

The Code of the Azerbaijan Republic

On administrative violations

(This Code was approved by the Law of the Azerbaijan Republic of 11th July, 2000, No. 906-IG)

General

Section I. General provisions

Chapter one. Legislation of the Azerbaijan Republic on administrative violations and its objectives and principles

Article 1. Legislation of the Azerbaijan Republic on administrative violations

1.1. The legislation of the Azerbaijan Republic on administrative violations shall consist of this Code.

1.2. This Code is based on the Constitution of the Azerbaijan Republic, as well as on generally accepted norms and principles of the international Law .

1.3. Laws, establishing the administrative responsibility and providing imposition of penalties in respect of persons committing administrative violations, shall be applied only after entering them into this Code.

Article 2. Objectives of the legislation of the Azerbaijan Republic on administrative violations

The legislation of the Azerbaijan Republic on administrative violations has objectives on protection of rights and freedom of people and citizens, protection of health, sanitary-epidemiology welfare of population, public moral, property, economic interest of persons, public order and public security, environment, management rules, strengthening legalities and preventing administrative violations.

Article 3. Grounds of an administrative violation

Only such person, who was declared guilty for committing administrative violations under this Code and had performed a deed (action or inaction) having all other signs of an administrative violation, shall be called to account and punished.

Article 4. The principles of the legislation of the Azerbaijan Republic on administrative violations

This Code is based on principles of respect for rights and freedom of human and citizen, legality, equality before Law , presumption of guiltlessness, justice and prevention of administrative violations.

Article 5. The Principles of respect for rights and freedom of human and citizens

5.1. The rights and freedom of human and citizens are of great value. All the state authorities (officials) having committed violation of these rights and freedom shall be responsible in the order provided by legislation of the Azerbaijan Republic.

5.2. This Code provides prevention by the state authorities (officials) violation of rights and freedoms of human and citizen and respect for these rights and freedoms.

5.3. When applying measures on provision of execution of administrative violation cases, it is not allowed to issue resolutions and take actions, humiliating the human dignity.

Article 6. The principle of legality

6.1. Disciplinary actions for administrative violations are applied in compliance with this Code.

6.2. Observance of requirements of the legislation, when applying measures on provision of execution of administrative violation cases, is ensured by managerial supervision of the higher authorities and officials, by court and prosecutor supervisions and by the right of appeal.

6.3. It is not allowed to apply the legislation of the Azerbaijan Republic on administrative violations by analogy.

Article 7. The principle of equality

7.1. The persons who have committed administrative violations are equal before the Law and are called to account regardless of the race, nationality, religion, language, sex, origin, property and official status, believes and other circumstances.

7.2. The legal persons are called to account regardless of the form of property, place of location, organizational and legal form and governance.

Article 8. The principle of presumption of guiltlessness

8.1. The person with respect to whom a case on administrative violation is pleaded shall not be found guilty if his guiltiness was not proved in the order provided by this Code, and not established by the acting resolution of the court, authorized body (official) considering the case on administrative violation.

8.2. The person being called to account for administrative violation has not to prove his guiltlessness.

8.3. Doubts regarding the guiltiness of the person called to account for administrative violation shall be resolved in his favour.

Article 9. The principle of justice

9.1. Penalties applied with regard to the person who has committed an administrative violation, must be fair, i.e., to correspond to the character of the administrative violation, circumstances of commitment, to be legal and proven.

9.2. No one may be called to account for administrative violation twice for the same case.

Article 10. The principle of preventing administrative violations

The state authorities and official bodies of local self-government are working out and performing actions to prevent administrative violations, to discover and eliminate reasons and conditions promoting to commit administrative violations. They try to increase sense of justice and culture of citizen and bring them up in a spirit of a b observance of the legislation of the Azerbaijan Republic.

Article 11. Implementation of the legislation of the Azerbaijan Republic on administrative violations

11.1. In the Azerbaijan Republic, conducting cases on administrative violations, adoption and implementation of resolutions on them are carried out in compliance with the legislation of the Azerbaijan Republic on administrative violations active at the moment.

11.2. Standard legal acts mitigating or removing responsibility for administrative violations, have a retroactive effect i.e., they shall be applied to the violations which had been committed before these acts were accepted.

11.3. Standard legal acts, defining or aggravating responsibility for administrative violations do not have a retroactive effect.

Chapter two. An administrative violation and administrative responsibility

Article 12. Concept of an administrative violation

An administrative violation is characterised as a guilty (deliberate or careless) deed (action or inaction), infringing upon social relations protected by this Code, which would involve an administrative liability.

Article 13. Commitment of an intentional administrative violation

An administrative violation is recognised to have been done intentionally if the person who performed it has acknowledged the illegal character of the deed (action or inaction), had foreseen its harmful consequences, and wished them or deliberately promoted to beginning of these consequences.

Article 14. Commitment of an administrative violation upon carelessness

An administrative violation is recognised to have been done upon carelessness if the person who performed it had foreseen the possibility of beginning of harmful consequences of his deed (action or inaction), but thoughtlessly counted on preventing them or had not foreseen beginning of such consequences, though he could have foreseen them.

Article 15. Administrative responsibility of natural persons

15.1. The persons who have reached 16 years upon performing the administrative violation shall be called to account for an administrative violation.

15.2. The persons aged 16 to 18 who have committed an administrative violation may be released from bearing the responsibility by the commissions on cases and protection of

rights of juveniles taking into consideration concrete circumstances of the case, their psychological development, live condition, health and education conditions, and with regard to these persons may be applied measures of influence, provided by the «Regulations for commissions on cases and protection of rights of juveniles»

15.3. Military men, in cases where it is directly provided by the disciplinary service regulations, bear disciplinary responsibility for administrative violations, but in other cases—general administrative responsibilities.

15.4. Persons except as provided by the Article 15.3 hereof to whom actions of the disciplinary regulations or provisions about discipline are applied, in cases that are directly provided by these regulations for committing the administrative violations during fulfilling their service liabilities shall bear disciplinary responsibility, and in other cases—general administrative responsibility.

15.5. Judge, an authorised body (official), who is empowered to impose administrative penalties with regard to persons mentioned in the Article 15.3 of this Code has the right instead of imposing penalty to hand over the case on administrative violation to the relevant bodies of executive power of the Azerbaijan Republic to decide the issue of calling to account for disciplinary liabilities.

15.6. Foreigners and persons without citizenship are called to account for administrative violations committed in the territory of the Azerbaijan Republic as per generally accepted rules.

15.7. The matter of responsibility for administrative violations committed by foreigners in the territory of the Azerbaijan Republic who, according to the international treaties of the Azerbaijan Republic, benefit from immunity in the Azerbaijan Republic, shall be considered in accordance with the standards of the international Law .

Note: In article 15.3 of this Code «military man» means the officer staff, ensigns, warrant officers of the relevant bodies of executive power of the Azerbaijan Republic, servicemen of additional service, servicemen of the effective service for a fixed period.

In the article 15.4 of this Code the «persons, to whom actions of the disciplinary regulations or provisions about discipline are applied» mean those performing their service liabilities at relevant bodies of executive power of the Azerbaijan Republic.

In the article 15.6 of this Code the «foreigners» mean those not being the citizen of the Azerbaijan Republic and having citizenship of other state.

The «persons without citizenship» mean those not being the citizen of the Azerbaijan Republic and also not being citizen of the other state.

Article 16. Administrative responsibility of officials

Officials bear administrative responsibility for administrative violations connected with non-fulfilment or improper fulfilment of their duties.

Note: «The officials» mean persons who carry out duties of a representative of the state power, persons working full-time or part-time at economic-administering positions at state authorities, institutions of local governing, Armed Forces of the Azerbaijan

Republic, at other bodies of troops established in accordance with the legislation of the Azerbaijan Republic, at state and non-state organisations, establishments and enterprises, or persons who perform similar duties in view of special authority, also natural persons who perform such duties dealing with business undertakings without establishing a legal person.

Article 17. Administrative responsibility of legal persons

Legal persons including foreign legal persons bear administrative responsibility for administrative violations under this Code as per generally accepted rules.

Chapter three. Circumstances excluding the administrative responsibility

Article 18. Urgency

The deed which though corresponds to features of the provisions of the Special section of this Code, but it was committed in a state of urgency i.e., to prevent the danger threatening to the state or public interests, health, rights and legal interests of this or other persons is not considered an administrative violation, if such danger could not have been removed by other means and if the damage caused by this action was of a less value than the damage prevented.

Article 19. Necessary defence

The action which though relates to features of the deeds provided in a Special part of this Code but committed in a state of necessary defence, i.e., when defending state and public interests, rights or legal interests of the person who committed this deed or of the other person by means of causing damage to the invader, is not considered an administrative violation.

Article 20. Irresponsibility

The person who when committing an unlawful deed (action or inaction) was in a state of irresponsibility, i.e., could not think of physical character and public danger of his/her actions or could not manage them as a result of chronic mental disease, temporary disturbance of the mental activity, weak-mindedness or other mental disease shall not bear administrative responsibility.

Article 21. Application of more smoother administrative penalty or releasing from administrative responsibility in view of the insignificant of the administrative violation

If the administrative violation is insignificant, a judge, an authorised body (official), having the right to impose administrative penalties, may substitute an administrative penalty with regard to the person who has committed the administrative violation for more softer type of administrative penalty or release him from the administrative liability.

Chapter four. Administrative penalty

Article 22. Objectives of the administrative penalty

An administrative penalty is a measure of responsibility and is applied with the objective to bring up the person who has committed an administrative violation in the spirit of

following the Law and also to prevent committing the new administrative violations both by aforementioned person and the others.

Article 23. Types of administrative penalties

23.1. The following administrative penalties may be applied for committing administrative violations:

23.1.1. Warning;

23.1.2. Administrative penalty;

23.1.3. Withdrawal of the item being an instrument to commit administrative violation or a direct object of administrative violation with further compensation;

23.1.4. Confiscation of the object being an instrument to commit an administrative violation or a direct object of administrative violation;

23.1.5. Restriction on the special right given to a natural person who has committed an administrative violation;

23.1.6. Administrative extradition of the foreigners or the persons without citizenship;

23.1.7. Administrative arrest;

23.2. With regard to legal persons are applied types of administrative penalties provided by articles 23.1.1—23.1.4 of this Code.

Article 24. Warning

Warning, being the type of administrative penalty, is a measure of official warning of inadmissibility of unlawful deeds, which is applied with regard to persons. The warning shall be made in writing.

Article 25. Administrative penalty

25.1. An administrative penalty is the amount of money fixed by judges, an authorised body (official) and is forcedly withdrawn from the person who was found guilty, in favour of the state in cases provided by this Code.

25.2. Administrative penalty may be expressed in manats and by the following criteria;

25.2.1. value of the item, which was a direct object of administrative offence at the time when administrative offence ceased to exist or was prevented;

25.2.2. amount of payments, taxes that were due, but not paid by the time the administrative offence ceased to exist or was prevented;

25.2.3. the sum of invoices, taxes due, but outstanding at the moment of completion of the administrative violation or at the moment it was stopped;

25.3. Amount of the penalty imposed for the administrative violation may not be less than three manats.

25.4. Amount of administrative penalties calculated in manats and for administrative offences may not exceed: for natural persons — one thousand manats, for officials — five thousand manats, for legal persons — fifty thousand manats.

25.5. Amount of penalty measured at cost of the item, being a direct object of the administrative violation may not exceed hundred percent of the item value, and the amount of penalty measured at the sum of outstanding credits, taxes—one hundred and fifty percent of these credits and taxes.

25.6. The administrative penalty is transferred to the state budget of the Azerbaijan Republic except as otherwise provided the Law . ([1](#), [101](#), [119](#))

Article 26. Withdrawal of the item being an instrument to commit administrative violation or direct object of administrative violation

26.1. Withdrawal of the item being an instrument to commit administrative violation or direct object of the administrative violation means its forced withdrawal and subsequent sale and hand-over of proceeds to the previous owner with deduction of all expenses on the sale of the item withdrawn.

26.2. Judge applies withdrawal of the item being an instrument to commit administrative violation or direct object of the administrative violation.

26.3. Withdrawal of the gun, ammunition and other hunting guns may not be applied to the persons, for whom hunting is the main source of living.

26.4. Procedure for withdrawing the item is defined by this Code and the other legislation of the Azerbaijan Republic.

Article 27. Confiscation of the item being an instrument to commit administrative violation or direct object of the administrative violation

27.1. Confiscation of the item, being a private property of the person found guilty and an instrument to commit the administrative violation or a direct object of the administrative violation, consists of the forced conversion of this item into state property without compensation provided by the Special part of this Code.

27.2. Judge applies confiscation of the item being an instrument to commit the administrative violation or a direct object of the administrative violation.

27.3. Confiscation of the gun, ammunition and other hunting guns may not be applied to persons for whom hunting is the main source of living.

27.4. This Code and other legislation of the Azerbaijan Republic define procedure for confiscation of the item.

Article 28. Restriction on special right of a natural person

28.1. Restriction on the special right of a natural person with term from two months to two years is applied for gross or systematic violation of procedures on using this right.

28.2. Restriction on the driving license may not be applied to a persons who uses the transport means in view of his disablement, excluding the cases when the driver was found in a state of alcoholic intoxication.

28.3. Restriction on the driving license without imposing an administrative penalty is carried out in cases when the driver gathered 10 and more points for committing violations, which are estimated in points and defined by the articles 151.2, 151.3, 152-1.1, 152-1.2, 155.3 and 156 of this Code.

28.4. Deprivation of the hunting rights may not be applied to persons for whom the hunting is the main source of living.(102)

Article 29. Administrative extradition beyond the bounds of the Azerbaijan Republic

Administrative extradition of foreigners and persons without citizenship beyond the bounds of the Azerbaijan Republic is applied in cases defined by the Special Part of this Code.

Article 30. Administrative arrest

30.1. Administrative arrest is established and applied only in exceptional cases for special types of administrative violations for a term up to 15 days.

30.2. Administrative arrest shall not be applied to pregnant women, to women having a child younger 8 years, to men independently raising a child younger 8 years, to persons under age of eighteen, to disabled persons of 1st and 2nd groups, and also to women over 60, and to men over 65 years of age.

30.3. The term of the administrative detention is added to the term of the administrative arrest. (103)

Article 31. Types of the main and additional administrative penalties

31.1. Warning, administrative penalty or administrative arrests are applied only in the capacity of the main administrative penalty.

31.2. Withdrawal or confiscation of the item being an instrument to commit an administrative violation or direct object of an administrative violation, restriction on the special right of a natural person, administrative extradition of foreigners and persons without citizenship beyond the boundaries of the Azerbaijan Republic shall be applied as types of both the main and also the additional administrative penalties.

31.3. For one and the same administrative violation shall be imposed either a main or an additional penalty.

Chapter five. Imposition of an administrative penalty

Article 32. General rules on imposition administrative penalty

32.1. Penalty for an administrative violation is imposed in accordance with this Code.

32.2. When imposing administrative penalty on natural persons or officials are considered the character of the violation, personality of the person committed this violation, extent of the fault, status of property, and also circumstances mitigating and aggravating responsibility.

32.3. When imposing administrative penalty on legal persons are considered the character of the violation, financial and ownership conditions of the legal person, and also circumstances mitigating and aggravating the responsibility.

32.4. Imposition of administrative penalties does not release the person from fulfilling his duties, non-fulfilment of which has caused this administrative penalty.

Article 33. Circumstances mitigating responsibility for administrative violation

33.1. Circumstances mitigating responsibility when imposing administrative penalties are acknowledged:

33.1.1. Sincere repentance of the person found guilty;

33.1.2. Removal of harmful consequences of the committed administrative violation or voluntary compensation of the damage by the person found guilty;

33.1.3. If an administrative violation was committed by an under age person;

33.1.4. If an administrative violation was committed by a pregnant woman or a woman having an underage child.

33.2. The legislation of the Azerbaijan Republic may also provide other circumstances mitigating responsibility for administrative violation. A judge, an authorised body (official), considering the case on administrative violation may also acknowledge as mitigating the circumstances not provided by legislation.

Article 34. Circumstances, aggravating responsibility for an administrative violation

34.1. Circumstances aggravating responsibility when imposing administrative penalties are acknowledged:

34.1.1. continuance of the unlawful actions in spite of demand of an authorised persons to stop it;

34.1.2. repeated commitment of the similar deed during one year for what the person was already imposed on an administrative penalty;

34.1.3. involving underage children in committing an administrative violation;

34.1.4. commitment of an administrative violation by the group of people;

34.1.5. commitment of an administrative violation in conditions of natural disaster or other states of emergency;

34.1.6. Commitment of an administrative violation in the state of alcoholic intoxication.

34.2. A judge, an authorised body (official), imposing administrative penalty, depending on the character of the administrative violation may not acknowledge the circumstance mentioned in the article 34.1.6 of this Code aggravating.

Article 35. Imposing administrative penalties when committing several administrative violations

35.1. If one and the same person has committed two or more administrative violations an administrative penalty shall be applied for each of these violations separately.

35.2. When several administrative offences, committed by one person are considered by the same authority, a penalty, stipulated for more serious offence will be imposed to this person. In this case, one of the additional penalties, stipulated for any of the committed offence will be added to the principal offence. (7, [119](#))

Article 36. Terms of imposing an administrative penalty

36.1. Administrative penalty may be imposed not later than before two months expires from the date of commitment of the administrative violation. For administrative violations infringing upon regulations in the sphere of customs, safety regulations, environment, finance, taxes and duties, administrative penalties may be imposed on not later than before one year expires after the date of commitment of the administrative violation.

36.2. Administrative penalty for continued administrative violations shall be imposed not later than before two months expires after the administrative violation was revealed.

36.3. If a criminal case was either rejected or stopped and there are all features of an administrative violation in deeds of the person, administrative penalty may be imposed on not later than before two months expires from the date of making decision to either reject a criminal case or stop it.

36.4. When returning the case of administrative offence committed by underage at the age of sixteen to eighteen years old, by the commission for juvenile matters and protection of their rights to respective state authority in an order established by the legislation, an administrative penalty may be applied not later than on the expiry of two months from the day of such case return. ([23](#), [119](#))

Article 37. Terms after what a person may not be imposed on an administrative penalty

If a person who was imposed on an administrative penalty, during one year after the completion of the execution of the penalty has not committed a new administrative violation, shall not be considered subjected to administrative penalty.

Article 38. Compensation of the property damage

38.1. Judge, an authorised body (official) when considering a case on the administrative violation has the right at the same time to impose administrative penalty and decide an

issue on compensation of the property damage caused, unless there is an argument about compensation of it.

38.2. If there is an argument about compensation of the property or of the ethical damage caused by the administrative violation the issue of such compensation shall be resolved in accordance with the legislation of the Azerbaijan Republic.

Special Part

Section II. Administrative violations

Chapter six. Administrative violations infringed upon political, social and labour rights

Article 39. Violation of regulations and terms on holding an election campaign or a campaign in connection with the referendum

39.1 Violation of regulations and term of conducting an election campaign or a campaign in connection with the referendum defined by legislation—

- shall involve penalisation at the amount from twenty five to fifty manats.

39.2. Non-provision of possibility to defend its honour and dignity to registered candidate by officials of organizations of television and radio programs and periodicals stipulated by election legislation before termination of the period of election campaign in these programs and editions:

- shall involve penalisation at the amount from one fifty to ninety manats on officials, at the amount of one hundred fifty to two hundred manats on legal entities. ([1](#), [24](#), [33](#), [119](#))

Article 40. Intentional destruction of printed propaganda materials or prevention of the candidate from the meeting with the electorate

Destruction or damage of pre-election (before referendum) agitation posters and other similar propaganda materials or prevention from distribution of propaganda materials materials, hung at certain points defined by legislation by consent of the owner or of other owner of these objects, or prevention of the candidate from meeting with the electorate—

- shall involve penalisation at the rate of from thirty five to sixty manats. ([1](#), [33](#), [119](#))

Article 41. Extension of deliberately false information about the contender

Extension of deliberately false information about the deputy contender or the electoral candidate (to the electoral position) with the purpose to influence to the result of the election by either means of publication or extension by other means —

- shall involve penalisation at the rate of from twenty to fifty five manats. ([1](#), [24](#), [119](#))

Article 42. Violation of rights of the member of the election committee (committee on conducting a referendum), observers, persons empowered, candidates of authorised representatives of political parties, referendum propagation group, blocks of political parties, representatives of the mass media

Violation of rights of the member of the election committee (committee on conducting a referendum), observers, persons empowered, candidates of authorised representatives of political parties, referendum propagation group, blocks of political parties, representatives of the mass media, including violation of the rights, connected with timely receipt of copies of electoral documents and information and approval of electoral documents —

- shall involve penalisation at the rate from thirty five to sixty five manats. ([1](#), [24](#), [119](#))

Article 42-1. Abuse of official position for the purpose of getting advantage in elections (referendum)

Abuse of official position for the purpose of getting advantage in elections (referendum)
—

- shall involve warning or penalisation at the rate from ten to twenty manats on officials. ([33](#), [119](#))

Article 42-2. Inadequate, incomplete and untimely provision of information about electors

Inadequate, incomplete and untimely provision of information about electors by respective executive authority, providing information about electors, —

- shall involve warning or penalisation at the rate from ten to twenty manats on head of respective authority. ([33](#), [119](#))

Article 42-3. Violation of rules of issue and keeping of voting papers, voting reports and certificates

Violation of rules of issue and keeping of voting papers, voting reports and certificates —

- shall involve warning or penalisation at the rate from ten to twenty manats. ([33](#), [119](#))

Article 42-4. Violation of the order of use of state computerized information system

For transfer of information after beginning of voting before signing the protocols on results of elections and voting by information services of higher election committees to information services of subordinate election committees except for signals confirming receipt of information, -

- shall involve penalisation at the rate from twenty to forty manats on natural persons, at the rate from sixty to eighty manats on officials. ([33](#), [119](#))

Article 43. Threatening or calling to the acts of force connected with elections (referendum) or distribution of such materials

Threatening or calling to the acts of force connected with elections (referendum) or distribution of such materials-

- shall involve penalisation at the rate from thirty five to sixty five manats. ([1](#), [24](#), [119](#))

Article 43-1. Deliberate enrolling of the elector to more than one electoral register

Deliberate enrolling of the elector to more than one electoral register, -

- shall involve warning or penalisation at rate from ten to twenty manats. ([33](#), [119](#))

Article 44. Violation of the right of getting to know the list of electoral roll and other rights of citizen

44.0. Violation by the member of the electoral committee (committee on referendum):

44.0.1. rights of citizen for familiarisation with the electoral roll (list of people having the right to participate in the referendum);

44.0.2. non-consideration by him, as provided in the legislation, of the application about incorrectness in the electoral list (list of people having the right to participate in the referendum);

44.0.3. non-assignation to the citizen a sound response in writing of rejection of corrections in the electoral roll;

44.0.4. out-of-sequence legalisation and clarification of the information about the registered voters—

- shall involve penalisation on the member of the electoral committee (committee on referendum) at the rate of forty to sixty manats. ([1](#), [119](#))

Article 45. Rejection of assignation of vacation to participate in elections (referendum)

45.1. Refusal of granting to the registered deputy contender or a candidate to the electoral body (to electoral position), empowered representative of the candidate or member of the electoral committee (referendum committee) of vacation provided by legislation to ensure his participation in preparation or conducting of elections to the state bodies or organs of local self-governing—

- shall involve penalisation at the rate of forty to sixty manats.

45.2. Non-release from duties persons, elected to the institutions of local governing or deputies to carry out their state liabilities—

- shall involve penalisation at the rate of fifty to seventy manats. ([1](#), [119](#))

Article 46. Violation of regulation on financing the elections (referendum) or submission of financial reports about it

46.1. Violation regulations on financing the elections (referendum) established by legislation—

- shall involve penalisation at the rate of ten to twenty manats on natural persons, at the rate of forty to sixty manats on officials, at the rate of one hundred fifty to two hundred fifty manats on legal entities.

46.2. Non-submission or non-publication by the candidates, by the registered candidates, political parties, blocks of political parties, referendum propagation groups of reports about expenditures of funds allocated for preparation and conducting of the elections,—

- shall involve penalisation at the rate of twenty to thirty manats. ([1](#), [24](#), [33](#), [119](#)).

Article 47. Production and distribution of anonymous propaganda materials and anonymous advertisement for the campaign

47.1. Non-indication in the printed and audio-visual propaganda materials related to the electoral campaign or conducting the referendum of names of organisations, which have printed and/or ordered to produce these materials, and also information about the edition and the date of publication—

- shall involve penalisation at the rate of fifteen to twenty five manats.

47.2. Production or distribution of printed materials for the election campaign without the written consent of the political parties, blocks of parties, candidates or registered candidates—

- shall involve penalisation at the rate of twenty to thirty manats.

47.3. Violation of production standards and distribution of advertisements about political parties, political parties alliance, candidates or registered candidates—

- shall involve penalisation at the rate of twenty five to thirty five manats. ([1](#), [119](#))

Article 48. Deliberate non-introduction or non-publication of information about the results of voting or results of elections

48.1. Deliberate non-introduction by the chairman of the appropriate electoral committee to voters, registered candidates, political parties, blocks of political parties and empowered representatives of the candidates, observers, authorised representatives of the political parties, referendum propagation groups, blocks of political parties, representatives of the mass media upon their request information with regard to the results of voting and results of the elections for familiarisation—

- shall involve penalisation at the rate of fifty to seventy manats.

48.2. Deliberate non-publication of information, with regard to the results of the voting and results of the elections in order and at terms defined by legislation—

- shall involve penalisation at the rate of seventy to ninety manats. ([1](#), [24](#), [119](#))

Article 49. Prevention of conducting social gatherings, meetings, demonstrations, street processions and pickets

Prevention of conducting social gatherings, meetings, demonstrations, street procession and pickets organised in accordance with the provisions of the legislation—

- shall involve penalisation, for natural persons at the rate of twenty five to thirty manats, for officials - fifty to seventy manats. ([1](#), [119](#))

Article 50. Violation of copyright and related rights

Violation of copyright and related rights, if a damage caused by this is insignificant,—

- shall involve penalisation at the rate of fifteen to forty manats, *with confiscation of pirated copies, as well as materials and equipment used for making (production) piratic copies.*

Note: In articles 50, 50-1, 50-2 and 50-3 of this Code the «insignificant damage» means the amount of damage equal up to one thousand manats. ([1](#), [27](#), [35](#), [56](#), [119](#), [133](#))

Article 50-1. Violation of exclusive right for use of integrated-circuit layout

Any duplication of integrated-circuit layout, including by introduction of it as a whole or some part of it to integrated-circuit layout, excluding duplication of unoriginal part of integrated-circuit layout, and also application, delivery, offer for sale, sale of layout or integrated-circuit, consisting of this layout or its application in any other form, without consent of producer or other owner of right in case if a damage caused by this is insignificant:

- shall involve penalisation at the rate of twenty to forty manats. ([1](#), [27](#), [119](#))

Article 50-2. Violation of requirements on use of folklore expressions

Violation of requirements on use of folklore expressions, if a damage caused by this is insignificant —

- shall involve penalisation with confiscation of the copies of folklore objects (infringing expressions), produced or distributed with violation of requirements on use of folklore expressions, for physical persons at the rate of fifteen to twenty manats, for officials at the rate of thirty to fifty manats, for legal entities at the rate of one hundred to one hundred fifty manats. ([35](#), [119](#))

Article 50-3. Illegal use of information collections

Illegal use of information collections, if a damage caused by this is insignificant —

- shall involve penalisation with confiscation of pirated copies of information collections, and also materials and equipment, used to copy the pirated copies of information collections, and also other instruments leading to the violation of the Law, for physical persons at the rate of fifteen to twenty five manats, for officials at the rate of thirty to fifty manats, for legal entities at the rate of one hundred to one hundred fifty manats. ([56](#), [119](#), [133](#))

Article 51. Non-fulfilment by parents or persons, or their substitutes liabilities on bringing-up and education of the children

Non-fulfilment or improper fulfilment by parents or persons substituting them liabilities of on bringing-up and education of underage children—

- shall involve penalisation at the rate of twenty to forty manats. ([1](#), [119](#))

Article 52. Persistent rejection to help parents

Persistent rejection of adults to support the disabled parents and take look after them—

- shall involve penalisation at the rate of thirty to forty manats. ([1](#), [119](#))

Article 52-1. Violation of legislation on work pensions

52-1.1. Non-adoption by the authority applying the work pension, of the decision on pension payment within the term established under the legislation, non-indication in the decision on rejection of pension of the reasons for such rejection and non-submission to applicant of the decisions on rejection of pension within the terms established under the legislation —

shall result in application of penalty against executives at the size of thirty five to eighty manats.

