

REPUBLIC OF ARMENIA
THE LAW:
ON FREEDOM OF INFORMATION

Adopted on September 23, 2003

Article 1. Subject and scope of this law

1. This law regulates the relations related to freedom of information, defines the holders of information in the field of information provision. authority, as well as the procedure, forms and conditions for obtaining information.

2. This law applies to state and local self-government bodies, state institutions, budget-funded organizations, as well as public organizations and their officials.

Article 2. Legislation on Freedom of Information

1. The legislation on freedom of information consists of the Constitution of the Republic of Armenia, this law and other legal acts.

2. If the international treaties of the Republic of Armenia establish norms other than those envisaged by this law, the norms of the international treaty shall apply.

Article 3. The main concepts used in this law

The following definitions are used in this law.

Freedom of information - the exercise of the right to seek information in the manner prescribed by law and to receive it from the information holder.

Information: data received and formed in accordance with the legislation on a person, object, fact, circumstance, event, occurrence, phenomenon, regardless of from the form of management or material carrier (text, electronic documents, recordings, videos, tapes, drawings, diagrams, notes, maps).

State and local self-government bodies with information, state institutions, budget-funded organizations, as well as organizations of public importance and their officials.

An organization of public importance, having a monopoly or dominant position in the product market, as well as health, sports, education, culture, social security; Non-governmental organizations providing services to the public in the fields of transport and communication, communal spheres.

Inquiry: a written or oral application addressed to the information holder in the manner prescribed by this law for the purpose of seeking and / or receiving information.

Publication of information through the press and other mass media, the World Wide Web (hereinafter referred to as the Internet), as well as other legislation Informing the public and making them available.

Article 4. Basic Principles for Ensuring Freedom of Information

The main principles of ensuring freedom of information are:

- 1) Defining a unified procedure for registering, classifying and storing information;
- 2) protection of the freedom to seek and receive information;
- 3) Ensuring access to information;
- 4) publicity.

Article 5. Registration , classification and storage of information

The registration, classification and storage of information developed or delivered by the information holder shall be carried out by the Government of the Republic of Armenia. in the prescribed manner.

Article 6. Exercising freedom of information

1. Every person has the right to get acquainted with the information he / she seeks and / or to request information from the information holder in the manner prescribed by law and to receive it. that information.

2. Foreign persons may enjoy the rights and freedoms provided for in this Law only in cases prescribed by law and (or) an international treaty.

3. Freedom of information may be restricted in cases provided by the Constitution of the Republic of Armenia and the law.

Article 7. Ensuring access to and publicity of information

1. The information holder develops and publishes the procedure for providing information in accordance with the procedure established by the legislation, which he / she posts in his / her location, in the visible place of everyone.

2. The information holder shall immediately publish or otherwise make available to the public the information in its possession, the publication of which may prevent State and public safety, public order, public health and morals, the rights and freedoms of others, the environment, individuals the threat to property.

3. Unless otherwise provided by the Constitution of the Republic of Armenia and (or) the law, the information holder published the activity at least once a year The following information and changes made in them:

Public works and services (to be implemented).

2) the budget.

Forms of written inquiries and instructions for filling them in.

Staff lists, as well as names of officials, surnames, education, profession, position, workplace telephone numbers, e-mail addresses.

Recruitment procedure and vacancies.

Impact on the environment.

programs of public events.

The order, day, time and place of reception of citizens.

Pricing procedure, prices (tariffs) in the field of works and services.

The list of managed information and the order of their management.

Statistical and summary data on the received inquiries, including the grounds for rejection.

the sources of processing or receiving the information defined in this part;

the data of the person authorized to clarify the information defined in this part.

4. The changes made in the information mentioned in part 3 of this article shall be published within 10 days after their implementation.

The information mentioned in parts 2 and 3 of this article shall be published in a form accessible to the public, in case of availability of the website of the information holder, also with an addition.

Organizations receiving public significance, as well as budget allocation (financing) may not publish the provisions of paragraphs 2, 4 and 5 of Part 3 of this Article. information and their changes.

Article 8. Restrictions on Freedom of Information

1. The information holder, except for the cases defined in part 3 of this article, refuses to provide the information, if it:

- 1) contains state, official, banking, commercial secret;
 - 2) violates the privacy of a person's personal and family life, including the confidentiality of correspondence, telephone conversations, postal, telegraphic and other messages;
 - 3) contains the data of the preliminary examination not subject to publication;
 - 4) discloses data requiring restriction of access due to professional activity (medical, notarial, lawyer secret);
 - 5) violates copyright and (or) related rights.
2. If a part of the requested information contains data, the provision of which is subject to denial, information on the remaining part shall be provided.

The provision of information may not be denied if:

- 1) refers to emergencies threatening the safety and health of citizens, as well as natural (including officially predicted) disasters and their the consequences.
- 2) presents the general state of the economy of the Republic of Armenia, as well as the protection of nature and environment, healthcare, education, agriculture; The real situation in the field of trade and culture.
- 3) Failure to provide it will have a negative impact on the implementation of state programs of socio-economic, scientific-technical and spiritual-cultural development of the Republic of Armenia.

Article 9. Procedure for submitting and discussing the request

1. The written request shall indicate the name, surname, citizenship, location of residence, work or educational institution of the applicant. The written request must be signed (in case of a legal entity, its name, location).

2. The writing of written inquiries is carried out in accordance with the procedure established by the legislation for citizens' applications and complaints, separately from other forms of writing.

