

THE LAW OF THE REPUBLIC OF ARMENIA  
On Scientific and Scientific-Technical Activity

*Adopted 05.12.2000*

CHAPTER 1

GENERAL PROVISIONS

This Law regulates the relations between the subjects of scientific and technical activity, public authorities and users of research results, establish principles of formation and implementation of state policy in the sphere of scientific and technical activity. Science, as a crucial factor for the development of economy, state security and educational, cultural and social progress, is under the state protection.

Article 1. Terms Used in this Law

scientific and technical activity -an intellectual, creative activity aimed at enhancing the acquired knowledge and accessing and utilizing the new knowledge, including:

a) basic research - theoretical or experimental activity aimed at expanding the existing and acquiring knowledge about laws of nature, activity of mankind, structure of society and basic laws of its development;

b) applied research - research that is mainly practical, aimed at solving specific problems; experimental elaborations - activities based on knowledge, acquired through academic research or practical experience, and with an aim at protecting human life and health, creating new materials, products, services, systems or methods, their further improvement;

Innovation - activity aimed at using scientific results, obtaining new results, improving the quality of products and reducing costs;

State scientific and technical policy - an integral part of the state policy, expressing the attitude of the state towards scientific and technical activity that determines the main objectives, principles, directions and methods of the work of state bodies in this area;

Research and (or) scientific and technical result - the result of scientific and (or) scientific and technical activity, containing the new knowledge or solutions and recorded on any medium of information, which can be implemented in various spheres of public life;

Scientist - a subject, who carries out scientific and technological activity, has made significant contribution to science;

Researcher - a person, who performs research, scientific, pedagogical, experimental-technological, engineering, design- productive, explorative work in research institutions, institutions of higher education;

Scientific or Scientific- technical organization (hereinafter - Scientific organization) - an organization, which is mainly engaged in scientific or technical activity, training of scientific personnel, regardless its organizational-legal form.

## ***Article 2. The main purpose and objectives of the Law***

- 1. The main purpose of this Law shall be to settle the relations connected with scientific and technical activity.**
- 2. The main objectives of this Law shall be to establish:**
  - a) legal status of the subjects of scientific and technical activity;**
  - b) main objectives, directions and principles of the state policy in science and technology;**
  - c) powers of the governing bodies in the science;**
  - g) legal status of scientific organizations;**
  - d) guarantees for economic, social and legal freedom of scientific and technical activity.**

## ***Article 3. The legal regulation of scientific and technical activity***

- 1. Scientific and technical activities shall be regulated by the Constitution of the Republic of Armenia, this Law, other laws and regulations.**
- 2. In case International treaties of the Republic of Armenia define norms other than those defined by this Law, norms of the treaty shall apply.**

## **CHAPTER 2**

### **SUBJECTS OF SCIENTIFIC AND TECHNICAL ACTIVITY**

## ***Article 4. Individuals and organizations engaged in scientific and technical activity***

**Scientific and technical activity shall be carried out by physical and juridical persons (including foreign) in the manner prescribed by the laws of the Republic of Armenia (hereinafter -- Legislation).**

**Subjects carrying out scientific and technological activity are scientists, researchers, scientific and educational workers, scientific (including social) organizations, as well as higher educational institutions.**

## ***Article 5. The rights and responsibilities of scientists and researchers***

- 1. Scientists and researchers shall have the right to:**
  - a) choose ways and means of scientific and technical activity in accordance with their interests, creativity, and universal and national values;**
  - b) join with other scientists, researchers, to organize permanent or temporary research teams to carry out joint scientific and technical activity;**
  - b) refuse to participate in academic or scientific and technical studies, which may have a negative impact on human society or environment;**
  - g) receive an objective assessment and material incentives equal to their skills, obtained scientific results, the quality and complexity of the performed work, as well as receive remuneration or income from the commercialization of their scientific result;**

- d) participate in research competitions based on the state funding and other sources not prohibited by law;
  - e) print and publish their own research results, in accordance with the legislation;
  - f) participate in the competitions for filling vacancies of scientific and technical employees;
  - h) be awarded degrees, ranks, awards, titles, honors for enhancing science, technology, research and (or) scientific and technical results, for putting them into production and for training the academic personnel ;
  - s) freely use, distribute, and share scientific information, with the exception of the information considered as public, service, commercial or other secret, provided by the Legislation;
  - c) engage in educational activity, consult, be an expert in accordance with Legislation;
  - l) represent the results of scientific and technological activity through scientific reports, publications and thesis, unless otherwise stipulated in the contract.
2. Scientists and researchers are obliged to:
- a) not cause any harm to the person's life, health and to the environment, when implementing scientific and technical activity;
  - b) respect the rules of ethics and intellectual property rights.
3. Researcher are also obliged to:
- a) carry out scientific research in accordance with agreements;
  - b) continuously improve his/her skills.

