

THE LAW OF THE REPUBLIC OF ARMENIA

Adopted 24th of September, 2003

ON SOCIAL SECURITY CARDS

CHAPTER 1.

GENERAL PROVISIONS

Article 1. Subject of Law Regulation

This law regulates the relations connected with issuing and using the social security cards (hereinafter referred to as social cards) which are being given to the citizens of the Republic of Armenia, the foreign citizens having the right to reside and residing in the Republic of Armenia, persons without a citizenship and persons having a refugee status (hereinafter, citizens).

Article 2. Legislation on Social Cards

1. The Republic of Armenia legislation on Social Cards consists of the Constitution of the Republic of Armenia, this law, other laws, the Republic of Armenia international treaties and other legal acts.

2. If international treaties of the Republic of Armenia stipulate norms other than prescribed by this law, provisions of international treaties are applied.

Article 3. Concept of Social Card

1. Social card is a document provided to a citizen, which guarantees the exercise of the social security rights of citizens.

2. The form of the social card is defined by the Government of the Republic of Armenia. Social card is given free of charge.

3. Social card is issued by the state administration authorised body (hereinafter, authorised body) of the Government of the Republic of Armenia.

Article 4. Number of the Social Card

1. The number of the social card provided to a person is unique and is not subject to change.

2. The procedure of development of the number of the social card is defined by the Government of the Republic of Armenia.

Article 5. Purpose of Creating the System of Social Cards

The purpose of creating the system of social cards is the identification of the citizen during the process of personal data processing in the information systems, the regulation and improvement of information exchange processes, according to the order defined by the corresponding legislation, and ensuring the protection of confidentiality of personal data of a citizen.

CHAPTER 2.

THE INFORMATION DATABASE OF SOCIAL CARDS

AND APPLICATION OF SOCIAL CARDS

Article 6. The Information Database of Social Cards

1. The information database of social cards (hereinafter referred to as information database) is the integrity of the personal data of the citizens having applied for social cards.

2. The information database is being created on the basis of the data presented by citizens and those provided by the state governance bodies.

Article 7. The Data Incorporated in the Information Base and the Administration of the Database

1. The information database incorporates the number of the social cards of citizens, as well as the following data relating to citizens:

1) Name, surname and patronymic

2) Date of birth (day, month, year)

3) Sex

4) For the Republic of Armenia citizens under the age of 16- the number and series of the birth certificate; and the number and series of the passport - for citizens above 16.

5) For foreign citizens and persons having no citizenship – series and number of the document certifying the residence status in the Republic of Armenia;

6) For foreign citizens having the right to reside and residing in the Republic of Armenia, but not possessing a residence status - series and number of the passport or the birth certificate;

7) For persons with a refugee status- series and number of the refugee certificate;

8) The authorised body (name, location), to which the application form for getting a social card (hereinafter, application) was submitted.

9) The date (day, month, year) when the social card was issued.

10) In case of death- the date of the death.

2. The procedures of transferring the data necessary for the development of the informational database by the state governance bodies to the authorised body, as well as the procedures of administration of the information database shall be defined by the Government of the Republic of Armenia.

3. The privacy of the personal data presented for getting a social card shall be protected by the order established by law.

Article 8. Submission of Data for the Provision of Social Cards

1. Filling in an application, citizens shall submit the data specified in the sub-points 1-7 of point 1 of Article 7 of this law to the respective competent body, which subsequently transfers the data to the authorised body.

2. The list of the competent bodies, as well as the procedure of submission of the data by citizens and transfer of the personal data by the competent bodies to the authorized body shall be defined by the Government of the Republic of Armenia.

3. The data submitted for receiving a social card are proved when necessary by documents specified in sub-points 4-7 of point 1 of Article 7 of this Law.

Article 9. Provision or Refusal of the Social Card

1. On the basis of the submitted application the authorised body, within a period of 30 days, shall enter the data of the person into the database and:

- 1) Develop the number of the social card of the citizen and transfer the number to the body, which received the application of the citizen;
- 2) Refuse the application of the citizen and inform about that the body which received the application of the citizen.

2. Application for the social card shall be refused in the following cases:

1. the citizen has already been provided with a social card;
2. there are some inaccuracies in the application.

In case of refusing an application, a written notification shall be sent to the applicant, which shall contain the reason for refusal and the procedure for reapplying.

3. Personally or through his/her representative the citizen shall receive from the competent body his/her social card or the document about the refusal.
4. The procedure of provision of a social card to a citizen and that of the storage of the relevant documents shall be defined by the Government of the Republic of Armenia.

