

LAW
OF THE REPUBLIC OF ARMENIA

Law adopted by the Supreme Council of the Republic of Armenia

H.N-0800-I of 14 April 1993

**ON SOCIAL PROTECTION OF PERSONS WITH DISABILITIES IN THE REPUBLIC OF
ARMENIA**

This Law defines the legal, economic and organisational fundamentals for the social protection of persons with disabilities in the Republic of Armenia, basic provisions of state policy on providing more favourable conditions and privileges for exercising the rights and abilities of persons with disabilities aimed at ensuring for them opportunities equal to those of other citizens of the Republic.

CHAPTER 1

GENERAL PROVISIONS

Article 1. Legislation on social protection of persons with disabilities

The legislation on social protection of persons with disabilities consists of the Constitution of the Republic of Armenia, this Law, other laws and legal acts.

Where international treaties of the Republic of Armenia prescribe norms other than those provided for by this Law, the norms of the international treaties shall apply.

(Article 1 edited by HO-457-N of 5 November 2002)

Article 2. Main concepts used in this Law

The following main concepts shall be used in this Law:

person with disability — any person, who is in need of social protection as a result of limitations in vital activities due to health disorder;

limitations in vital activities — complete or partial loss of self-service abilities of a person, as well as the abilities and opportunities thereof in respect of independent movement, orientation, communication, control over their own behaviour, receipt of education and engagement in employment activities (in case of children — also playing abilities) (including abilities to move, see, hear and/or speak with the help of rehabilitation technical means and other auxiliary appliances);

rehabilitation technical means and other auxiliary appliances — special devices and technical means (wheelchairs, walking frames, hearing aids, orthoses, prostheses, crutches, walking canes, etc.) envisaged for the complete or partial abolition of limitations in vital activities, substitution (compensation) thereof;

medical and social expert examination — determination of disability on the basis of assessment of limitations in vital activities due to stable disorder of the functions of the organism as a result of disease, injury or harm, as well as determination of the types of rehabilitation and social protection of a person with disability;

ensuring access to environment of vital activities — designing, building and rebuilding of residential and public buildings, streets, medical, production, educational, cultural, sports and other premises, as well as the adjustment of public transportation means for the purpose of abolishing limitations in vital activities of persons with disabilities and taking into account their needs;

social protection of persons with disabilities — system of economic, social and legal measures, which ensures conditions for persons with disabilities to abolish, substitute (compensate) the limitations in vital activities and is aimed at ensuring for them opportunities equal to those of other citizens for their participation in social life;

(Article 2 edited by HO-457-N of 5 November 2002, by HO-92-N of 3 May 2005)

Article 3. Rights and duties of persons with disabilities

Persons with disabilities shall have the same rights, freedoms and duties prescribed by the Constitution and laws of the Republic of Armenia as other persons.

Rights and freedoms provided for by this Law for the citizens of the Republic of Armenia shall extend also to persons with the status of a refugee as prescribed by the legislation.

Rights and duties of persons with disabilities may be abolished or changed in the cases and under the procedure provided for by the Constitution and laws of the Republic of Armenia, where the exercise thereof proves to be impossible due to limitations in vital activities of the person with disabilities.

Officials and citizens considered as guilty for violating the rights, freedoms and legal interests of persons with disabilities shall be subject to liability as prescribed by law.

(Article 3 edited by HO-91 of 11 October 2000, by HO-457-N of 5 November 2002)

Article 4. Protection of the rights, freedoms and legal interests of persons with disabilities

(Part 1 repealed by HO-457-N of 5 November 2002)

(Part 2 repealed by HO-457-N of 5 November 2002)

The compensation of expenses incurred in respect of allowances, medical treatment, provision with transportation means, wheel-chairs, prosthetic appliances and other technical means related to the loss of working capacity of the citizens having suffered occupational injuries or disease by the fault of employer carrying out activities in the territory of the Republic of Armenia (irrespective of the form of ownership) and having been declared as persons with disabilities in a manner prescribed, shall be implemented at the expense of the employer as prescribed by the Government of the Republic of Armenia.

(Article 4 amended by HO-457-N of 5 November 2002)

Article 5. Participation of enterprises, institutions and organisations in the implementation of the state policy on social protection of persons with disabilities

Enterprises, institutions and organisations operating within the territory of the Republic of Armenia and taking part in the implementation of state policy on social protection of persons with disabilities (financing of the measures on social assistance provided to persons with disabilities, production of technical and other means envisaged for persons with disabilities, provision of services, construction and maintenance of objects of social infrastructure serving persons with disabilities, organisation of productions mainly using the work of persons with disabilities, etc.) shall profit from taxation and other privileges as prescribed by the legislation of the Republic of Armenia.

