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Notice:

The law has a final part and transitional provisions. See Articles 20 and 21.

Links to other documents

RA LAW ON VOLUNTARY WORK

REPUBLIC OF ARMENIA

O R E N C H

Accepted on June 14 , 2023

ABOUT VOLUNTEER WORK

CHAPTER 1:

GENERAL PROVISIONS

Article 1. The object of regulation of the law

1. This law regulates the relations related to volunteer work, defines the principles related to volunteer work, the subjects of volunteer work, their main goals, rights and responsibilities, the payment of costs related to volunteer work, as well as the legal bases and other features of volunteer work.

Article 2. Legislation on voluntary work

1. Relations related to voluntary work are regulated by the Constitution of the Republic of Armenia, this law, other laws and legal acts, as well as international treaties of the Republic of Armenia.

Article 3. Basic concepts of law

1. The following basic concepts are used in this law:

1) **voluntary work**: work based on volunteerism, public benefit, unpaid, non-compulsory or non-compulsory, work performed in accordance with this law;

2) **volunteer**: a citizen of the Republic of Armenia, a foreign citizen, a stateless person performing voluntary work under the contract specified in clause 5 of this part.

3) **Organization** - within the meaning of this law, a public authority body with the right to engage in voluntary work, including a state or local self-government body, a state or community non-commercial organization or other non-profit legal entity (including a non-governmental organization, foundation, party etc.) or an institution, as well as a for-profit legal entity with a 100% state-owned share;

4) subjects of **voluntary work** : Organization and volunteer.

5) **voluntary work contract** , a written agreement between the volunteer and the Organization to perform voluntary work in accordance with the procedure established by this law;

6) **volunteer program** , a set of activities designed or implemented by subjects of voluntary work, aimed at solving certain problems;

7) **action**: a one-time or non-permanent event or complex of actions.

Article 4. Principles of voluntary work

1. The principles of voluntary work are:

1) the volunteer's freedom of will.

2) gratuity of voluntary work.

- 3) equality of subjects of voluntary work.
- 4) prohibition of discrimination in voluntary work.
- 5) humanity.
- 6) respect for human rights and freedoms.
- 7) national, regional or international cooperation.

Article 5. Objectives of volunteer work

1. The main goals of voluntary work are:

- 1) supporting the solution of educational, scientific, cultural, social, health, environmental and other public issues;
- 2) supporting the acquisition and development of a person's independent life skills, social inclusion;
- 3) to support the prevention of getting into a difficult life situation or getting a person (family, other social group) out of a difficult life situation;
- 4) supporting a person's professional orientation or career planning, employability or key (soft) skills development aimed at competitiveness in the labor market;
- 5) supporting the acquisition of new knowledge, abilities, skills and experience through non-formal or informal education, as well as the maintenance of acquired knowledge, abilities, skills;
- 6) Contributing to the effective "education-labour market" exchange, forming a qualified workforce or increasing competitiveness in the labor market, as well as supporting young people or other persons entering the labor market for the first time to familiarize themselves with labor market trends and to integrate into the labor market;
- 7) civil protection, protection of the population in emergency situations, including natural disasters, technological accidents, epidemics, accidents, fires or other emergency events or prevention of their consequences or rescue operations or providing assistance to victims or disaster risk management. supporting works.
- 8) developing initiatives aimed at voluntary work or supporting them, as well as informing the public about voluntary work or contributing to the spread of the culture of volunteering;
- 9) supporting the establishment of an atmosphere of social responsibility or solidarity, as well as forming a self-organizing and active civil society;
- 10) educating the public in the spirit of humanitarian ideas and principles, providing an opportunity to engage in public activities or contributing to the social recognition of volunteering;
- 11) contributing to the usefulness of a person with his knowledge, abilities, skills or experience or participation in the socio-economic life of society, as well as the formation of human or social capital;
- 12) contributing to the protection of human rights and fundamental freedoms or to raising the level of public awareness about them, or to the formation of an atmosphere of non-discriminatory treatment or mutual assistance in society;
- 13) supporting the holding of state or public events;
- 14) contributing to the development of the culture of participation in participatory governance, including electoral processes.

