

**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 ARTICLE 73, PART 1, POINTS 6 AND 7 OF THE ADMINISTRATIVE
PROCEDURE CODE WITH THE CONSTITUTION OF THE REPUBLIC OF ARMENIA ON
THE BASIS OF THE APPLICATION OF THE CITIZEN EDUARD KHACHIKYAN**

Rapporteur A. Petrosyan

Proceeding from the results of consideration of the case and ruled by Article 100, Point 1, Article 101, Part 6, Article 102 of the Constitution of the Republic of Armenia, Articles 32,60,63, 64, 68 and 69 of the RA Law on Constitutional Court, the Constitutional Court of the Republic of Armenia **HOLDS:**

1. To declare the provision of Article 73 Part 1 Point 6 of the Administrative Procedure Code of RA in regard to the requirement to submit "the documents conforming the receipt " as contradicting Article 18 Part 1 of the RA Constitution and void.
2. To dismiss the case on conformity of Article 73 Part 1 Points 6 and 7 of RA Administrative Procedure Code with the Constitution of RA on the basis of the application of the citizen Eduard Khachikyan.
3. To determine 1 July 2014 as a deadline for the invalidation of Article 73 Part 1 Point 6 of the RA Administrative Procedure Code, considering the fact that the invalidation of the norm declared contradicting to the RA Constitution in Point 1 of the operative part of this decision on the moment of the announcement of the decision shall inevitably give rise to unfavorable effects, which will distort the legal security to be established on the moment of the liquidation of the given norm, as well as taking into account, that it is necessary to have precise and systemized legislative regulation on the demand **to send** the copies of the action and the attached documents thereto (if it is possible to copy them) to the Respondent and other parties of the case **in a due manner** prescribed by the RA Administrative Procedure Code and on legally equivalent guarantees ensuring the equal opportunities for the parties during the whole case trial, based on Article 102 Part 3 of the RA Constitution and Article 68 of the RA Law on the Constitution Court.
4. Pursuant to Article 102, Part 2 of the constitution of the RA this Decision is final and enters into force from the moment of its announcement

December 10, 2013

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