52-1.2. Non-provision by the work pensioner and employer to the work pension authority of information on cases resulting in change to amount and suspension of the payment of work pension and additional work pension payments -

shall result in penalty at the size of thirty to forty manats. ([89](#), [119](#))

Article 53. Violation of the labor legislation

53.1. Attraction of natural person to fulfillment of any works (services) by employers without entering to the employment agreement (contract) in an order stipulated by the Labor Code of the Azerbaijan Republic, —

- shall involve penalization on officials at the rate of three thousand to five thousand, on legal entities - twenty thousand to twenty five thousand manats.

53.2 Violation of rules of certification of the employees and the work places by the employers of enterprises, institutions or organizations, irrespective of their form of property and organization-legal form, —

- shall involve penalization at the rate of seven hundred to one thousand two hundred manats.

53.3. Payment of the salary to the employee in the amount less than minimal salary stipulated by the legislation —

- shall involve penalization at the rate of one thousand to one thousand five hundred manats.

53.4. Allowance of violations of the Law in the calculation and payment of salary and vacation pay of the employee, except for shortages admitted as a result of mathematical calculations, –

- shall involve penalization on officials at the rate of seven hundred to one thousand five hundred manats.

53.5. Violation of the employee vacation privilege, failure to grant the labor leave to the employee, as well as the failure to pay the compensation fixed for unused vacation, –

- shall involve penalization on officials at the rate of one thousand five hundred to two thousand manats.

53.6. Termination of an employment contract with the employee with violations of labor legislation, –

- shall involve penalization on officials at the rate of one thousand five hundred to two thousand manats.

53.7. Failure of the employer to register the work record card for the employee within the terms stipulated by the labor legislation, –

- shall involve penalization on officials at the rate of five hundred to one thousand manats.

53.8. Attraction of the foreigners or stateless persons by the employer to the work without obtaining individual permits, with violation of the requirements of the legislation, –

- shall involve penalization on officials at the rate of thirty thousand to thirty five thousand manats. ([1](#), [44](#), [59](#), [80](#), [109](#), [119](#))

Article 53-1. Forced labor

Forced attraction to work (services), which is not stipulated by the labor function of the employee, by the threat of termination of the employment contract or deprivation of benefits and privileges established by the collective agreement, —

- shall involve penalisation at the rate of one thousand to two thousand manats. ([43](#), [109](#), [119](#))

Article 53-2. Transfer of means to the State Fund of Social Protection

Failure to employ disabled persons, *persons with limited health condition under the age of 18*, directed by the respective executive power body and other persons requiring special social protection according to quota stipulated for them and also non-transfer of means to the State Fund of Social Protection —

- shall involve penalisation at the rate of fifty to ninety manats. ([43](#), [119](#), [123](#))

Article 53-4. Violation of legislation on hardship allowances

53-4.1. Non-adoption by relevant executive authority within the term set by legislation of the decision on allocation of hardship allowance, non-submission to applicant of the decision on rejection of allocation of allowance with indication of the reasons of rejection or submission without indication of reasons of such rejection—

- shall result in application of penalty at the amount of thirty five to eighty manats.

53-4.2. Non-submission by the recipient of allowance (his family members) to relevant executive authority of information on events resulting in suspension of payment of allowances –

- shall result in application of penalty at the amount of thirty to forty manats. ([92](#), [119](#))

Article 53-5. Failure to pay membership fee to special accounts of trade union organizations

Regardless of the form of property, failure to pay membership fees withheld from salaries of employees working at departments, enterprises and organizations to special account of trade union organizations of these departments, enterprises and organizations —

- *shall entail imposition of penalty on officials in the amount of one thousand to one thousand five hundred manats. ([127](#))*

Article 54. Violation of labour protection rules

54.0. Violation of the rules of labour protection, i.e.:

54.0.1. non-observance of requirements of the standards, norms and rules on protection of labour;

54.0.2. non-observance of security of the buildings, installations, equipment and technological processes;

54.0.3. non-putting in order the hygiene and sanitary conditions and conditions of the labour protection directly at work places in compliance with the effective norms;

54.0.4. non-organisation of proper everyday sanitary and medical-preventive service to the employees`

54.0.5. non-observance of normal regime for labour and rest;

54.0.6. non-delivery of free of charge special boots and other means of an individual protection to the employees on the schedule date and by a required assortment;

54.0.7. non-provision of training for norms and rules of labour protection, instruction, examination of the knowledge and agitation of labour protection for the employees;

54.0.8. non-inclusion in the collective contract rules on labour protection or non-fulfilment of obligations provided for in the collective contract;

54.0.9. non-introduction of statistic report in accordance with a set by the appropriate body of executive power of the Azerbaijan Republic terms and form about results of measures taken on labour protection, creation of proper work condition and their co-ordination with the effective norms;

54.0.10. operation of the rotary and transmission parts of machinery and equipment without protective devices supplied by the manufacturer, –

- shall involve penalization at the rate of one thousand to two thousand manats. ([1](#), [109](#), [119](#))

Article 55. Non-provision of healthy and safe conditions on protection of labour

Non-provision of at work places of the employees the healthy and safe conditions on protection of labour by the employer or non-performance of measures stipulated by the collective contract,—

- shall involve penalization at the rate of seven hundred one thousand five hundred manats. ([1](#), [109](#), [119](#))

Article 56. Involving the specialist of the labor protection in performing other duties

Involving the specialist of the labor protection in performing duties not related to their obligations—

- shall involve penalization at the rate of eight hundred to one thousand six hundred manats. ([1](#), [109](#), [119](#))

Article 57. Groundless rejection of conclusion of collective contract (agreement)

Groundless rejection of conclusion of collective contract (agreement)—

- shall involve penalization at the rate of one thousand to two thousand manats. ([1](#), [109](#), [119](#))

Article 58. Non-fulfillment or violation of the collective contract (agreement)

Non-fulfillment or violation of obligations by the employer on the collective contract (agreement)—

- shall involve penalization at the rate of one thousand to one thousand five hundred manats. ([1](#), [109](#), [119](#))

Article 59. Non-introduction of the information required for conducting collective negotiations and performing control over fulfillment of the collective contract (agreement)

Non-introduction of the information required for conducting collective negotiations and performing control over fulfillment of the collective contract (agreement)—

- shall involve penalization at the rate of seven hundred to one thousand five hundred manats. ([1](#), [109](#), [119](#))

Article 60. Enforcing to participate or refuse to participate in strikes

Enforcing to participate or refuse to participate in strikes with the application of violence or threatening to apply violence or abusing his material dependence—

- shall involve penalisation at the rate of ten to thirty five manats. ([1](#), [119](#))

Article 60-1. Putting pressure on employees who have suffered the sexual harrasment

Putting pressure on employees who have complaint against the employer or management for sexual harassment, or persecution of employee —

- shall result in application of penalty against executive officers at the size of seventy to ninety manats. ([103](#), [119](#))

Chapter seven. Administrative violations infringed upon the health of the population, hygiene-sanitary and sanitary-epidemiological regulations

Article 61. Deviation of persons infected with venereal disease and HIV from medical treatment

Deviation of persons, having sufficient information of being infected with venereal diseases and HIV, from medical treatment even after they have been warned by health authorities—

- imposition of penalty at the rate of one hundred to one hundred fifty manats. ([1](#), [114](#), [119](#))

Article 62. Deviation of persons, having contacts with people infected with venereal disease and HIV, from check-up

Deviation of persons, having contacts with people infected with venereal disease and HIV, and needing preventive check-up, from check-up even after they have been warned by health authorities—

- imposition of penalty at the rate of eighty to one hundred twenty manats. ([1](#), [114](#), [119](#))

Article 63. Concealment of the source of infection with venereal disease and HIV

63.1. For concealing sources of infection by persons with venereal disease, as well as names of persons that pose a threat of infection with venereal diseases by having been in contact with them —

- imposition of penalty at the rate of one hundred to two hundred manats.

63.2. For concealing sources of infection by persons with HIV, as well as names of persons that pose a threat of infection with HIV by having been in contact with them—

- imposition of penalty at the rate of two hundred to four hundred manats. ([1](#), [114](#), [119](#))

Article 63-1. Violation of the legislation on blood donorship, blood components and blood service

63-1.1. Failure of the person wishing to become a donor to inform a true data about his/her past and present diseases, and also drug and psychotropic agents addiction —

- shall involve penalisation at the rate of 30-35 manats.

63-1.2. Blood and its components drawing from the donor without medical inspection —

- shall involve penalisation of natural persons at the rate of 35-40 manats, officials — 40-65 manats, legal entities — 100-150 manats.

63-1.3. Failure of the patient care institutions to provide the blood service center (blood bank), engaged in blood and blood components purveyance, and respective executive power authority, with information about any serious additional impact (posttransfusion complications), which arises as a result of blood and blood components transfusion to the recipient —

- shall involve penalisation of natural persons at the rate of 35-40 manats, officials — 40-65 manats, legal entities — 100-150 manats. ([73](#), [111](#), [119](#))

Article 64. Dealing with private medicine without having a special license

64.1. Dealing with private medicine or private pharmaceuticals activity without having a special license—

- imposition of penalty at the rate of three hundred to five hundred manats.

64.2. Dealing with folk-medicine without having an appropriate diploma or special license, given in accordance with the legislation—

- imposition of penalty at the rate of four hundred to six hundred manats. ([1](#), [114](#), [119](#))

Article 65. Violation of sanitary-hygiene and anti-epidemiological regimes

Violation of sanitary-hygiene and anti-epidemiological regimes at enterprises, establishments and organisations—

- imposition of penalty at the rate of one hundred to two hundred manats. ([1](#), [114](#), [119](#))

Article 65-1. Violation of legislation on nutrition of infants and younger children

65-1.0. Violation of legislation on nutrition of infants and younger children by producers and distributors of artificial nutrition, that is:

65-1.0.1. organization of trade exhibition and special demonstration of artificial nutrition for the purpose of advertising;

65-1.0.2. funding of the scientific-research works, connected with baby nutrition without favourable comments of respective executive power authority;

65-1.0.3. sponsoring of activity of medical associations, participation of medical personnel in scientific and practical conferences, sessions, medical educational practices without favourable reports of respective executive power authority —

- imposition of penalty: for physical persons - at the rate of fifty to one hundred manats, for officials - one hundred to two hundred manats, for legal entities - five hundred to one thousand manats. ([34](#), [114](#), [119](#))

Article 66. Violation of sanitary norms and regulations, hygiene standards in the transport means

Violation of sanitary norms and regulations, hygiene standards in the transport means set by legislation—

- imposition of penalty at the rate of thirty to fifty manats. ([1](#), [114](#), [119](#))

Article 67. Violation of norms, regulations and standards provided to ensure sanitary-epidemiological welfare during designing, construction, reconstruction, improvement, re-equipment of settlements or enterprises, the starting complexes, buildings and installations

Design, construction, reconstruction, improvement, re-equipment of settlements or enterprises regardless with form of property, and the starting complexes, buildings and installations without observing norms, regulations and standards set to ensure sanitary-epidemiological welfare, and without co-ordination with the appropriate bodies of executive power of the Azerbaijan Republic—

- imposition of penalty: for physical persons - at the rate of forty to seventy manats, for officials - one hundred to two hundred manats, for legal entities - three hundred to six hundred manats. ([1](#), [114](#), [119](#))

Article 68. Violation of sanitary norms and regulations, hygiene standards on organisation of food for the population, on production, storage, transporting and sale of food products

68.1. Violation of sanitary norms and regulations, hygiene standards on organisation of food for the population, or preparation, storage and sale of pack lunches for the population, and also soft drinks in specially organised points (canteens, restaurants, cafe, bars etc.)—

- imposition of penalty: for physical persons - at the rate of fifty to one hundred manats, for officials - one hundred to two hundred manats, for legal entities - two hundred to four thousand manats.

68.2. Violation of sanitary norms and regulations, hygiene standards during production, storage, transporting and sale of food products—

- imposition of penalty: for physical persons - at the rate of fifty to one hundred manats, for officials - one hundred to two hundred manats, for legal entities - two hundred to four hundred manats. ([1](#), [114](#), [119](#))

Article 68-1. Using of drugs (narcotics), psychotropics and similar matters, production, purchase, storage, transportation or forwarding of drugs, psychotropics or similar matters, precursors in the amounts required for personal needs and not for distribution

For use of narcotic substances, psychotropic means, production, purchasing, storage, transportation and sending of narcotic substances, psychotropic means not for the purposes of sale at the quantities required for personal use, with violation of rules set under the legislation of the Azerbaijan Republic, —

- imposition of penalty at the rate of three hundred to four hundred manats, and in the event if such measures will be defined as insufficient, taking into account the facts of the case and identity of the person, committed an offence - imposition of administrative arrest for the period of fifteen days.

Note: The person, having voluntarily surrendered all drugs, psychotropics or precursors produced, purchased, stored, delivered or forwarded by him in the amounts required for personal needs and not for distribution will be exempted from administrative responsibility for actions, stipulated by this note. ([6](#), [94](#), [114](#), [119](#))

~~Article 68-2. Allowance of illegal use of drugs (narcotics), psychotropics and similar matters~~

~~Allowance of illegal use of drugs, psychotropics and similar matters—~~

- ~~▪ shall involve penalisation at the rate of fifteen to twenty five conventional financial units. ([6](#), [94](#), [114](#))~~

Article 68-3. Evasion of medical inspection to be conducted with the purpose of revealing of use or transportation of drugs (narcotics), psychotropics and similar matters, and also defining of intoxication extent as a result of such use

Evasion of medical inspection to be conducted with the purpose of revealing of use or transportation of drugs (narcotics), psychotropics and similar matters, and also defining of intoxication extent as a result of such use -

- imposition of penalty at the rate of *one hundred to two hundred manats*. ([6](#), [114](#), [119](#))

Article 68-4. Violation of legislation on medications

68-4.1. Sale, storage for the purposes of sales or imports of non-quality medications, which do not comply with requirements of standard technical documentation, have unknown origin, expired term of validity, subject to state registration, as well as production, sale, storage for the purposes of sales or imports of falsified medications, if the volumes are insignificant—

- Results in penalties at the size of eighty to hundred percent of value of medication, which is the subject of administrative violations, with associated confiscation.

68-4.2. advertisement of the medication -

- Results in application of penalty against executives at the size of ninety *manats*, legal entities- at the size of *three hundred manats*.

Note: for the purposes of this Article «insignificant» shall mean the size of up to *thousand manats*. ([95](#), [119](#))

Chapter eight. Administrative violations infringing upon the property

Article 69. Minor larceny

Minor larceny of other`s property by means of steal, appropriation, embezzlement, misuse of service functions or fraud—

- shall involve penalisation at the rate of *thirty five to forty manats*, in case if taking into consideration circumstances of the deed, the personality, application of these measures is considered to be insufficient,- imposition of the administrative arrest for fifteen days.

Note: Larceny of others property is recognised to be minor, if value of the stolen property does not exceed *thirty manats*. ([119](#))

Article 70. Willful occupation of lands of the forest fund or unlawful use of such lands

Willful occupation of lands of the forest fund or conducting on them construction works or other works without a proper license for use of these lands —

- shall involve penalisation on natural persons at the rate of *seven hundred fifty to one thousand*, on officials — *three thousand six hundred to four thousand eight hundred*, on legal persons – *six thousand six hundred to seven thousand eight hundred thirty manats*. ([1](#), [101](#), [119](#))

Article 71. Use of bowels without having a special license or consent

Using bowels without having a special license or consent or with violation of terms stipulated by this document --

- shall involve penalisation on natural persons at the rate of *six hundred to eight hundred*, on officials — *two thousand four hundred to three thousand two hundred*, on legal persons — *six thousand to eight thousand manats*. ([1](#), [99](#), [101](#), [119](#))

Article 72. Violation of right of property for water units

Violation of right of property for water units—

- shall involve penalisation on natural persons at the rate of *five to ten*, on officials — *forty to forty five*, on legal persons – *one hundred to one hundred fifty manats*. ([1](#), [119](#))

Article 73. Willful use of objects of the animal world

Taking objects of the animal world from the natural environment or using it without having a proper license—

- shall involve penalisation on natural persons at the rate of *two hundred fifty to five hundred*, on officials — *two thousand to two thousand two hundred*, on legal persons — *five thousand to seven thousand five hundred manats*. ([1](#), [101](#), [119](#))

Article 74. Violation of regulations on protection of monuments of history and culture and using them

Violation of regulations on protection of monuments of history and culture and using them—

- shall involve warning or penalisation at the rate of *fifteen to forty manats*. ([1](#), [119](#))

Article 75. Spoilage of household crops

Spoilage of crops or plants by means of thoroughfare in a car, tractor, harvester, animal-drawn transport (sledge) or other transport means—

- shall involve warning or penalisation at the rate of *fifteen to thirty manats*. ([1](#), [119](#))

Chapter nine. Administrative violations infringing upon the regulations on preservation of the environment, nature management and environmental safety

Article 76. Exceeding the standards of maximum permissible emission, discharge of harmful substance into environment or their burial in it, and also harmful physical impact on the environment

76.1. Exceeding standards of maximum permissible emission, discharge of harmful substances into environment or their burial in it—

- shall involve penalisation on officials at the rate of *two thousand five hundred to three thousand seven hundred fifty*, on legal persons — *seven thousand five hundred to twelve thousand five hundred manats*.

76.2. Exceeding the standards of maximum permissible ~~noise-level, vibration,~~ of electromagnetic, radioactive emanation and other harmful physical impact into the environment, for the purpose of preservation of the environment—

- shall involve penalisation on officials at the rate of *two thousand seven hundred fifty to three thousand five hundred*, on legal persons — *ten thousand five hundred to twelve thousand five hundred manats*. ([1](#), [101](#), [110](#), [119](#))

Article 76-1. Violation of the legislation on protection of the ambient air

76-1.0. Violation of the legislation on protection of the ambient air, i.e.:

76-1.0.1. atmospheric emission of the harmful substances without special permit of the respective executive power bodies;

76-1.0.2. violation of the regulations of constructions, equipment and devices operation, installed with the purpose of control over atmospheric emission of the harmful substances and deleterious physical effect;

76-1.0.3. commissioning of new and reconstructed equipment and constructions, not complying with the requirements of the legislation on protection of ambient air;

76-1.0.4. application of inventions, rationalization proposals, new technical systems, substances, not complying with the requirements, stipulated by the legislation on protection of the ambient air and not equipped with technical means of control over atmospheric emission of harmful substances, and also import of such technological equipment;

76-1.0.5. ambient air pollution as a result of collection, burning of industrial and domestic wastes, violation of the rules of transportation, storage, application of means, chemical fertilizers and other preparations, protecting flora and ensuring its growth;

76-1.0.6. non-compliance with the rules of control over state of ambient air where enterprises, institutions and organizations are located —

- shall involve penalization on physical entities at the rate of *two hundred fifty to seven hundred fifty manats*, on officials — *two thousand five hundred to four thousand manats*, on legal entities — *seven thousand five hundred to ten thousand manats*. ([8](#), [101](#), [119](#))

Article 77. Violation of the ecological requirements during the work with radioactive substances

77.1. Non-observance of set regulations on transfer, burial, transportation or production of the radioactive substances, non-fulfilment of measures on preventing and eliminating the radioactive contamination of the environment—

- shall involve penalisation on natural persons at the rate of *six hundred twenty five to seven hundred fifty*, on officials - *three thousand six hundred to four thousand five hundred*, on legal persons — *fifteen thousand to eighteen thousand manats*.

77.2. Non-statement about radioactive contamination of the environment right after revealing that to the appropriate bodies —

- shall involve penalisation on natural persons at the rate of *three hundred seventy five to five hundred*, on officials - *three thousand to three thousand six hundred manats*. ([1](#), [101](#), [119](#))

Article 78. Violation of the environmental requirements on construction and reconstruction of enterprises, installation and other establishments

78.1. Non-observance of the quality standards of the environment during the construction and reconstruction of enterprises, installations and other establishments —

- shall involve penalisation on officials at the rate of *two thousand two hundred fifty to two thousand five hundred*, on legal persons— *seven thousand five hundred to ten thousand manats*.

78.2. Non-implementation of measures on land reclamation, restoration and conservation of natural resources, accomplishment of the territory, enhancement of the environment during construction works—

- shall involve penalisation on officials at the rate of *two thousand five hundred to three thousand seven hundred fifty*, on legal persons— *ten thousand to twelve thousand five hundred manats*. ([1](#), [101](#), [119](#))

Article 79. Violation of the ecological requirements when putting into operation or during the exploitation of the enterprises, installation and other establishments

79.1. Start-up of the enterprises, installations, and other establishments, not provided with cleaning machine and equipment on neutralisation and utilisation of the harmful contamination and waste products in accordance with up-to-date permissible standards, or with incomplete design on conservation of natural resources and land reclamation—

- shall involve penalisation on officials at the rate of two thousand to two thousand five hundred, on legal persons—seven thousand five hundred to ten thousand *manats*.

79.2. Violation or non-implementation of the regulations on refinement of waste products, thrown out into the environment, and exploitation of installations, equipment, apparatus, mounted to control the waste products—

- shall involve penalisation on natural persons at the rate of six hundred to eight hundred, on officials - three thousand five hundred to four thousand five hundred, on legal persons— twenty thousand to forty thousand *manats*. ([1](#), [101](#),[119](#))

Article 80. Production, import, start-up of new transport means exceeding established norms on content of contaminated substances in waste products being thrown out into the environment and operating these transportation means

80.1. Production or import of transportation means, which contain contaminated substances in the waste products, and also permissible noise and vibration do not correspond to norms and standards established by the legislative acts—

- shall involve penalisation on officials at the rate of three thousand five hundred to four thousand five hundred, on legal persons— twelve thousand five hundred to fifteen thousand *manats*.

80.2. Start-up of the transportation means with exceeding content of the contaminated substances in the waste products thrown out into environment ~~or operating~~ by these transportation means—

- shall involve penalisation on natural persons at the rate of five hundred to one thousand, on officials - two thousand five hundred to three thousand five hundred, on legal persons— seven thousand five hundred to ten thousand *manats*. ([1](#), [8](#), [101](#),[119](#))

Article 81. Non-conducting of monitoring of the environment within the enterprise (production) or calculation and accounting of the impact caused by the economic activity on the environment, which may create an ecological threat

Non-conducting of monitoring of environment within the enterprise (production) or calculation and accounting of the impact caused by the economic activity on the environment, which may create an ecological threat—

- shall involve penalisation on officials at the rate of two thousand two hundred fifty to three thousand five hundred, on legal persons— eight thousand five hundred to ten thousand *manats*. ([1](#), [101](#))

Article 82. Violation of rules on standardisation in the field of preservation of the environment

Manufacture, sale, storage, transportation, usage, exploitation and repair of products or performance of works and delivering services with the violation of the effective standards and technical requirements in the field of preservation of the environment—

- shall involve penalisation on natural persons at the rate of five hundred to one thousand, on officials - two thousand five hundred to three thousand five hundred, on legal persons— ten thousand to twelve thousand five hundred *manats*. ([1](#), [101](#), [119](#))

Article 83. Violation of rules on certification in the field of preservation of the environment

Production of goods, performing works (delivering services) in the field of preservation of the environment requiring a mandatory certification, without this certificate—

- shall involve penalisation on officials at the rate of two thousand five hundred to three thousand five hundred, on legal persons— ten thousand to twelve thousand five hundred *manats*. ([1](#), [101](#), [119](#))

Article 83-1. Non-insurance of civil liability of the enterprise, being a source of danger

Carrying out of activity by the enterprise, being a source of danger without insurance of civil liability-

- shall involve penalisation on officials at the rate of three thousand, on legal persons -- six thousand *manats*. ([18](#), [101](#), [119](#))

Article 84. Violation of the rules on usage of specially preserved natural territories

Violation of rules on usage of specially preserved natural territories, regime of protection of these territories—

- shall involve penalisation on officials at the rate of four hundred to six hundred, on legal persons — two thousand to two thousand eight hundred *manats*. ([1](#), [101](#), [119](#))

Article 84-1. Violation of legislation on ecological education and instruction of the population

Violation of legislation on ecological education and instruction of the population --

- shall involve notification or penalisation at the rate of three hundred to one thousand *manats*. ([36](#), [101](#), [119](#))

Article 85. Violation of the rules on use of bowels of the earth

85.0. Violation of the rules on use of bowels of the earth, i.e.:

85.0.1. violation of requirements of standards (norms and rules) on safe performance of works, connected with the use of bowels of the earth, on preservation of the environment;

85.0.2. presumption of contamination of bowel of the earth and making mineral deposits an unserviceable for exploitation;

85.0.3. violation of the right of property for geological and other kind of information and confidentiality of such information;

85.0.4. willful building-up of the fields of minerals;

85.0.5. lack of inviolability of the buildings and installations during using the subsoil assets, and also specially protected territories and objects of the environment;

85.0.6. destruction and damage of observation regime wells into the underground waters, observation and geological marks;

85.0.7. systematic violation of acquit rules during the use of subsoil assets;

85.0.8. non-observance of requirements on bringing the liquidated and preserved mine tunnels and wells in safe condition, ensuring the safety of population and the environment, and also requirements on preservation of mineral fields, mine tunnels and wells in the phase of preservation;

85.0.9. lack of bringing the land and other natural objects in useful condition for further usage, which were made unserviceable during the use of subsoil assets;

85.0.10. Non-suspension of works in the field, where during the use of subsoil assets have been discovered objects being of interest of the science and culture, and non-announcement of the bodies about this, who issues a special license or consent—

- shall involve penalisation on natural persons at the rate of six hundred to one thousand, on officials - one thousand two hundred to two thousand, on legal persons — four thousand eight hundred to six thousand *manats*. ([1](#), [99](#), [101](#), [119](#))

Article 86. Obstruction and spoilage of the earth (lands of the forest fund)

86.1. Obstruction of the land (lands of the forest fund) with industrial and domestic wastes or contamination with chemical, radio-active substances, manufacturing water, and also contamination with bacterial- parasite and harmful guarantee organisms—

- shall involve penalisation on natural persons at the rate of five hundred to seven hundred fifty, on officials - two thousand to two thousand five hundred, on legal persons— seven thousand five hundred to ten thousand *manats*.

86.2. Spoilage of the rich sheet of the land (land of the forest fund)—

- shall involve penalisation on natural persons at the rate of six hundred to one thousand, on officials - two thousand to three thousand two hundred, on legal persons— six thousand to eight thousand *manats*. ([1](#), [101](#), [119](#))

Article 87. Unpractical use of the land

87.1. Non-realisation of mandatory measures on improving of lands and their protection from the wind, water erosion and other processes worsening productivity of the land—

- shall involve penalisation on natural persons at the rate of twenty to thirty five, on officials - forty to sixty five, on legal persons—one hundred fifty to one hundred ninety *manats*.