2. Voluntary work can also be performed for other purposes not defined by part 1 of this article and not prohibited by law.

Article 6. Limitations and features of voluntary work

1. Voluntary work in a field requiring special, narrow professional knowledge can be performed in the presence of relevant knowledge of professional activity or work, observing the limitations and features provided by law.

2. Volunteering to participate in the defense of the Republic of Armenia, unpaid work in the cases and procedures defined by law are not considered voluntary work in the sense of this law.

3. In the sense of this law, work performed to provide assistance based on family or kinship relations is not considered voluntary work.

4. Anyone over the age of sixteen can do voluntary work in the Republic of Armenia.

5. Persons under fourteen years of age may be involved in voluntary work with the written consent of parents or foster parents or adoptive parents or a guardian or guardianship and guardianship body, and persons between fourteen and sixteen years of age with the written consent of parents or foster parents or adoptive parents or guardian.

6. Pregnant women, persons taking care of a child up to three years old, as well as persons up to eighteen years old can be involved in voluntary work in accordance with the restrictions and specifics established by the labor legislation of the Republic of Armenia and other laws.

7. If it is confirmed by a medical opinion that voluntary work has endangered or may endanger the volunteer's health, the Organization is obliged to transfer him only if there are other voluntary works suitable for his health condition.

8. In the event that the organization engages in voluntary work without a contract on voluntary work concluded in accordance with this law, a citizen of the Republic of Armenia, a foreign citizen, or a stateless person is not considered a volunteer for that work, and the work in question is considered illegal in the sense of the Labor Code of the Republic of Armenia.

9. The period of voluntary work performed in accordance with the procedure established by this law can be considered as work experience for the volunteer based on the reference or letter of recommendation provided by the Organization. The procedure for issuing a certificate of volunteer work or a letter of recommendation is defined by the authorized body provided for in Article 17, Part 1 of this law.

10. Within the framework of labor relations, the employee engages in voluntary work during his working hours in accordance with the procedure established by this law by mutual agreement with the employer.

CHAPTER 2:

RIGHTS AND OBLIGATIONS OF SUBJECTS OF VOLUNTARY WORK , CHARACTERISTICS OF VOLUNTEER'S REST , COSTS RELATED TO VOLUNTARY WORK

Article 7. Rights of the volunteer

1. The volunteer has the right to:

- 1) To receive from the organization information, advice or support necessary for the performance of voluntary work.
 - 2) To participate in the development or implementation of voluntary or other programs of the Organization by mutual agreement with the Organization;
 - 3) in the cases and procedure defined by Article 12, Part 1 of this Law, to receive from the Organization funds necessary for the performance of voluntary work, compensation for additional costs arising from voluntary work performed by him, as well as in the cases and procedure defined by Article 12, Part 2 of this Law reimbursement of expenses.
 - 4) to receive damages.
 - 5) to participate in the programs and events organized by the Organization with the agreement of the parties;
 - 6) To receive from the organization a reference or letter of recommendation regarding the voluntary work performed by the organization, within five working days after applying to the organization in writing.
 - 7) to have insurance against possible risks related to voluntary work in the cases and in the manner stipulated by the contract on voluntary work.
2. The volunteer has other rights related to voluntary work defined by this law or other laws.