3. A written inquiry shall not be answered if:

- 1) it does not contain all the data mentioned in part 1 of this article;
- 2) it turns out that the identity data of its author are false;
- 3) this is the second application submitted by the same person during the last 6 months with the request to receive the same information, except for the case provided for in Part 4 of Article 10 of this Law.

The applicant is not obliged to substantiate the request.

In case of an oral question, the applicant must state his / her name and surname in advance. The answer to the oral question is given if:

1) The provision of the required information may prevent state, public safety, public order, public health and morals, the rights of others; and the threat to freedoms, the environment, the property of individuals.

2) it is necessary to verify the fact that the holder of the given information has relevant information;

3) it is necessary to clarify the procedure for consideration of written inquiries by the holder of the given information.

6. The answer to the oral inquiry is given orally, immediately or as soon as possible after hearing the inquiry. If the applicant does not provide his / her name and surname by oral request, and (or) If the oral inquiry does not comply with the requirements set forth in paragraphs 1, 2 and 3 of Part 5 of this Article, the information holder may not respond to the oral inquiry.

7. The answer to the written inquiry is given in the following terms:

- 1) If the information mentioned in the written request is not published, a copy of it shall be given to the applicant within 5 days after receiving the request;
- 2) If the information mentioned in the written request is published, then the information on the means, place and date of the given publication is given to the applicant after receiving the request – 5 days within.
- 3) if additional work is required to provide the information mentioned in the written request, that information shall be provided to the applicant within 30 days after receiving the application. within 5 days after receiving the request, the applicant shall be notified in writing, stating the reasons for the delay and the deadline for providing the information.

8. The answer to the written inquiry is given in the material carrier mentioned in that inquiry. If the material carrier is not specified and it is impossible to find out the given request within the time period defined by this law In order to answer, the answer to the written inquiry is given in the most acceptable material medium to the information holder.

9. In the case provided for in point 1 of part 7 of this article, the applicant may, at his / her request, get acquainted with the information on the spot in the manner prescribed by law, taking back his / her written query:

10. If the information holder does not have the requested information, or its provision is beyond his / her authority, he / she shall, within 5 days after receiving the given written request: is obliged to inform the applicant in writing, and if possible, to provide the location of the holder of that information (including the archive), who has the wanted information:

11. If the information holder does not have all the data related to the requested information, he / she shall provide the applicant with the part of the data he / she has, and if possible a written request. The reply shall also state the location of the holder of that information (including the archive) who has other information relating to the information being sought.

Article 10. Terms of providing information

1. Provision of information or its copy (copy) by state and local self-government bodies, state institutions and organizations is carried out In accordance with the procedure established by the Government of the Republic of Armenia.

2. The provision of the information provided for in part 1 of this Article shall not be charged in the following cases:

- 1) when answering oral inquiries;
 - 2) when providing printed or copied information up to 10 pages;
 - 3) when providing information by e-mail (Internet network);
 - 4) when answering written inquiries on the provision of information mentioned in Part 2 of Article 7 of this Law;
 - 5) when providing information on changing the deadline for providing information in the cases provided for in Article 9, Part 7, Clause 3 and Article 9, Part 10 of this Law;
 - 6) when refusing to provide information.
3. Public organizations shall independently determine the amount charged for the provision of information, which may not exceed the provision of that information. costs.

4. The body or organization that provided information containing inaccurate or incomplete data shall be obliged by this law upon a written request of the person who received that information. Provide information with corrected data free of charge in accordance with the established procedure.

Article 11. Grounds and Procedure for Refusing to Provide Information

1. The provision of information shall be refused in the cases defined in Article 8 of this Law or in case the amount established for the provision of that information is not paid.

2. The information holder may not respond to an oral inquiry if it currently interferes with the performance of the core responsibilities of the information holder; except for the cases defined in Part 2 of Article 7 of this Law.

3. In case of refusal to provide the information required by the written request, the information holder shall notify the applicant in writing within 5 days, stating the grounds for the refusal (by law). the relevant norm), as well as the procedure for its appeal.

4. Refusal to provide information may be appealed to an authorized public administration body or court.

Article 12. Responsibilities of information providers in the field of freedom of information

In the field of ensuring freedom of information, the information holder is obliged in the manner prescribed by law:

ensure the availability and publicity of information.

carry out the registration, classification and storage of information under its control;

3) provide reliable and complete information to the person seeking information;

4) establish the procedure for providing oral and (or) written information;

5) appoint the official responsible for ensuring freedom of information.

Article 13. The person responsible for ensuring freedom of information

1. The official responsible for ensuring freedom of information may be the official appointed by the information holder or information the manager.

2. The official responsible for ensuring freedom of information in the manner prescribed by law:

- 1) Ensures the implementation of the responsibilities of the information holder in the field of ensuring freedom of information;
- 2) Explains the procedure, conditions and forms of providing information to the information seeker in an accessible way;
- 3) processes the statistical and summary data of the received inquiries.

Article 14. Liability for violation of freedom of information

1. Except for the cases provided by this law, refusal to provide information or providing unreliable information, as well as other procedures defined by this law. Violations give rise to liability under the law.

2. In the cases provided for in Part 3 of Article 8 of this Law, the publication of information may not give rise to administrative or criminal liability.

Article 15. Entry into force of the law

1. This law shall enter into force on the tenth day following its official publication.

2. Parts 3 and 4 of Article 7 of this Law shall enter into force on January 1, 2004.

REPUBLIC OF ARMENIA
PRESIDENT: R. KOCHARYAN

22.10.2003:
HO-II:

Project history: