

IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA

ON THE CASE OF CONFORMITY OF PART 1 OF ARTICLE 87 OF THE
RA ADMINISTRATIVE PROCEDURE CODE WITH THE
CONSTITUTION OF THE REPUBLIC OF ARMENIA ON THE BASIS OF
THE APPLICATION OF GEVORG SAFARYAN

Rapporteur A.Gyulumyan

Proceeding from the results of consideration of the case and ruled by Point 1 of Article 100, Article 102 of the Constitution of the Republic of Armenia, Articles 63, 64, 68 and 69 of the RA Law on Constitutional Court, the Constitutional Court of the Republic of Armenia HOLDS:

1. Recognize Part 1 of Article 87 of the Code of Administrative Procedure of the Republic of Armenia in regard to the provision "till appointment of the proceedings" as contradicting Parts 1 of Article 61 and 63 of the RA Constitution.

2. On the basis of Part 3 of Article 102 of the Constitution of the Republic of Armenia and Part 15 of Article 68 of the RA Law "On Constitutional Court" to envisage December 1, 2016 as the deadline for the invalidation of the legal norm providing the National Assembly and the Government with the opportunity, in the framework of their competence, to bring Part 1, Article 87 of the RA Code of Administrative Proceedings into the line with the requirements of this Decision.

3. On the basis of Point 9.1 of Part 1 of Article 64 and Part 12 of Article 69 of the RA Law "On Constitutional Court" the final judicial act imposed against the Applicant, which was the subject of the dispute, due to newly revealed circumstances is subject to review in accordance with the order prescribed by law.

4. In accordance with Article 102 (2) of the RA Constitution this decision is final and enters into force from the moment of its announcement.

June 23, 2016

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