87.2. Design, construction and start-up of objects, harmfully affecting the condition of the lands,—

- shall involve penalisation on natural persons at the rate of thirty to forty, on officials - forty five to seventy, on legal persons—one hundred fifty to one hundred ninety *manats*. ([1](#), [119](#))

Article 88. Concealment of lands from the state registration, or falsification of the information about quantity and quality

Concealment of lands from the state registration, or falsification of the information about quantity and quality—

- shall involve penalisation at the rate of fifteen to fifty *manats*. ([1](#), [119](#))

Article 88-1. Failure to return temporary occupied lands or to fulfil obligations on their bringing to state suitable for respective exploitation, use of rented lands with any other purposes without changing their special-purpose designation

88-1.1. Failure to return temporary occupied lands or to fulfil obligations on their bringing to state suitable for respective exploitation —

- shall involve penalisation on natural persons at the rate of six to eight financial conventional units, on officials — at the rate of twelve to fourteen financial conventional units, on legal persons — at the rate of thirty to thirty two *manats*.

88-1.2. Use of rented lands with any other purposes without changing their special-purpose designation—

- shall involve penalisation on natural persons at the rate of eight to ten financial conventional units, on officials — at the rate of fourteen to sixteen financial conventional units, on legal persons — at the rate of thirty to thirty five *manats*. ([17](#), [119](#))

Article 88-2. Fencing of land sites, located below 80-130 meters offshore strip of Caspian Sea (lake) belonging to Azerbaijan Republic and seashore access restriction

88-2.1. Fencing or enclosing by any other means of land sites handed over for use or rent in an order established by the legislation and located below 80-130 meters offshore strip of Caspian Sea (lake) belonging to Azerbaijan Republic and seashore access restriction-

- shall involve penalisation on natural persons at the rate of fifteen to twenty five *manats*, on officials - at the rate of thirty to fifty *manats*, on legal entities — at the rate of one hundred to one hundred fifty *manats*.

88-2.2. Repeated commitment of violations within a year after receiving an administrative penalty, established by article 88-2.1 of this Code —

- shall involve penalisation on natural persons at the rate of twenty five to thirty five financial conventional units, on officials — at the rate of sixty to eighty financial conventional units, on legal entities — at the rate of one hundred fifty to two hundred fifty *manats*. ([28](#), [119](#))

Article 88-3. Violation of rules on allotment of land sites for construction

Violation by officials of the rules stipulated by the legislation on allotment of land sites (except for land sites in fenced-off areas of main pipelines, electricity supply network with voltage more than 1000 V, underground, railway structures, guarded objects, technical plants of water supply systems and sewerage, oil wells, highways or water protection zones) for construction —

- shall involve penalisation at the rate of sixty to ninety *manats*. ([48](#), [119](#))

Article 89. Destruction of boundary-marks

Destruction of boundary marks of lands, being the property or taken for rent,—

- shall involve penalisation at the rate of fifteen to twenty *manats*. ([1](#), [119](#))

Article 90. Destruction of meteorological nets, measuring facilities on the lands and change of category of the land

90.1. Destruction of meteorological nets, measuring and other facilities, geological base stations ~~or reclamation and irrigation systems~~ on lands—

- shall involve penalisation on natural persons at the rate of six hundred to eight hundred, on officials - one thousand six hundred to two thousand four hundred *manats*.

90.2. Change of category of the lands not observing the legislation—

- shall involve penalisation on natural persons at the rate of twenty to twenty five, on officials - fifty to seventy *manats*.

90.3. Destruction of melioration and irrigation systems—

- shall involve penalisation on natural persons at the rate of fifteen to twenty , on officials - forty to sixty *manats*. ([1](#), [101](#), [105](#), [119](#))

Article 91. Violation of the established rules of using the forest fund, logging and removal of logs

Violation of the established rules of using the forest fund, logging and removal of logs—

- shall involve penalisation on natural persons at the rate of three hundred to nine hundred, on officials - two thousand seven hundred to three thousand six hundred, on legal persons— five thousand four hundred to seven thousand eight hundred *manats*. ([1](#), [101](#), [119](#))

Article 92. UnLaw ful cut and damage of trees and shrubs in the forest fund without having a felling permit, abolishment or damage of forest crops and saplings

92.1. UnLaw ful cut and damage of trees and shrubs in the forest fund without having a felling permit, abolishment or damage of forest seedlings and plantings in the forest plantations, farms and on plantations, and also saplings of the natural origin and self-seeding on the grounds assigned for forest recreation,—

- shall involve penalisation on natural persons at the rate of seven hundred fifty to one thousand, on officials - four thousand two hundred to four thousand eight hundred *manats*.

92.2. Damage of trees and shrubs not related to the forest fund,—

- shall involve penalisation on natural persons at the rate of six hundred twenty five to seven hundred fifty, on officials—three thousand nine hundred to four thousand eight hundred *manats*. ([1](#), [101](#), [119](#))

Article 93. Use of the forest not corresponding to the purposes and requirements mentioned on the felling permit

Use of the forest not corresponding to the purposes and requirements mentioned on the felling permit,—

- shall involve penalisation on natural persons at the rate of three hundred to six hundred, on officials - two thousand four hundred to two thousand seven hundred, on legal persons— six thousand to seven thousand eight hundred *manats*. ([1](#), [101](#), [119](#))

Article 94. Violation of rules on restoration, increasing productivity, improving the breed of forests and using resources of the ripe wood

Violation of rules on restoration, increasing productivity, improving the breed of forests and using resources of the ripe wood—

- shall involve penalisation on natural persons at the rate of five hundred to one thousand, on officials - two thousand four hundred to three thousand, on legal persons— seven thousand eight hundred to nine thousand *manats*. ([1](#), [101](#), [119](#))

Article 95. Damage and spoilage of the hayfields and pastures on lands of the forest fund

Damage and spoilage of the hayfields and pastures on lands of the forest fund—

- shall involve penalisation on natural persons at the rate of three hundred to six hundred, on officials - two thousand four hundred to three thousand six hundred, on legal persons— six thousand six hundred to seven thousand eight hundred *manats.* ([1](#), [101](#), [119](#))

Article 96. Willful mowing or pasturage of cattle, willful collection of wild –growing fruits, nuts, mushrooms, berries in the fields of the forest fund

Willful mowing or pasturage of cattle, willful collection of wild—growing fruits, nuts, mushrooms, berries etc. in the fields where it was prohibited or is allowed only upon felling ticket—

- shall involve penalisation on natural persons at the rate of four hundred to six hundred, on officials - one thousand eight hundred to two thousand four hundred, on legal persons – five thousand two hundred to six thousand four hundred *manats.* ([1](#), [101](#), [119](#))

Article 97. Erection and transfer of manufacturing objects on lands of the forest fund without installation preventing the harmful impact on the forest

Erection and transfer of manufacturing objects on lands of the forest fund without installation preventing the harmful impact on the forest—

- shall involve penalisation on natural persons at the rate of seven hundred fifty to one thousand, on officials - one thousand five hundred to two thousand two hundred, on legal persons— nine thousand to twelve thousand *manats.* ([1](#), [101](#), [119](#))

Article 98. Abolishment and spoilage of forest irrigation units, drainage systems and roads on lands of the forest fund

Abolishment and spoilage of forest irrigation units, drainage systems and roads on lands of the forest fund—

- shall involve penalisation on natural persons at the rate of three hundred to six hundred, on officials - two thousand four hundred to three thousand six hundred, on legal persons— six thousand to seven thousand two hundred *manats.* ([1](#), [101](#), [119](#))

Article 99. Abolishment and damage of restrictive marks (post pointing the border, blocks etc.) on lands of the forest fund

Abolishment and damage of restrictive marks (post pointing the border, blocks etc.) on lands of the forest fund—

- shall involve penalisation on natural persons at the rate of three hundred to six hundred, on officials - two thousand four hundred to three thousand, on legal

persons— five thousand four hundred to six thousand six hundred *manats*. ([1](#), [101](#), [119](#))

Article 100. Abolishment of productive fauna of the forest

Abolishment of productive fauna of the forest—

- shall involve penalisation on natural persons at the rate of two hundred fifty to five hundred, on officials - two thousand to three thousand, on legal persons – six thousand to seven thousand five hundred *manats*. ([1](#), [101](#), [119](#))

Article 101. Violation of rules on use of water objects and water

101.1. Violation of rules on use of water objects, i.e.:

101.1.1. willful erection of hydro-technical and other installations on the water objects;

101.1.2. willful occupation of water objects;

101.1.3. violation of conditions established by a special license or consent for use of water objects,—

- shall involve penalisation on natural persons at the rate of ten to fifteen, on officials - thirty to forty five, on legal persons—one hundred fifty to one hundred seventy *manats*.

101.2. Willful use of water without having a proper license, i.e.

101.2.1. Non-observance of limits on use of water;

101.2.2. Waste of water resources;

101.2.3. Willful collection of water from the water pipeline system, canals;

101.2.4. Discharge of drinking, domestic, technical and drainage waters away (to fields, streets, public supply system, communication and energy nets) unnecessarily—

- shall involve penalisation on natural persons at the rate of twenty to forty, on officials - sixty to ninety, on legal persons—one hundred fifty to three hundred *manats*. ([1](#), [85](#), [99](#), [119](#))

Article 102. Violation of regulations on preservation of water objects

102.0. Violation of regulations on preservation of water objects, i.e.:

102.0.1. exploitation of enterprises, public supply systems and other objects without having installations and equipment to prevent pollution, obstruction of water objects and harmful impacts on water;

102.0.2. damage of domestic water installations and equipment, non-observance of rules of exploitation;

102.0.3. non-observance of regulations of water protection areas and protection of zones of coastal command;

102.0.4. violation of regulations of the specially guarded water objects;

102.0.5. non-observance of rules of conducting state monitoring of water objects, state registration of waters, state water land-survey;

102.0.6. pollution of waters on the areas of water collection violating regulations of protection of the water objects, violation of rules on use of lands, which may bring to water erosion and other harmful consequences;

102.0.7. violation of rules and techniques of drilling of wells for production of water or drilling such wells without proper license—

- shall involve penalisation on natural persons at the rate of six hundred to one thousand, on officials - two thousand five hundred to three thousand seven hundred fifty, on legal persons— seven thousand five hundred to ten thousand *manats*. (1, [101](#), [119](#))

Article 103. Violation of requirements for zones of sanitary protection of resources of drinking water, water filtration installations, water pipeline and quality of water

103.1. Violation of requirements for zones of sanitary protection of resources of drinking water, water filtration installations, water pipeline—

- imposition of penalty on natural persons at the rate of one hundred to two hundred *manats*, on officials at the rate of two hundred to three hundred *manats*, on legal entities at the rate of three hundred to five hundred *manats*.

103.2. Non-compliance of the drinking water quality with sanitary requirements and state standards—

- imposition of penalty at the rate of three hundred to five hundred *manats*. (1, [48](#), [114](#), [119](#))

Article 104. Violation requirements on disposition and treatment of waste products

104.1. For burial of waste products in the territory of cities or other residential areas, forests-park *tourism and recreation* zones, resorts, medical-health and sanitary control centres, sanitary control zones of mineral springs, at places where cracked rocks and aqueous layer come out to the surface, as well as water reservoir areas of underground water objects used for drinking water supply and household and domestic needs, at the same time in cases when danger is created, which would result in pollution of places where there are minerals and carrying out underground works, at places where there are minerals layers and underground works are carried out—

- shall involve penalisation on natural persons at the rate of seven hundred fifty to one thousand, on officials - three thousand to three thousand seven hundred fifty, on legal persons— eight thousand five hundred to ten thousand *manats*.

104.2. Violation of norms and rules on evaluation, design, construction, usage and liquidation of points of treatment of waste products—

- shall involve penalisation on officials at the rate of three thousand five hundred to four thousand five hundred, on legal persons— ten thousand to fifteen thousand *manats*.. (1, [101](#), [113](#), [119](#), [120](#))

~~Article 105. Violation of the legislation on pesticides and agrochemical substances~~

~~105.0. Violation of the legislation on pesticides and agrochemical substances, i.e.:~~

~~105.0.1. Concealment or falsification of information, related to pesticides and agrochemical substances, having created or being capable to create a threat for life, health, property of people and the environment;~~

~~105.0.2. Assumption of import, export and use of pesticides and agrochemical substances, which have not been tested by the state bodies and not registered, except as otherwise specified by legislation;~~

~~105.0.3. Assumption of sale and use of useless and prohibited for use pesticides and agrochemical substances or agricultural and food products, which contain the aforementioned substances not complying with the established standards;~~

~~105.0.4. Violation of rules on implementation, use, neutralisation and burial of pesticides and agrochemical substances, means and materials—~~

- ~~shall involve penalisation on natural persons at the rate of twenty to forty, on officials— sixty to seventy, on legal persons— one hundred to one hundred fifty conventional financial units. (1, [90](#))~~

Article 106. Non-observance of liabilities on registration in the ship documents of operations being conducted with harmful substances or mixtures of these substances

Non-observance of liabilities on registration of operations being conducted with substances harmful for health of people or bio-resources of the sea, or with the mixtures containing such substances exceeding the established norms, in the ship documents by the captain, other members of the crew of the ship or other self-floating structure or entering by the aforementioned persons insufficient information about similar operations in the ship documents, and also unlawful refuse to present such documents to the appropriate officials—

- shall involve penalisation at the rate of thirty five to seventy *manats*. (1, [119](#))

Article 107. Non-observance or violation of requirements on ensuring radiation safety

107.0. Non-observance or violation of requirements on radiation safety, i.e.:

107.0.1. lack of provisions on radiation safety during the work with sources of ionising radiation;

107.0.2. lack of provisions on safety of population from impact of natural radionucleid;

107.0.3. lack of provisions on radiation safety during production and usage of food products;

107.0.4. lack of provisions on radiation safety of the population while conducting medical X-ray- radiological procedures;

107.0.5. lack of provisions on radiation safety during the radiation accident—

- shall involve penalization on natural persons at the rate of seven hundred fifty to one thousand *manats*, on officials - two thousand five hundred to three thousand five hundred conventional financial units, on legal persons—ten thousand two hundred to twelve thousand *manats*. ([1](#), [3](#), [101](#), [119](#))

Article 108. Violation of the legislation on hydro-meteorological service

108.0. Violation of the legislation on hydro-meteorological activity, i.e.:

108.0.1. non-observance of requirements of the standard-technical documents on hydro-meteorological activity by the manufacturers and consumers of information about hydrometeorology and monitoring of the native zone;

108.0.2. transfer of materials of state fund of the Azerbaijan Republic on information about hydrometeorology and monitoring of the native zone to other persons, or copying of such materials without consent of the fund manager;

108.0.3. non-transfer of the ready materials to the state fund of the Azerbaijan Republic on information about hydrometeorology and monitoring of the native zone for official use in cases established by legislation;

108.0.4. non-provision of inviolability of observatories, stations and other observatory points on hydrometeorology and monitoring of the native zone and measuring devices on the lands and water objects where the aforementioned objects are installed, by the proprietor and users, non-announcement about spoilage and destruction of these objects or non-creation of proper conditions for conducting hydrometeorological works in such objects;

108.0.5. transfer, dislocation of the observatory nets or suspension of their operation without an appropriate consent;

108.0.6. usage of technical complexes, carrying out operations actively impacting the atmospheric processes, for other purposes without having a proper consent;

108.0.7. Dealing with one or another domestic activity on zones of preservation of hydro-meteorological observatory nets—

- shall involve penalisation on natural persons at the rate of three hundred twenty to six hundred, on officials - two thousand to two thousand eight hundred, on legal persons— six thousand to eight thousand *manats*. ([1](#), [101](#), [119](#))

Article 109. Violation of the legislation on geodesy and cartography

109.0. Violation of the legislation on geodesy and cartography, i.e.:

109.0.1. setting in a trade turnover of geodesy and cartography materials and information, geodesy and cartography equipment and devices of special-purpose, which did not pass a state registration or take out a patent, or certified in due order established by legislation;

109.0.2. spoilage or damage of the state geodesy base stations or ground signs;

109.0.3. dislocation or reconstruction of the state geodesy base stations and ground marks or installation of new stations and signs without the consent of the state body on geodesy and cartography—

- shall involve penalisation on natural persons at the rate of five to fifteen, on officials - seventy to ninety, on legal persons—two hundred fifty to three hundred *manats*. ([1](#), [119](#))

Article 110. Non-observance of the requirements on preservation of the environment during warehousing and burning of the industrial and domestic waste products

Violation of regulations on storage of industrial and domestic waste products, non-observance of the requirements on preservation of the environment during the aforementioned waste products—

- shall involve penalisation on natural persons at the rate of five hundred to seven hundred fifty, on officials - two thousand to three thousand, on legal persons— six thousand five hundred to eight thousand *manats*. ([1](#), [101](#), [119](#))

Article 111. Violation of regulation on preservation of the fish reserves

111.1. Violation of regulation on preservation of the fish reserves—

- shall be punished by confiscation of the item being an instrument for perpetration or a direct object of the administrative violation or shall involve penalisation at the rate of seven hundred fifty to one thousand seven hundred fifty *manats* with confiscation.

111.2. Gross violation of regulations of hunting (hunting without a proper license, or hunting on the prohibited areas, or unauthorised periods, unauthorised instruments or means), and also systematic violation of other regulations on hunting—

- shall be punished by confiscation of the item being an instrument for perpetration or a direct object of the administrative violation or shall involve penalisation at the rate of one thousand to two thousand *manats* with confiscation or restriction of rights for hunting from six months to two years. ([1](#), [101](#), [119](#))

Article 112. Violation of regulation on use of objects of the animal world

112.0. Violation of regulation on use of objects of the animal world, i.e.:

112.0.1. exceeding the limits on usage of objects of the animal world;

112.0.2. non-observance of the requirements of the state ecological commission of experts;

112.0.3. non-observance of the requirements on preservation of the bio-types of animals, conditions of their breeding and ways of migration;

112.0.4. willful burn of dried-up plants or their odds and ends;

112.0.5. violation of the regulations on storage, transportation and application of means on preservation of plants, auxesis, fertilisers and other substances (chemicals);

112.0.6. usage of genetic modified organisms when resettling, climatic adoption and breeding the animals, carried out wilfully or violating the established rules;

112.0.7. concealment or falsification of information about condition, quantity and use of the objects of the animal world—

- shall involve penalisation on natural persons at the rate of five hundred to seven hundred fifty, on officials - two thousand to three thousand, on legal persons – five thousand five hundred to seven thousand *manats*. ([1](#), [101](#), [119](#))

Article 113. Violation of the legislation on environmental safety

113.1. Violation of the legislation on environmental safety, i.e.:

113.1.1. carrying-out the domestic and other kind of activity, negatively affecting directly or indirectly onto the environment, without having a positive certificate from the state ecological commission, and also the activity which was recognized by the certificate of the state ecological commission harmful for environment;

113.1.2. carrying-out a domestic or other kind of activity involving hard environmental consequences;

113.1.3. carrying-out a domestic or other kind of activity not corresponding to the requirements of provision on environmental safety;

113.1.4. entering the useless lands in the new domestic or other turnover (virgin lands) without their restoration in an order established by legislation;

113.1.5. carrying-out an activity involving global negative changes of the environment and its component, including those violating the international contracts in the field of environmental safety;

113.1.6. use, breeding or circulation of organisms not related to the environment of the respective territory, and also those received by artificial methods, without conducting measures on prevention of their uncontrolled breeding;

113.1.7. application of extremely hazardous for the environment and people substances;

113.1.8. use of toxic substances, capable to accumulate in the human organism and the environment and not subjects to natural disruption, and also application of toxic substances, technological neutralisation of which is too dangerous;

113.1.9. import into the country or production of the goods, technology of treatment, neutralisation and reuse of which is too dangerous for the environment;

113.1.10. import into the country of radio-active waste products, worked-out, useless for reuse nuclear fuel, toxic and other dangerous industrial and domestic waste products, mentioned in the list established by the appropriate standard-legal acts, other radio-active substances and nuclear materials, non-toxic waste products useless for reuse, and also substances, technology of use and reuse of which is too dangerous for the environment safety;

113.1.11. carrying –out other activity, which is considered environmentally dangerous in accordance with the appropriate standard-legal acts;

113.1.12. conducting scientific-research, economic and other tests following commitment of violations mentioned in articles 113.1.1—113.1.11 of this Code—

- shall involve penalisation on natural persons at the rate of two hundred fifty to seven hundred fifty, on officials - two thousand five hundred to three thousand five hundred *manats*.

113.2. Violation of vibration and noise pollution norms negatively affecting the environment and human health, –

- shall involve penalisation on natural persons at the rate of three hundred to eight hundred, on legal entities - eight thousand to twelve thousand *manats*. ([1](#), [101](#), [110](#), [119](#))

Chapter ten. Administrative violations infringing upon regulations in the field of industry use of electrical and fuel energy

Article 114. Violation of regulation and norms on safe conducting of works in fields of the industry

114.1. Violation by officials of rules and norms concerning safe execution of works at industrial fields and objects *with danger potential* —

- shall involve penalisation at the rate of thirty to fifty *manats*.

114.2. Violation of regulation on safe conduct of works on the objects under control of the appropriate bodies of executive power of the Azerbaijan Republic—

- shall involve penalisation at the rate of forty to sixty *manats*. ([1](#), [119](#), [131](#))

Article 115. Violation of regulations and norms on storage, use and registration of explosive materials in branches of the industry

Violation by officials of rules and norms concerning safe execution of works at industrial fields and objects *with danger potential* —

- shall involve penalisation at the rate of thirty five to fifty *manats*. ([1](#), [119](#), [131](#))

Article 115-1. Violation of legislation on hydraulic structures safety

115-1.0. Violation of legislation on hydraulic structures safety, i.e.:

115-1.0.1. Carrying out of blasting operations (except for blasting operations, carried out in wells located at offshore rigs), exploitation of underground natural resources and also placement of objects which may have a physical, chemical and biological impact on plants and environment within the limits of protection areas of hydraulic structures of special public purpose;

115-1.0.2. Failure to prepare declaration for hydraulic structures safety by owner or user in the course of projecting, construction and exploitation and also their rehabilitation, major overhaul, reconstruction and conservation;

115-1.0.3. Stating of false information in declaration for hydraulic structure safety by owner or user of hydraulic plant —

- shall involve penalization on authorized persons at the rate of forty to sixty *manats*, on legal entities — at the rate of one hundred to one hundred fifty *manats*. ([29](#), [119](#))

Article 116. Violation of regulations on use of electrical and thermal energy

116.0. Violation of regulations on use of electrical and thermal energy, i.e.:

116.0.2. non-observance of regulations of technical exploitation of electrical and thermal equipment, installations, systems of energy saving or violation of established requirements on increasing and keeping their engineering performance standards;

116.0.2. falsification of record and accountancy of consumption of electrical and thermal energy and out-of-sequence submission of the related information;

116.0.3. violation of the requirements on making an energy examination when installing electrical or thermal equipment, installations, devices and related to them new technologies, and also deliberately giving a false expert evaluation;

116.0.4. financing of building the electrical and thermal equipment, installations, devices and related to them new technologies not meeting requirements of the energy standards, their start-up and sale without certificate of the state energy commission of experts;

116.0.5. violation of regulations and norms or established requirements on economic consumption of energy during the design, construction, reconstruction, start-up of enterprises, electrical or thermal economy, nets, installations and other objects;

116.0.6. systematic unpractical and wasteful consumption of the electrical or thermal energy;

116.0.7. consumption of electrical or thermal energy without a meter;

116.0.8. willful connection to the electricity supply network, disconnected from it by the energy supplying company due to non-payment of the cost of consumed energy on time, stipulated by the contract on consumption of electrical or thermal energy—

- *shall involve penalisation on natural persons at the rate of twenty to forty, on officials - sixty to ninety, on legal persons – one hundred fifty to three hundred manats. (1, 44, 119)*

Article 117. Damage of the electrical supply nets with voltage up till 1000 volt or violation of regulations on protection of electrical nets with voltage exceeding 1000 volt

117.1. Damage of the electrical supply nets with voltage up till 1000 volt, which caused a break of supply of energy to consumers—

- shall involve penalisation on natural persons at the rate of ten to fifteen, on officials fifty to sixty *manats*.

117.2. Violation of regulations on protection of electrical supply nets with voltage exceeding 1000 volt—

- shall involve penalisation on natural persons at the rate of fifteen to thirty, on officials sixty to ninety *manats*. (1, 48)

Article 118. Plundering of natural gas, electrical or heating energy, or violation of rules of their use in household

Minor damage as a result of plunder of natural gas, electrical or heating energy, or violation of rules of their use in household—

- Shall result in application of penalty against natural persons at the amount of thirty to forty, executives- from eighty to ninety, legal entities from two hundred fifty to three hundred *manats*.