#### **Article 6. *Scientific Organization***

1. Scientific organization can have any organizational-legal form of commercial or non-profit organization under Article 51 of the Civil Code of the Republic of Armenia, and items 3, 4 and 5 of this article, or be an institution.
2. Scientific organizations are divided into research organizations, academic units of higher professional educational institutions, design, engineering technological or other organizations that develop scientific and technological activities.
3. The order of possession, use and disposition of property of scientific organization is established by the Legislation.  
 Scientific organizations with the status of a commercial organization shall have the organizational - legal form of a limited liability company, as well as an open or closed joint-stock company. The charters of the commercial research organizations are accepted by these organizations. They are recorded by the founder in the manner prescribed by the law.  
 A non-profit scientific organization is a legal entity, the charter of which is adopted in the organization and is approved by the Founder, in accordance with the law.
4. State scientific organization is a non-profit legal organization , which, under section 129 of the Civil Code of the Republic of Armenia, this Law, other laws and regulations, gain the rights and duties necessary for the implementation of the tasks thereof. The Charter of the governmental scientific organization is approved by the Founder, and its property can not be alienated by the way of privatization.
5. Scientific organization is a public institution, which, in the manner prescribed by this

Law and the laws of the Republic of Armenia, as well as the charter approved by its Founder,

possesses, uses, disposes the property attached to it for implementing its main duties. The institution has a balance, estimate, a bank account and the official stamp. The property of a scientific organization, which is a state agency, belongs to the state with a right of ownership, and can not be alienated by the way of privatization. Other features of the legal status of the institution are established by the law and the Charter thereof.

6. Scientific organization shall carry out research or scientific - technical cooperation with foreign legal entities and individuals, in compliance with the Legislation.

7. The Government of the Republic of Armenia (hereinafter - the Government) can provide the scientific organization with scientific and professional qualifications, the status of a scientific center. Center is a scientific organization, leading a comprehensive study, with employees and specialists of the highest standards , or designated territorial association thereof.

8. Scientific organization is established, reorganized and liquidated in accordance with the order provided by the Legislation.

#### *Article 7. Academic Council of Scientific Organization*

1. The Academic council of scientific organization is a collegiate body, coordinating and governing scientific and technical activity thereof.

2. The composition of the academic council of the scientific organization, the order of its formation, objectives and functions, depending on organizational and legal form, shall be establishes by the Charter, approved by the Founder.

#### *Article 8. National Academy of Sciences of the Republic of Armenia*

1. National Academy of Sciences of the Republic of Armenia (hereafter, NAS) is a non-profit organization , with the status of legal entity, based on the Article 129 of the Civil Code of the Republic of Armenia, this Law, other laws and regulations, and gains and implements the rights and duties, provided by the Paragraph 8 of this article, necessary for implementing the tasks thereof.

2. NAS is the highest state scientific center of the Republic of Armenia, joining scientific organizations of its system, full members and corresponding members of the National Academy of Sciences, scientists and researchers, coordinates basic research in the Republic of Armenia.

3. NAS operates on the basis of this Law, other laws and regulations and the Charter thereof.

4. The governing body of the NAS shall be: General Meeting of Full members and Corresponding members of the NAS , Presidium of the NAS and the President of the NAS. The Presidium and the President shall be elected at the General Meeting of the Members of the NAS, they report to the General Assembly and are accountable to them.

The status of the governing bodies of the NAS shall be established by the Charter of the NAS, which shall be accepted by the General Meeting and approved by the Government.

5. The NAS has a special status in the development, implementation of science policy and the management of science in the Republic of Armenia, and in relations with the state is

directly linked to the Prime Minister of the Republic of Armenia. The President of the NAS has a right to participate in the meetings of the Government.