Article 8. Responsibilities of the volunteer

1. The volunteer is obliged to:

- 1) not to distribute or publish personal data or other information containing state, banking, insurance, commercial, medical, legal or other secrets protected by law, which became known to him during the performance of voluntary work,
- 2) perform voluntary work in accordance with the requirements of the legislation of the Republic of Armenia regarding health care and safety,
- 3) compensate the material damage caused to the Organization as a result of his action or inaction while performing voluntary work,
- 4) purposefully and conscientiously use the property and funds allocated by the Organization,
- 5) participate in educational programs or other awareness activities organized by the Organization related to its voluntary work, in case it is a mandatory prerequisite for performing the given voluntary work,
- 6) carry out other duties related to voluntary work defined by this law or other laws,
- 7) To undergo a mandatory medical examination in accordance with the procedure established by the government, if the voluntary work will be performed in such works that require a preliminary and periodic medical examination.

Article 9. Rights of the organization

1. The organization has the right to:

- 1) to develop or implement volunteer programs;

- 2) to involve volunteers in accordance with the procedure established by this law.
 - 3) to receive information from the volunteer about the volunteer work done;
 - 4) to cover the results of the voluntary works performed by the volunteers involved;
 - 5) to ensure the volunteer's participation in the development of voluntary or other programs implemented by him;
 - 6) to encourage the volunteer.
 - 7) to ensure the volunteer's participation in the relevant educational programs organized by him or in other awareness activities related to voluntary work, if necessary, cooperating with educational institutions for this purpose.
2. The organization has other rights related to engaging volunteers, defined by this law or other laws.

Article 10. Responsibilities of the organization

1. The organization is obliged to:
- 1) sign a voluntary work contract in accordance with the procedure established by this law before engaging a volunteer,
 - 2) provide the volunteer with the necessary advice or support, as well as information related to his volunteer work,
 - 3) before signing a contract on voluntary work, request an appropriate license or a document of education or necessary qualifications required by the legislation of the Republic of Armenia, if the voluntary work will be performed in the field requiring special (narrow professional) knowledge provided for in part 1 of Article 6 of this law,
 - 4) after applying in writing, within five working days, provide the volunteer with a reference or letter of recommendation regarding the volunteer work performed,
 - 5) to provide funds necessary for the performance of voluntary work, to compensate the additional expenses incurred by the volunteer during the volunteer work, as well as to pay compensation for expenses in the cases defined by part 2 of Article 12 of this law,
 - 6) to provide necessary, safe and health-friendly conditions for the performance of voluntary work, in accordance with the regulations established by the legislation of the Republic of Armenia,
 - 7) provide reasonable accommodations in the case of involving a person with a disability as a volunteer,
 - 8) before allowing voluntary work, in accordance with the requirements of the legislation of the Republic of Armenia, to conduct an instruction with the volunteer on health care and ensuring work safety and the specifics of volunteer work,
 - 9) compensate the damage caused to the volunteer while performing voluntary work,
 - 10) to organize and monitor the voluntary work performed by the volunteer,
 - 11) not to distribute or publish personal data or other information containing state, banking, insurance, commercial, medical, legal or legally protected secrets that became known to him during the involvement of volunteers in voluntary work,
 - 12) carry out other duties related to recruiting volunteers defined by this law or other laws.

Article 11. Features of volunteer recreation

1. During voluntary work, breaks for a volunteer's rest or food, daily, weekly, annual consecutive rest are defined by the agreement of the parties, at least maintaining the minimum durations of rest defined by the legislation of the Republic of Armenia for the corresponding work.

Article 12. Expenses related to volunteer work

1. Financial or property funds are provided to the volunteer in advance by the Organization to cover the expenses necessary for the performance of volunteer work, and additional expenses arising from volunteer work are reimbursed in the presence of documents justifying these expenses, after submitting these documents no later than by the 15th of the following month. The maximum amount of compensation for additional expenses specified in this part is determined in advance by the written agreement of the parties.

2. In case of performing voluntary work outside his place of residence (city or village), the Organization provides the volunteer, in addition to the financial or property resources specified in part 1 of this article or compensation for additional expenses arising from voluntary work, as well as compensation for expenses, as defined by the labor legislation of the Republic of Armenia in accordance with the order and amount of travel expenses compensation.