Note: For the purposes of this Article «minor» shall mean the amount of up to thousand *manats*. (1, 85, 119)

Chapter eleven. Administrative violations infringing upon brooding, veterinary-sanitary regulations

Article 119. Violation of the legislation on pedigree cattle-breeding

119.0. Violation of the legislation on *pedigree cattle-breeding*, i.e.:

119.0.1. sale of brood reserves not evaluated according to the acting standard documents, not corresponding to the state standards and not meeting zoo-technical requirements;

119.0.2. use of manufacturers of unknown origin, not corresponding to the established requirements (standards);

119.0.3. non-observance of regulations of evaluation of brood reserves during their mass production or deliberate falsification of such indications;

119.0.4. reflection of unreliable information in the registration documents;

~~119.0.5. rendering a veterinary service without having a special license;~~

119.0.6. non-observance of zoning of breeds;

119.0.7. causing damage to local gene-pool of animals—

- shall involve penalisation on natural persons at the rate of twenty to twenty five, on officials fifty to seventy *manats*. ([1](#), [99](#), [119](#), [124](#))

Article 119-1. Violation of the law on horse breeding

119-1.1. Failure to fulfil instructions of the relevant executive authority of the Azerbaijan Republic carrying out state oversight of horse breeding in the relevant sphere—

- *shall entail imposition of penalty: for natural persons- at the rate of ten to twenty manats, for officials – thirty to fifty manats.*

119-1.2. Violation of rules of issuing passports (certificates) to pedigree horses—

- *shall entail imposition of penalty: for officials – forty to sixty manats.*

119-1.3. Destroying pedigree cells of national horse breeds and those horse breeds that are included in the international genofond—

- *shall entail imposition of penalty: for natural persons - at the rate of thirty to forty manats, for officials - at the rate of seventy to ninety manats, for legal persons – two hundred to two hundred fifty manats. ([118](#), [124](#))*

Article 120. Violation of regulations on use achievements of selection

120.0. Violation of regulations on use achievements of selection, i.e.:

120.0.1. appellation of the name to the achievements of selection being produced or sold, different from already registered;

120.0.2. deliberate appellation of the name to the achievements of selection being produced or sold, similar to other registered sort or breed;

120.0.3. creation of a confusion between the name given to the achievements of the selection being produced or sold, and the name of the other registered achievement, whereas they have too much similarity;

120.0.4. use of the achievements of the selection without making a licensed contract;

120.0.5. sale of the registered achievements of selection under other name deliberately swindling consumers;

120.0.6. sale of the achievements of selection without certificate;

120.0.7. making false records in the state register, application, documents of examination and tests—

- shall involve penalisation on natural persons at the rate of ten to fifteen, on officials thirty to fifty, on legal persons –one hundred to one hundred fifty *manats*. (1, [119](#))

Article 121. Violation of the legislation on seed-growing

121.0. Violation of the legislation on seed-growing, i.e.;

121.0.1. planting, sowing, stocking-up, and sale of seeds infected with items of guarantee, not corresponding to the state standards;

121.0.2. import, export and putting into trade seeds without having a certificate of conformance about grade of quality and seed and a forte-sanitary certificate;

121.0.3. non-observance of regulations on evaluation of the quality of the party of seeds or deliberate falsification of quality indications of seeds;

121.0.4. use of sorts of seeds of plants without making a license agreement;

121.0.5. non-observance of the main principles of seed-growing;

121.0.6. reflection of unreliable information in registration documents employed in seed-growing—

- shall involve penalisation on natural persons at the rate of ten to twenty, on officials thirty to forty five, on legal persons –one hundred to one hundred thirty *manats*. (1, [88](#), [119](#))

Article 122. Violation of regulations of guarantee for plants

~~122.1. Violation of regulations on fighting with diseases and pests of plants, which are considered as objects of guarantee for plants established by legislation, and also with guarantee weeds—~~

- ~~▪ shall involve penalisation on natural persons at the rate of ten to fifteen, on officials forty to sixty conventional financial units.~~

~~122.2. Export of guarantee seeds, plants and other products of vegetable origin from the guarantee zone without the license of the appropriate body of the executive power of the Azerbaijan Republic —~~

- ~~▪ shall involve penalisation on natural persons at the rate of five to ten, on officials thirty five to forty five conventional financial units. (1, 90)~~

Article 123. Violation of legislation on phyto-sanitary control

123.0. Violation of legislation on phyto-sanitary control, i.e.:

123.0.1. storage, sale and application of plant protection means at the sale points, storages and other production premises that do not comply with requirements on rules of sanitary hygiene and safety;

123.0.2. sterilization of pesticides, biological preparations and their compounds outside of dedicated places set by legislation;

123.0.3. planting on quarantine territory of plants sensitive to quarantine organisms, as well as export from quarantine zones of plants and other plant materials under quarantine control;

123.0.4. contamination of environment by hazardous chemical substances, use of preparations with highly toxic properties and not suitable for use;

123.0.5. production, sale, import, export and use of pesticides, biological preparations and other agrochemical substances, which failed the state tests, not registered and restricted for use, with exceptions stipulated under the legislation;

123.0.6. application of pesticides, biological preparations and agrochemical substances for plants cultivated for the purposes of production of high-quality (brand) vegetation products, titles of which are assigned by production origin in accordance with legislation;

123.0.7. sales of plants and plant products with residual volumes of pesticides and agrochemical substances exceeding the allowable norms;

123.0.8. application without permit of pesticides and other poisonous chemical substances in reservation areas, resort zones, health and tourist zones, water resort areas and other territories under protection in accordance with legislation, —

- Results in application of penalties against natural persons at the amount of twenty to forty, against executives at the amount of sixty to seventy, against legal entities at the amount of hundred to hundred fifty *manats*. (1, 90, 119)

Article 123-1. Cultivation of plants, containing narcotic substances in the amounts required for personal needs and not for distribution

Sowing, growing or gathering of plants, containing narcotic substances in the amounts required for personal needs and not for distribution —

- shall involve penalisation at the rate of ten to fifteen *manats*. (6, 94, 119)

Article 124. Transportation of materials not passing a guarantee examination and appropriate operations

Transportation of materials from frontier point, ports and river stations, rail-way stations, motor-coach terminal, airports and other frontier points, which were imported from the foreign countries and did not pass the guarantee examination and appropriate operation—

- shall involve penalisation on natural persons at the rate of five to fifteen, on officials thirty five to fifty *manats*. ([1](#), [119](#))

Article 125. Violation of Law on veterinary

125.0. Violation of legislation on veterinary i.e.:

125.0.1. slaughter of cattle without veterinary inspection, not undergone the veterinary inspection, not complying with veterinary (veterinary-sanitary) requirements, outside of dedicated trade zones;

125.0.2. production and sale of animal products without appropriate veterinary (veterinary-sanitary) expertise as per provisions of legislation;

125.0.3. Non provision by relevant executive authority of information on mass disease or unusual state of animals, cases of animal mortality, and non-provision of isolation of such animals;

125.0.4. violation of quarantine measures and veterinary (veterinary-sanitary) rules on prevention for infections, or the resolutions of authorities performing state veterinary inspections on struggle of epizootic and non-execution of other resolutions—

- Shall result in application of penalties against natural persons at the size of twenty to twenty five *manats*, executives- at the amount of forty to sixty *manats*, on legal persons- at the amount of hundred to one hundred fifty *manats*.([1](#), [81](#), [119](#))

Article 126. Violation of regulations of keeping dogs and cats

Violation of regulations on keeping dogs, cats and other domestic animals in cities or other settlements—

- shall involve penalisation on natural persons at the rate of five to twenty *manats*. ([1](#), [119](#))

Article 127. Violation of requirements on preservation of sorts of animals and plants entered into the Red Book

Non-observance of requirements on preservation of animals entered into the Red Book of the Azerbaijan Republic and the list of specially protected sorts of plants and animals,—

- shall involve penalisation on natural persons at the rate of thirty to sixty *manats*. ([1](#), [119](#))

Article 128. Violation of regulations on creation of zoological collections and their trade

128.1. Violation of established by legislation regulations on creation, enrichment, storage, use, state registration, import in the Azerbaijan Republic and shipment or export of zoological collections—

- shall involve penalisation on natural persons at the rate of twenty to twenty five, on officials sixty to eighty five *manats*.

128.2. Violation of established by legislation regulations on the trade of zoological collections—

- shall involve penalisation on natural persons at the rate of fifteen to twenty, on officials thirty to fifty *manats*. ([1](#), [119](#))

Article 129. Brutal treatment of animals, non-conducting of measures on protection of animals and other objects of the animal world

129.1. Brutal treatment of animals, resulted in their death or severe injury,—

- shall involve penalisation at the rate of twenty five to forty five *manats*.

129.2. Violation of regulations on purchase, sale, shipment, export from the Azerbaijan Republic or import into Azerbaijan Republic objects of the animal world—

- shall involve penalisation on natural persons at the rate of twenty to thirty five *manats*. ([1](#), [119](#))

Chapter twelve. Administrative violations infringing upon regulations in the field of air, sea, river and railway transports

Article 130. Violation of regulations on safety of flights

130.1. Location on the area of aerodromes of any signs and facilities, similar to signs and facilities of marking accepted for recognition of aerodromes, or burn of pyrotechnic products without an appropriate permission, or installation of objects contributing to mass gathering of birds dangerous for flights of aircraft—

- shall involve penalisation on natural persons at the rate of ten to thirty *manats*.

130.2. Any shot, launch of rocket, explosive and other works connected with the use of air airspace of the Azerbaijan Republic and causing thereby a threat to the safety of flights, without the permission for it—

- shall involve penalisation on natural persons at the rate of fifteen to forty *manats*.

130.3. Non-observance of regulations on mounting of night and day signs or facilities of marking on buildings and installations—

- shall involve penalisation on natural persons at the rate of ten to fifty *manats*.

130.4. Damage of the aerodrome equipment, aerodrome signs, aircrafts and their equipment—

- shall involve penalisation on natural persons at the rate of fifteen to twenty *manats*.

130.5. passage or thoroughfare without a proper permission through territory of the airports (with exception of airport building), aerodromes, objects of radio- and lighting provisions for flights—

- shall involve penalisation on natural persons at the rate of fifteen to twenty five *manats*.

130.6. Making of flight with supersonic speed in the airspace of the Azerbaijan Republic without special permit of the respective executive authority —

- shall involve penalisation on natural persons at the rate of 20-30 *manats*, on officials — 50-70 *manats*. ([1](#), [74](#), [119](#))

Article 130-1. Illegal removal of the fragments of crashed aircraft or transported objects (cargo, luggage) from the place of aviation accident

Removal of any fragments of crashed aircraft or transported objects (cargo, luggage) from the place of aviation accident without permission of the commission, investigating aviation accident —

- shall involve penalisation on natural persons at the rate of 20-30 *manats*, on officials — 50-70 *manats*. ([74](#), [119](#))

Article 131. Violation of regulations on transportation of passengers, luggage, freights, post, dangerous substances and items and regulations on tariffs for air transport

131.1. Violation of regulations on transportation of passengers, luggage, freights, post, and items and regulations on tariffs for air transport—

- shall involve penalisation on natural persons at the rate of ten to fifteen, on officials - forty to sixty *manats*.

131.2. Violation of regulations of transportation of dangerous substances and items in the air transport—

- shall involve penalisation on natural persons at the rate of five to ten *manats* with repayable withdrawal or confiscation of mentioned materials and items or without the same, and on officials - at the rate of forty to sixty *manats*. ([1](#), [119](#))

Article 132. Violation of regulations on protection of freights in an air transport

132.1. Damage of seals and locking arm of containers, break of their seal, damage of separate cargoes and their packing, packs, and also fences of warehouses, which are used for works, connected with transportation of goods in an air transport—

- shall involve penalisation on natural persons at the rate of ten to fifteen, on officials forty to sixty *manats*.

132.2. Damage of containers and transport facilities, assigned for transportation of goods in an air transport—

- shall involve penalisation on natural persons at the rate of fifteen to twenty, on officials fifty to seventy *manats*. ([1](#), [119](#))

Article 133. Violation of regulations on behaviour in the aircraft

133.1. Non-observance of instructions of the jockey by passengers of the aircraft—

- shall involve penalisation on natural persons at the rate of twenty to twenty five *manats*.

133.2. Violation of established special regulations on use of computer facilities, means of photographing, filming and radio communication in the aircraft—

- shall involve penalisation at the rate of twenty to thirty five *manats*. ([1](#), [119](#))

Article 134. Smoking in restricted areas in an aircraft

Smoking in restricted areas of the air transport—

- shall involve penalisation at the rate of thirty to forty *manats*. ([1](#), [119](#))

Article 135. Violation of regulations ensuring safety of traffic in the railway transport

135.1. Damage of the railway, protective forest plantations, snow-fences and other road objects, buildings and installations of signalling and communication—

- shall involve penalisation on natural persons at the rate of ten to fifteen, for officials - thirty five to fifty five *manats*.

135.2. Non-observance of established overall dimensions during loading and unloading of the goods—

- shall involve penalisation on natural persons at the rate of fifteen to twenty, for officials - forty five to sixty five *manats*.

135.3. Putting on the railways items, which may cause break of the railway traffic—

- shall involve penalisation on natural persons at the rate of twenty to twenty five, for officials - fifty five to eighty *manats*. ([1](#), [119](#))

Article 136. Violation of regulations on usage of facilities of the railway transport

136.1. Willful passage in the freight trains, boarding, landing without stopping the train, passage on the steps and roofs of carriages, willful, unnecessarily stopping of trains—

- shall involve penalisation at the rate of fifteen to twenty *manats*.

136.2. Throwing a rubbish or other items out of windows and doors of the trains—

- shall involve penalisation at the rate of ten to fifteen *manats*. ([1](#), [119](#))

Article 137. Damage of glasses or internal equipment of the passenger carriages, locomotives in railway transport

Damage of glasses or internal equipment of the passenger carriages, locomotives in a railway transport—

- shall involve penalisation at the rate of ten to fifteen *manats*. ([1](#), [119](#))

Article 138. Violation of regulations on carriage of dangerous substances and items in railway transport

Violation of regulations on carriage of dangerous substances and items as hand luggage in railway transport—

- shall involve penalisation at the rate of fifteen to twenty *manats*. ([1](#), [119](#))

Article 139. Violation of regulations on protection of goods in the railway transport

139.1. Damage of the rolling stock, containers designed for carriage of goods, and also transportation facilities—

- shall involve penalisation at the rate of ten to thirty *manats*.

139.2. Damage of freight carriages, containers, their seals and locking arm, break of seals from them, damage of separate freights and the packing, packs, fences of warehouse depots, railway stations, container points (grounds) and warehouses, which are used for works connected with freight forwarding—

- shall involve penalisation at the rate of fifteen to forty *manats*. ([1](#), [119](#))

Article 140. Smoking in restricted areas of the railway transport

Smoking in restricted areas of the railway transport—

- shall involve penalisation at the rate of five to fifteen *manats*. ([1](#), [119](#))

Article 141. Violation of regulations ensuring safety on the sea and river transport

141.1. Violation of rules on entrance of ships into port and outlet from it on the sea and river transport, movement and stopping of ships at the port waters—

- shall involve penalisation on natural person at the rate of ten to fifteen, on officials - forty to fifty five *manats*.

141.2. Conducting of diving jobs at the port waters without proper permission or non-observance of regulations of giving signal during these operations—

- shall involve penalisation on natural person at the rate of fifteen to twenty, on officials - forty fifty to seventy *manats*.

141.3. If the pilot is not provided with accurate data or false data about draft, length, width and displacement of the vessel is submitted —

- captain of the vessel will be subject to penalisation at the rate of fifty to ninety *manats*. ([1](#), [10](#), [119](#))

Article 142. Violation of regulations, ensuring the safety of passengers in the ships of sea and river transport

142.1. Violation of regulations, ensuring the safety of passengers,—

- shall involve penalisation on natural person at the rate of fifteen to twenty five, on officials - thirty to fifty *manats*.

142.2. Throwing over board of the ship garbage and other items—

- shall involve penalisation at the rate of ten to fifteen *manats*. ([1](#), [119](#))

Article 143. Damage of buildings and installations of signalling and communication in the sea and river transports

Damage of buildings and installations of signalling and communication in the sea and river transports—

- shall involve penalisation at the rate of ten to twenty *manats*. ([1](#), [119](#))

Article 144. Violation of regulations on registration, record and maintenance of ships of small size

Violation of regulations on registration and record of small ships being under control of the appropriate bodies of executive power of the Azerbaijan Republic, and regulations on use of such ships and depots (buildings) for their stop—

- shall involve penalisation on natural person at the rate of ten to thirty five *manats* or restriction of a small ship control for six months to two years. ([1](#), [119](#))

Article 144-1. Violation of ships registration regulations

Evasion of obligatory registration of the ship, registration of the ship in one of the ship's register in violation of the established procedure or if the notification about change of data, entered to ship's register is not provided,

- shall involve penalisation at the rate of twenty to forty *manats*. ([10](#), [119](#))

Article 145. Violation of rules on loading, unloading and warehousing of goods at ports

Violation of rules on loading, unloading and warehousing of goods at ports—

- shall involve penalisation on natural person at the rate of ten to fifteen, on officials - thirty five to fifty *manats*. ([1](#), [119](#))

Article 146. Violation of rules on carriage of dangerous substances and items on sea and river transport

146.1. Violation of rules on carriage of dangerous substances and items as hand luggage on sea and river transport—

- shall involve warning or penalisation at the rate of fifteen to twenty *manats*.

146.2. Violation of rules on carriage of dangerous substances and items on sea and river transport—

- shall involve warning or penalisation at the rate of five to ten *manats*. ([1](#), [119](#))

Article 147. Violation of rules on protection of goods in sea and river transports

147.1. Damage of floating transport facilities, designed for transportation of goods, and also transportation facilities—

- shall involve penalisation at the rate of ten to thirty *manats*.

147.2. Damage of containers, their seals and locking arms, break of the seal from them, damage of any goods, and their packing, packs, fences of warehouse depots, warehouse areas (grounds) of ports (docks), container depots (grounds), locks and storehouses, which are used for works related to freight forwarding—

- shall involve penalisation at the rate of fifteen to thirty five *manats*. ([1](#), [119](#))

Article 148. Smoking in restricted areas in sea and river transport

Smoking in restricted areas in sea and river transport—

- shall involve penalisation at the rate of seven to thirteen *manats*. ([1](#), [119](#))

Article 149. Passage at a transport without tickets

149.1. Passage without tickets of passengers on trolley buses, trams, buses of the city at suburban traffic, route taxis—

- shall involve penalisation at the rate of three *manats*.

149.2. *Passage without tickets of passengers on* intercity buses —

- *shall involve penalisation at the rate of ten manats.*

149.3. *Passage without tickets of passengers on* international buses —

- *shall involve penalisation at the rate of twenty manats.*

149.4. Passage without tickets of passengers on railway transport—

- shall involve penalisation at the rate of fifteen to thirty *manats*.

149.5. Passage without tickets of passengers on sea and river transport—

- shall involve penalisation at the rate of thirty to thirty five *manats*.

149.6. Passage without tickets of passengers on air transport—

- shall involve penalisation at the rate of thirty five to forty *manats*. ([1](#), [62](#), [119](#))

Article 150. Passage without ticket of carriage of passengers on transport facility

150.1. Passage without ticket of carriage of passengers on trolley buses, trams, buses of the city at suburban traffic, route taxis—

- shall involve penalisation at the rate of five to fifteen *manats*.

150.2. *Passage without ticket of carriage of passengers on* intercity buses —

- *shall involve penalisation at the rate of fifteen manats.*

150.3. *Passage without ticket of carriage of passengers on* international buses —

- *shall involve penalisation at the rate of thirty manats.*

150.4. Passage without ticket of carriage of passengers on railway transport—

- shall involve penalisation at the rate of five to ten *manats*.

150.5. Passage without ticket of carriage of passengers on sea and river transport—

- shall involve penalisation at the rate of fifteen to twenty five *manats*.

150.6. Passage without ticket of carriage of passengers on air transport—

- shall involve penalisation at the rate of twenty to forty *manats*. ([1](#), [62](#), [119](#))

Article 150-1. Conveyance of passengers without documents

Conveyance of passengers without documents for entry to the territory or exit from the territory of respective state, persons carrying out international transportation,—

- shall involve penalisation of natural persons at the rate of *one hundred to three hundred manats*, official persons – *three hundred to five hundred manats*, legal entities – *one thousand to three thousand manats*. ([66](#), [119](#), [129](#))

Chapter thirteen. Administrative violations infringing upon regulations of street traffic

Article 151. Violation of traffic rules by the drivers of transport means

151.1. Speed limit exceed from 10 to 30 km/hour, non-compliance with requirements of road marks or road striping, parking of vehicles at on traffic ways or passage of pedestrian walks, as well as violation of rules of interval maintenance, parking, towing,

transportation of cargoes, use of lights, horns, safety belts or motor helmets, driving practices, throw from vehicle of any items—

- Shall be subject to penalties at fifteen to twenty *manats*.

151.2. Exceed of speed limit for 30 to 60 km/hour, movement at restricting traffic light or traffic controller signals, violation of rules for road signs 3.1 «No passage», 3.2 «No traffic» or rules for transportation of passengers, passing, maneuvering, cross-section traffic, general application transport means passage, as well as cargo vehicles transporting persons to gas stations entering with passengers, as well as non-allowing the passage of transport means with special noise alarms, which have the right of traffic privilege, maneuvering to traffic line of opposite direction without compliance with horizontal pointing lines 1.1, 1.3 and 1.11—

- Shall be subject to penalties at twenty to forty *manats*.

151.3. Speed limit exceed for more than 60 km/hour, violation of rail crossing traffic rules, creation of accident situations, meaning the violations resulting in forced change in speed and traffic directions by other parties, non-complying with requirement of the officer of the relevant executive authority of the Azerbaijan Republic to stop a transport—

- Shall be subject to penalty from forty to sixty *manats*.

151.4. Accumulation of 10 and more penalty points within one year by the person, who has committed violations as per Articles 151.2, 151.3, 155.3 and 156 of this Code,—

- Shall be punished by the restriction of right to operate the transport means for the period of up to one year.

151.5. Commitment of minor injury or material damage to person, who was the victim of the violations stipulated under Articles 151.1—151.3 of this Code,—

- Shall be subject to penalties at the amount of one hundred to one hundred forty *manats* or restriction of the right to operate the transport for the period of up to one year.

Note: violation of rules of traffic specified under Article 151.2 of this Code, shall be subject to 3 penalty points and Article 151.3-4 penalty points. ([1](#), [8](#), [68](#), [102](#), [119](#))

Article 152. Operations of transport means by persons who are not entitled to operate

152.1. Operation of the transport means without power of attorney, with exception of cases, when the person holding the right of ownership of motor transport is present in the vehicle,—

- Shall be subject to penalty at the size of forty *manats*.

152.2. Operation of transport means without rights of operation—

- Shall be subject to penalty at the size of sixty *manats*.

152.3. Repeated within one year by the person, of violations stipulated under Articles 152.1 or 152.2 of this Code—

- Shall be subject to penalty at the size of eighty to one hundred *manats*.

152.4. Minor injuries or material damage to person suffered from violations stipulated under Articles 152.1 or 152.2 of this Code,—

- Shall be subject to penalty at the size of one hundred forty to one hundred eighty *manats* or with consideration of circumstances of the case and identity of violator the administrative arrest is applied for the period of up to fifteen days. ([1](#), [30](#), [8](#), [68](#), [102](#), [119](#))

Article 152-1. Operation of the transport by the person holding the right of operation under the substance influence of narcotics, alcohol, psychotropic substances or other strong substances

152-1.1. Operation of the transport by the person holding the right of operation under the substance influence of narcotics, alcohol, psychotropic substances or other strong substances—

- Shall be subject to penalty at the size of eighty to one hundred *manats*.

152-1.2. Operation of the transport by the person holding the right of operation under the substance influence of narcotics, alcohol, psychotropic substances or other strong substances and commitment of violations stipulated under Articles 151.2 or 151.3 of this Code,—

- Shall be penalized at the size of hundred twenty to hundred fifty *manats*.

152-1.3. Accumulation of 10 and more points within one year by the driver, who have committed violations assigned with points, as per Articles 152-1.1 or 152-1.2 of this Code,—

- Shall be subject to penalty by restriction of the right of operations of motor transport for the period of up to two years.

152-1.4. Minor injury or material damage to person, who was the victim of violations stipulated under Articles 152-1.1 or 152-1.2 of this Code,—

- Shall be penalized at the size of hundred seventy to two hundred *manats* with restriction of the right of operation of the transport for the period of up to two years or with consideration of the circumstances of the case and identity of the violator the administrative arrest for up to 15 days shall be applied with restriction of driving rights for up to two years.

Note: Violations specified in Articles 152-1.1 or 152-1.2 of this Code shall be evaluated as 5 penalty points. ([102](#), [119](#))

Article 152-2. Operation of the transport by the person not holding the right of operation under the substance influence of narcotics, alcohol, psychotropic substances or other strong

substances and commitment of violations stipulated under Articles 151.2 or 151.3 of this Code,—

152-2.1. Operation of the transport by the person not holding the right of operation under the substance influence of narcotics, alcohol, psychotropic substances or other strong substances and commitment of violations stipulated under Articles 151.2 or 151.3 of this Code,—

§ Shall be subject to penalty at the size of one hundred fifty to two hundred *manats*.

152-2.2. Repetitive commitment by the individual of violations stipulated under Article 152-2.1 of this Code—

§ Shall be subject to penalty at the size of two hundred to three hundred *manats*, or with consideration of circumstances of the case and identity of violator, administrative arrest for the period of up to ten days.

152-2.3. Minor injury or material damage to the person, victim of violations stipulated under Article 152-2.1 of this Code,—

§ Shall be penalized at the size of three hundred to four hundred *manats* or with consideration of circumstances of the case and identity of violator, administrative arrest for the period of up to fifteen days. ([102](#), [119](#))

Article 152-3. Transfer of operation of transport mean by its owner to the person not holding the right of operations of the transport mean.

152-3.1. Transfer of operation of transport mean by its owner to the person not holding the right of operations of the transport mean —

§ shall result in penalty against natural persons at the size of forty to sixty *manats*, against executives at the size of one hundred fifty to two hundred, against legal entities at the size of one thousand five hundred to two thousands conventional *manats*.

152-3.2. Repetitive commitment by the individual of violations stipulated under Article 152-3.1 of this Code—

§ shall result in penalty against natural persons at the size of eighty to one hundred *manats*, against executives at the size of two hundred to three hundred, against legal entities at the size of two thousands five hundred to three thousands *manats*.

152-3.3. Minor injury or material damage to the person, victim of violations stipulated under Article 152-3.1 of this Code,—

§ shall result in penalty against natural persons at the size of one hundred forty to one hundred eighty conventional financial units, against executives at the size of four hundred to five hundred, against legal entities at the size of four thousands to five thousands *manats*. ([102](#), [119](#))

Article 152-4. Handover of vehicle by owner of transport to the person under substance influence

152-4.1. Handover of vehicle by owner of transport to the person under substance influence—

§ shall result in penalty against natural persons at the size of eighty to one hundred *manats*, against executives at the size of two hundred fifty to three hundred *manats*, against legal entities at the size of two thousands five hundred to three thousands *manats*.

152-4.2. Repetitive commitment by the individual of violations stipulated under Article 152-4.1 of this Code—

§ shall result in penalty against natural persons at the size of one hundred fifty to three hundreds conventional financial units, against executives at the size of three hundred fifty to four hundred *manats*, against legal entities at the size of three thousands to four thousands *manats*.

152-4.3. Minor injury or material damage to the person, victim of violations stipulated under Article 152-3.1 of this Code,—

§ shall result in penalty against natural persons at the size of two hundred to three hundred conventional financial units, against executives at the size of five hundred fifty to six hundred *manats*, against legal entities at the size of five thousands to six thousands *manats*. ([102](#), [119](#))

Article 152-5. Handover of vehicle by owner of transport to the person under substance influence and not holding the rights to operate the transport

152-5.1. Handover of vehicle by owner of transport to the person under substance influence and not holding the rights to operate the transport —

§ shall result in penalty against natural persons at the size of one hundred fifty to two hundred conventional financial units, against executives at the size of three hundred fifty to four hundred *manats*, against legal entities at the size of three thousand five hundred to four thousand *manats*.

152-5.2. Repetitive commitment by the individual of violations stipulated under Article 152-5.1 of this Code—

§ shall result in penalty against natural persons at the size of two hundred to three hundred conventional financial units, against executives at the size of five hundred fifty to six hundred *manats*, against legal entities at the size of five thousand to six thousand *manats*.

152-5.3. Minor injury or material damage to the person, victim of violations stipulated under Article 152-5.1 of this Code,—

- shall result in penalty against natural persons at the size of three hundred to four hundred *manats*, against executives at the size of seven hundred to eight hundred conventional financial units, against legal entities at the size of seven thousand to eight thousand *manats*. ([102](#), [119](#))

Article 153. Violation of traffic regulations by pedestrian and other participants of the traffic

153.1. Violation of traffic regulations by pedestrian, i.e.:

153.1.1. non-observance of requirements of the pedestrian traffic light and signals of the traffic controller;

153.1.2. crossing the traffic way, railway crossing where it was forbidden;

153.1.3. a sudden appearance on the road before the approaching transport facility;

153.1.4. non-vacation of the traffic way on approaching a transport facility with the red and blue flashing and a special chime—

- shall involve penalisation at the rate of ten *manats*.

153.2. Violation of rules of boarding and landing by passengers, non-fastening the seat belts, non-taking on hard hats, throwing any kind of item out of the transport facility or derivation of the driver of driving the transport facility—

- shall involve penalisation at the rate of six to ten *manats*.

153.3. Violation of traffic regulations by cyclists and persons, driving motorised bicycles, i.e.:

153.3.1. non-observance of signals of the traffic light or the traffic controller;

153.3.2. carriage of passengers or goods interfering to drive the transport facility;

153.3.3. violation of requirements of the traffic signs or markings of the traffic way;

153.3.4. driving without holding the wheel or with violation of regulations of use of safety helmet;

153.3.5. use of bicycle not equipped with as established;

153.3.6. creation of barrier to pedestrians;

153.3.7. non-making a way to the transport facilities possessing an advantage on traffic—

- shall involve penalisation at the rate of twenty to forty *manats*.

153.4. Violation of the traffic regulations by carriers and drivers of a cattle, i.e.:

153.4.1. leaving a cattle on road without care;

153.4.2. driving a cattle along roads with asphalt and concrete laying;

153.4.3. driving an animal-drawn transport (sledges) not equipped with light-reflecting devices;

153.4.4. non-observance of signals of the traffic light or signals of the traffic controller while driving an animal-drawn transport (sledge), and also requirements of traffic signs and markings;

153.4.5. driving a cattle and an animal-drawn transport (sledges) across railways, spots not assigned specially for these purposes, at dark time of the day or in conditions of restricted visibility—

- shall involve penalisation at the rate of twenty to forty *manats*.