Article 5¹. Powers of the Government of the Republic of Armenia in the sphere of social protection of persons with disabilities

In the sphere of social protection of persons with disabilities the Government of the Republic of Armenia shall:

- (a) ensure the implementation of the state policy in the field of social protection of persons with disabilities;
- (b) submit to the National Assembly the annual programme for social protection of persons with disabilities, under the State Budget (hereinafter referred to as “Annual Programme”);
- (c) approve the basic programme for rehabilitation of persons with disabilities and the procedure for the implementation thereof;
- (d) establish the procedures for the implementation of medical and social expert examination of persons with disabilities and elaboration of individual rehabilitation programmes thereof, as well as rules of procedure of state bodies competent in the sphere of medical and social expert examination;
- (e) define the classifiers and the criteria for determination of the group of disability, applied during the medical and social expert examination;
- (f) define state standards for social services, technical means of rehabilitation, as well as norms and rules ensuring the access to environment of vital activities of persons with disabilities;
- (g) support the non-governmental organisations dealing with the issues related to persons with disabilities;
- (h) establish the procedures for providing allowances and privileges envisaged by law to separate groups of persons with disabilities;
- (i) exercise other powers prescribed by law.

(Article 5¹ supplemented by HO-457-N of 5 November 2002, edited by HO-92-N of 3 May 2005)

Article 5². Powers of the public administration body in the sphere of social protection of persons with disabilities

The public administration body authorised by the Government of the Republic of Armenia in the sphere of social protection of persons with disabilities (hereinafter referred to as “authorised body”), as prescribed by legislation, shall:

- (a) implement the state policy in the sphere of social protection of persons with disabilities;
- (b) exercise oversight over the fulfilment of requirements of the legislation on social protection of persons with disabilities;
- (c) elaborate the Annual Programme and participate in the implementation thereof;
- (d) elaborate the basic programme for rehabilitation of persons with disabilities and ensure the implementation thereof;
- (e) approve the composition of state bodies competent in the sphere of medical and social expert examination, coordinate and ensure the activities thereof;
- (f) coordinate and supervise the activities of organisations in the sphere of rehabilitation of persons with disabilities;
- (g) ensure the preparation and training of specialists in the sphere of medical and social expert examination and rehabilitation of persons with disabilities;
- (h) support to conduct scientific research on the issues related to disability and persons with disabilities;
- (i) draft methodological documents on the issues related to social protection of persons with disabilities;
- (j) collaborate with non-governmental organisations dealing with issues related to persons with disabilities;
- (k) exercise other powers;

(l) create a data bank for persons with disabilities.

(Article 5² supplemented by HO-457-N of 5 November 2002, edited and supplemented by HO-92-N of 3 May 2005)

Article 6. Carrying out medical and social expert examination

Medical and social expert examination shall be carried out by state bodies competent in the sphere of medical and social expert examination, the procedure for the formation and rules of procedure whereof shall be established by the Government of the Republic of Armenia.

The decisions adopted by state bodies — within the scope of their powers — competent in the sphere of medical and social expert examination, shall be binding for public administration bodies and local self-governmental bodies, the subdivisions and officials thereof, and for organisations as prescribed by the legislation.

Decisions of state bodies competent in the sphere of medical and social expert examination on declaring or not declaring a person as having disability, as well as on determining the group of disability and the status of a child with disability, may be appealed against by way of superiority or through judicial procedure as prescribed by the legislation.

Financing of activities of state bodies competent in the sphere of medical and social expert examination shall be carried out at the expense of the State Budget.

(Article 6 edited by HO-457-N of 5 November 2002)

Article 6¹. Powers of state bodies competent in the sphere of medical and social expert examination

State bodies competent in the sphere of medical and social expert examination, as prescribed by the legislation, shall:

- (a) determine the nature and degree of limitations in vital activities of a person and the potential for rehabilitation thereof;
- (b) declare a person as having disability, determine the group of disability, the status of a child with disability, determine the causal link, time period and duration of disability;
- (c) determine the needs of a person with disability taking into account the types, forms and volumes of social protection measures, elaborate and approve the individual rehabilitation programme of a person with disability;
- (d) issue, if necessary, a referral for supplementary examinations to persons undergoing medical and social expert examination;
- (e) determine the degree of loss of professional working capacity of a person in case of an injury, occupational disease or other damage caused to health in course of performing employment duties, permit to extend the validity period of the sheet for temporary incapacity to work;
- (f) receive from employers necessary data on the nature and conditions of work of relevant persons in case of occupational injuries and diseases;
- (g) determine the causal link of death of injured persons with occupational injuries, occupational diseases, the fact of being at front, undergoing military service and other circumstances;
- (h) exercise supervision over the implementation of rehabilitation measures and the compliance of working conditions for persons with disabilities with the requirements of the legislation;
- (i) examine the state of disability and the causes for the emergence thereof;
- (j) participate in the activities on the prevention of disability, elaboration of medical and social rehabilitation programmes for persons with disabilities;

(k) participate in the creation of a data bank of persons having undergone medical and social expert examination;

(l) exercise other powers.

(Article 6¹ supplemented by HO-457-N of 5 November 2002, edited by HO-92-N of 3 May 2005)

Article 6². Declaring a person as having disability

The state body competent in the sphere of medical and social expert examination shall declare a person as having disability in accordance with the requirements of this Law, classifiers and criteria for determination of the group of disability applied during the medical and social expert examination, established by the Government of the Republic of Armenia, based on the results of the medical and social expert examination.