6. The NAS is the official scientific adviser to the Government, its proposals are considered by the Government and relevant state authorities in mandatory manner. Public administration is holding discussions of proposals in a month. The official representatives of the NAS have a right to participate in the discussions of the proposals thereof.

7. Basic and soft-earmarked funding of the NAS activities is stated in a separate line of the State budget.

8. The NAS:

a) organizes and carries out fundamental and applied research on the problems of science;

b) Coordinates basic research conducted by scientific institutions and higher educational institutions;

c) participates in the elaboration of science and technology policy of the Republic of Armenia and the establishment of the state research programs;

g) participates in the development of principles and methods of expertise research and development programs, established procedure; carries out expertise in the sphere of fundamental sciences;

d) realizes other activity towards the formation of harmonized scientific, educational, and cultural system and the development of the research potential in compliance with the Legislation;

e) in a manner approved by the Charter, organizes the election of the Full and Corresponding Members and assigns relevant titles;

f) confers scientific title of academician, which in the Republic of Armenia can be attributed only by the NAS;

h) provides honorary life remuneration to Full and Corresponding Members of the NAS, the amount of which is established by the Government.

i) forms experimental and consultative bodies, groups or other subdivisions of the NAS.

9. The assets of the NAS and those of the organizations thereof are not subject to privatization. Cash received from the lease of the unused property of the NAS and its organizations are used to exercise the statutory tasks thereof.

10. The NAS is reorganized and liquidated in accord with the law.

#### ***Article 9. The scientific organizations of NAS***

1. The scientific organizations of the NAS are institutions of the NAS, acting on the basis of this Law, and other laws, regulations and the Charter approved by the NAS. They have a balance, estimates, bank account and an official stamp.

2. The model of the charter of the organizations of the NAS, which guarantees the autonomy of these organizations in the ownership and disposal of the equipment, is approved by the government.

When approving the charters of the scientific organizations of its system, the NAS is not entitled to limit their powers, to possess and use the equipments provided to these organizations by a model charter, approved by the Government,

3. The scientific organizations of the NAS in the manner prescribed by the Civil Code of the Republic of Armenia, may engage in profitable activities, using for this purpose space, equipment and other property, free from the state job.

4. In respect of income-generating activities of scientific organizations, the NAS applied mode

entrepreneurial activity, as established by the Civil Code of the Republic of Armenia.

5. Scientific organizations of the NAS system spend the incomes from business activity to meet statutory objectives thereof.

#### ***Article 10. Science and scientific and technical activities in the system of higher professional education***

1. Scientific and technical activity is one of the most important functions of higher educational institutions. It is carried out in accordance with this Law, the Law of the Republic of Armenia "On Education" and the Charter of the institution.

2. Academic units can be established in higher educational institutions, in the procedure established by the Law.

#### ***Article 11. Voluntary associations of scientists, researchers***

1. Scientists, researchers can create voluntary associations, in the procedure established by the law, including the scientific, technological and scientific- educational, societies, unions, public

academy of sciences, which are focused on the development of the relevant field of science.

2. On a voluntary basis, public authorities can engage public organizations of scientists, researchers, including public academy of sciences in the preparation of draft decisions on the development of science and conducting expertise.

### **CHAPTER 3**

#### **FORMATION AND IMPLEMENTATION OF PUBLIC POLICY AND RESEARCH IN SCIENCE AND TECHNOLOGY**

#### ***Article 12. The objectives and principles of state policy in science and technology***

1. The main objectives of the state policy in scientific and technical areas shall be:

a) development of scientific and technical potential of the republic, its rational distribution and conservation, establishment of an effective system of training scientific and technical personnel, reproduction of the intellectual potential of the society;

b) promotion of science and technology for the development of economy;

c) assistance to the solutions of social problems;

g) promotion of human, society and state security;

- d) integration of science, education and production;
  - e) improvement of the ecological condition of the country;
  - f) integration into the international scientific-technical system;
  - h) development and dissemination of scientific and technological culture;
  - i) creation of a modern infrastructure for science and information system;
  - j) assistance to the development of Armenology.
2. The basic principles of the state policy in scientific and technical areas shall be:
- a) recognition of the leading role of science in all the spheres of state and public activity;
  - b) ensuring the development of basic priorities for science, technology and scientific research;
  - c) support of competition and entrepreneurship in the sphere of science and technology;
  - g) encouraging scientific, technological and innovation activities;
  - d) legal protection of intellectual property and creation of the conditions for its effective use;
  - e) development of international scientific and technical cooperation;
  - f) improving the public image of science, the welfare of the scientific and technical personnel, ensuring their social, economic and legal protection;
  - h) establishment of a system of selection and promotion of young talented scientists;
  - i) recognition of the creative freedom of the subjects of scientific and technical activity.