153.5. Commitment of misconduct, provided by articles 153.3 и 153.4 of this Code, by participants of the traffic in condition of intoxication, as a result of use of alcohol, drug, *psychoactive substances* or other drastic agents—

- shall involve penalisation at the rate of fifty to seventy *manats*.

153.6. Minor injury or material damage to the person, victim of violations stipulated under Article 153.3-153.5 of this Code,—

- shall be subject to penalty at the size of eighty to hundred *manats*.

~~153.7. Causing a material damage to a person suffered as a result of the misconduct, set by articles 153.3-153.5 of this Code—~~

- ~~▪ shall involve penalisation at the rate of fifteen to twenty five conventional financial units. (1, 68, 102, 119)~~

Article 154. Violation of regulations on conducting the state registration of transport facilities, their check-up, issue of documents of serviceability of the transport facility and the driving license.

154.1. Non-realisation of the state registration and check-up of a transport facility in the due order and at a fixed time by owners and drivers of transport facilities, or non-realisation of a repeated state registration of the transport facility, registered when transferring to another person according to the lease contract, power of attorney or non-observance of liabilities on return of the transport facility, and also violation of rules on legalisation for alienation and mortgage of the transport facility—

- shall involve penalisation on natural persons at the rate of fifteen to twenty, on officials - forty to seventy *manats*.

154.2. Demanding documents not established by legislation, from the owner of the transport facility, in view of realisation of the registration of a transport facility, issuance of the registration certificate or the state registration mark, assumption of circumlocution during registration of the transport facility or when de-registering it, and also while realisation of the check-up of the transport facility or when issuing a document of its serviceability, or unlawful refusal of resolving these matters, and unconformity of the issued document of serviceability and information given in it with the reality—

- shall involve penalisation at the rate of one hundred fifty to two hundred *manats*.

154.3. Non-consideration of the application about issuance or replacement of the driving license, assumption of circumlocution during consideration of the matter, groundless refusal of admission to the theoretic examination on the traffic regulations and practical examination on skills of driving transport facilities—

- shall involve penalisation at the rate of two hundred to two hundred fifty *manats*.

154.4. Deliberate spoilage, putting in a useless condition or loss of the driving license,—

- shall involve penalisation at the rate of thirty to forty *manats*.

154.5. Charging of penalties by the officer of relevant executive authority with violations of provisions of Article 451.3 of this Code—

- shall be subject to penalty at the size of three hundred to five hundred *manats*. ([1](#), [102](#), [119](#))

Article 155. Violation of the maintenance rules of transport facilities by drivers

155.1. Violation of the maintenance rules for transport facilities by drivers, i.e.:

155.1.1. starting the transport facility with open doors or opening the doors while moving;

155.1.2. talking to passengers, which may divert from correct driving the transport facility;

155.1.3. talking on the phone while driving the transport facility;

155.1.4. releasing the wheel from hands while driving the transport facility, driving the transport facility with inoperative engine mechanically;

155.1.5. deliberate spraying the pedestrians, buildings and transport facilities with water;

155.1.6. motion of the transport facility on roads with improved pavement, tires or bodies of which pollute the pavement of the road or leakage of combustion-lubricating materials, chemical substances, construction and other materials;

155.1.7. unclean keeping the state registration plate of the moving transport facility necessary for its visibility;

155.1.8. non-stopping the transport facility upon the sign of the blind pedestrian crossing a street;

155.1.9. non-presentation of trucks to officials relevant bodies of executive power of the Azerbaijan Republic for removal of transport facilities damaged during traffic accidents or because of breakage, or to drive to places of natural disaster, and also in other emergencies, provided by the legislative acts;

155.1.10. operation of the cargo vehicles and international freight buses without control device tachograph or non-operational tachograph or tachograph with broken seal, as well as without filling of tachograms, reflecting the driver work and resting periods —

- shall involve penalisation at the rate of ten to twenty *manats*.

155.2. Violation of requirements of maintenance of transport facilities, i.e.:

155.2.1. maintenance of the transport facility with the broken break-gear or mechanism of steering control, or devices of external lighting, or windscreen wiper and washer, or wheels and tires, or engine, or other elements of the construction, breakage of which is impossible to remove;[\(7, 119\)](#)

155.2.2. installation of equipment or re-equipment of the transport facility with infringing the standard requirements;

155.2.3. making changes in the transport facility, which result in violation of the full mass of the transport facility and its allotment on axes, displacement of the centre of gravity, fault of wheel base, or wheel arrangement, or replacement of the break-gear or system of steering control, ~~and also driving the transport facilities with defective break-gear, mechanism of steering control;~~

155.2.4. equipment of transport facilities with special chimes (polyphonic) or flashing lighting signals, or anti-radar devices interfering measuring the speed or works of the measuring devices, or colour charts, designed for transport facilities of operative services, and also attachment of unlawful films to the glass of the body —

- shall involve penalisation at the rate of twenty to thirty *manats*.

155.3. Non-availability of state registration signs or of one of sign, driving of transport vehicle with state registration signs, which are forged or do not correspond to existing standards or issued for other transport facilities—

- entails imposition of penalty in amount of 40-60 *manats*.

155.4. Minor injury or material damage to the person, victim of violations stipulated under Articles 155.1.1-155.1.6, 155.1.8, 155.2.1-155.2.3 of this Code,—

- shall be subject to penalty at the size of forty to sixty *manats* or restriction of the right to operate motor transport for the period of one to two years.

~~155.5. Inflicting of material damage to person, who sustained from misconduct, envisaged by articles 155.1.1-155.1.6, 155.1.8, 155.2.1-155.2.3 of this Code,—~~

- ~~▪ entails imposition of penalty in amount of 10-15 conventional financial units or limitation of a right to drive transport vehicle for 1-2 year period.~~

Note: Misconduct, envisaged by article 155.3 of this Code is assessed 4 points. [\(1, 8, 30, 102, 119\)](#)

Article 156. Evasion of a person driving transport vehicle from examination of state of drunkenness

Evasion of a person driving transport vehicle from examination of state of drunkenness, conducted in accordance with order established by legislation,—

- entails imposition of penalty in amount of 70 *manats*.

Note: Misconduct, envisaged by this article is assessed 5 points. ([1](#), [102](#), [119](#))

Article 156-1. Driving of transport vehicle by drivers, who did not pass medical inspection, is complemented by Law from 26 December 2000 No. 49-IIGD.

Drivers driving transport vehicle, which did not undergo medical inspection in accordance with order established by legislation,—

- are fined in amount of 10-30 *manats*. ([1](#), [3](#), [119](#))

~~**Article 157. Non insurance by driver of transport vehicle of third person civil liability**~~

~~Driving of transport vehicle by owner without insurance of his third person civil liability—~~

- ~~▪ entails imposition of penalty in amount of 5 conventional financial units. ([1](#), [116](#))~~

Article 158. Violation of rules of storage and repair of transport vehicles

158.1. Storage of transport vehicle at prohibited places or violation of parking rules—

- entails notice or imposition of penalty in amount of 15-20 *manats*.

158.2. Violation of rules of acceptance for storage and of storage of transport vehicles—

- entails imposition on official persons of penalty in amount of 40-60, on legal persons - 100-150 *manats*.

158.3. Access of transport vehicles to repair having damaged body without permission of corresponding body of executive power of Azerbaijan Republic—

- entails imposition of penalty in amount of 100-120 *manats*. ([1](#), [102](#), [119](#))

Article 159. Violation of rules of transportation of hazardous goods at transport vehicles

Violation of rules of transportation of hazardous goods at transport vehicles

- entails imposition on natural persons of penalty in amount of 70-100, on official persons - 300-500, on legal entities - 3000-5000 *manats*. ([1](#), [102](#), [119](#))

Chapter fourteen. Administrative misconduct, infringed on rules of ensuring traffic safety

Article 160. Ensuring of traffic safety during its organisation

Introduction of changes into organisation traffic with aim to increase capacity of roads or for other purposes at the cost of decrease of level of traffic safety—

- entails imposition on official persons of penalty in amount of 40-60, on legal persons- 100-120 *manats*. ([1](#), [119](#))

Article 161. Violation of rules of traffic safety at designing, construction, reconstruction and maintenance of motor roads

161.1. Conducting of works on construction, excavations, reconstruction or maintenance of motor roads, avenues, streets, right-of-ways and protective zones without corresponding permission or with violation of regulations of permission receiving or non-observance of standards, rules and regulations on traffic safety at designing, construction, reconstruction and maintenance of motor roads, or non establishment at roads of conditions of traffic safety—

- entails imposition on natural persons of penalty in amount of 80-100, officials - 400-500, legal persons - 4000-5000 *manats*.

161.2. Installation of technical means of traffic regulation, traffic lights and road signs without corresponding permission—

- entails imposition on natural persons of penalty in amount of 30-50, officials - 150-200, legal persons - 1500-2000 *manats*. ([1](#), [102](#), [119](#))

Article 162. Violation of rules of traffic safety at maintenance and improvement of motor roads

Violation of rules of maintenance and improvement of motor roads or non-establishment of conditions of traffic safety at motor roads—

- entails imposition on official persons of penalty in amount of 30-50, legal persons-100-150 *manats*. ([1](#), [119](#))

Article 163. Violations of rules ensuring safety of traffic at motor roads ~~and right-of-way~~

163.0. Violation of traffic safety on motor roads, avenues, streets, right-of-way and protective zones, is:

163.0.1. Traffic of caterpillar transport vehicles or transport vehicles having tires with metallic spikes on roads having improved surface;

163.02. Clogging or entanglement of roads or road structures by foreign bodies, drying of agricultural production on roads, creation of dust- or snow-dumps;

163.03. Execution of works or loading and unloading connected with possibility of leakage of lubricants, chemicals and bitumen onto carriageway;

163.04. Excavation of soil on roads;

163.05. Floating of sawing materials under bridges, which do not correspond specifically to this purpose;

163.06. Cattle pasture;

163.07. Mooring of floating transport vehicles to bridge supports, location of boat stations under bridges, other structures;

163.08. Ploughing of soil, cutting of green plantations;

163.09. Organisation of places of public recreation;

163.0.10. Discharge of sewerage, industrial and wastewater;

163.0.11. Transportation of materials and goods, which may clog road and right-of-way not being packed in corresponding order;

163.0.12. Non-accordance of routes of passenger transportation with corresponding body of executive power of Azerbaijan Republic;

163.0.13. loading of cargo vehicles above the manufacturer recommended maximum weight —

- *entails imposition of penalty on natural persons in amount of 30-50, on official persons - 150-200, on legal persons - 1500-2000 manats. ([1](#), [48](#), [102](#), [119](#))*

Article 164. Violation of safety rules of road traffic on motor roads ~~and in controlled areas~~

164.0. Violation of safety rules of road traffic on motor roads, avenues, streets, right-of-ways or protective zones without relevant permission or without compliance with provisions of such permit, i.e.:

164.0.1. Storing of materials and keeping of objects on carriageway or on pavements (except occasions, when restrictions, caused by storage of materials or subjects on pavements, do not lead to usage of carriageway by pedestrians);

164.0.2. Conducting of geological, research, ~~construction~~, and amelioration works, laying of communication lines and electricity, other communications;

164.0.3. Establishment of places of permanent entries and exits, connections and crossings with other roads;

164.0.4. Barring of traffic of transport vehicles by locating of barriers, bars and other means on carriage way;

164.0.5. Location of signs and guides on right-of-way, not relating to traffic safety, of publicity boards and placards;

164.0.6. Construction, reconstruction, repair and liquidation of railway crossings, dams, locks, water reservoirs, other amelioration and hydro-technical structures, deepening of bottom of river beds and canals;

164.0.7. Conducting of factory tests of transport vehicles on roads with solid cover;

164.0.8. Location on right-of-way of areas for parking and washing of transport vehicles, service objects, booths, pavilions, other structures and execution of commerce there;

164.0.9. Conducting of competitions, training and other sport measures;

164.0.10. Damage of motor road and road structures at traffic of caterpillar, long size, large size, super size transport vehicles or transport vehicles, transporting hazardous goods—

- entails imposition on natural persons of penalty in amount of 80-100, on officials - 400-500, on legal entities - 3000-4000 *manats*. ([1](#), [102](#), [119](#))

Article 165. Temporary restriction or prohibition of traffic

Violation of instructions, established by adopted decision about temporary restriction or prohibition of traffic or periods of its prohibition, or unauthorised temporary restriction or prohibition of traffic;

- entails imposition on natural persons of penalty in amount of 40-50, official persons - 250-300 and legal persons - 500-600 *manats*. ([1](#), [102](#), [119](#))

Article 166. Violation of rules of medical provision on traffic safety

166.1. Driving of transport vehicles, not equipped by special completed kits—

- entails imposition of penalty in amount of 3-5 *manats*.

166.2. Non-transportation of persons, who need first medical aid, or non-presentation of transport vehicles to employees of public health, who travel at the same direction for rendering first aid,—

- entails imposition of penalty in amount of 10-15 *manats*.

166.3. Non-organisation by drivers of transport vehicles of medical inspection, second medical inspection, current medical inspection before trip and after trip—

- entails imposition on official persons of penalty in amount of 40-50, legal persons- 150-200 *manats*. ([1](#), [119](#))

Article 167. Violation of rules of protection of trunk pipeline

Violation of rules of protection of trunk pipeline

- entails notice of natural persons or imposition of penalty on them in amount of 10-20 *manats*, notice of official persons or imposition on them of penalty in amount of 60-80 *manats*. ([1](#), [48](#), [119](#))

Article 168. Damage of gas pipeline (oil pipeline) during execution of works

Damage of gas pipelines (oil pipelines) during execution of works—

- entails imposition on natural persons of penalty in amount of 35-40, official persons - 60-80 and legal persons - 90-150 manats. ([1](#), [48](#), [119](#))

Chapter fifteen. Administrative misconduct, encroaching on communication rules

Article 169. Installation and maintenance of communication means, acknowledged by sources of electric and magnetic radiation, without their state registration

Purchase, installation or maintenance of communication means, acknowledged by sources of electric and magnetic radiation, or communication means and other technical means, applied for television and radio-broadcasting without their state registration in order established by legislation, violation of rules of realisation of such means and non-observance of technical norms of radio wave radiation—

- entails imposition on natural persons of penalty in amount of 25-35, official persons - 70-90, legal persons - 200-250 manats with confiscation of communication equipment, operated as a result of such connection or without such one. ([1](#), [119](#))

Article 170. Connecting to networks and communication means without corresponding permission

Connecting to networks and communication means without corresponding permission issued in order established by legislation,—

- entails imposition on natural persons of penalty in amount of 35-40, official persons in amount of 60-80, legal persons in amount of 150-200 manats with confiscation of communication equipment, operated as a result of such connection or without such one. ([1](#), [119](#))

Article 171. Violation of rules of manufacture, purchase, import, use and registration of radio-electronic communication means, radio communication and devices of high frequency

Violation of established by legislation rules of manufacture, purchase, import, use and registration of radio-electronic communication means, radio communication and devices of high frequency or creation of interference at application of frequencies for work of radio and electronic means and high frequency of all purposes or at receiving of television and radio broadcasting—

- entails imposition on natural persons of penalty in amount of 30-40, official persons - 70-90 and legal persons - 180-250 manats. ([1](#), [119](#))

Article 172. Violation of rules of protection of means, lines and structures of communication

Violation of established by legislation rules of protection of means, lines and structures of communication or damage of means, lines of communication and cable structures—

- entails imposition on natural persons of penalty in amount of 30-40, official persons - 60-80, legal persons - 250-300 manats. ([1](#), [119](#))

Article 172-1. Making calls with illegal intrusion to telephone lines

Making calls with illegal intrusion to the telephone communication line of the subscriber causing insignificant losses to injured party —

- entails imposition of penalty in the amount of 20-40 *manats*.

Note: In this Article «the sum of insignificant losses» means an amount up to one thousand *manats*. ([68](#), [119](#))

Article 173. Issue or distribution of post stamps and other signs of post payment

Illegal issue or violation of rules of issue and circulation of post stamps, stamped envelopes and postcards, other signs of post payment and other objects of philately—

- entails imposition on natural persons of penalty in amount of 25-35, official persons - 65-80, legal persons - 250-300 *manats* with confiscation of post stamps, other signs of post payment and other objects of philately or without such one. ([1](#), [119](#))

Article 174. Violation of rules of delivery of communication services

Violation of rules of delivery of communication services, i.e. non-observance of existing standards, norms and rules, and also of agreement conditions during execution of communication activity—

- entails notice or imposition of penalty in amount of 10-30 *manats*. ([1](#), [119](#))

Article 175. Application of non-certified communication means and delivery of non-certified communication services

Application of non-certified communication means and delivery of non-certified communication services, which by legislation are subjected to certification,—

- entails imposition on natural persons of penalty in amount of 25-35, official persons - 60-80, legal persons - 120-140 *manats* with confiscation of communication means, operated as a result of such connection or without such one. ([1](#), [79](#), [119](#))

Article 176. Violation of rules and norms of designing, construction and maintenance of networks and communication structures

Violation of rules and norms of designing, construction and maintenance of networks and communication structures,—

- entails imposition on natural persons of penalty in amount of 15-25, official persons - 50-70 and legal persons - 200-250 *manats*. ([1](#), [119](#))

Article 177 Prevention of liquidation of accidents on lines of electric communication of state importance by owner or user of place, where accident occurred

Prevention of liquidation of accidents on electric communication line of state importance by owner or user of place, where accident occurred—

- entails imposition on natural persons of penalty in amount of 25-35, official persons - 70-90, legal persons - 200-250 *manats*. ([1](#), [119](#))

Article 178. Conducting of works without corresponding permission in the areas of protection of means, installations and lines of communication

Conducting of construction works or other works in areas of protection of means, installations and lines of communication without corresponding permission—

- entails imposition of penalty on natural persons in amount of 30-40, official persons - 60-80 and legal persons - 200-250 *manats*. ([1](#), [119](#))

Article 179. Damage of public telephone boxes

Damage of public telephone boxes—

- entails imposition of penalty in amount of 30-40 *manats*. ([1](#), [119](#))

Article 180 Rendering of communication services without corresponding permission

Rendering of communication services with application of systems, installations and lines of communication with aim to gain earning or to use networks and means of communication for such purposes—

- entails imposition of penalty on natural persons in amount of 35-40, official persons- 50-70 and legal persons- 200-250 conventional financial units with confiscation of communication equipment, applied for rendering of such services (connection), or without such one. ([1](#), [119](#))

Chapter sixteen. Administrative misconduct, encroaching on rules of application, distribution and protection of information

Article 181. Violation of rules of application of information reserves

Violation of rules of application of information reserves—

- entails imposition on natural persons of penalty in amount of 5-15, official persons - 40-50 and legal persons - 90-130 *manats*. ([1](#), [119](#))

Article 181-1. Illegal restriction of provision of the information about environment

Illegal restriction of provision of the information about environment —

shall involve penalisation on officials in the amount of fifty *manats*. ([18](#), [119](#))

Article 181-2. Evasion of investigation of the inquiry on declassification of confidential data per se

Evasion of investigation of the inquiry of citizens, companies, organizations and governmental institutions of the Azerbaijan Republic on declassification of confidential data per se —

- shall involve penalisation on officials in the amount of 70-90 *manats*. ([69](#), [119](#))

Article 181-3. Violation of legislation for obtaining of information

181-3.1. Limitation of the right of obtaining of open information by the information owner or issuance to person applied of the known false information—

- Results in application of penalty against natural persons at the amount of twenty to twenty five *manats*, against executives at the amount of eighty to ninety conventional financial units, against legal entities at the amount of two hundred fifty to three hundred *manats*.

181-3.2. Absence of organization on obtaining of information from the information holder—

- Results in application of penalty against natural persons at the amount of twenty to twenty five *manats*, against executives at the amount of eighty to ninety conventional financial units, against legal entities at the amount of two hundred fifty to three hundred *manats*.

181-3.3. Refusal to accept the written enquiry for obtaining of information—

- Results in application of penalty against natural persons at the amount of twenty to twenty five *manats*, against executives at the amount of ninety *manats*, against legal entities at the amount of three hundred *manats*.

181-3.4. Violation of legislation based rules for storage, compilation and protection of documents owned by information holder—

- Results in application of penalty against natural persons at the amount of twenty to twenty five *manats*, against executives at the amount of eighty to ninety conventional financial units, against legal entities at the amount of two hundred fifty to three hundred *manats*.

181-3.5. Persecution of the executive for disclosure of information on violations of public interests—

- Results in application of penalty against executives at the amount of eighty to ninety *manats*, against legal entities at the amount of two hundred fifty to three hundred *manats*.

181-3.6. Obtaining by enquirer of information under the excuse of provision of professional duties or use of position for personal needs, or use of information obtained in the course of duties for other purposes—

Results in application of penalty against executives at the amount of eighty to ninety *manats*. ([82](#), [119](#))

Article 182. Violation of rules of information protection

182.1. Violation of envisaged by license rules of execution of activity in the area of information protection—

- entails imposition on natural persons of penalty in amount of 10-15, official persons - 30-40 and legal persons - 70-100 *manats*.

182.2. Application of non certified information system, base and data bank and means of data protection, which are subjected by legislation to certification,—

- entails imposition on natural persons of penalty in amount of 10-15, official persons - 40-50 and legal persons - 150-200 *manats*. ([1](#), [119](#))

Article 183. Non-conducting of certification of information systems

Non-conducting in order established by legislation of certification of information systems, data base and data bank, which are purposed for information provision of natural persons and organisations, as well as, information systems of state bodies, enterprises and organisations accomplishing development of confidential information or protection means of such systems—

- entails imposition on natural persons of penalty in amount of 10-20, official persons - 40-60 and legal persons - 150-170 *manats*. ([1](#), [119](#))

Article 183-1. Violation of legislation for electronic signature and documents

183-1.1. Use of not certificated means of electronic signature and electronic documents circulation —

- entails imposition of penalty on natural persons in amount of 20-25 *manats*, on officials - 55-70 conventional financial units, on legal entities - 200-250 *manats*.

183-1.2. Failure of the owner of information system to secure the operation of this system and also failure to carry out an expertise of information system in an established order -

- entails imposition of penalty on natural persons in amount of 20-25 *manats*, on officials - 55-70 conventional financial units, on legal entities - 200-250 *manats*.

183-1.3. Failure of the certified services center to secure an information for electronic signature formation and data about the signatory, to ensure completeness and adequacy of information in the certificate, quality and accuracy of certified services, illegal suspension and annulment of the certificate, untimely notification of the signatory about data became known to the center which may have an influence on use of certificate —

- entails imposition of penalty on natural persons in amount of 15-25 *manats*, on officials - 50-70 conventional financial units, on legal entities - 150-250 *manats*.

183-1.4. Lack of equipment and technology, ensuring safe use of information system - broker when storing, transferring or accepting an electronic documents, qualified, experienced and competent personnel, conditions, allowing to define the time and source

of served electronic documents, reliable system to store an information about time and source of these electronic documents —

- entails imposition of penalty on natural persons in amount of 15-25 *manats*, on officials - 50-70 conventional financial units, on legal entities - 150-250 *manats*. ([57](#), [119](#))

Article 184 Designing or production of protection means of information without special permission (license)

Designing or production of protection means of information without special permission (license)—

- entails imposition on natural persons of penalty in amount of 10-15, official persons - 35-55 and legal persons - 130-150 *manats*. ([1](#), [119](#))

Article 185 Prevention of distribution of mass media

Prevention in established order of distribution of production of mass media or imposition of restriction not envisaged by legislation on retail sale of circulation of periodical printing edition—

- entails imposition on natural persons of penalty in amount of 15-20, official persons- 30-50 *manats*. ([1](#), [119](#))

Article 186 Violation of rights of journalists

186.1. Not responding journalist request at periods established by legislation,—

- entails imposition of penalty on natural persons in amount of 40-70 *manats*.

186.2. Restriction of presentation or refusal in presentation of information to journalist, except information protected by legislation,—

- entails imposition of penalty in amount of 60-90 *manats*. ([1](#), [119](#))

Article 187. Violation of rules of using translations of television and radio broadcasting (programmes)

187.1. Creation of artificial interference at reception of programs of television and radio broadcasting

- entails imposition on official persons of penalty in amount of 50-70 and legal persons - 150-200 *manats*.

187.2. Application of television and radio broadcasting translations (programs) without permission of television and radio broadcasting organisations, as well as, circulation, sale or public demonstration of these translations (programs) without permission of its owner—

- entails imposition of penalty on official persons in amount of 70-90, legal persons - 250-300 *manats*. ([1](#), [119](#))

Article 187-1. Violation of television and radio broadcasting legislation

187-1.0. Violation of telecasting legislation by TV companies and host broadcasters, i.e.:

187-1.0.1. violation of special established regulations for the programs distributed without codes, able to injure the physical, mental and intellectual development of minors, including programs containing elements of erotic and cruelty;

187-1.0.2. non-provision of the copies of control phonograms in an established order and by the fixed time;

187-1.0.3. non-provision of urgent and free information of the governmental authorities about emergency situations, posing a threat to life, health of people and regular activity of the settlements, about natural disasters and calamities;

187-1.0.4. distribution of concealed advertisement, produced with use of technical and other means, having an unconscious influence on the consumers perception or approval of advertisement of the production, equipment, services, advertising of which is prohibited and actions causing damage to protection of environment, and also non-compliance with the procedures and requirements of advertisement distribution stipulated by the legislation;

187-1.0.5. violation of the legislation connected with sponsorship of preparation of the television and radio broadcasting (programs);

187-1.0.6. violation of the the television and radio broadcasting via satellite and distribution via cable network—

- entails imposition of penalty on official persons in the amount of 60-90 *manats*, legal persons - 200-300 *manats*. ([61](#), [119](#))

Article 188. Sponsoring of mass media

Sponsoring of mass media by producers of production prohibited for advertising and by persons, selling it,—

- entails imposition of penalty in amount of 30-50 *manats*. ([1](#), [119](#))

Article 189 Abuse of freedom of mass media and journalist rights

189.0. Abuse of freedom of mass media and journalist rights on behalf of editorial staff (responsible editor) of mass media and journalists (authors) i.e.:

189.0.1. Promulgation of information, prohibited to disclosure by legislation;

189.0.2. Non-fulfilment of control on preparation of materials, published in printing edition in accordance with requirements of legislation;

189.0.3. Promulgation of information without indication of its source, except occasions envisaged by legislation

189.0.4. Production or distribution of production of mass media without reference data or deliberate distortion of reference data-

- entails imposition of penalty on natural persons in amount of 20-25, official persons - 60-80, legal persons - 200-250 *manats*. ([1](#), [119](#))

Article 190. Violation of rules of presentation of statistical data

Non-presentation or untimely presentation of data, necessary for conducting of statistic observations or state register of registration units or distortion of reports—

- entails imposition of penalty in amount of 35-50 *manats*. ([1](#), [119](#))

Article 191. Promulgation of statistic secret

191.1. Promulgation of statistic secret i.e. data about natural and legal persons without their consent, passing of these data to state bodies, enterprises, organisations or natural persons, not possessing the right to use it—

- entails imposition of penalty on natural persons in amount of 15-25, official persons 35-50 *manats*.

191.2. Promulgation of statistic secret by means of its publication in press—

- entails imposition of penalty on natural persons in amount of 30-40, official persons 70-90 *manats*. ([1](#), [119](#))

Article 192. Violation of rules of storage, registration or use of archive documents, documentary collections

Violation of rules storage, registration or usage of archive documents, documentary collections—

- entails imposition of penalty on natural persons in amount of 7-10, official persons - 40-60 *manats*. ([1](#), [119](#))

Chapter seventeen. Administrative misconduct, encroaching on rules of housing facilities and improvement

Article 193. Violation of rules of use of living area

193.1. Violation of rules of use of living premises, sanitation care of public places, staircases, lifts, entrances, house side areas—

- entails notice of natural persons or imposition on them of penalty in amount of 3-5 *manats*, notice of official persons or imposition on them of penalty in amount of 50-60 *manats*.