The causes of disability may be as follows:

(a) disease from childhood;

(b) general disease;

(c) occupational injury or harm;

(d) occupational disease;

(e) natural, man-made and other disasters, as well as disease, injury or harm suffered during the works for the elimination thereof;

(f) disease, injury or harm suffered during the works for the elimination of the emergency at Chernobyl NPP and other radiation disasters;

(g) disease, injury or harm suffered during the Great Patriotic War and combat operations in other States;

- (h) disease, injury or harm suffered while defending the Republic of Armenia;
- (i) disease, injury or harm suffered during military service;
- (j) disease, injury or harm suffered in course of performing military duties;
- (k) other cases provided for by the legislation.

The person concerned shall be declared as having disability in case of detection of any degree of limitation in vital activities resulting from the relevant causal link indicated in this Article.

The state body competent in the sphere of medical and social expert examination shall grant relevant group of disability (1st, 2nd and 3rd) to the person declared as having disability, and a status of a child with disability — to children under the age of 18.

The group of disability and the status of a child with disability shall be granted in accordance with the classifiers and the criteria for determination of the group of disability applied during medical and social expert examination, established by the Government of the Republic of Armenia, for a time period prescribed for the given degree of limitation in vital activities, unless otherwise provided for by this Law. The criteria for determination of the status of “a child with disability” shall arise from peculiarities of development of a child as well as structural and functional peculiarities thereof.

Persons having attained the age giving the right to pension, as well as those —not subject to rehabilitation — having limitations in vital activities in accordance with the classifiers and criteria for determination of the group of disability applied during the medical and social expert examination, established by the Government of the Republic of Armenia, shall be granted relevant group of disability on an unlimited basis.

The repeated expert examination of a person with disability shall be carried out in case of expiry of the time limit prescribed for the group of disability or for the status of a child with disability, aggravation of the health condition thereof, detection of falsification in his or her

documents serving as a basis for the decision of medical and social expert examination or in case of violation of the procedure for the determination of disability, as well as upon the application thereof (his or her legal representative) or the decision of court.

The repeated expert examination of a person declared as having disability on an unlimited basis, shall be carried out in case of detection of falsification in his or her documents serving as a basis for the decision of medical and social expert examination, in case of violation of the procedure for the determination of his or her group of disability, as well as upon the application thereof (his or her legal representative) or the decision of court.

(Article 6² supplemented by HO-457-N of 5 November 2002, edited and supplemented by HO-92-N of 3 May 2005)

CHAPTER 2

PREVENTION OF DISABILITY AND REHABILITATION OF PERSONS WITH DISABILITIES

(Title edited by HO-92-N of 3 May 2005)

Article 7. Prevention of disability

The prevention of disability shall include the system of social and economic complex measures for ensuring healthy lifestyle of the population, ecological safety, creation of safe conditions for work, treatment of ill persons in a timely manner and prevention of hereditary diseases, which is elaborated and implemented by the interested bodies of state power and public administration, upon the participation of representatives of non-governmental organisations for persons with disabilities.

Article 7¹. Rehabilitation of persons with disabilities

The rehabilitation of persons with disabilities shall include medical, professional and social measures aimed at abolition or compensation, to a possible extent, of limitations in vital activities of a person with disability.

Rehabilitation measures shall be implemented for the recovery of health, working capacity and social status of a person with disability, by contributing to the financial and social independence of a person with disability, comprehensive participation in social life and legal equality thereof.

(Article 7¹ supplemented by HO-92-N of 3 May 2005)

Article 8. Medical rehabilitation

The medical rehabilitation shall be deemed as a system of measures on treatment of different diseases, injuries, physical or mental disorders for the purpose of prevention of development and exacerbation of diseases having resulted in disability.

Medical rehabilitation shall include the rehabilitation treatment, reconstructive surgery, prosthetic and orthopaedic aid, provision with technical means of rehabilitation carried out through hospital treatment, outpatient treatment or through sanatorium therapy.

Medical rehabilitation shall be carried out by the bodies of the system of the Ministry of Health of the Republic of Armenia, departmental, insurance, charitable and other medical institutions.

(Article 8 supplemented by HO-92-N of 3 May 2005)

Article 9. Professional rehabilitation

Professional rehabilitation shall be considered as the rehabilitation of the lost or reduced professional abilities of persons with disabilities, creation of relevant conditions for persons with disabilities in order to choose profession or to carry out activities under previous or new profession thereof.

Professional rehabilitation shall include professional orientation, professional education, professional adaptation and the process of getting employed.

Professional rehabilitation shall be carried out in accordance with the individual rehabilitation programme of the person with disability.

(Article 9 edited by HO-92-N of 3 May 2005)

Article 9¹. Social rehabilitation

Social rehabilitation shall be deemed as a system of social, social and psychological, pedagogical, legal and economic measures, aimed at creating opportunities for a person with disability equal to those of other citizens in all spheres of social life.

Social rehabilitation shall include social and environmental orientation, as well as social and housing adaptation.