**Article 13. *Management of scientific and technical activity***

1. Government of scientific and technological activities are carried out in a combination of state regulation and self-government of entities.
2. State authorities, scientific and technical organizations, within their competence, define priorities in the development of science and technology, ensure development of scientific system, cross-sectoral coordination of scientific and technical activity, development and implementation of scientific and technical programs and projects, development of forms of science and production integration, implementation of the results of science and technology.
3. The founders of public research organizations:
  - a) approve the statutes of the state scientific organizations;
  - b) monitor the effective use, possession and storage of property provided by the state to the public research organizations;
  - c) implement other powers, within its competence.

Authorities of National Academy of Sciences and other scientific organizations are appointed or elected in the manner prescribed by the law and the statutes thereof.

**Article 14. *Competences of the Government in shaping and implementing public scientific and technical policy***

1. The authority of the Government in the formation and implementation of state scientific and technical policy shall be:
  - a) implementation of a joint scientific and technical policy;

- b) identification of priorities for science and technology in the Republic of Armenia, approving projects enhancing Armenology ;
  - c) ensuring the implementation of state and targeted scientific and technical programs;
  - g) approval of the state order for training of academic personnel, research activity;
  - d) funding scientific and technical activities under the State budget;
  - e) establishment, reorganization and liquidation of public research organizations in the manner prescribed by the legislation;
  - f) confirmation of the order and criteria of conferring academic degrees and academic qualifications;
  - h) confirmation of the order of certification and evaluation criteria of scientific personnel;
  - i) definition of the authorities of the public administration in the sphere of science and their tasks.
2. Together with the draft state budget, the Government submits to the National Assembly of the Republic of Armenia state and targeted scientific, scientific and technical programs.

#### *Article 15. The tasks of state management of science*

The objectives of the state management of science in the Republic of Armenia shall be:

- a) development of public and targeted scientific and technical programs, distribution of the public order;
- b) coordination of the activities in the sphere of science and technology;
- c) promotion of a mutually beneficial relationship between science and industry, assistance to the introduction of new technologies;
- d) coordination of the elaborations of inter-state scientific and technical programs;
- e) organization of scientific cooperation with international organizations in the sphere of science and technology;
- f) elaboration of the order and criteria of conferring academic degrees and academic qualifications;
- g) elaboration of the order of certification and attestation of scientific personnel.

#### *Article 16. Training and attestation of scientific personnel. Degrees and academic qualifications*

1. The main forms of the scientific training include: postgraduate study, clinical studies, doctoral and system of seekers. The order of studying in graduate school, postgraduate and doctoral shall be set up by the Government.
2. Legal framework and criteria of scientific certification shall be defined by the Government, and their implementation shall be insured by the state certification system.
3. In the Republic of Armenia the degrees of Doctor of Science and Candidate, academic titles of the professors and the associate professors are defined.
4. The title of professors is usually assigned to the persons who have the degree of the Doctor of Science, and who have been engaged in scientific, educational, scientific and methodological activity during the last five years or are supervisors of at least 5 defended scientific themes.

5. Scientific title of Associated professor is usually assigned to persons who have a scientific degree of the Candidate of Science, and who have carried out scientific and educational activities in the system of higher education during the last 3 years.
6. The order of conferring the titles of professor and Associated professor in the fields of Culture and Sport is defined by the Government.
7. Degrees shall be assigned by the specialized advisory bodies of scientific organizations in the order established by the Government.
8. Degrees shall be approved and confirmed by the relevant diplomas by the Higher Attestation Commission of the Republic of Armenia.
9. Scientific degrees shall be assigned by the decision of scientific councils of the universities and research organizations in the order established by the Government. Scientific degrees shall be approved and established by the relevant diplomas of the Higher Attestation Commission of the Republic of Armenia. The samples of the diplomas shall be approved by the Government.
10. The scientific degree and (or) the title is taken into account in case of the employee's claim for a scientific position.
11. Degrees and (or) titles, which were conferred before the year 1993, are effective and are equalized to scientific degrees and titles conferred after 1993.

