

Implementation of Dispute Board Decisions under Armenian Law

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Article 3. The right to apply to court

3. In cases where the contract provides for an extrajudicial procedure for settling the dispute, the dispute may be submitted to the court 30 days after the date of taking all the actions envisaged by the contract to resolve it under extrajudicial procedure.

Article 127. Return of the claim

1. The court returns the claim if:
 - 6) the plaintiff has not complied with the extrajudicial procedure provided for by the contract before applying to the court, except in cases when the court finds that the extrajudicial settlement procedure is null, void or evidently cannot be implemented.

Article 180. Grounds for leaving the claim without examination

1. The court of leaves the claim or application without examination at any stage of the proceedings, if:
 - 5) before the expiration of the time limit for filing a response to the lawsuit, the defendant shall refer to the fact that the extrajudicial procedure established by the law or the agreement between the parties is not observed by the plaintiff, except when the court finds that the out-of-court settlement procedure is null, has lost its force or evidently cannot be implemented.

Article 137. Application of pre-trial security measures

8. In cases when the law or the contract concluded between the parties provides for an extrajudicial procedure to settle the dispute between the parties before going to court, the applicant shall:
 - 1) within one week from the day of receiving the court decision on the application of preliminary security measures, apply the actions envisaged by the law or the contract aimed at the extrajudicial settlement of the dispute;
 - 2) within one week after the expiration of the term established by law or the contract for extrajudicial settlement of the dispute, submit an application to the court with the request on application of pre-trial security measures.
11. Based on the application of the interested person, the court shall terminate the means of preliminary security of the claim within three days in cases when:
 - 1) the applicant does not submit evidence confirming the fact of performing the actions envisaged by the law or the contract aimed at settling the dispute out of court within the established period;

CHAPTER 39 PROCEDURE FOR APPROVAL OF SETTLEMENT

Article 288. Submitting an application

1. If, as a result of mediation/adjudication, the settlement agreement has been concluded via extrajudicial procedure, each party has the right to apply to the court of general jurisdiction to verify the settlement agreement between the parties.

Article 289. Requirements to the application

1. The application shall be accompanied by the original of the settlement agreement, as well as the evidence proving the sending of the copy of the application to the other party.

Article 290. Examination of the application

1. The court examines the application without convening a court session and makes a decision within seven days after receiving the application.

Article 291. Court decision

1. Based on the results of the examination of the application, the court shall make a decision on verifying the settlement agreement or rejecting the application in accordance with the rules established by the Civil Procedure Code.
2. The decision to approve the settlement agreement shall contain the verbal text of the conciliation agreement.
3. The decision on verification of the settlement agreement shall enter into force upon its publication.