193.2. Violation of rules of maintenance of dwellings, living premises and engineering equipment or their non-economical maintenance—

- entails notice of natural persons or imposition on them of penalty in amount of 5-10 *manats*, notice of official persons or imposition on them of penalty in amount of 60-70 *manats*.

193.3. Unauthorised re-equipping of dwellings and living areas, their use not by purpose, damage of dwellings, its equipment and utilities—

- entails imposition on natural persons of penalty in amount of 15-20, official persons - 70-90 *manats*. ([1](#), [119](#))

Article 194 Unauthorised conduct of construction works

194.1. Construction of buildings and structures without consent of corresponding bodies of executive power in order established by legislation—

- *entails imposition of penalty: on natural persons - in the amount of three hundred to six hundred manats, officials – one thousand five hundred to three thousand manats, legal persons – fifteen thousand to thirty thousand manats.*

Note: In case of judicial recognition of the ownership right of the person for premises constructed without permit to be received in an order stipulated by the legislation then this person shall not bear any responsibility.

194.2. Conducting of works on re-planning and reconstruction of existing structures with change of their functional purpose, their connection to engineer and transport networks, systems and structures, introduction of changes in those objects—

- *entails imposition of penalty: on natural persons - in the amount of three hundred to six hundred manats, officials – one thousand five hundred to three thousand manats, legal persons – fifteen thousand to thirty thousand manats.* ([1](#), [41](#), [48](#), [119](#), [132](#))

Article 195. Violation of rules of construction of cottages

Construction of cottages without design, agreed in order established by legislation or with deviation from norms, established by legislation—

- *entails imposition of penalty: on natural persons - in the amount of three hundred to six hundred manats, officials – one thousand five hundred to three thousand manats, legal persons – fifteen thousand to thirty thousand manats.* ([1](#), [48](#), [119](#), [132](#))

Article 196. Violation of the legislation on city planning regulations

196.0. Violation of the legislation on city planning regulations, i.e.:

196.0.1. engaging in designing of buildings and installations of the 1st and 2nd levels of responsibility, as well as engineering-survey and building-assembly works without having obtained a special permit (license);

196.0.2. making changes to a master plan, detailed planning and territorial construction projects, and architectural planning solutions of existing territories without having obtained an appropriate opinion;

196.0.3. construction of buildings and installations of the 1st and 2nd levels of responsibility without having official expert examination of engineering-survey works and project documents;

196.0.4. violation of construction regulations when carrying out engineering-survey and building-assembly works;

196.0.5. violation of regulations on commissioning of buildings and installations with completed construction;

196.0.6. interfering with activity of a construction safety supervision body and failure to observe legal instructions of such body —

- *entails imposition of penalty: on natural persons-three hundred to six hundred manats, officials – one thousand five hundred to three thousand manats, legal persons – fifteen thousand to thirty thousand manats. ([1](#), [48](#), [119](#), [132](#))*

Article 197. Violation of rules of improvement of cities and other residential points

Violation of rules of improvement of cities and other residential points or non-observance of rules on provision of cleanliness and order in cities and other residential points—

- entails notice of natural persons or imposition of penalty on them in amount of 5-7 *manats*, entails notice of official persons or imposition on them of penalty in amount of 25-35 *manats*. ([1](#), [119](#))

Article 198. Damage or unauthorised cutting of green plantations in cities and other residential points

Any damage of green plantations in cities and other points, unauthorised cutting or transfer to other places, admitted during building of definite lots, having green plantations at point of construction or non-undertaking by persons of measures on protection of green plantations, which are under their control—

- entails imposition on natural persons of penalty in amount of 5-15, on official persons- 30-50 *manats*. ([1](#), [119](#))

Chapter eighteen. Administrative misconduct, encroaching on rules of economical activity

Article 199. Illegal business activity

Business activity without state registration in order established by legislation of Azerbaijan Republic or without special permission (license) on its realisation in occasions, when such permission is necessary, as well as, business activity violating conditions envisaged by license *or use of items of limited civil circulation without special permission (license)*, ~~if inflicted damage is insignificant, or activity with gaining of an income in small amount —~~

- entails imposition of penalty on physical persons - in the amount of 10-15 *manats*, on official persons in amount of 30-50, on legal persons- 120-160 *manats*.

Note: *If acts provided for by articles 199, 200-204, 204-2, 205 and 221.1 of this Code have caused significant (over one thousand manats) damage or have been committed by gaining income of the same amount, they shall entail criminal responsibility according to the relevant articles of the Criminal Code of the Azerbaijan Republic. (1, 2, 8, 22, 45, 119, 130, 134)*

Article 199-1. Illegal use of Law yer`s title

Illegal use of Law yer`s title with appropriation of income by the person, which has not received the status of Law yer in an order established by legislation —

- entails imposition of penalty on physical persons in the amount of 30-40 *manats*, on officials in the amount of 70-90 *manats*. ([49](#), [119](#))

Article 199-2. Failure to register the family farm

Failure to register the family farm with the respective municipality by the members of the family farm—

- entails imposition of penalty in the amount of 5-10 *manats*. ([77](#), [119](#))

Article 200. False business

False business i.e. establishment of enterprise or of other legal person with aim to get loans, exemption from duties or gain some privileged profit or conceal prohibited activity without intention to realise business activity, ~~if inflicted damage is insignificant or realisation of with gaining income in small amount—~~

- entails imposition of penalty in amount of 20-50 *manats*. ([1](#), [2](#), [119](#), [130](#))

Article 201. False bankruptcy

False bankruptcy, i.e. deliberately false declaration by head, owner of commercial organisation or individual entrepreneur, as insolvent person with aim to cheat creditors for putting off or prolongation of period of clearing off his debts front of them or decrease of its amount, or evasion from its clearing off, ~~if inflicted damage is insignificant,—~~

- entails imposition of penalty on official persons in amount of 55-70, on legal persons- 110-200 *manats*. ([1](#), [119](#), [130](#))

Article 202. Deliberate bankruptcy

Deliberate bankruptcy i.e. deliberate establishment or increase of insolvency by head, owner of commercial organisation or individual entrepreneur in his interests or other persons, ~~if inflicted damage is insignificant,—~~

- entails imposition of penalty on official persons in amount of 65-90, on legal persons - 160-240 *manats*. ([1](#), [119](#), [130](#))

Article 203. Illegal actions at bankruptcy

Concealing by head, owner of organisation-debtor or individual entrepreneur-debtor at bankruptcy or at supposed bankruptcy of property or property obligations, data about property, about its size, location etc. transfer of property to ownership of other persons, its alienation or obliteration, or concealing or obliteration of accountancy or other settlement documents, reflecting economical activity, ~~if inflicted damage is insignificant,~~—

- entails imposition on official persons of penalty in amount of 75-90, on legal persons - 250-300 *manats*. ([1](#), [119](#), [130](#))

Article 204. Illegal obtaining of loan or use of loan not on purpose

Obtaining by head of organisation or individual entrepreneur of loan at privilege conditions or special state loan with presentation of deliberately false data about its economic or financial status or use of such loan not on purpose, ~~if inflicted damage is insignificant,~~—

- entails imposition on official persons of penalty in amount of 50-70, on legal persons- 100-140 *manats*. ([1](#), [119](#), [130](#))

Article 204-1. Violation of financial rules in financial-economic activity of institutions and organizations, funded from the state budget

Violation of financial rules in financial-economic activity of institutions and organizations, funded from the state budget, including non-purpose use of means allotted from purposeful budgetary funds, and also spending of off-budget means of budgetary organization not in compliance with estimate, approved after coordination with fiscal bodies, employing of extra-normative staff —

- entails imposition of penalty in the amount of forty-ninety *manats* on officials of treasury authorities and budgetary organizations.

Note: Responsibility stipulated by this article arises in case of violation in the amount exceeding 300 *manats*. ([22](#), [37](#), [119](#))

Article 204-2. Violation of using state debt or debts received under state guarantee

204-2.1. Failure by principal and repeated debtor to timely provide information on use and repayment of state debts or funds received under state guarantee (shall not apply to a user), information about the status of his bank accounts and other necessary information, or provision of falsified information, failure to use state debts or funds received under state guarantee on purpose, that have caused insignificant damage to the state —

- *shall entail imposition of penalty: for officials – three hundred to five hundred, legal persons – five hundreds to seven hundreds.* ([134](#))

Article 205. Illegal use of trademarks

Use of other's trade mark or service sign, name of origin of goods or names, similar to names of homogenous goods, ~~if inflicted damage is insignificant,~~—

- entails imposition on natural persons of penalty in amount of 10-15, on official persons - 35-60, legal persons- 130-170 *manats*. ([1](#), [119](#), [130](#))

Article 206. Violation of rights of holders of securities (investors)

206.0. Violation of rights of holders of securities (investors) i.e.:

206.0.1. Non declaration by professional participant of market of securities or by issuer of data, declaration (publication) of which is envisaged by Law , non-observance of order and terms of declaration (publication);

206.0.2. Violation by issuer of established requirements on conducting of emission of securities or settlement by issuer of transactions on location of securities, issue of which is suspended;

206.0.3. Illegal refusal from registering holders of securities or entering of inaccurate data into register, as well as, violation of terms of presentation of proceedings from register, other legal requirements of register holder, holder of securities or person, acting on his behalf, or nominal holder of securities;

206.0.4. Promise by professional participants to investor of income on securities in any form, when issuer does not carry obligations on payment of incomes on them;

206.0.5. Inflicting to investor of damage, due to indication of inaccurate or distorted data at release of securities by issuer

206.0.6. Advertising or offering of securities to investor by issuers, who did not declare data for open location of their release, subjected to declaration in scope and order, established by legislation;

206.0.7. Location of securities in market, advertising and offering of securities to investors in any form, release of which was not registered by state, settlement of transactions with them;

206.0.8. Non-presentation to state registration of transactions on securities, state registration and additional registration of which are envisaged by Law —

- entails imposition of penalty on official persons in amount of 50-90 *manats*. ([1](#), [119](#))

Article 207. Violation of rules of release (emission) of securities

Violation of rules of release (emission), registration and location of securities—

- entails notice on official persons or imposition on them of penalty in amount of 50-70 *manats*, imposition of penalty on legal persons in amount of 150-200 *manats*. ([1](#), [119](#))

Article 208. Violation of rules on execution of professional activity at market of securities

Violation of rules on execution of professional activity at market of securities—

- entails imposition on official persons of penalty in amount of 50-70 *manats*, legal persons- 200-250 *manats*. ([1](#), [119](#))

Article 209. Violation of rules and standards of keeping of register of holders of securities

Violation of rules and standards of keeping of register of holders of securities—

- entails imposition on official persons of penalty in amount of 60-70, legal persons - 150-200 *manats*. ([1](#), [119](#))

Article 210. Violation of rules of depository activity at the market of securities

Violation of rules of depository activity at the market of securities—

- entails imposition on official persons of penalty in amount of 50-70, legal persons- 200-250 minimum wages. ([1](#), [119](#))

Article 211. Violation of rules of settlement of transactions on securities

Violation of rules of settlement of transactions on securities

- entails imposition on official persons of penalty in amount of 45-90, legal persons- 150-200 *manats*. ([1](#), [119](#))

Article 212. Illegal use of official information

Use by employee of professional participant of market of securities in his own interests of official information or transfer of such information to third persons for settlement of transactions—

- entails imposition on natural persons of penalty in amount of 25-30, legal persons - 50-70 *manats*. ([1](#), [119](#))

Article 213. Refusal or evasion from presentation of report

Deviation or refusal by participants of market of securities to present to corresponding body of executive power of Azerbaijan Republic of report or other documents, envisaged by legislation and subjected to presentation, about its activity or violation of period of their presentation—

- entails imposition on official persons of penalty in amount of 60-80, legal persons - 200-300 *manats*. ([1](#), [119](#))

Article 214. Violation of rules of data declaration

Refusal or evasion of professional participant of market of securities or emitter or *self-control organization of the professional participants of the equity market* to declare or to publish data, which according to legislation about securities are subjected to declaration

or publication, or violation of established terms, form and order of their declaration or publication—

- entails notice on natural persons or imposition on them of penalty in amount of 15-20, notice of official persons or imposition on them of penalty in amount of 70-90 *manats*, imposition of penalty on legal persons in amount of 90-200 *manats*. ([1](#), [47](#), [119](#))

Article 215. Violation of rules of keeping documents

Violation of rules of keeping documents, which in correspondence with legislation about securities are subjected to keeping,—

- entails notice on natural persons or imposition on them of penalty in amount of 5-25, notice of official persons or imposition on them of penalty in amount of 50-70 *manats*, imposition of penalty on legal persons in amount of 200-300 *manats*. ([1](#), [119](#))

Article 216. Violation of rules of pledging securities

Violation by pledger and pledgee of rules of state registration of pledge of securities or pledge of debt obligations, registered by securities and another pledge—

- entails notice on natural persons or imposition on them of penalty in amount of 15-25, notice of official persons or imposition on them of penalty in amount of 25-40 *manats*, imposition of penalty on legal persons in amount of 150-200 *manats*. ([1](#), [119](#))

Article 217. Violation of rules about advertising in the market of securities

Violation of rules about advertising in the market of securities—

- entails imposition on official persons of penalty in amount of 45-60, imposition of penalty on legal persons in amount of 150-200 *manats*. ([1](#), [119](#))

Article 218. Violation of standards of insurance and provision of activity of non-state pensioner and insurance funds in the market of securities

Violation of standards of insurance and provision of activity of non-state pensioner and insurance funds in the market of securities

- entails imposition on official persons of penalty in amount of 60-70, legal persons- 200-250 *manats*. ([1](#), [119](#))

Article 219. Refusal from payment on securities

Illegal refusal or evasion from repayment of cost of securities or from due payment of property, dividends, interest or other payments or from presentation of their equivalents as services or in other form, as well as, violation of rules of effecting such payments—

- entails imposition on official persons of penalty in amount of 50-70, legal persons - 150-200 *manats*. ([1](#), [119](#))

Article 220. Violation of rights of shareholder

Violation or illegal restriction in any form of rights of shareholder established by Law —

- entails imposition on official persons of penalty in amount of 70-90, legal persons - 200-250 *manats*. ([1](#), [119](#))

Article 221. Violation of legislation about advertising

221.1. Use in advertising with mercenary motives of deliberately false data about goods, jobs and services or their producers (executors, salesmen), ~~if inflicted damage is insignificant,~~

- entails imposition on natural persons of penalty in amount 15-20, official persons - 40-50, and legal persons - 160-200 *manats*.

221.2. Distribution of advertising at transport vehicles without consent of corresponding body of executive power of Azerbaijan Republic or with violation of established rules —

- entails imposition on natural persons of penalty in amount 30-50, officials - 150-200, legal entities 1500-2000 *manats*.

221.3. Failure to recover the Law violations within term stipulated on instruction of respective executive power authority to subjects of advertising activity (customers, producers, advertisement distributors, advertising agency) for unfair advertising, distribution of anti-advertisement —

- entails imposition of penalty on natural persons in the amount of 10-15 *manats* , 35-50 *manats* on officials, 150-190 *manats* on legal entities.

221.4. Failure to specify the cost (price) of the goods (works, services) in *manats* when specifying the cost (price) of the goods (works, services), advertised on the territory of the Azerbaijan Republic—

- entails imposition of penalty on natural persons in the amount of 10-15 *manats*, official persons - 30-40 *manats*, legal entities - 120-200 *manats*. ([1](#), [21](#), [67](#), [102](#), [119](#), [130](#))

Article 221-1. Violation of the lottery legislation

221-1.0. Violation of the lottery legislation, i.e.:

221-1.0.1. holding and advertising of promotional illegal lotteries and other unregistered lotteries;

221-1.0.2. making of an offers for participation in promotional lotteries by the lottery organizer in any form as per which was taken a resolution on postponement or termination of its holding in an order established by the legislation;

221-1.0.3 failure to fulfill the obligations, stipulated by the legislation in the sphere of organization and holding of the lotteries by the lottery organizer —

- entails imposition of penalty in the amount of 50-70 conventional financial units on officials, 150-200 *manats* on legal entities. ([51](#), [119](#))

Article 222. Violation of rules of currency regulation

222.1. Purchase and sale or exchange of currency values at public places in violation of legislation of Azerbaijan Republic about currency regulation—

- entails imposition of penalty at rate 30-70% of the amount of currency fund, which became the direct object of administrative offence.

222.2. Acceptance of currency values as payment means—

- entails imposition of penalty at rate 40-80% of the amount of currency fund, which became the direct object of administrative offence.

222.3. Carrying out of currency transactions of the customers by authorized banks with violation of regulations stipulated by legislation —

- entails imposition on official persons of penalty at rate of five-twenty percents of the sum, being the direct object of administrative offence, on legal persons — at rate of five-thirty percents of the sum, being the direct object of administrative offence.

222.4. Failure to return the currency funds from abroad, when respective goods were not imported, works were not performed or services were not provided in exchange for currency funds paid by advance, - entails imposition on official persons of penalty at rate of ten-twenty percents of the sum, being the direct object of administrative offence, on legal persons - at rate of twenty-thirty percents of the sum, being the direct object of administrative offence. ([7](#), [15](#), [91](#))

Article 223. Illegal purchase or distribution of data, comprising commercial or bank secret

Illegal use or distribution in mercenary or other private motives of data, comprising commercial secret without consent of owner, if inflicted damage is insignificant,—

- entails imposition on natural persons of penalty in amount 20-25, official persons 40-55 and legal persons- 150-200 *manats*.

Note: In this article words «insignificant damage» mean an amount up to 7000 *manats* of labour payment. ([1](#), [119](#))

Article 223-1. Non-presentation of the copies of contracts and resolutions on receipt (provision) of grant for registration

223-1.1. Non-presentation of the copies of contracts and resolutions on receipt of grant by legal entities, receiving the grant, for registration to respective executive power body of the Azerbaijan Republic within the periods stipulated by the legislation —

entails imposition of penalty in the amount of 20-50 *manats*;

223-1.2. Use of grants and making operations with them by religious organizations without registration of the contracts and resolutions on receipt (provision) of grant at the respective executive power body of the Azerbaijan Republic —

- entails imposition of penalty in the amount of 20-50 *manats*. ([38](#), [119](#))

Article 223-2. Violation of regulations of the banknotes replacement during denomination

223.2.0. At the time of change of the nominal value of the banknotes of the Azerbaijan Republic and standard of price (denomination):

223-2.0.1. imposition of restrictions as per periods, amounts or subjects of replacement of banknotes of old sample on banknotes of new sample -

223-2.0.2. deduction of commission fee for replacement of banknotes of old sample on banknotes of new sample by banks -

- *officials shall be penalized in the amount of five hundred manats, legal persons – one thousand five hundred manats.* ([54](#), [58](#), [119](#), [130](#))

Article 223-3. Failure of credit organisations to provide the obligatory reserves

Failure of credit organizations to provide the obligatory reserves stipulated by the National Bank of the Azerbaijan Republic —

- *officials shall be penalized in the amount of five hundred manats, legal persons – one thousand five hundred manats.* ([75](#), [119](#), [130](#))

Article 223-4. Violation of rules for insurance of deposits

Incomplete payment on insurance fees as per legislation into the Deposits Insurance Fund within terms stipulated by the National Bank—

- shall result in application of penalties against executives at the amount of *thousand manats.* ([100](#), [119](#), [130](#))

Article 223-5. Engagement in an activity prohibited, restricted or suspended in the sphere of banking activity

Engagement in an activity prohibited in the law, in a license issued for banking activity, or limited or suspended during the banking activity—

- *shall entail imposition of penalty on legal persons thirty five thousand to forty thousand manats.* ([130](#))

Article 223-6. Failure to execute instructions of the National Bank of the Azerbaijan Republic concerning banks activity

223-6.1. In case of disclosure of violation of prudential normative and requirements concerning the banking activity, failure to timely execute the instructions of the National Bank of the Azerbaijan Republic on the removal of such violation —

- *shall entail imposition of penalty on officials: two thousand to two thousand five hundred, legal persons: fifteen thousand to twenty thousand manats.*

223-6.2. With the exception of cases provided for in Article 223-6.1 of this Code, for failure to timely execute other instructions given by the National Bank of the Azerbaijan Republic according to the law—

- *shall entail imposition of penalty: on officials - one thousand five hundred to two thousand, legal persons: ten thousand to fifteen thousand manats.(130)*

Article 223-7. Violation of rules of conducting transactions with persons having relationship with a bank or with those acting on behalf of a person concerned

Violation of rules of conducting transactions with persons having relationship with a bank or with those acting on behalf of a person concerned —

- *shall entail imposition of penalty: on officials - two thousand to two thousand five hundred, legal persons: fifteen thousand to twenty thousand manats. (130)*

Article 223-8. Violation by a bank or foreign bank's local branch of rules of submitting prudential, financial and bank statistical statements

223-8.1. Failure to submit bank statistical statements to the National Bank of the Azerbaijan Republic, or failure to submit them on time, in full and correctly —

- *shall entail imposition of penalty: on officials - two hundred to three hundred manats, legal persons: one thousand to one thousand five hundred manats.*

223-8.2. Failure by a bank or foreign bank's local branch to submit prudential or financial statements to the National bank of the Azerbaijan Republic, or failure to submit them on time, in full or correctly—

- *shall entail imposition of penalty: on officials - one thousand five hundred to two thousand manats, legal persons - ten thousand to fifteen thousand manats. (130)*

Article 223-9. Violation of rules of providing data to the centralized credit register

Failure to provide data to the centralized credit register in full, correctly or on time as provided by the legislation—

- *shall entail imposition of penalty: on officials - five hundred to seven hundred manats, legal persons - five thousand to seven thousand manats.(130)*

Chapter nineteen. Administrative misconduct, encroaching on rules of commerce

Article 224. Sale of goods prohibited producing or selling, or execution (rendering) of prohibited jobs (services)

Sale of goods prohibited producing or selling, or execution (rendering) of prohibited jobs (services)

- entails imposition of penalty in amount 15-30 *manats* with confiscation of subject, which was direct object of administrative misconduct or without such one. ([1](#), [119](#))

Article 225. Violation of rules of neighbourhood of goods at their storage, sale, change or return of sold goods

225.1. Violation of rules of neighbourhood of goods or non-observance of temperature regime at storage or sale of goods—

- entails imposition of penalty in amount 30-40 *manats*

225.2. Violation of rules of change or return of sold goods—

- entails imposition of penalty in amount 20-50 *manats*. ([1](#), [119](#))

Article 226. Violation of discipline of prices

226.1. Violation of discipline of prices, i.e. absence of price list at goods for sale or absence of price list on rendered services or accomplished jobs or their incorrect compilation—

- entails imposition of penalty in amount of 5-20 *manats*.

226.2. Failure to specify the manat price of goods (works, services) selling in the Azerbaijan Republic, —

- entails imposition of penalty on natural persons in the amount of 10-15 *manats*, official persons - 30-40 *manats*, legal entities - 120-200 *manats*. ([1](#), [67](#), [119](#))

Article 227. Sale of group of technically complex goods without technical passport

Sale of group of technically complex goods without technical passport or incorrect compilation of technical passport—

- entails imposition of penalty in amount 10-35 *manats*. ([1](#), [119](#))

Article 228. Violation of consumer rights

228.0. Violation of consumer rights i.e.:

228.0.1. Violation of rules on standardisation and quality of production, about introduction into circulation, storage and use of measurement devices;

228.0.2. Sale of products with expired storage period

228.0.3. Production, sale of goods, execution of works, rendering of services not corresponding to requirements of regulatory documents;

228.0.4. Sale of goods, execution of works, rendering of services subjected to obligatory certification, but not certified;

228.0.5. Manufacture or sale of production, execution of works (rendering of services), which as a result of violation of requirements of standards, other regulatory documents is hazardous for life, health of people, their property or environment;

228.0.6. Sale of goods not corresponding to requirements of acting standards or regulatory documents;

228.0.7. Sale of hazardous goods, list of which is determined by legislation, without right warning sign or without instruction about rules and conditions of safe use;

228.0.8. Concealing of controlled production from corresponding bodies of state control;

228.0.9. Non-keeping of state register of certified goods, jobs (services) accredited bodies on certification and test laboratories (centres);

228.0.10. Introduction into circulation of measurement devices, which did not pass state tests or metrology attestation or not checked;

228.0.11. Manufacture, repair and checking of measurement devices by enterprises, offices and organisations independent on form of ownership without obtaining of corresponding permission in established order and violation of methods and rules of checking;

228.0.12. Violation of rules of use of measurement devices—

- entails imposition on official persons of penalty in amount of 35-40, legal persons - 150-200 *manats*. ([1](#), [119](#))

Article 229. Sale, storage with the purpose of selling or taking of products (goods), which are subject to excise marking outside production building without such marks

Sale, storage with the purpose of selling or taking of products (goods), which are subject to excise marking outside production building, of small volumes without such marks —

- entails imposition of penalty in the amount of 35-40 conventional financial units on natural persons, 80-90 *manats* on officials, 200-300 *manats* on legal entities with confiscation of production (goods) without excise mark.

Note: term «small volumes» in this article means volume, not exceeding 500 *manats*.([26](#), [119](#))

Article 230. Violation of rules of release to natural persons of medicines

230.1. Release of medicines at drugstores without receipts, which are to be released on presentation of receipt, or violation of rules of release of medicines to juveniles—

- imposition of penalty at the rate of one hundred to three hundred *manats*.

230.2. Sales in pharmacies of products other than medications, optics, perfumeries and cosmetics, baby food, mineral waters, biologically active additives and personal hygiene and sanitation products, -

- imposition of penalty at the rate of three hundred to five hundred *manats*. ([1](#), [95](#), [114](#), [119](#))

Article 231. Fraud of consumers

Cheating in measuring, weighing and counting of consumers by organisations, accomplishing sale of goods or rendering of service to population and by persons registered in the area of commerce (service) as individual entrepreneurs, if an amount is insignificant,—

- entails imposition on official persons of penalty in amount of 50-70, legal persons - 200-250 *manats*.

Note: In this article words «insignificant size» mean an amount up to 40 *manats*. ([1](#), [119](#))

Article 232 Violation of rules of sale of civil arms

Sale by employees of commercial enterprises (organisations) of civil arms and ammunition to natural persons, enterprises, offices and organisations, which do not have *special permission* of corresponding bodies of executive power of Azerbaijan Republic,—

- entails imposition on official persons of penalty in amount of 35-60, legal persons - 150-200 *manats*. ([1](#), [52](#), [119](#))

Article 233. Deviation of citizens to sell civil arms after annulling of permission on its storage

Deviation of citizens to sell civil arms after annulling by corresponding body of executive power of Azerbaijan Republic of permission, verifying right to keep this arms, its ammunition and its bearing for use on destination,—

- entails imposition of penalty in amount of 8-15 conventional financial units with recoverable confiscation of arms and ammunition. ([1](#), [119](#))

Article 234. Purchase or sales of property, purchased by deliberate criminal way

Purchase or sales of property, purchased by deliberate criminal way, if rate is insignificant,—

- entails imposition of penalty in amount of 30-60 *manats*.

Note: In this article words «insignificant rate» mean an amount up to 1000 *manats*. ([1](#), [119](#))

Article 235. Sale of goods and execution of jobs (rendering of services) at not determined places

Sale of goods and execution of jobs (rendering of services) at places not indicated by corresponding bodies of executive power of Azerbaijan Republic,—

- entails imposition of penalty in amount of 10-30 *manats*. ([1](#), [119](#))

Article 236. Violation of rules of commerce in ethylene (food) spirit, b drinks or tobacco goods

236.1. Violation by employees of commercial enterprises or enterprises of public food of rules of commerce in ethylene (food) spirit, b drinks or tobacco goods—

- entails imposition of penalty in amount of 10-35 *manats*.