Article 10. Changing the Personal Data Incorporated in the Information Database and Provision of a New Social Card or the Duplicate of the Social Card to a Citizen

1. The Personal data inputted in the information database can be changed:

- 1) On the basis of the information about the death of a person, received from the state governance respective body;

- 2) On the request of the person, in cases when there are some inaccuracies in the data inputted in the information database, or some personal data regarding the person that were inputted in the database were changed.
2. A new social card shall be provided to a person in the cases provided for by the second sub-point of point 1 of this Article.
3. The duplicate of the social card is provided to a citizen if
 - 1) The social card of the citizen is lost;
 - 2) The social card became unusable.
4. The procedure of changing the citizens' personal data inputted in the information database and the procedure of the provision of the social card or the duplicate of the social card to a citizen are defined by the Government of the Republic of Armenia.

Article 11. Application of the Social Card and the Number of the Social Card

1. The number of the social card shall be applied when processing personal data of citizens, including:

- 1) payment of salary or equalized incomes to the citizen, as well as assignment and payment of pension, benefit and assistance stipulated by social security and state or non-state insurance programs;
 - 2) payment of taxes, duties, mandatory social insurance payments, as well as other mandatory payments;
 - 3) administration by organizations of such databases from which, in the cases defined by the law, information is provided to the state governance bodies for conduction of the operations stipulated by the 1st and 2nd sub-points of the first point of this article.
 - 4) opening of a bank account by the citizen;
 - 5) administration of paper based and automated information databases of organizations functioning under the Governmental and Local Self-Government bodies, the State and communities;
2. Registration and accounting documents of operations specified in the point 1 of this Article shall be considered invalid for the persons who

don't have social cards, unless the numbers of the social cards are mentioned in them.

3. The rules for application of the Social Cards and the number of the Social Card shall be defined by the Government of the Republic of Armenia.

CHAPTER 3.

RIGHTS AND OBLIGATIONS OF THE AUTHORISED BODY AND CITIZENS

Article 12. Rights and Obligations of the Authorised Body

1. The authorised body shall be entitled to:

- 1) obtain from the competent bodies the data specified by Article 7 of this law;
- 2) check the authenticity of the data inputted in the information database;

- 3) get the information necessary for the administration of the information database from the Governmental and Local Self-Governmental bodies, by the order defined by the Government of the Republic of Armenia.

2. The authorised body shall be obliged to:

- 1) pursuant to this law and other legal acts, ensure normal functioning of the information database, and within the scope of its authorities, adopt normative acts and provide other clarifications on the organization of the activities relating to the system of social cards and administration of the information database;
- 2) develop the numbers of the social cards within the terms defined by the point 1 of Article 9 of this law and transfer the social cards of the citizens to the competent bodies;
- 3) Provide data from the information database by the order defined by the Government of the Republic of Armenia;
- 4) should the citizen apply, provide the latter with information on his/her personal data accumulated in the information database;

- 5) make changes in the personal data of the citizen accumulated in the information database, based on the information received from Governmental or Local Self-Governmental bodies of the Republic of Armenia or in case of the request of the citizen;
- 6) provide the citizen with a new social card or the duplicate of the social card, according to the procedure defined by the Government of the Republic of Armenia.

Article 13. The Rights and Obligations of Citizens

1. A citizen shall be entitled to:

- 1) receive a social card;
- 2) receive free of charge from the competent bodies the form of the application to be completed and submitted for getting the social card;
- 3) apply to the authorized body for familiarizing himself/herself with his/her own personal data accumulated in the information database or for making changes thereto;
- 4) apply to the authorized body for receiving a new social card or the duplicate of the social card, according to the procedure defined by the Government of the Republic of Armenia;

2. A citizen shall be obliged to:

- 1) provide the respective competent body with authentic data and the necessary documents when applying for a social card;
- 2) submit his/her social card to all the bodies, which need it for the fulfillment of the requirements of Article 11 of this law.

Article 14. Liability for Violation of the Law

Those who violate this law shall be held liable, according to the procedure defined by law.

Article 15. Appealing Against Decisions on Social Cards

Appeals can be filed against decisions on social cards by applying to a higher instance or by legal order.

CHAPTER 4.

FINAL PART AND TRANSITIONAL PROVISIONS

Article 16. Enactment of This Law

This law enters into force on the tenth day following the day of its official promulgation.

Article 17. Transitional Provisions

1. Article 11 of this law shall enter into force from July1, 2004.
2. The personal cards provided before entering into force of this law shall be considered valid. The procedure of replacing personal cards with social cards shall be defined by the Government of the Republic of Armenia.
3. From the moment of the enactment of this law, the Republic of Armenia Law on Personal Codes, NO418, of September 24, 2002, shall be no longer in force.

RA President

R.Kocharyan

8th of October, 2003

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