

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

**ON THE CASE CONCERNING THE DETERMINATION OF THE ISSUE REGARDING THE
CONFORMITY OF ARTICLES 118 AND 118.6 OF THE RA ADMINISTRATIVE
PROCEDURE CODE WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON
THE BASIS OF THE APPLICATION OF THE CITIZEN ANOUSHAVAN NIKOGHOSYAN**

Rapporteur M. Topuzyan

Based on the results of consideration of the case and in accordance with Point 1, Article 100, Article 102 of the Constitution, Articles 19, 63, 64 and 69 of the RA Law on “The Constitutional Court”, the Constitutional Court of the Republic of Armenia **DECIDED:**

1. Within the legal positions expressed in this ruling to recognize the Constitution of the Republic of Armenia Article 118 of the RA Administrative Procedural Code.
2. To find contradicting the word formations “is present” and “results to” enshrined in Point 3, Part 1, Article 118 of the RA Administrative-Procedure Code, as contradicting to Part 1, Article 19 of the RA Constitution and null.
3. Guided by the provisions of Part 3, Article 102 of the Constitution and Parts 15-17, Article 68 of the RA Law on “The Constitutional Court” and considering that ensuring of the activity and productivity of the existing two-tier system of administrative justice and other systemic solutions of the problems needs equivalent legislative regulations, in accordance with Point 2 of the conclusive part of the given Decision for the legal norms, recognized as inconsistent and void to the Constitution, determine December 1, 2010 as the deadline for the loss of force of law.
4. Pursuant to Part 2, Article 102 of the RA Constitution, this decision is final and enters into force from the date of publication.

April 13, 2010
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