(Article 9¹ supplemented by HO-457-N of 5 November 2002, edited by HO-92-N of 3 May 2005)

Article 9². Basic programme for rehabilitation of persons with disabilities

The basic programme for rehabilitation of persons with disabilities shall be considered as a guaranteed list of minimum rehabilitation measures provided, services rendered, technical

and supplementary means allocated, free of charge, to persons with disabilities, implemented at the expense of the State Budget.

The basic programme for rehabilitation of persons with disabilities and the procedure for the implementation thereof shall be approved by the Government of the Republic of Armenia.

(Article 9² supplemented by HO-92-N of 3 May 2005)

Article 10. Individual rehabilitation programme of persons with disabilities

The medical, professional and social rehabilitation of persons with disabilities shall be carried out under individual rehabilitation programme approved by state body competent in the sphere of medical and social expert examination and elaborated in accordance with the basic programme for the rehabilitation of persons with disabilities. The scope, types and time periods of rehabilitation measures, types of social assistance, necessary working conditions, as well as the types of special technical means and services conditioned by the limitation in activities shall be defined in the individual rehabilitation programme.

The individual rehabilitation programme shall be of a recommendatory nature for a citizen with disability. A person with disability shall enjoy the right to refuse from the type, form or extent of the rehabilitation measure provided for by the individual rehabilitation programme, as well as from the implementation of the entire programme.

The individual rehabilitation programme shall be binding for relevant bodies.

The individual rehabilitation programme shall be implemented through the territorial agencies of social services.

The implementation of individual rehabilitation programme shall be coordinated by the authorised body.

(Article 10 amended by HO-91 of 11 October 2000, edited, supplemented and amended by HO-457-N of 5 November 2002, edited by HO-92-N of 3 May 2005)

Article 11. Medical and sanatorium support for persons with disabilities

Provision of high-quality and free of charge medical aid under privileged conditions at state medical institutions shall be guaranteed for persons with disabilities at the expense of the State Budget.

Persons with disabilities of 1st and 2nd groups and children with disabilities shall, as of relevant prescriptions, be provided with medicine free of charge, whereas persons with disabilities of 3rd group — at a discount of 50 per cent, unless they enjoy the right to receive medicine under more privileged conditions.

Persons with disabilities shall enjoy the right to be given priority when being served at outpatient polyclinic institutions and pharmacies.

(Part 4 repealed by HO-59-N of 25 December 2003)

(Article 11 amended by HO-91 of 11 October 2000, by HO-457-N of 5 November 2002, deleted and amended by HO-59-N of 25 December 2003, supplemented and amended by HO-158-N of 25 October 2010)

Article 11¹. Organisations providing rehabilitation aid to persons with disabilities

The organisations (irrespective of their legal and organisational form) providing rehabilitation aid to persons with disabilities provided for by Article 7¹ of this Law shall be deemed to be rehabilitation organisations.

Public administration bodies shall support the establishment and operation of rehabilitation organisations (irrespective of legal and organisational form) within the territory thereof.

Organisations (irrespective of legal and organisational form as well as departmental subordination thereof) providing rehabilitation aid to persons with disabilities shall inform the authorised body of the types and scope of rehabilitation services provided thereby.

Financing of rehabilitation measures provided for by individual rehabilitation programme of a person with disability shall be implemented at the expense of the State Budget of the Republic of Armenia and other resources not prohibited by law.

(Article 11' supplemented by HO-92-N of 3 May 2005)

CHAPTER 3

UPBRINGING, EDUCATION AND PROFESSIONAL INSTRUCTION OF PERSONS WITH DISABILITIES

Article 12. Ensuring conditions for education and professional instruction of persons with disabilities

The State shall ensure the right to education and professional instruction for persons with disabilities, as well as shall prepare pedagogical personnel necessary for that purpose.

Public administration bodies for education together with social security and health care bodies shall, in accordance with individual rehabilitation programme of a person with disability, ensure the pre-school upbringing of children with disabilities, creation of conditions necessary for persons with disabilities to receive secondary, secondary vocational and higher education.

Article 13. Upbringing of children with disabilities of pre-school age

For the purpose of creating more favourable opportunities for upbringing of children with disabilities of pre-school age and providing necessary rehabilitation aid thereto, special conditions shall be created for them at general preschool institutions for children.

Special pre-school institutions shall be created for children with disabilities whose health condition does not allow to carry out the upbringing thereof at general pre-school institutions.

In case of upbringing of children with disabilities at general or special pre-school institutions, it may be carried out at home upon the consent of the parents thereof. In these cases one of the parents or the person substituting him or her shall be provided with the financial security and privileges as prescribed by the legislation of the Republic of Armenia.

Relevant educational institutions and pre-school institutions shall provide the parents of children with disabilities or persons substituting them with aid in course of carrying out their upbringing at home. Financing of the aid shall be carried out at the expense of the State Budget under the procedure and within time limits defined by the Government of the Republic of Armenia.

(Article 13 supplemented by HO-10 of 12 October 1999, deleted by HO-92-N of 3 May 2005)

Article 14. Secondary, secondary vocational and higher education of persons with disabilities

Secondary, secondary vocational and higher education of persons with disabilities shall be carried out at general educational institutions, whereas if necessary — at special educational institutions.