3. The financial means, rewards or compensations provided for in this article are paid to the volunteer in the currency of the Republic of Armenia, in a non-cash way.

CHAPTER 3:

RELATIONS RELATED TO VOLUNTARY WORK , CONTRACT ON VOLUNTARY WORK

Article 13. Relationships with volunteer work

1. Relations related to voluntary work are those relations based on the mutual agreement of the parties, which arise between the volunteer and the Organization under the agreement on voluntary work concluded in accordance with this law.

2. The relations defined in part 1 of this article are considered civil-legal relations, and the voluntary work contract is a civil-legal contract.

3. The relations defined in part 1 of this article are not considered labor relations defined by the Labor Code of the Republic of Armenia, and the contract is a labor contract.

Article 14. The procedure for concluding a voluntary work contract

1. The voluntary work contract is concluded for a certain period of time.

2. Agreement on voluntary work:

1) is concluded in writing, in two copies, by the parties, and in the case of a contract concluded with a person under the age of fourteen, by drawing up one document signed by one of the parents or foster parents or adoptive parents or a guardian, one copy of which The organization hands over the volunteer, and in the case of a volunteer under the age of fourteen, to one of the parents or foster parents or adoptive parents or a guardian;

2) it can be signed by electronic signature of the parties in accordance with paragraph 1 of this part. One copy of the contract on voluntary work signed by electronic signature is transferred electronically to the volunteer, and in the case of a volunteer under the age of fourteen, to one of the parents or foster parents or adoptive parents.

3. The organization cannot also conclude a contract on voluntary work for the same work with its employee who is in labor relations defined by the Labor Code of the Republic of Armenia.

4. In case of signing a contract on voluntary work with a foreigner, the period provided for in part 1 of this article shall be determined by the period of the entry visa, if an entry visa prescribed by law is necessary for the foreigner to enter the Republic of Armenia.

5. Signing a contract on volunteer work is not mandatory in case of participation in the action, as well as in cases when the volunteer work is performed outside of the Organization.

Article 15. The content of the voluntary work contract

1. The voluntary work contract states:

1) year, month, date of signing the contract,

2) the name and location of the Organization concluding the contract,

3) volunteer's name, surname, patronymic, year, month, date of birth, residence or registration address,

4) the validity conditions of the volunteer's identity document, public services number plate or reference number of not having a public service number plate,

5) name or functions or description of voluntary work,

6) in case insurance is provided by the agreement of the parties, the procedure and conditions for insuring the volunteer against accidents related to voluntary work, occupational diseases or his civil liability (related to damage to third parties or other risks),

7) the procedure and conditions for performing voluntary work,

8) in the case defined by Clause 7 of Part 1 of Article 10 of this Law, the regulations regarding reasonable adjustments for performing voluntary work, the terms of their implementation,

9) the validity period of the contract,

10) The position, name, surname of the person signing the contract on behalf of the organization, the name, surname of the volunteer and their signatures.

2. Other conditions arising from this law or not contradicting this law may also be included in the voluntary employment contract.

Article 16. The grounds and procedure for changing the terms of the voluntary work contract or terminating the contract

1. The voluntary work contract is terminated upon expiration of the contract.
2. The terms of the contract on voluntary work can be changed, or the contract can also be terminated at the initiative of each of the parties, by notifying the other party in writing at least three working days in advance, unless a different order of notification is provided for in the contract on voluntary work. From the day following the end of the notification period defined by this part, the contract on voluntary work is considered to be terminated by force of law.