236.2. Sale of ethylene (food) spirit, b drinks or tobacco goods to juveniles by employees of commercial enterprises and enterprises of public catering—

- entails imposition of penalty in amount of 15-40 *manats*. ([1](#), [119](#))

Article 237. Sale of home made b drinks

Sale of home made b drinks—

- entails imposition of penalty in amount of 25-40 *manats*. ([1](#), [119](#))

Article 238. Violation of rules of production, processing, use and circulation of precious metals and precious stones, as well as security, retail, registration, storage of their finished products, collection of scraps and management of waste

238.1. Violation of rules for productions, processing, use and circulation of precious metals and stones—

- Shall result in application of penalty against natural persons at the amount of thirty to forty, executives - from sixty to ninety, legal entities from one hundred to one hundred fifty *manats*.

238.2. Violation of rules for security, retail, registration, storage of precious metals and precious stones, their finished products, collection of scraps and management of waste —

- Shall result in application of penalty against natural persons at the amount of twenty to forty, executives - from sixty to ninety, legal entities from one hundred to one hundred fifty *manats*. ([1](#), [93](#), [119](#))

Article 238-1. Sale of jewels and other products made of precious metals and precious stones without state hall-mark or marked with false hall-mark

Sale of jewels and other products made of precious metals and precious stones without state hall-mark of the Azerbaijan Republic, with the exception of cases established by the legislation, or marked with falsified hall-mark—

- Shall result in application of penalty against natural persons at the amount of twenty to forty, executives - from sixty to ninety, legal entities from one hundred to one hundred fifty *manats*. ([93](#), [117](#), [119](#))

Article 239. Violation of commercial rules at markets and fairs—

Violation of commercial rules at markets and fairs

- entails imposition of penalty in amount of 10-40 *manats*. ([1](#), [119](#))

Article 240. Violation of rules of purchase and sale of goods, execution of jobs or rendering services

Violation of rules of purchase and sale of goods, execution of jobs or rendering services—

- entails imposition of penalty in amount of 15-50 *manats*. ([1](#), [119](#))

Article 240-1. Violation of the electronic commerce legislation

240-1.1. False informing of the buyer (customer) and competent public authority by the seller (supplier) in electronic commerce —

- *entails imposition of penalty in the amount of 20-25 manats on natural persons, 55-70 manats on officials, 200-250 conventional financial units on legal entities;*

240-1.2. Compulsion of the intermediary of the electronic document management in e-commerce, when providing the services, to take measures on active determination of the facts or details for the purpose of conducting of the general monitoring of sent, stored information or evidences of performing of illegal activity or unsolicited fulfilment of such actions -

- *entails imposition of penalty in the amount of 30-35 manats on natural persons, 75-90 conventional financial units on officials, 200-250 manats on legal entities.*

240-1.3. Failure of the intermediary of electronic documents management in e-commerce to furnish the competent public authorities with the information on illegal activity or illegal sending of information of the buyers (customers), sellers (suppliers) which they serve, and also non-provision of the information which allow to identify the buyers (customers), sellers (suppliers) of services on application of the competent public authorities -

- *entails imposition of penalty in the amount of 35-40 manats on natural persons, 90 conventional financial units on officials, 300 manats on legal entities.*

240-1.4. Failure of the intermediary of electronic document management in e-commerce to suspend performing of services on resolution of the court or on application of the competent public authority stipulated by the legislation for the purpose of prevention of the Law violation, and also failure to delete the information or to limit its issue in case of providing the services on information storage —

- *entails imposition of penalty in the amount of 35-40 manats on natural persons, 90 conventional financial units on officials, 300 manats on legal entities.*([70](#), [119](#))

Article 241. Violation of rules of maintenance or location of objects of commerce, public food or services

Violation of rules of maintenance or location of objects of commerce, public food or services—

- entails imposition on natural persons of penalty in amount of 15-35, official persons - 45-60 *manats*. ([1](#), [119](#))

~~Article 242. Commercial activity without special permission (license) or violation conditions of commerce~~

~~Commercial activity without special permission (license) in those occasions, when such permission is necessary or violation of conditions of license—~~

- ~~entails imposition of penalty in amount of 20-50 conventional financial units.~~ ([1](#), [99](#))

Chapter twenty. Administrative misconduct, encroaching on rules of payment of tax, duties, financial and insurance rules

~~Article 243. Violation of rules of payment and collection of one time duties~~

~~Non-provision of correct, timely collection and payment of one time duties at markets, fairs or other places, specially allocated for sale of goods, products and agricultural products—~~

- ~~entails imposition on official persons of penalty in amount of 70-90 conventional financial units.~~ ([1](#), [63](#))

Article 244. Deviation from tax payment

~~244.1. Indication in declaration or in accountancy documents of deliberately distorted data about incomes and expenditures with purpose to evade from taxes of insignificant amount—~~

- ~~entails imposition on natural persons of penalty in amount of 20-35, official persons—50-70, legal persons—200-250 conventional financial units.~~

~~244.2 Not recording of incomes (expenditures) and objects of taxation in order envisaged by legislation or incorrect calculation of taxes and other obligatory payments as well as, non payment into budget of small amounts of incurred taxes and obligatory payments—~~

- ~~entails imposition on natural persons of penalty in amount of 15-30, official persons—30-50, legal persons—150-200 conventional financial units.~~

~~244.3. Evasion from tax payment on additional cost in insignificant amount, i.e.:~~

~~244.3.1. Execution of non-registered activity in those occasions, when its registration for value added tax is obligatory;~~

~~244.3.2. Non presentation of invoice on value added tax or presentation of incorrect invoice, leading to decrease of sum of value added tax or to increase of reckoned amount;~~

~~244.3.3. Non-payment into budget of tax due to him from proceedings of invoice on value added tax, by person, who is not registered for purposes of value added tax, —~~

- ~~▪ entails imposition on natural persons of penalty in amount of 20-25, official persons — 40-60, legal persons — 100-150 conventional financial units.~~

~~**Note:** In articles 244.1, 244.3, 246 and 247 of this Code words «insignificant amount» mean an amount up to 2000 conventional financial units. ([1](#), [44](#))~~

Article 245. Non-collection of tax at payment source

~~Effecting of payment without collection of tax at payment source~~

- ~~▪ entails imposition of penalty in amount of 15-40 conventional financial units. ([1](#), [44](#))~~

Article 246. Untimely payment of taxes and compulsory state social insurance contributions or violation of rules of accountancy recording

~~Non-payment of tax in insignificant amount and compulsory state social insurance contributions at period, determined by legislation, or violation of established rules of keeping accountancy recording —~~

- ~~▪ entails imposition of penalty at rate 30-70% of the amount of currency fund, which became the direct object of administrative offence.~~

~~**Note:** In this article words «insignificant amount» mean an amount up to 2000 *manats*. ([1](#), [2](#), [65](#), [80](#), [91](#), [119](#))~~

Article 247. Violation of regulations of presentation of the documents connected with calculation and payment of taxes and other obligatory payments

~~Non presentation or untimely presentation of other documents, connected with calculation and payment of taxes and other obligatory payments to corresponding bodies of executive power of Azerbaijan Republic, *execution of which stipulated by the legislation* —~~

- ~~▪ entails imposition on natural persons of penalty in amount of 25-30, official persons - 40-60 *manats*. ([1](#), [2](#), [65](#), [87](#), [119](#))~~

Article 247-1. Violation of accounting legislation, rules of submission of statements and information

~~Violation by the accounting subject of the regulations for execution, filing the statutory financial accounts and consolidated financial reports and other statements and information to be submitted to insurance supervision body, including correct reflection of information and indices in statements and other forms required under legislation, as well as keeping registration documents stipulated by the legislation —~~

- ~~▪ entails imposition of the penalty on official persons in the amount of 300-400 *manats*, legal entities — 1500-2000 *manats*. ([65](#), [116](#), [119](#))~~

Article 248. Violation of rules of payment of state duties

Incorrect deduction or untimely and non complete payment of state duties to state budget by official persons authorised to collect state duties,—

- entails imposition on official persons of penalty in amount of 70-90 *manats*. ([1, 119](#))

Article 249. Violation of rules of clearing off taxes and other obligatory payments

Non-observance by bank official employees of rules of clearing off taxes and other obligatory payments from accounts of enterprises—

- entails imposition on official persons of penalty in amount of 70-90 *manats*. ([1, 119](#))

~~Article 250. Violation of rules of opening bank accounts and execution of financial transactions~~

~~Opening of bank accounts or execution of financial transactions for legal persons, who were not registered at state register of registration units and did not get identification number of tax payer,—~~

- ~~▪ entails imposition on official persons of penalty in amount of 70-90 conventional financial units. ([1, 44](#))~~

~~Article 251. Violation of rules of registration at corresponding bodies of executive power of Azerbaijan Republic and obtaining of identification numbers of tax payer~~

~~Non registration at corresponding bodies of executive power of Azerbaijan Republic or non obtaining of identification number at period established by legislation,—~~

- ~~▪ entails imposition on natural persons of penalty in amount of 10-20, official persons—40-60 conventional financial units. ([1, 44](#))~~

~~Article 252. Violation of rules of settlement of accounts with population~~

~~252.0. Violation of rules of settlement of accounts with population i.e.:~~

~~252.0.1. Settlement of accounts with population without use of control and cash registers, or using control and cash registers, not registered in established order at tax bodies or not corresponding to technical requirements.~~

~~252.0.2. Settlement of accounts with population with use of defective control and cash registers, or violation of rules of registration of financial settlements with population when use of control and cash register due to its defective condition is suspended.~~

~~252.0.3. Non release of check to buyer or release of check with indication of amount less than paid;~~

~~252.0.4. Settlement of accounts without use of forms of rigid accounting, which are used as financial report, either with use of documents not corresponding to forms established by order, as well as, presentation to buyer of document with indication of amount less than it was paid —~~

- ~~▪ entails imposition on official persons of penalty in amount of 70-80, legal persons —200-250 conventional financial units. ([1](#), [87](#))~~

Article 253. Presentation of misleading or deceitful data on insurance agreement

For providing misleading and incorrect information, as well as documents reflecting such information by insurers and insurance mediators to insured persons and/ or those being insured, as well as beneficiaries upon conclusion of an insurance agreement or while it being in force, as well as when investigating an insurance event and settlement of damages —

- imposition of penalty: on officials – at the rate of forty to sixty *manats*, legal persons - at the rate of one hundred fifty to two hundred *manats*. ([1](#), [116](#), [119](#))

Article 253-1. Failure to conclude an obligatory insurance contract

Failure to conclude an obligatory insurance contract with an insurer by natural and legal persons identified to be obliged to obligatorily insure relevant risks as provided by the legislation—

- shall entail imposition of penalty: on natural persons - at the rate of ten *manats*, on officials – at the rate of sixty to eighty *manats*, on legal persons – one hundred fifty to two hundred *manats*. ([46](#), [116](#), [119](#))

Article 253-2. Failure to conclude an agreement on obligatory insurance of an auditor's civil responsibility

Failure to conclude an agreement by natural and legal persons providing auditor services with an insurer for obligatory insurance of civil responsibility—

- imposition of penalty: on officials – at the rate of thirty to fifty *manats*, legal persons - at the rate of eighty to one hundred *manats*. ([115](#), [119](#))

Article 253-2. Failure to make relevant allocations on types of obligatory insurance

Failure to make relevant allocations by insurers as established in the legislation by the types of obligatory insurance from insurance premiums –

- shall entail imposition of penalty: on officials – at the rate of sixty to eighty *manats*, on legal persons – one hundred fifty to two hundred *manats*. ([119](#))

Article 254. Illegal insurance activity or activity of insurance broker

Carrying out any type of insurance activity by insurers without having obtained a relevant license (permit) as provided by the legislation—

- shall entail imposition of penalty: for officials - at the rate of forty to fifty *manats*, for legal persons – one hundred twenty to one hundred sixty *manats*.(1, 116, 119)

Article 255. Violation of the insurance legislation related to actuaries, independent experts, independent auditors and legal entities engaged in auxiliary activity in the sphere of insurance

Violation of requirements by actuaries, independent experts, independent auditors and legal entities engaged in auxiliary activity in the sphere of insurance established in connection with their activity —

- shall entail imposition of penalty: for officials - at the rate of forty to eighty five *manats*, for legal persons – one hundred fifty to two hundred *manats*.(1, 119)

Article 255-1. Failure to execute instructions given in accordance with the insurance legislation on time and in full

Failure to execute instructions given in accordance with the insurance legislation on time and in full—

- shall entail imposition of penalty: for officials - at the rate of fifty to eighty five *manats*, for legal persons – one hundred fifty to two hundred *manats*.(116, 119)

Article 255-2. Failure to make allocations established to finance carrying out the insurance control

Failure to make the relevant allocations established by the legislation to finance activities on carrying out regulation and supervision functions by an insurance control body in the insurance sector to be made by an insurer out of the proceeds of insurance premiums and reinsurance premiums received from abroad on time and in full—

- shall entail imposition of penalty: for officials - at the rate of forty to eighty five *manats*, for legal persons – one hundred fifty to two hundred *manats*.(116, 119)

Article 255-3. Failure to provide the relevant information

Failure by insurers, re-insurers and insurance mediator being legal entities to provide information as provided by the legislation in connection with their activity, including their regulations, management, shareholders or participants —

- shall entail imposition of penalty: for officials - at the rate of forty to eighty *manats*, for legal persons – one hundred to one hundred fifty *manats*.(116, 119)

~~Article 256. Non transfer of means to special account of corresponding body of executive power of Azerbaijan Republic~~

~~Non payment by insurers of means in amount of one percent of revenue, left at their disposal after payment of taxes to special account of corresponding body of executive power of Azerbaijan Republic—~~

- ~~▪ entails imposition on official persons of penalty in amount of 30-45 *manats*, legal persons—50-100 percent from sum of non-paid means-. (1, 60)~~

~~Article 257. Non presentation of accounting data and recording or violation of rules of their presentation~~

~~Non presentation of report about consolidated balance sheet with consideration of reports of subsidiaries of insurer or violation of rules on compilation of reports and other data about financial stability and solvency of insurer at quarter and annual recording, —~~

- ~~▪ entails imposition of penalty in amount of 35-50 conventional financial units. ([1](#), [116](#))~~

Article 257-1. Insuring and reinsuring abroad property interests associated with an insurance subject located or existing in the territory of the Azerbaijan Republic Insuring and reinsuring abroad property interests associated with an insurance subject located or existing in the territory of the Azerbaijan Republic

Insuring by natural and legal persons property interests associated with an insurance subject located or existing in the territory of the Azerbaijan Republic with foreign insurers, as well as for reinsuring by insurers, re-insurers and insurance brokers such risks in the order not established by the legislation-

- shall entail imposition of penalty: for natural persons - at the rate of twenty to thirty *manats*, for officials - at the rate of fifty to eighty *manats*, for legal persons – one hundred to one hundred fifty *manats*. ([5](#), [116](#), [119](#))

Article 257-2. Violation of rules of compulsory state social insurance

~~For constant~~ violation of rules of compulsory state social insurance – the penalty in the amount of 20 *manats* will be applied to the physical entities, 30-50 *manats* – to officials. ([7](#), [67](#), [119](#))

~~Article 257-3. Violation of legislation on compulsory passenger insurance~~

~~Carrying out of passenger transportation by air, rail, sea and automobile (intercity bus transportation) by the owner (user) of transport means without entering the contract on compulsory passengers insurance —~~

- ~~▪ entails imposition of penalty in the amount of 10-20 conventional financial units on physical persons, 30-50 conventional financial units on officials, 80-100 conventional financial units on legal entities.~~

~~Note: For the purpose of this Article «physical and legal entities» mean insurer (carrier). ([40](#), [116](#))~~

Article 257-4. Violation of legislation on individual registration in the state social insurance system

Non-provision by the insurer of information to relevant executive authority within terms and in accordance with procedures stipulated under legislation, —

- Shall result in application of penalty against natural persons at the amount of thirty *manats*, against executives at the size of eighty conventional financial units, against legal entities at the amount of two hundred fifty *manats*. ([108](#), [119](#))

Article 257-5. Failure by banks to provide data requested by an insurance control body as established by the legislation

Failure by banks to provide data requested by an insurance control body as established by the legislation on time or in full—

- shall entail imposition of penalty: for officials - at the rate of five hundred to one thousand *manats*, for legal persons – ten thousand to fifteen thousand conventional *manats*. ([116](#), [119](#))

Chapter twenty one. Administrative misconduct, encroaching on customs rules

Article 258. Transportation of goods and transport vehicles via customs border of Azerbaijan Republic without customs control

Transportation of goods and transport vehicles via customs border of Azerbaijan Republic, without customs control, i.e. beyond defined by corresponding bodies of executive power of Azerbaijan Republic places or beyond determined time of production of customs registration, if rate is insignificant,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 30-100 percent from its cost.

Note: In articles 258-260 and 261.1 of this Code words «insignificant rate» mean an amount up to 4000 *manats*, in article 262 - an amount up to 20000 of *manats*, in article 290 - an amount up to 2000 *manats*. ([1](#), [119](#))

Article 259. Concealing from customs control of goods transported via customs border of Azerbaijan Republic

Concealing from customs control of goods transported via customs border of Azerbaijan Republic i.e. use of hiding places or other ways, complicating revealing of goods, or giving to goods the appearance of others, if rate is insignificant,—

- entails confiscation of goods and transport vehicles, being direct objects of administrative misconduct or imposition of penalty in amount of 30-100 percent from its cost.

Article 260. Transportation of goods and transport vehicles via customs border of Azerbaijan Republic with deceptive use of documents or means of identification

Presentation to corresponding body of executive power of Azerbaijan Republic for customs purposes of documents comprising not verified data or documents, relating to other goods and transport vehicles and use of false means of identification—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 30-100 percent from its cost.

Article 261. Non-declaration or non-verified declaration of goods and transport vehicles

261.1. Non-declaration or non-verified declaration of goods and transport vehicles, transported via customs border of Azerbaijan Republic, if rate of this is insignificant,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 30-100 percent from its cost.

261.2. Declaration of non-verified data, which do not influence adoption by corresponding body of executive power of Azerbaijan Republic of decision on transportation of goods and transport vehicles via customs area of Azerbaijan republic, its location under requested customs regime, rate of customs payments,—

- entails imposition on natural persons of penalty in amount of 5-10, official persons - 10-30 and legal persons - 50-100 *manats*. ([1](#), [119](#))

Article 262. Failure to return from abroad of currency means

Non-return from abroad of currency means, which were delivered as a result of execution of foreign economic activity and subjected to transfer in administrative order to accounts of banks of Azerbaijan Republic, authorised in order, established by legislation, if rate is insignificant,—

- entails imposition of penalty in amount of 5-50 percent from cost of goods and transport vehicles, which were direct objects of administrative misconduct.

Article 263. Violation of regime of zone of customs control

Crossing of frontier of zone of customs control, execution of production and other commercial activity within this zone without permission of corresponding body of executive power of Azerbaijan Republic, or violation of regime of zone of customs control otherwise,—

- entails imposition on natural persons of penalty in amount of 5-10, official persons - 15-35 and legal persons - 50-110 *manats*. ([1](#), [119](#))

Article 264. Non-notification or non-verified notification of corresponding body of executive power of Azerbaijan Republic about crossing of customs border of Azerbaijan Republic at import of goods and transport vehicles

Non-notification or non-verified notification of corresponding body of executive power of Azerbaijan Republic about crossing of customs border of Azerbaijan Republic at import of goods and transport vehicles to customs area of Azerbaijan Republic or their export beyond limits of this territory, if such notification was registered in order, established by legislation, as well as, non-delivery of goods and transport vehicles at place and time indicated in notification—

- entails imposition on natural persons of penalty in amount of 5-10, official persons - 10-40, and legal persons - 40-100 *manats*. ([1](#), [119](#))

Article 265 Non- undertaking of measures in event of accident or actions of irresistible force

265.0. Non-undertaking of measures determined by legislation in event of accident or actions of irresistible force i.e.:

265.0.1. Non provision of preservation of goods and transport vehicles, accepted for delivery to place, determined by corresponding body of executive power of Azerbaijan Republic or transported by transit;

265.0.2. Admission of non-permitted use;

265.0.3. Not reporting of corresponding bodies of executive power of Azerbaijan Republic about circumstances of business, place of location of goods and transport vehicles;

265.0.4. Non-provision of delivery of goods and transport vehicles to closest corresponding body of executive power of Azerbaijan Republic;

265.0.5. Non-delivery of official persons of corresponding body of executive power of Azerbaijan Republic to place of location of goods and transport vehicles—

- entails imposition of penalty in amount of 2-10 percent from cost of goods and transport vehicles, which were direct objects of administrative misconduct.

Article 266. Release of goods, transport vehicles and its documents without permission of corresponding body of executive power of Azerbaijan Republic or non-delivery to corresponding body of executive power of Azerbaijan Republic

266.1. Untimely delivery to corresponding body of executive power of Azerbaijan Republic of goods, transport vehicles, which are under customs control and documents on them—

- entails notice or imposition on natural persons of penalty in amount of 5-10 *manats*, notice or imposition on official persons of penalty in amount of 10-40 *manats*, imposition of penalty on legal persons in amount of 30-100 *manats*.

266.2. If customs or other documents of accepted for delivery to corresponding body of executive power of Azerbaijan Republic goods and transport vehicles being under customs control, are lost or not delivered,—

- entails notice or imposition of penalty in amount of 10-40 *manats*.

266.3. Release without permission of corresponding body of executive power of Azerbaijan Republic of goods and transport vehicles, which are under customs control, their loss or non-delivery to place, determined by corresponding body of executive power of Azerbaijan Republic

- entails imposition of penalty in amount of 20-100 percent from cost of goods and transport vehicles, which were direct objects of administrative misconduct. ([1](#), [119](#))

Article 267. Non presentation of goods and transport vehicles at delivery place and non delivery of documents on them

Non presentation of goods and transport vehicles at delivery place and non-delivery of its documents to corresponding body of executive power of Azerbaijan Republic—

- entails imposition of penalty on natural persons in amount of 5-15, official persons 15-50 and legal persons-20-100 *manats*. ([1](#), [119](#))

Article 268. Violation of order of transportation of transport vehicles via customs border of Azerbaijan Republic

Non stop of transport vehicle, crossing customs border of Azerbaijan Republic and of transport vehicle transported as commodity at places defined by corresponding body of executive power of Azerbaijan Republic, as well, as transportation of transport vehicle under customs control or transport vehicle, transported via customs border of Azerbaijan Republic as commodity from place of stopping without permission of corresponding body of executive power of Azerbaijan Republic—

- entails notice on natural persons or imposition on them of penalty in amount of 5-10 *manats*, notice of official persons or imposition on them of penalty in amount of 10-50 *manats*, imposition of penalty on legal persons in amount of 30-100 minimum wages. ([1](#), [119](#))

Article 269. Mooring to ship and other floating means which are under customs control

Mooring to ship and other floating means which are under customs control, vessels and other floating means without permission of corresponding body of executive power of Azerbaijan Republic—

- entails imposition of penalty on natural persons in amount of 5-25, official persons 10-50 and legal persons - 50-100 *manats*. ([1](#), [119](#))

Article 270. Violation of order of production of customs registration

Violation of order of production of customs registration, i.e. non-observance of established requirements about beginning and completion of customs registration, place, time and procedure of its conducting, or presenting claim not established by legislation on use of simplified order of customs registration, as well as, non observance of conditions of its use—

- entails notice on natural persons or imposition on them of penalty in amount of 5-7 *manats*, notice of official persons or imposition on them of penalty in amount of 10-50 *manats*, imposition of penalty on legal persons in amount of 30-100 *manats*. ([1](#), [119](#))

Article 271. Illegal transactions with goods and transport vehicles relating which customs registration is not completed, change of its status, use and their disposal

Illegal transactions with goods and transport vehicles relating to which customs registration is not completed, change of its status, use and their disposal in violation of requirements and conditions established by legislation—

- entails imposition of penalty on natural persons in amount of 10-100 percent from cost of goods and transport vehicles, which were direct objects of administrative misconduct.

Article 272. Cargo and other transactions, conducted without permission of corresponding body of executive power of Azerbaijan Republic

Transportation, loading, unloading, reloading, packaging, repair of damages of packaging, repackaging or acceptance for transportation of goods and transport vehicles under customs control, taking of tests and samples of such goods, opening of premises and other places, where such goods and transport vehicles may be located, without permission of corresponding body of executive power of Azerbaijan Republic—

- entails imposition on natural persons of penalty in amount of 10-15, official persons - 15-45 and legal persons-50-150 *manats*. ([1](#), [119](#))

Article 273. Change, obliteration, damage or loss of means of identification

Change, obliteration, damage or loss of means of identification used by corresponding body of executive power of Azerbaijan Republic,—

- entails imposition on natural persons of penalty in amount of 5-15, official persons - 15-40 and legal persons - 40-100 *manats*. ([1](#), [119](#))

Article 274. Violation of order of declaration of goods and transport vehicles

Violation of order of declaration of goods and transport vehicles i.e. non-observance of requirements established by legislation about form, place of declaration and procedure of its production (including use at declaration of temporary, non-complete or irregular customs declaration)—

- entails imposition on natural persons of penalty in amount of 5-15, official persons - 15-50 and legal persons - 30-100 *manats*. ([1](#), [119](#))

Article 275. Violation of periods of presentation to corresponding body of executive power of Azerbaijan Republic of customs declaration, documents and additional data

Non-presentation of customs declaration on goods and transport vehicles to corresponding body of executive power of Azerbaijan Republic at periods determined by it, as well as documents and additional data necessary for customs purposes,—

- entails imposition on natural persons of penalty in amount of 5-10, official persons - 10-40 and legal persons - 35-100 *manats*. ([1](#), [119](#))

Article 276. Hindering official person of corresponding body of executive power of Azerbaijan Republic to enter territory and premises for execution of customs control

Hindering official person of corresponding body of executive power of Azerbaijan Republic to enter in order established by legislation to territory or premises, where goods and transport vehicles, subjected to customs control, documents, necessary for conducting of such control may be located or, where activity is accomplished,

responsibility of which is imposed on corresponding bodies of executive power of Azerbaijan Republic,—

- entails imposition on natural persons of penalty in amount of 5-10, official persons - 20-60 *manats*. ([1](#), [119](#))

Article 277. Non presentation to corresponding body of executive power of Azerbaijan Republic of recording or non-observance of order of registration

Non presentation to corresponding bodies of executive power of Azerbaijan Republic in order established by legislation, of recording about imported, exported, stored, reprocessed, manufactured, purchased and sold goods, which are under customs control or at the territory of free customs areas and free warehouses, as well as, non-observance of order of registration of such goods—

- entails notice or imposition of penalty in amount of 20-70 *manats*. ([1](#), [119](#))

Article 278. Violation of regime of warehouse of temporary storage

Non undertaking of measures on provision of release or obtaining for disposal according to customs regime of goods and transport vehicles, when period of keeping at warehouses of temporary storage exceeded established limit terms of storage,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 30-100 percent from its cost.

Article 279. Violation of rules of location of goods for storage and execution of transactions with them.

Non-observance of established requirements and conditions of location of goods for storage, order and terms of its storing, as well as, conducting of various transactions with goods at customs warehouses, warehouses of temporary storage and free warehouses—

- entails imposition on natural persons of penalty in amount of 10-20, on official persons - 20-45, legal persons - 50-100 *manats*. ([1](#), [119](#))

Article 280. Violation of order of reprocessing of goods

Violation of order of reprocessing of goods, i.e. reprocessing of goods without permit, non-observance of established requirements, restrictions and conditions, order and terms of its reprocessing, about quantity of output of reprocessing of products, replacement of products of reprocessing with other products, execution of operations on reprocessing of such goods—

- entails imposition in amount of 10-100 of cost of goods, which were direct objects of administrative misconduct ([99](#))

Article 281. Violation of order of execution of production and other commercial activity at free customs areas and free warehouses, order of erection of buildings and structures

Violation of order of execution of production and other commercial activity at free customs areas and free warehouses, as well as erection of buildings and structures at free customs areas with violation of rules of established by legislation—

- entails imposition on natural persons of penalty in amount of 5-20, on official persons - 20-50, legal persons - 50-100 *manats*. ([1](#), [119](#))

Article 282. Non-export beyond limits of customs territory of Azerbaijan Republic or non-return to this territory goods and transport vehicles

282.1. Non-export at determined periods beyond limits of customs territory of Azerbaijan Republic of earlier imported goods and transport vehicles or non-return to customs territory of Azerbaijan Republic of earlier exported goods and transport vehicles, if such export or such permission is obligatory,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 from its cost.