For the purpose of creating equal conditions for persons with disabilities and other applicants during the admission examinations, relevant measures shall be implemented as prescribed by the Government of the Republic of Armenia.

Persons with disabilities having gained positive marks during admission examinations shall, in case of other equal conditions, enjoy the right to priority in respect of admission to state and accredited non-state higher or secondary vocational educational institutions.

Persons with disabilities of 1st and 2nd groups and persons with the status of a child with disabilities having gained positive marks at admission examinations shall be admitted to free of charge system of state higher and secondary vocational educational institutions in case of gaining at least the passing scores designed for the paid system.

Based on the grounds referred to in part 4 of this Article, persons with the status of a child with disability, studying within the free of charge system of state higher and secondary vocational educational institutions, shall be transferred to the paid system of the given educational institution, unless they have been declared as having disability after reaching the age of 18.

Based on the grounds referred to in part 4 of this Article, persons with the status of a person with disability of 1st and 2nd group, studying within the free of charge system of state higher and secondary vocational educational institutions shall be transferred to the paid system of the given educational institution, unless they have been declared as having disability upon the results of medical and social expert examination carried out in the course of studies.

Persons studying within the paid system of state higher and secondary vocational educational institutions shall be transferred to the free of charge system of the given educational institution in case of being granted during their studies the status of a child with disability or person with disability of 1st and 2nd groups.

At the beginning of each academic year the student with disability must submit a document attesting his or her disability to the administration of the educational institution.

Educational expenses of persons with disabilities of 1st and 2nd groups and those of persons with the status of a child with disability, having entered the state higher and secondary vocational educational institutions, shall be covered at the expense of the State Budget. Among them persons with disabilities undergoing daytime education shall, irrespective of the allowance or pension granted, receive scholarship in case of passing regular examinations and modules with positive marks.

Educational courses shall be organised also at medical preventive or rehabilitation institutions for children with disabilities undergoing treatment course. Financing shall be carried out at the expense of the State Budget under the procedure and within time limits defined by the Government of the Republic of Armenia.

(Article 14 supplemented by HO-10 of 12 October 1999, supplemented and amended by HO-457-N of 5 November 2002, supplemented by HO-89-N of 8 June 2004, amended by HO-64-N of 14 December 2004)

Article 15. Professional instruction of persons with disabilities, re-qualification and upgrading of the qualification thereof

Professional education, re-qualification and upgrading of the qualification of persons with disabilities shall be carried out in accordance with individual rehabilitation programmes — at specialised or general educational institutions, enterprises (including those of educational and practical internship) and organisations. Financing of educational courses shall be carried out at the expense of the State Budget under the procedure and within time limits defined by the Government of the Republic of Armenia.

In the course of professional preparation, re-qualification and upgrading of qualification, the material security of persons with disabilities shall be carried out under the procedure established by the Government of the Republic of Armenia.

(Article 15 supplemented by HO-10 of 12 October 1999)

Article 16. Ensuring the freedom of receiving information for persons with disabilities

The State shall ensure the freedom to receive information for persons with disabilities.

The sign language shall be recognised by the State as a means for personal communication, that for the provision of educational and translation services.

Persons with visual disorders shall be ensured with education carried out in accordance with Braille system, with access to hearing aids and large fonts including supplementary education by Braille system for those having lost vision at an older age.

A teaching system for easy understanding of the language shall be provided to persons with mental impairments.

Means of technical communication shall be provided to persons with speech disorders.

Non-governmental organisations for persons with disabilities may, at their own expense and within the framework of statutory tasks, provide other means for personal contacts and communication.

Television and radio broadcasting companies established by public administration bodies and local self-governmental bodies shall ensure the broadcasting of children's programmes and newscasts translated into sign language within a broadcasting time prescribed by law.

(Title edited by HO-457-N of 5 November 2002)

(Article 16 supplemented by HO-457-N of 5 November 2002, HO-92-N of 3 May 2005)

CHAPTER 4

GUARANTEE FOR THE RIGHTS TO WORK OF PERSONS WITH DISABILITIES

Article 17. Exercise of the right to work by persons with disabilities

For the purpose of exercising creative and productive capacities of persons with disabilities and in accordance with individual rehabilitation programmes they shall be provided with the right to work in enterprises, institutions and organisations with common working conditions, specialised enterprises (including those of educational and practical internship), production sites and local areas which use the work of persons with disabilities, as well as with the right to engage in entrepreneurial and other activities not prohibited by law.

The refusal to conclude a contract with a person with disability or grant a promotion thereto, the dismissal thereof from office and transfer to another work, on the ground of the disability and at the initiative of the administration, shall not be permitted, except for the cases where in accordance with the opinion issued by medical and employment expert examination bodies his or her health condition hinders the performance of professional duties or threatens the health and employment safety of other persons.

Administration shall not be permitted to dismiss from office persons undergoing medical, professional and social rehabilitation at relevant institutions.

