and the organizations of the Academy founded by the Government of the Republic of Armenia.
2. The Government of the Republic of Armenia approves the list of the state non-profit organizations included in the Academy system.

Article 12. Members of the Academy

1. The Academy grants academic scientific titles, such as: academician of the Academy (full members of the Academy), corresponding member of the Academy, honorable member of the Academy, foreign member of the Academy, the Academy honorary doctorate degree. The academic scientific titles are life granted.
2. The academic scientific titles are fixed by diplomas. Granting of a scientific title is done basing on the results of the elections held in accordance with the Academy Statute. The academicians and corresponding members of the Academy are granted a life honorary awards, the sum of which is fixed by the Government of the Republic of Armenia. The honorary award is granted to those members of the Academy who live and work in the Republic of Armenia or has left for business travel for less than three months period.
3. The process of election of academicians, corresponding members, honorary, foreign members and honorary doctors of the Academy, their rights and responsibilities are determined in the Academy Statute.
4. The maximum age and the professions of the full and corresponding members of the Academy are defined by the Government of the Republic of Armenia at the suggestion of the Academy President. The elections of full and corresponding members of the Academy, as a rule, are held once in 3 years.

Article 13. The scientific, scientific and technical organizations of the Academy

1. Scientific, scientific and technical organizations, publishing houses and institutions are acting within the Academy system.
2. The scientific, scientific and technical organizations of the Academy are state non-profit organizations founded by the Republic of Armenia and the Academy is authorized to fulfill their governance.

3. The foundation and government of the scientific, scientific and technical organizations are done in the order prescribed by the legislation of the Republic of Armenia, the Academy Statute, and also with the statutes of those organizations.
4. The scientific organizations of the Academy system can be engaged in business activities in the order prescribed by law.
5. The foundation of the scientific organizations in foreign countries by the Academy is made by a decision of the founder in accordance with the legislation of that country if otherwise is not stipulated by international treaties of the Republic of Armenia.
6. The founder of the Academy institutions is the Academy.

Article 14. Divisions of the Academy

1. The academicians, corresponding and foreign members, researchers and scientific organizations of the Academy acting in the same field of science are united in the Academy divisions.
2. Main directions of scientific activities of the Academy divisions are prescribed in the Academy Statute.
3. The Academy division is responsible for organization of the work done in this field, preparation of scientific plans and for the quality of done work.
4. The Academy division is headed by the academician-secretary of that division, the election process of whom is determined by the Academy Statute.

Article 15. The Academy staff

1. The Academy staff is created for fulfillment and ensuring full and effective realization of the powers implied to the governing bodies of the Academy.
2. The structure and competence of the Academy staff is determined in the Statute approved by the Academy Presidium.

CHAPTER 3

GOVERNING BODIES OF THE ACADEMY

Article 16. Governing bodies of the Academy

1. Governing bodies of the Academy are General Assembly of the Academy, Presidium of the Academy and President of the Academy.
2. The procedure of the Academy governance is prescribed by this law and the Academy Statute.

Article 17. General Assembly of the Academy

1. General Assembly of the Academy is the highest collegial government body authorizations of which are determined in the Academy Statute.
2. General Assembly of the Academy consists of the Academy President, members of the Academy Presidium, full and corresponding members of the Academy and representatives of the scientific organizations of the Academy.
3. Number of the representatives of scientific organizations in the General Assembly of the Academy, the election procedure and the peculiarities of their participation in the activities of the General Assembly are determined by the Academy Statute.
4. The honorary and foreign members of the Academy may participate in the work of the General Assembly without the right to vote and to be elected.

Article 18. President of the Academy

1. President of the Academy governs the Academy activities within his jurisdiction and in accordance with the Academy Statute. He ensures the normal activity of the Academy.
2. Authorities of the President of the Academy are determined in the Academy Statute.
3. According to the order prescribed by the legislation of the Republic of Armenia and the Academy Statute, the President of the Academy disposes the property belonging to the Academy, including financial resources.
4. The President of the Academy is elected by the General Assembly of the Academy from the overall number of the academicians with closed and secret ballot, with a simple majority of voices, for 5 years period. The same person cannot be elected as a President of the Academy more than twice uninterruptedly.

Article 19. The Academy Presidium

1. The Academy Presidium fulfills the current government of the Academy and is accountable to the General Assembly of the Academy. The authorization of the Academy Presidium is prescribed by the Academy Statute.
2. The Academy Presidium is headed by the President of the Academy.
3. The vice-president of the Academy and the academician-secretary are elected from the number of academicians and corresponding members of the Academy by the General Assembly of the Academy with closed and secret ballot, with a simple majority of voices, for 5 years period.

4. The Academy Presidium consists of ex officio and elected members. The ex officio members of the Academy Presidium are: President of the Academy, vice-president, academician-secretary, academician-secretaries of the Academy divisions after being appointed at that office on the General Assembly of the Academy.