*Article 17. Attestation of researchers in the scientific organization*

1. Attestation of the researcher in scientific organization is carried out at least once during five-year period. Attestation is intended to:
  - a) assess the professional training of the researcher and his / her scientific results;
  - b) define suitable professional qualifications of the researcher to his / her position.
2. In case of a violation of the order of attestation and criteria for evaluating scientific results of the employee, the attestation results can be disputed juridical.
3. The order and criteria of attestation shall be approved by the Government.

*Article 18. The legal regime of the result of scientific and technical activity*

The scientific and technical result, as a legal regime of intellectual property, shall be established by the law.

*Article 19. Remuneration of a researcher and award of pension*

1. The remuneration of a researcher and pension should enhance the prestige of scientists and the process of replenishing of the scientific personnel, provide sufficient material base for the implementation of independent and effective creative work.
2. The remuneration of the researcher in a scientific organization consists of the remuneration, bonuses, additional compensation for the degree, work experience in science and other allowances, established by the Legislation. The means of payment of the researcher shall be defined by the Government.

3. Besides the pensions, the state also provides allowance to the degree holders, the amount and the order of which shall be approved by the Government.

**Article 20. *Organization and implementation of state expertise of scientific and technical activity***

The selection of the scientific and technical programs and projects funded by the state budget of the Republic of Armenia shall be realized through the expertise, on a competitive basis, established by the Government.

**Article 21. *The scientific and technical information system***

In order to support the development of science and scientific-technical activity, the state shall establish a system for providing scientific and technical information, the activity and development thereof shall be settled by the Legislation.

**Article 22. *Certification and standardization of scientific and technical activity***

The certification and standardization of the scientific and technical activity shall be realized in the manner established by the Legislation.

**Article 23. *Financing of the scientific and technical activity***

1. Budget allocations shall be one of the main measures of the implementation of the scientific and technical policy.

2. Every year, the State provides funding for scientific and technical activity in the amount not less than three per cent of annual expenditure of the state budget. These allocations shall be

directed to the preparation and training of highly qualified scientific personnel, as well as strengthening of the material-technical base of the scientific organizations, the development of new technologies and facilities.

3. The sources of funding for scientific and technical activities shall be:

- a) state budget of the Republic of Armenia;
- b) means from the implementation of the treaties;
- c) funds, including the allocations of foreign and international organizations, contributions of citizens etc.;
- g) grants;
- d) credits;
- e) means from the scientific, publishing, consulting and other activities, not prohibited by the law;
- f) means from the introduction and implementation of the research results.

4. The budgetary funding of scientific and technical activity shall be performed in the following

forms:

a) basic funding provided to the state scientific organizations for the implementation of the basic and vital scientific and technical activities, maintenance and development of the infrastructure of the scientific and technical activity, maintenance of the scientific objects of national interest and training of academic personnel;

b) targeted funding, which shall be carried out on a competitive basis and shall be directed to the implementation of the state scientific and technical programs in the priority fields of science and technology.

c) thematic funding (topic-based) allocated to the implementation of research projects submitted on the initiative of scientists and research teams and selected on the competitive basis.

The proportions of the three forms of the state budget funding are defined by the Law on State Budget.

#### ***Article 24. The international scientific and technical cooperation***

1. The subject of the scientific and technical activities shall have a right to be a member of international scientific and scientific-technical organizations and associations, participate in international scientific and technical programs and projects, in scientific and technical programs and projects of foreign States, conclude contracts and other agreements with the foreign and legal individuals.

Jointly with foreign individuals, legal entities and scientific organizations and in the procedure established by the law, scientific organizations and centers can be established on the territory of the Republic of Armenia

2. Foreign investment in science and technology shall be made in accordance with the Legislation.

#### **CHAPTER 4**

#### **FINAL PROVISION**

#### ***Article 25. The Act came into force***

The Law shall enter into force upon its official publication.

**PRESIDENT OF THE  
REPUBLIC OF ARMENIA**

**R. KOCHARIAN**

***26 December  
2000***