Article 18. Ensuring the employment of persons with disabilities

Guarantees for the employment of a person with disability shall be ensured by the public administration bodies and local self-governmental bodies through:

(a) implementing financial and economic privileged policy with respect to organisations, institutions, as well as non-governmental organisations for persons with disabilities which use the labour force of persons with disabilities;

- (b) implementing quotas designed for employing persons with disabilities in organisations, as well as measures prescribed by the legislation for persons with disabilities;
- (c) allocating positions most complying with the professions of persons with disabilities;
- (d) encouraging the creation of supplementary positions for persons with disabilities;
- (e) granting partial compensation of the salary paid by the employer to the person with disability — in case of employing a person with disability;

The procedure and conditions for the implementation of state guarantees for ensuring the employment of persons with disabilities shall be established by the Law of the Republic of Armenia “On employment of population”.

(Article 18 supplemented by HO-457-N of 5 November 2002, HO-92-N of 3 May 2005)

Article 19. Working conditions of persons with disabilities

Necessary working conditions shall be created for persons with disabilities employed at employers of all categories, in accordance with the individual rehabilitation programme.

Conditions defined by collective agreement or individual employment contract, including remuneration for work, schedule for work time and rest time, duration of annual and additional leave may not negatively affect the state of a person with disability and restrict his or her rights as compared to other employees.

The involvement of a person with disability in overtime, day-off or night work shall be permitted only upon the consent thereof and provided that such work is not prohibited under the medical opinion thereon.

A reduced amount of working hours not exceeding the 36 hours a week shall be prescribed for persons with disabilities of 1st and 2nd groups.

Upon the request of persons with disabilities and in accordance with individual rehabilitation programmes the employer shall be obliged to prescribe a part-time working day or a part-time working week for them. In such cases the remuneration of persons with disabilities shall be paid in accordance with the working hours actually covered or the amount of manufactured products.

No probation period shall be prescribed for persons with disabilities in course of employing them. In case of equal labour productivity and the same qualification, persons with disabilities shall benefit from the privilege of remaining in employment during reductions in the number of workers or staff cuts.

Article 20. Working activities of persons with disabilities

Local bodies of state power and public administration shall create necessary conditions for the purpose of organising entrepreneurial activities for persons with disabilities (including those carried out at home) by means of extraordinary provision of non-residential areas for that purpose, as well as support in obtaining raw materials and in product realisation.

Persons with disabilities engaged employment activities shall benefit from income taxation and other privileges as prescribed by the legislation of the Republic of Armenia.

CHAPTER 5

CREATION OF CONDITIONS FOR PERSONS WITH DISABILITIES IN RESPECT OF ENSURING ACCESS TO SOCIAL INFRASTRUCTURE

Article 21. State policy on the objects of social infrastructure

Bodies of state power and public administration of the Republic of Armenia, employers of all categories operating in the territory of the Republic of Armenia shall ensure the creation of conditions for persons with disabilities in respect of having access to the objects of social infrastructure, residential, public, production buildings and premises, benefiting from public transportation means and transport communication, means of communication and information, places of leisure and entertainment without hindrance.

Article 22. Considering the needs of persons with disabilities in the course of design and construction of objects of social infrastructure

Design and construction of residential areas, formation of residential zones, elaboration of design solutions, construction and reconstruction of buildings, premises, including airports and railway stations, as well as development and production of transportation means, including personal, means of communication and information, shall not be permitted unless they are adjusted to the access and use of persons with disabilities.

Article 23. Adjustment of existing objects of social infrastructure to the use of persons with disabilities

Means of transportation, communication, information and other objects of social infrastructure must be adjusted to meet the needs of persons with disabilities under the procedure, conditions and time limits established by the Government of the Republic of Armenia.

In such cases where the adjustment of the mentioned objects to the use of persons with disabilities proves to be impossible, the relevant competent state bodies must elaborate and implement relevant measures to meet the needs of persons with disabilities.

(Article 23 edited by HO-10 of 12 October 1999)

Article 24. Adjustment of residential premises to the access and use of persons with disabilities

Residential premises occupied by persons with disabilities or families with a person with disability in the composition thereof, must be equipped with special means and appliances in accordance with the individual rehabilitation programme of the person with disability.

The equipment of indicated residential premises shall be exercised by local bodies of state power, enterprises, institutions and organisations, including specialised enterprises of educational and practical internship which use the work of persons with disabilities and which dispose of the housing fund.

The equipment of private dwelling houses shall be exercised by local bodies of state power upon the participation of non-governmental organisations for persons with disabilities.

Financing of the indicated measures shall be carried out at the expense of the housing fund allocated for current and capital repair. Means of public charitable organisations may also be used for the given purposes.

Article 25. Adjustment of transportation means and routes to the use of persons with disabilities

For the purpose of satisfying the needs of persons with disabilities the main principles and supplementary requirements for the preparation of transportation means and implementation of re-equipment programme shall be elaborated by the Government of the Republic of Armenia.