All other members of the Academy Presidium are elected on the General Assembly of the Academy from the number of academicians and corresponding members of the Academy for 5 years period, with closed secret ballot, with a simple majority of voices in the order prescribed by the Academy Statute.

5. The representatives of the institutes of higher education, of the economical branches and of the state administrative bodies may be invited to take part in the sessions of the Academy Presidium with a right of an advisory voice.

CHAPTER 4

BELONGINGS AND FUNDS OF THE ACADEMY

Article 20. Composition of the Academy belongings

1. Belongings of the Academy are composed of its own property and the belongings perpetually and without indemnity attached to it by the Government of the Republic of Armenia for ensuring the scientific activities.
2. The order of usage, possession and disposition of the belongings and the budgetary means assigned to it, as well as its own property is determined by the legislation of the Republic of Armenia.

Article 21. Property of the Academy

1. The Property of the Academy is composed of the property given to it by the founder during its foundation and after it, as well as created and acquired property during its activities.
2. Regarding the movable property and real assets of the Academy the founder does not have rights, except the property left after the liquidation.
3. The Academy bears the burden of protection of the property belonging to the Academy.

Article 22. The property attached to the Academy

1. The founder can assign any belongings perpetually and without indemnity to the Academy.
2. The founder has the right to take back the property assigned by him to the Academy.

3. The Academy hasn't got the right to dispose, put on a pledge or to give for the usage without indemnity the property assigned to it or the rights on that property.

The Academy has the right to lease the property attached to it if it is not prohibited by the decision of the founder or by the Statute. The period of the leasehold of the attached property cannot be more than 1 year, except the cases determined by the founder.

The income of the Academy got from the lease of the attached property is aimed at the fulfillment of its statutory issues.

The integral improvements during the use of the attached property of the Academy are owned by the founder.

4. Assigning the property to the Academy by the founder is not a ground for termination or modification of the rights of the founder or third parties.

Article 23. The Academy funds

1. The Academy funds are composed of:
 - 1) the scientific and business activities of the Academy, including contractual works with Armenian and foreign legal entities and individuals, income got from scientific industrial activities relating to the realization of its own products;
 - 2) donations, grants and wills of legal entities and individuals (including foreigners);
 - 3) the income got from the property and proprietary rights of the Academy;
 - 4) other sources not prohibited by law.
2. Involvement of additional financial sources cannot lead to the reduction of the funding sums of the Academy allocated by the state budget.
3. Within its funding the Academy decides itself the number of its workers, the order of their payment, also as the main directions of spending the issued funds in the order prescribed by the legislation of the Republic of Armenia and the Academy Statute.
4. The issue of the funds allocated from the state budget to the organizations in the Academy system is made by the Academy.

Article 24. Big deals

1. The deals or interrelated deals are considered to be big when they are connected with the directly or indirectly acquisition, disposal or the opportunity of disposal of the property by the Academy, the sum of which is more than 50% of the Academy property according to the accounting report given in trimester before

the day of holding a decision on making such deals. The deals are not considered to be big when they are made in the everyday activities of the Academy and are considered to be the functions directly arising from its statutory issues.

2. A big deal is made with the consent of the founder.
3. Holding a decision on making big deals for directly or indirectly acquisition, disposal or the opportunity of disposal of the property by the cost of 20-30% of the Academy property is reserved to the Academy Presidium in the order prescribed by the Academy Statute.
4. A big deal made in violation of the requirements of this article may be declared invalid by the court basing on the application of the founder of the Academy or a state body authorized by him.

CHAPTER 5

TRANSITIONAL PROVISIONS

Article 25. Reorganization and liquidation of the Academy

1. The Academy can be reorganized by the decision of the founder in the order prescribed by the Civil Code of the Republic of Armenia.
2. By the liquidation of the Academy its activity is terminating without succession of the rights and responsibilities to other persons.
3. The Academy can be liquidated by the decision of the founder in the order prescribed by the Civil Code of the Republic of Armenia.
4. The Academy can be liquidated also as a result of bankruptcy.

Article 26. Entry into force

1. This law shall enter into force on the tenth day after the official publication.
2. From the moment of entering into force of this law the Government of the Republic of Armenia as a founder of the Academy basing on the legislation of the Republic of Armenia makes reorganization of the Academy in the form of restructuring.
3. The Academy will be restructured after the state registration of the new statute in the order prescribed by law.
4. The Academy is a successor of “The National Academy of Sciences of the Republic of Armenia” state non-profit organization which was considered to be the successor of the Soviet Academy of Sciences founded according to the decision no. 702 adopted on 10 November 1943 of the Soviet Armenia Government.

5. According to the transfer act the rights and responsibilities of “The National Academy of Sciences of the Republic of Armenia” state non-profit organization pass to the Academy registered with new status.
6. The governing bodies of the Academy continue to exercise their powers before the expiration of the time-limits prescribed by the statute before the entrance into force of this law.

President of the Republic of Armenia

S. Sargsyan

6 May 2011