CHAPTER 4:

THE NATURE OF VOLUNTARY WORK , THE POWERS OF THE AUTHORIZED BODY OF THE STATE ADMINISTRATION SYSTEM OF THE REPUBLIC OF ARMENIA , DETERMINED BY LAW , THE PROTECTION OF RIGHTS RELATED TO VOLUNTARY WORK , WITH VOLUNTARY WORK RESOLUTION OF RELATED DISPUTES

Article 17. The powers of the authorized body of the state administration system of the Republic of Armenia in the field of voluntary work

1. In the field of voluntary work, the powers of the authorized body of the state administration system of the Republic of Armenia, established by the Law "On the Structure and Activities of the Government", are:
 - 1) development and implementation of the state policy in the field of voluntary work;
 - 2) development of recommendations on the improvement of legislation in the field of voluntary work;
 - 3) developing or ensuring the implementation of recommendations, measures regarding the promotion of voluntary work, as well as the development and dissemination of the culture of volunteerism;
 - 4) provision of informational, methodological or advisory support to subjects of voluntary work.

Article 18. Protection of voluntary work subjects' rights related to voluntary work and resolution of disputes related to voluntary work

1. The protection of the rights of subjects of voluntary work related to voluntary work and the resolution of disputes related to voluntary work are carried out in court in accordance with the Code of Civil Procedure of the Republic of Armenia.

CHAPTER 5:

ORGANIZING VOLUNTARY WORK IN FOREIGN STATES OR VOLUNTARY WORK OF FOREIGN CITIZENS IN THE REPUBLIC OF ARMENIA

Article 19. Organization of voluntary work in foreign countries or voluntary work of foreign citizens in the Republic of Armenia

1. The organization, on its own initiative or at the invitation of a foreign state or an international organization, may send a volunteer to a foreign state to perform voluntary work in accordance with this law or other law.
2. In the case specified in part 1 of this article, voluntary work in a foreign country is regulated by this law or another law, the legislation of the host state or the international agreements of the Republic of Armenia and the contract on voluntary work.
3. The organization may invite foreign citizens to perform voluntary work in the territory of the Republic of Armenia in accordance with this law or in accordance with other laws.
4. In the case specified in part 1 of this article, the funds specified in parts 1 and 2 of article 12 of this law are provided, or the costs are compensated or reimbursed in the manner defined by the contract on voluntary work, at the expense of the funds of the organization or the host state or international organization. :
5. Persons under the age of fourteen can be involved in voluntary work in a foreign country through the Organization with the written consent and responsibility of their parents or foster parents or adoptive parents or a guardian or a guardianship and guardianship body, and persons between the ages of fourteen and eighteen with the written consent and responsibility of the parents or foster parents or adoptive parents or a guardian. , with the exception of persons recognized as fully functional (emancipated) in accordance with the procedure established by the Civil Code of the Republic of Armenia.

CHAPTER 6:

FINAL PART AND TRANSITIONAL PROVISIONS

Article 20. Final part

1. This law (with the exception of Article 7, Part 1, Clause 6, Article 10, Part 1, Clause 4 of this Law) shall enter into force three months after the day following its official publication.
2. Clause 6 of Part 1 of Article 7 and Clause 4 of Part 1 of Article 10 of this Law shall come into force upon entry into force of the sub-legislative normative legal act arising from Part 9 of Article 6 of this Law. on the day of entry.
3. The duty of mandatory medical examination defined by Article 8, Part 1, Clause 7 of this Law shall enter into force for the volunteer on the day of entry into force of the sub-legislative normative legal act defined by Article 8, Part 1, Clause 7 of this Law. .

Article 21. Transitional provisions

1. The operation of this law also extends to voluntary work contracts signed by Organizations with volunteers before this law came into force, as well as the relations arising from these contracts, except for the most favorable regulations provided for by voluntary work contracts signed before this law came into force. :
2. In the cases specified in part 1 of this article, compliance with the requirements of this law of contracts on voluntary work concluded with volunteers before the entry into force of this law. Organizations are obliged to comply with the requirements of this law within three months after the entry into force of this law.
3. The sub-legislative normative legal act arising from Article 6, Part 9 and Article 8, Part 1, Clause 7 of this Law shall be adopted within six months from the day following the official publication of this Law.

President of the Republic

V. Kha Achaturyan

in 2023 July 10

Yerevan

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