The programme shall provide for the following:

- (a) time periods for re-equipment of railway and bus tie stations and airports and those for making them available to persons with disabilities,
- (b) special appliances for transportation means exercising the carriage of persons with disabilities (including in wheel-chairs),
- (c) special routes with initially established traffic schedules,
- (d) stops for transportation means — at the request of persons with disabilities.

Article 26. Ensuring access to sports facilities and cultural institutions for persons with disabilities

Local bodies of state power and public administration must ensure the access to cultural institutions and sports facilities for persons with disabilities and the creation of necessary conditions for making use thereof as well as the provision of special sports equipment.

Persons with disabilities shall avail of the above-mentioned services under privileged conditions defined by the Government of the Republic of Armenia.

Article 27. Providing persons with disabilities with means of communication

Ministry of Communication of the Republic of Armenia shall ensure necessary conditions for the provision of services to persons with disabilities through the introduction of special telecommunication means, whereas for the subscribers with hearing disorders — through the introduction of telephone apparatus and call offices for collective use.

Families with a person with disability of 1st or 2nd group in the composition thereof shall enjoy the right to extraordinary and free installation of telephones, whereas persons with disabilities — telephones of special structure.

(Article 27 edited by HO-120 of 31 October 1994)

CHAPTER 6

SOCIAL PROTECTION OF PERSONS WITH DISABILITIES

Article 28. Types of social aid

The State shall ensure social aid for persons with disabilities, which may be implemented in the form of monetary payments (pensions, allowances, lump-sum payments), provision of technical and other means (including cars, wheel-chairs, prosthetic and orthopaedic devices, printed outputs with special fonts, sound-amplifying apparatus and alarm systems), as well as through the provision of domestic services and medical, professional and social rehabilitation services for persons with disabilities.

The pension security of persons with disabilities shall be carried out as prescribed by the legislation of the Republic of Armenia.

Each year relevant funds shall be provided for by the State Budget for the publication of books with special fonts, recording of “Speaking books”, as well as for the supplementary education under the Braille system for persons having lost vision at an older age.

(Article 28 amended, edited and supplemented by HO-92-N of 3 May 2005)

Article 29. Provision of technical and other means to persons with disabilities

Technical and other means shall be provided to persons with disabilities in accordance with the individual rehabilitation programme as prescribed by the Government of the Republic of Armenia.

(Part 2 repealed by HO-457-N of 5 November 2002)

Compensation shall be paid — as prescribed by the Government of the Republic of Armenia — to a person with disability having received relevant transportation means in accordance with the individual rehabilitation programme, aimed at the extraordinary technical maintenance and repair of the given transportation means; extraordinary provision of fuel shall also be ensured.

(Article 29 amended by HO-457-N of 5 November 2002)

Article 30. Transportation services to persons with disabilities

(Article 30 edited by HO-123 of 9 June 1997, repealed by HO-268 of 29 December 1998)

Article 31. Procedure for and conditions of the prosthetics of persons with disabilities

Under the procedure established by the Government of the Republic of Armenia persons with disabilities shall enjoy the right to freely order, repair and receive special prosthetic and orthopedic shoes and all kinds of prosthetic devices (except for the dental prosthesis made of expensive metals) at the expense of the State Budget of the Republic of Armenia and other means not prohibited by the legislation.

(Article 31 supplemented by HO-10 of 12 October 1999, edited by HO-113 of 21 November 2000)

Article 32. Housing of persons with disabilities

Local bodies of state power, enterprises, institutions and organisations, including specialised enterprises of educational and practical internship which use the work of persons with disabilities shall, in course of distributing living areas, take into account the needs of persons with disabilities with regard to the fact of the being located close to the workplace or place of residence of their relatives, the rehabilitation institution or domestic service facilities.

The construction of the living area provided to a person with disability must be carried out in accordance with the plans drawn up on the basis of order placed by the non-governmental organisations for persons with disabilities and must fully meet the sanitary and technical requirements of persons with disabilities arising from the health condition thereof.

Persons with musculoskeletal disorders shall be granted the right to build garage close to the place of the residence thereof.

The privileges for recognising the persons with disabilities as in need of improvement of housing conditions and those for enrolling them in the list of receiving apartments shall be established by the Government of the Republic of Armenia.

Article 33. Provision of food products and industrial goods to persons with disabilities

(Article 33 repealed by HO-92-N of 3 May 2005)

Article 34. Household services for persons with disabilities

(Article 34 edited by HO-120 of 31 October 1994, repealed by HO-268 of 29 December 1998)

Article 35. Social services for persons with disabilities at the institutions of social protection and at home

Social services for persons with disabilities shall be carried out at the institutions of social protection or at home. Persons with disabilities residing in the institutions of social protection shall enjoy the rights and privileges provided for persons with disabilities under this Law and other laws. Persons with disabilities shall be provided with household and primary medical aid, psychological and legal consultation at home. The procedure and conditions for social services and care for persons with disabilities at home shall be established by the Government of the Republic of Armenia.

(Article 35 edited by HO-92-N of 3 May 2005)

Article 36. Competences of local bodies of state power and employers aimed at improving the life support of persons with disabilities

Local bodies of state power and employers operating (irrespective of the form of ownership) in the territory of the Republic of Armenia as prescribed by the legislation, may provide for additional payments — at their own expense — to the state pensions and allowances paid to persons with disabilities, as well as provide for additional privileges with regard to all types of social assistance rendered to persons with disabilities.

