

**IN THE NAME OF THE REPUBLIC OF ARMENIA
DECISION OF THE CONSTITUTIONAL COURT OF
THE REPUBLIC OF ARMENIA**

**ON THE CASE OF CONFORMITY OF PART 2 OF ARTICLE 317 AND PART 1 OF
ARTICLE 337 OF THE CIVIL CODE OF THE REPUBLIC OF ARMENIA WITH THE
CONSTITUTION ON THE BASIS OF THE APPLICATION OF “VTB BANK (ARMENIA)”
CJSC**

Based on the review of the case and governed by Clause 1 of Article 168, Clause 8 of Part 1 of Article 169, and Article 170 of the Constitution, as well as Articles 63, 64 and 69 of the Constitutional Law on the Constitutional Court, the Constitutional Court **HOLDS:**

1. Part 2 of Article 317 and Part 1 of Article 337 of the Civil Code of the Republic of Armenia are in conformity with the Constitution in the interpretation that the notions “was obliged to become aware of” or “should have become aware of” refer to the situations where, under the usual conditions of civil practices, the person would become aware of the alleged violation of his or her rights if he or she had exercised reasonable care.

2. According to Part 10 of Article 69 of the Constitutional Law on the Constitutional Court, the final judicial act rendered against the applicant shall be subject to revision upon the grounds of a newly emerged circumstance as prescribed by the Law, since Part 2 of Article 317 and Part 1 of Article 337 of the Civil Code of the Republic of Armenia were applied against the applicant in the interpretation other than prescribed in this Decision.

3. Pursuant to Part 2 of Article 170 of the Constitution this Decision shall be final and shall enter into force upon its promulgation.

Chairman

A. Dilanyan

September 28, 2021

DCC-1611