Article 37. Sources of financing of the social protection of persons with disabilities

Social protection of persons with disabilities shall be financed at the expense of the State Budget of the Republic of Armenia and other means not prohibited by the legislation of the Republic of Armenia.

(Article 37 edited by HO-92-N of 3 May 2005, amended by HO-242-N of 24 October 2007)

CHAPTER 7

NON-GOVERNMENTAL ORGANISATIONS FOR PERSONS WITH DISABILITIES

Article 38. Procedure for the establishment and rules of procedure of non-governmental organisations for persons with disabilities

Persons with disabilities and persons representing them shall have the right to establish non-governmental organisations as prescribed by the legislation of the Republic of Armenia,

for the purpose of protecting their interests and rights, providing mutual assistance and services.

Consideration and resolution of the issues related to the interests of persons with disabilities shall be carried out by the bodies of state power and public administration upon the participation of the relevant non-governmental organisations for persons with disabilities or upon the consent thereof.

Article 39. Economic activities of non-governmental organisations for persons with disabilities

Enterprises of educational and practical internship of non-governmental organisations for persons with disabilities, as well as other enterprises, institutions and organisations, wherein at least 50% of the total number of employees constitute persons with disabilities, shall benefit from taxation privileges as prescribed by the legislation of the Republic of Armenia.

(Article 39 edited by HO-120 of 31 October 1994)

Article 40. Procedure for the disposal of the property of non-governmental organisations for persons with disabilities

Non-governmental organisations for persons with disabilities shall dispose, possess and use the housing fund and other property owned thereby under the right of ownership in accordance with the Statutes thereof as prescribed by the legislation of the Republic of Armenia.

CHAPTER 8

PROGRAMME FUNDAMENTALS OF THE STATE POLICY FOR THE PROTECTION OF PERSONS WITH DISABILITIES

Article 41. Annual Programme

The activities for the social protection of persons with disabilities shall be carried out in accordance with the time limits and procedure defined by the Annual Programme.

The Government of the Republic of Armenia shall submit the Annual Programme to the National Assembly as a part of the Draft State Budget.

(Article 41 supplemented by HO-457-N of 5 November 2002)

Article 42. The content of the Annual Programme and the principles of the elaboration thereof

Annual Programme shall include:

- (a) the main tasks of the programme;
- (b) the scale of the planned activities and the schedule of implementation thereof;
- (c) financial proportions of the planned activities;
- (d) the principles of programme implementation and the priorities of implementation of the planned activities;
- (e) measures taken for the prevention of disability and rehabilitation of persons with disabilities in the Republic of Armenia;

- (f) the procedure for the implementation of activities on the social protection of persons with disabilities and that for the supervision over the financing process thereof (including at the expense of aids rendered by foreign States and international organisations);
- (g) minimum standards, directions and perspectives for the rehabilitation of persons with disabilities;
- (h) the scope, forms of privileges prescribed for persons with disabilities and the measures taken for the provision thereof;
- (i) forms and the scope of social assistance provided to persons with disabilities;
- (j) access to free of charge healthcare services for a person with disability and the health protection measures thereof;
- (k) measures, directions, scope and designed services, privileges for the provision of assistance addressed to persons with disabilities (including specialised medical, defectological and psychological free of charge assistance, free of charge provision of technical rehabilitation means and other auxiliary appliances, disability wheel-chairs, all kinds of prosthetic devices necessary for the vital activities of persons with disabilities (except for the dental prosthesis made of precious metals)).
- (l) measures taken for the professional education, re-qualification and qualification of persons with disabilities;
- (m) measures taken for employing persons with disabilities;
- (n) measures taken for the creation of conditions for ensuring access to social infrastructure for persons with disabilities;
- (o) scope of the state assistance provided to non-governmental organisations for persons with disabilities;
- (p) planned activities as per the authorised bodies;

(q) other conditions necessary for the comprehensive presentation of the programme,

The Government of the Republic of Armenia shall, together with the Annual Programme, submit to the National Assembly draft laws ensuring the implementation thereof.

(Article 42 supplemented by HO-457-N of 5 November 2002)

Article 43. Report on the implementation of the Annual Programme

Report on the implementation of the Annual Programme shall form the integral part of the annual report on the implementation of the State Budget of the following year.

(Article 43 supplemented by HO-457-N of 5 November 2002)

(Chapter 8 supplemented by HO-457-N of 5 November 2002)

CHAPTER 9

LIABILITY FOR VIOLATING THIS LAW

Article 44. Liability for violating the provisions of this Law

Violations of the provisions of this Law shall entail liability as prescribed by law.

(Article 44 supplemented by HO-457-N of 5 November 2002)

(Chapter 9 supplemented by HO-457-N of 5 November 2002)

President
of the Republic of Armenia

24 May 1993,

Yerevan

HN-0800-1-HO-57

L. Ter-Petrosyan