282.2. Presentation to corresponding body of executive power of Azerbaijan Republic of non-authentic documents as confirmation of back export or back import or non possibility of this case due to reason of getting out of possession of goods and transport vehicles due to accident or action of irresistible force, natural wear or decline or due to illegal actions of bodies and official persons of foreign country according to legislation of Azerbaijan Republic,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 percent from its cost.

Article 283. Violation of order of obliteration of goods

Violation of order of obliteration of goods i.e. non-observance of requirements established by legislation and conditions of obliteration of goods or premises of waste, formed as a result of obliteration of goods at corresponding customs regime

- entails imposition on natural persons of penalty in amount of 10-20, on official persons - 20-55, legal persons - 50-100 *manats*. ([1](#), [119](#))

Article 284. Conducting of illegal operations with goods and transport vehicles, located under definite customs regime, change of their status, use and their disposal—

Conducting of operations with goods and transport vehicles, change of their condition, their use and disposal disregarding customs regime, as well as, non-observance of other restrictions, requirements and conditions of customs regime—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 percent from its cost.

Article 285. Non observance of order of application of measures of economic policy and other restrictions at transportation of goods and transport vehicles via customs border of Azerbaijan Republic.

Transportation of goods and transport vehicles via customs border of Azerbaijan Republic according to which measures of economic policy and other restrictions are undertaken in violation of established order of application of these measures and restrictions—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 percent from its cost.

Article 286. Transportation of goods via customs border of Azerbaijan Republic under appearance of goods not for commercial purpose

Transportation of goods via customs border of Azerbaijan Republic under appearance of goods not for commercial purpose, destined for execution of production or other commercial activity,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 percent from its cost.

Article 287. Transportation, storage, purchase of goods and transport vehicles, delivered to customs territory of Azerbaijan Republic with violations of customs rules, their use and disposal.

Transportation, storage, purchase of goods and transport vehicles, delivered to customs territory of Azerbaijan Republic without customs control or concealing from such control, or deceitful use of documents or identification means, or non-declared or declared non authentically documents or with other violation of customs rules, use and disposal of these goods and transport vehicles as well as transportation, storage, purchase of goods and transport vehicles, relating which privileges were presented on customs payments, which were used or alienated without permission of corresponding body of executive power of Azerbaijan Republic in other purposes than those payments according to which same privileges were presented,—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 percent from its cost.

Article 288. Violation of order of use and disposal of conventionally released goods and transport vehicles relating which privileges on customs were presented

Use and disposal of conventionally released goods and transport vehicles relating which privileges on customs were presented for other cases than those, relating which such privileges were presented, without permission of corresponding body of executive power of Azerbaijan Republic—

- entails imposition of penalty in amount of 50-150 percent from amount of customs payments, not paid relating to presentation of customs privileges.

Article 289. Illegal exemption from customs payments, their decrease or violation of terms of payments

289.1. Statement in customs declaration and other documents, necessary for customs purposes, non-authentic data about customs regime, size, quantity, customs cost or country of origin of goods and transport vehicles or statement of other non-authentic data, serving base for exemption from customs payments or decrease of their size,—

- entails imposition of penalty in amount of 50-100 percent from amount of not paid customs payments.

289.2. Violation of periods of payments of customs payments established by legislation—

- entails imposition of penalty in amount of 50-150 percent from amount of due customs payments.

Article 290. Deviation from payment of customs payments

Deviation from payment of customs payments, if size is insignificant,—

- entails imposition of penalty in amount of 50-150 percent from amount of due customs payments.

Article 291. Actions directed on return of paid customs payments, obtaining of payments and other compensation or their non-return without right grounds

Presentation to corresponding body of executive power of Azerbaijan Republic of documents, comprising non authentic data, giving right to return paid customs payments, to obtain payments and other compensations or not to return or to return not completely without grounds established by legislation

- entails imposition of penalty in amount of 50-150 percent from amount of not paid customs payments.

Article 292. Non-execution by banks and other funding organisations of petitions of corresponding bodies of executive power of Azerbaijan Republic about indisputable collection of customs payments, suspension of operations by accounts of payer of customs payments, as well as non justified delays of execution of such decisions—

- entails imposition of penalty in amount of 20-100 percent from amount of not paid customs payments.

Article 293. Execution of import of goods, requiring special permission (license) ~~with documentary stamps subjected to marking, without such permission or with such stamping~~

Execution of import of goods, requiring special permission (license) ~~with documentary stamps subjected to marking,~~ without such permission or with such stamping—

- entails confiscation of goods and transport vehicles, which were direct objects of administrative misconduct or imposition of penalty in amount of 10-100 percent from its cost. (26)

Article 293-1. Import of production (goods), which is subject to excise marking without such mark

Import of production (goods), which is subject to excise marking, of small volume without such mark—

- entails imposition of penalty in the amount of 35-40 *manats* on physical persons, 80-90 *manats* on officials, 200-300 conventional financial units on legal entities with confiscation of production (goods) without excise mark.

Note: words «small volume» in this article mean volume, not exceeding 500 *manats*. ([26](#), [119](#))

Article 294. Illegal execution of activity of customs broker or violation of rules or requirements of such activity

294.1. Execution of activity of customs broker with violation of requirements of legislation of Azerbaijan Republic—

- entails imposition of penalty in amount of 100-200 *manats*.

294.2. Use by customs broker or his employees in own purposes of data, comprising secret protected by Law or confidential information, transfer to third parties of such data, except occasions envisaged by legislation, as well as, violation of other rules established by legislation and conditions of execution of activity of customs broker—

- entails imposition on official persons of penalty in amount of 20-60, legal persons - 50-100 *manats*. ([1](#), [119](#))

Article 295. Illegal execution of activity as customs carriers or violation of conditions of such activity

295.1. Illegal execution of activity as customs carriers in violation of requirements of legislation of Azerbaijan Republic—

- entails imposition of penalty in amount of 50-200 *manats*.

295.2. Use by customs carrier or his employee of data, comprising secret protected by Law or confidential information, transfer to third parties of such data, except occasions envisaged by legislation as well as violation of established by legislation other conditions of execution of activity of customs carrier—

- entails imposition on official persons of penalty in amount of 20-60, legal persons - 100-150 *manats*. ([1](#), [119](#))

Chapter twenty two. Administrative misconduct, encroaching on public order, social security and public moral

Article 296. Minor hooliganism

Minor hooliganism i.e. actions, which violate public order, but are not accompanied by use or intimidation of use of violence in relation to natural persons, by obliteration or damage of other property,—

- entails imposition of penalty in amount of 15-25 *manats*, and if by circumstances of business with consideration of personality of disturber, application of these measures will be insufficient,- administrative arrest for period up to 15 days. ([1](#), [119](#))

Article 296-1. Autohooliganism

296-1.1. Autohooliganism, i.e. deliberate actions of the transport driver violating the public order and rest, expressing obvious disrespect to public, associated with permanent traffic rules violations —

- Shall be subject to penalty at the amount of four hundred to six hundred *manats* with restriction of the right of operations of motor transport for the period of up to one year, or with consideration of the circumstances of the case and identity of individual the administrative violation for up to ten days with restriction of the right of operation of motor transports for the period of up to one year.

296-1.2. Repetitive violation by the same individual —

- Shall be subject to penalty at the amount of six hundred to eight hundred *manats* with restriction of the right of operations of motor transport for the period of one to two years, or with consideration of the circumstances of the case and identity of individual the administrative violation for up to fifteen days with restriction of the right of operation of motor transports for the period of one to two years. ([102](#), [119](#))

Article 297. Responsibility of parents or persons substituting them for minor hooliganism of juveniles

Minor hooliganism, accomplished by juvenile in age of 14-16,

- entails imposition of penalty on parents or persons substituting them in amount of 30-40 *manats*. ([1](#), [119](#))

Article 298. Violation of order of organisation and conducting of meetings, demonstrations, street processions and pickets—

Violation of order established by legislation of organisation and conducting of meetings, demonstrations, street processions and pickets—

- entails notice or imposition of penalty in amount of 7-13 *manats*. ([1](#), [119](#))

Article 299. Violation of order of establishment and activity of religious structures

299.0. Violation of order of establishment and activity of religious structures i.e.

299.0.1. Deviation by heads of religious structures from registration of these structures at corresponding state bodies;

299.0.2. Violation of established by legislation rules of organisation and conducting of religious meetings, street processions and other religious ceremonies;

299.0.3. Conducting by confessors and members of religious unions of special meetings for children and youth as well as organisation of labour, literature and other circles and groups not connected with execution of religious rituals,—

- entails imposition on natural persons of penalty in amount of 10-15 and official persons of 40-70 *manats*. ([1](#), [119](#))

Article 300. Conducting of religious propaganda by foreigners and persons without citizenship

Conducting of religious propaganda by foreigners and persons without citizenship—

- entails administrative deportation beyond limits of Azerbaijan Republic of foreigners and persons without citizenship with imposition of penalty in amount of 20-25 *manats* or without such one. ([1](#), [119](#))

Article 301. Violation of requirements of regime of emergency state

301.0. Violation of requirements of emergency state i.e.

301.0.1. Violation of special regime of entry into territory and exit from territory, where regime of emergency state is introduced as well as of restriction of freedom of transportation at such territory;

301.0.2. Violation of rules of conducting of meetings, street processions, *pickets*, demonstrations and other mass measures, prohibition of *suspension of the companies and enterprises activity by strikes or any other methods*;

301.0.3. Violation of restriction on transportation of transport vehicles and prevention of their checking;

301.0.4. Violation of prohibition of staying at streets and other public places during prohibited time without specially issued permissive cards and documents identifying personality;

301.0.5. Restriction of freedom of press and other mass media, prevention of temporary removal of sound amplifying technical devices and copiers, *violation of special procedure of journalists accreditation*;

301.0.6. Prevention of checking of documents ~~at places of mass collection of natural persons~~ and in exceptional occasions, if there are data about availability of arms at natural persons - conducting of personal inspection, checking of *personal effects, transport vehicles and houses*;

301.0.7. Violation of restriction or prohibition of bearing, purchase and sale of arms, poisons or explosives, ammunition, special substances, narcotics, psychotropic agents ~~or their analogs~~ or pharmaceutical compositions containing drastic substances, ethyl alcohol, alcoholic drinks and products, containing spirit;

301.0.8. Prevention of temporary requisitioning at exceptional occasions from natural persons of fire arms and cold steel, poisons or explosives, ammunition, and at enterprises, offices, and organisations, as well as, of training military equipment and radioactive substances;

301.0.9. Violation of requirements of quarantine, other sanitary-antiepidemic, veterinary and other similar measures, and also civil defence measures stipulated by the legislation;

301.0.10. Prevention of mobilisation at exceptional occasions of able-bodied population and transport vehicles of natural persons for conducting of urgent wrecking works with condition of obligatory provision of labour safety;

301.0.11. Violation of special rules, established application by communication;

301.0.12. Violation of restriction on carrying out of some types of financial-economic activity, including transfer of goods, services and financial assets;

301.0.13. Violation of special regime, established for purchase, sale and distribution of everyday consumption goods and products,—

- entails imposition of penalty on natural persons in amount of 18-25 *manats*, and if by circumstances of business, considering personality of disturber, application of these measures is considered insufficient, then- administrative arrest for period up to 15 days, *imposition of penalty on officials in amount of 50-70 conventional financial units, on legal entities in amount of 150-200 manats.* ([1](#), [55](#), [94](#), [119](#))

Article 302. Violation or non-execution of rules of fire-prevention

302.1. Violation or non-execution of requirements of standards, norms and rules of fire safety at enterprises, offices and organisations independent on form of ownership, at public places, warehouses, hostels or other living places, forests and at transport—

- entails notice on natural persons or imposition of penalty in amount of 5-10 *manats*, notice of official persons or imposition on legal persons of penalty in amount of 20-35 *manats*, imposition of penalty in amount of 150-200 *manats*.

302.2. Similar actions, committed in conditions of special fire prevention regime,—

- entails imposition on natural persons of penalty in amount of 15-20, on official persons - 25-45, legal persons - 200-250 *manats*.

302.3. Non-observance of requirements of fire-prevention standards, norms and rules at allocation, designing of land lots (plans) with aim to conduct construction works as well as of requirements at construction, reconstruction, expansion, technical re-equipping or commissioning of territories, enterprises, buildings, structures—

- entails imposition on natural persons of penalty in amount of 25-35, official persons - 50-70 and legal persons - 150-200 *manats.* ([1](#), [119](#))

Article 303. Violation of certification rules, putting into circulation, storage and use of production and services relating fire-prevention

303.0. Violation of certification rules, putting into circulation, storage and use of production and services relating fire-prevention i.e.:

303.0.1. Output, sale of goods, execution of works, rendering of services, obligatory for certification, but not certified;

303.0.2. Import from abroad or sale of goods, not corresponding to requirements of acting standards or other regulatory documents on fire prevention,

- entails imposition on natural persons of penalty in amount of 15-20, official persons - 55-70 and legal persons - 150-200 *manats*. ([1](#), [119](#))

Article 304. Activity requiring special permission (license) on execution of works and rendering of services in the area of fire prevention, absence of such permission or violation of conditions established by license

Activity requiring special permission (license) on execution of works and rendering of services in the area of fire prevention, absence of such permission or violation of conditions established by license

- entails imposition of penalty in amount of 35-50 *manats*. ([1](#), [119](#))

Article 305. Shooting from firearms at populated points and at places, which are assigned for shooting, as well as, at assigned places, but violating established order

Shooting from firearms at populated points and at places, which are assigned for shooting, as well as at assigned places but violating established order—

- entails imposition of penalty in amount of 10-20 *manats* with confiscation of arms and ammunition or without such one. ([1](#), [119](#))

Article 306. Violation of rules of control of domestic noise

Making noise, loud singing, loud game on musical instruments, switching of TV sets, radio receivers, tape recorders and other equipment on full volume, violation by other methods of requirements of control of domestic noise at flats, entrances, yards of living houses, in the streets, at places of recreation and other public places during night from 24.00 to 7.00 o'clock—

- entails notice or imposition of penalty in amount of 10-15 *manats*. ([1](#), [119](#))

Article 307. Driving juvenile to state of drunkenness

Driving juvenile to state of drunkenness by parents of juvenile and other persons—

- entails imposition of penalty in amount of 20-35 *manats*. ([1](#), [119](#))

Article 307-1. Vagrancy

307-1.1. For vagrancy the citizens will be warned or if by circumstances and taking into consideration the personality of the disturber, the application of these measures will be considered insufficient, then administrative arrest for the period up to 10 days will be

applied, foreigners and stateless persons will be warned or expelled from the Azerbaijan Republic in an administrative order with imposition of the penalty in the amount 20-25 conventional financial unit or without penalty application.

307-1.2. Involvement of under-age persons by their parents or other persons to vagrancy

- entails imposition of penalty in the amount of 10-15 conventional financial unit or if by circumstances and taking into consideration the personality of the disturber, the application of these measures will be considered insufficient, then administrative arrest for period up to 15 days will be applied.

Note: Persons without permanent place of residence and maintenance, not involved in any socially useful work or professional activity (except for persons, received unemployed status in an order established by the legislation), constantly engaged in pilfering or earning their maintenance by panhandling are considered as the «persons engaged in vagrancy» mentioned in this article. (8)

Article 308. Occupation in prostitution

Occupation in prostitution—

- entails imposition of penalty in amount of 35-40 minimum wages. (1, 7, 119)

Article 309 Gambling games

Participation at gambling games for money, things and other values, as well as, staking by private persons at sport and other measures—

- entails imposition of penalty in amount of 15-20 *manats* with confiscation of game accessories as well as money, things and other values, which were stake at game or without such one. (1, 119)

Chapter twenty three. Administrative misconduct, encroaching on rules of control

Article 310. Persistent insubordination of legal request of policeman or military man

310.1. Persistent insubordination of legal request of policeman or military man at execution by them of duties on protection of public order—

- entails imposition on natural persons of penalty in amount of 20-25 *manats*, and if by circumstances due to personality of disturber the application of these measures will be considered insufficient, then administrative arrest for period up to 15 days will be applied.

310.2. Persistent insubordination of legal request of military man at execution by him of duties on defence of state border—

- entails imposition on natural persons of penalty in amount of 20-30 *manats*, and if by circumstances, due to personality of disturber the application of these measures will be considered insufficient, then administrative arrest for period up to 15 days will be applied. (1, 119)

Article 310-1. Preventing from legal activity of Authorized Human Rights Representative (ombudsman) of the Azerbaijan Republic

Limitation of legal activity or interference in activity of Authorized Human Rights Representative (ombudsman) of the Azerbaijan Republic—

- entails imposition of penalty in amount of 20-40 *manats*. ([14](#), [119](#))

Article 310-2. Illegal transportation of military and special uniform with badges of rank of the persons engaged in operative-investigation activity, servicemen and employees of the public prosecutor office

Illegal transportation of military and special uniform with badges of rank of the persons engaged in operative-investigation activity, servicemen and employees of the public prosecutor office

- entails imposition of penalty in amount of 25-40 *manats* with confiscation of the military and special uniform, becoming the object of administrative offence. ([53](#), [119](#))

Article 311. Displaying of disrespect

Insubordination of witness, victim, plaintiff, defendant or other natural person, participating at court examination of instruction of chairman at court sitting—

- entails imposition of penalty in amount of 15-30 *manats*. ([1](#), [119](#))

Article 312. Prevention of appearance at court of juror

Prevention by official person under some claims to appear at court of juror for execution of duties imposed on him—

- entails imposition on official persons of penalty in amount of 50-80 *manats*. ([1](#), [119](#))

Article 313. Non undertaking measures on private definition (resolution) of court or presentation of judge

Leaving without consideration by official person of private definition (resolution) of court or presentation of judge either non-undertaking measures for removing of indicated in them violations of Law , as well as, untimely response on private definition (resolution) or on presentation—

- entails imposition on official persons of penalty in amount of 50-90 *manats*. ([1](#), [119](#))

Article 313-1. Non-fulfillment of court officers orders connected with execution of court and other authorities judgments

313-1.1 Non-compliance with regulatory requirements of court officers connected with execution of court and other authorities judgments or unjustified non-fulfillment of

executive document binding the debtor to take respective measures or refuse from some actions within terms stipulated by court officer —

- entails imposition on natural persons of penalty in the amount of 20-35 *manats*, on official persons - in the amount of 30-50 *manats*, on legal persons - in the amount of 150-200 conventional *manats*.

313-1.2 Loss of executive document presented for fulfillment, its untimely delivery or provision of false information about debtors place of work or residence, its income and property status —

- entails imposition on official persons of penalty in the amount of 40-60 *manats*.

313-1.3 Non-compliance with requirements of executive document regarding deduction of money assets from the debtor within due terms, inspite of non-availability of funds at the debtors' accounts, sufficient for fulfillment of claimant requirements —

- entails imposition on official persons of penalty in the amount of 70-90 *manats*, on legal persons - in the amount of 200-250 *manats*. ([16](#), [119](#))

Article 314. Presentation of deliberately false evidence or conclusion

Presentation during hearing of case about administrative misconduct by witness, victim, specialist of deliberately false evidence either by expert of deliberately false conclusion, as well as, deliberately false conclusion made by interpreter during such hearing as regards execution of court and other authorities judgments,—

- entails notice or imposition of penalty in amount of 15-20 *manats*. ([1](#), [16](#), [119](#))

Article 315. Persistent deviation to appear on summons, refusal to present evidence or conclusion

315.1. Persistent deviation of witness, victim, expert, specialist or interpreter to appear on summons, judge, authorised body (official person) during hearing of case on administrative misconduct—

- entails notice or imposition of penalty in amount of 10-15 *manats*.

315.2. Refusal during hearing about administrative misconduct, called by judge, authorised body (official person) persons (witness, victim, specialist) from presentation of evidence, expert-from presentation of conclusion and interpreter-from execution of translation—

- entails notice or imposition of penalty in amount of 15-20 *manats*. ([1](#), [119](#))

Article 315-1. Prevention of use of the official language in the Azerbaijan Republic

Propagation against official language, maintaining the resistance to use and development of Azerbaijani, attempt to limit the sphere of its use and also prevention of application of the Azerbaijani Roman alphabet in the Azerbaijan Republic

- entails imposition on natural persons of penalty at rate of twenty to forty *manats*, on officials at rate of fifty to ninety *manats* and legal entities - one hundred fifty to three hundred conventional *manats*. ([11](#), [32](#), [119](#))

Article 316. Non-execution of adopted decision or requirements in area of fire prevention

316.1. Non-execution of requirements of standards, norms and rules of fire prevention, non-execution of decision or demand to take down from production, stop output, suspend sale of goods, not meeting with requirements of standards, norms and rules of fire prevention, or about suspension of similar jobs (services)—

- entails imposition on natural persons of penalty in amount of 35-40, official persons - 70-90 and legal persons - 200-250 *manats*.

316.2. Non-execution of adopted decision about complete or partial suspension of work of territories, production lots, aggregates, maintenance of buildings and structures in case of disclosure that during their designing, construction, overhaul repair, reconstruction, expansion and re-equipping with new technology requirements of fire prevention were not considered,—

- entails imposition on natural persons of penalty in amount of 30-40 official persons - 75-90 and legal persons - 250-300 *manats*. ([1](#), [119](#))

Article 317. Non-execution of instructions of corresponding bodies of executive power of Azerbaijan Republic, accomplishing state supervision on observance of requirements of state standards

Non-execution of written requirements and decisions of corresponding bodies of executive power of Azerbaijan Republic, accomplishing state supervision on observance of requirements of state standards, about suspension or prohibition of sale of (supply) products, execution of jobs and rendering of services—

- entails imposition of penalty in amount of 20-40 *manats*. ([1](#), [119](#))

Article 318. Failure to comply with instructions of the authorities carrying out state control over observance of labor legislation

318.1. Failure to fulfill the decision on suspension of the work of the enterprises or operation of the means of production does not conform to the labor safety requirements and pose a threat to the health or lives of the employees, taken by the respective executive authority of the Azerbaijan Republic, exercising state control over the observance of labor legislation or any other decisions taken by officials of these authorities within the framework of their duties, –

- entails imposition of penalty on officials in amount of 1000-2000 *manats*.

318.2. Failure to provide an access to work places for appropriate officials of the executive authorities of the Azerbaijan Republic, carrying out state control over the observance of labor legislation, –

- entails imposition of penalty on officials in amount of 3500-5000 *manats*. ([1](#), [8](#), [109](#), [119](#))

Article 318-1. Failure to provide respective information and reports for employment

318-1.1. Failure to provide an official information about dismissed employees or vacant work places as a result of staff reduction to the respective executive power body within fixed terms —

- entails imposition of penalty in amount of 30-40 *manats*.

318-1.2. Failure to provide appropriate reports to respective executive power body as regards employees dismissed or hired as per direction of specified body according to the quota —

- entails imposition of penalty in amount of 35-50 *manats*. ([43](#), [119](#))

Article 319. Non-execution of requirements of corresponding body of executive power of Azerbaijan Republic, accomplishing supervision of protection of environment

Non-execution of requirements of corresponding body of executive power of Azerbaijan Republic, accomplishing state supervision of protection of environment,—

- entails imposition on natural persons of penalty in amount of 600-900, official persons - 3000-4800 and legal persons - 15000-18000 *manats*. ([1](#), [101](#), [119](#))

Article 320. Non-execution of requirements of corresponding body of executive power of Azerbaijan Republic, accomplishing state supervision on gas supply

Non-execution of requirements of corresponding body of executive power of Azerbaijan Republic, accomplishing state supervision on gas supply about suspension and regulation at established period of gas installations and of activity connected with gas, which present hazard for environment, for health of people or their property due to non-correspondence to requirements established by legislation,—

- entails imposition on natural persons of penalty in amount of 10-15, official persons - 45-70 and legal persons - 200-230 *manats*. ([1](#), [119](#))

Article 320-1. Non-execution of requirements of corresponding body of executive power of Azerbaijan Republic, accomplishing state supervision over hydraulic structures safety

Non-execution of requirements of corresponding body of executive power, accomplishing state supervision over hydraulic structures safety on the basis of technical inspection results —

- entails imposition on authorized persons of penalty in amount of forty five to seventy *manats*, on legal entities - in amount of two hundred to two hundred thirty *manats*. ([28](#), [119](#))

Article 321. Violation of rules of investigation and recording of accidents at production place

321.1. If employer did not report at the day of accident about accident at production place to corresponding body of executive power of Azerbaijan Republic, which accomplishes

state supervision on observance of labor legislation with aim to conduct investigation then—

- entails imposition of penalty in amount of 1000-1500 *manats*.

321.2. Concealing by employer of fact of accident either his deviation from compilation of corresponding statement about conducted investigation—

- entails imposition of penalty in amount of 1500-2000 *manats*.

321.3. Compilation by employer of corresponding statement in order established by legislation later than one day after completion of investigation of accident,—

- entails imposition of penalty in amount of 1500-2000 *manats*. ([1](#), [109](#), [119](#))

Article 322. Violation of requirements on labor protection at designing, construction and maintenance of corresponding objects

322.1. Permission of designing, construction, reconstruction of production buildings, structures either manufacture of production means and application of technologies not according to requirements of acting standards, rules and norms on labor protection and safety measures,—

- entails imposition of penalty on officials in amount of 1200-2000, legal entities - 2000-3000 *manats*.

322.2. Application of harmful substances, raw material, substances, which did not pass technological, fire-technical, sanitation-hygienic and medical-biological examination and other kinds of control for definition of their influence on humane health,—

- entails imposition of penalty on officials in amount of 1500-2500, legal entities - 2500-3500 *manats*.

322.3. Commissioning of new or reconstructed enterprise, object, means of production without passport-certificate, issued in order established by legislation by corresponding body of executive power of Azerbaijan Republic, which accomplishes state supervision on observance of labor legislation,—

- entails imposition of penalty on officials in amount of 1500-2500, legal entities - 2500-3500 *manats*.

322.4. Commissioning of new or reconstructed objects of production, social purpose or objects of public catering without consent of corresponding body of executive power of Azerbaijan Republic, accomplishing state supervision on observance of labor legislation,—

- entails imposition of penalty on officials in amount of 2000-3000, legal entities - 3500-5000 *manats*. ([1](#), [109](#), [119](#))

Article 323. Non-execution of requirements about removal of violation of consumer rights or rules of commerce

Non-execution of requirements established by legislation of authorised official persons about removal of violation of consumer rights or rules of commerce,—

- entails imposition of penalty in amount of 30-60 *manats*. ([1](#), [119](#))

Article 324. Prevention of activity of corresponding body of executive power of Azerbaijan Republic, accomplishing control at the market of securities

324.1. Prevention of conducting of checks by corresponding body of executive power of Azerbaijan Republic, accomplishing control at the market of securities either non admission of controlling persons to place of checking as well as, non-execution of requirements (decisions), adopted by official persons of these bodies within limits of their authority,—

- entails imposition on official persons of penalty in amount of 60-80 and legal persons - 150-200 *manats*.

324.2. Non-presentation by professional participant of market of securities, emitter or self-regulating organisation of data, necessary for execution of activity by corresponding body of executive power of Azerbaijan Republic, which accomplishes control at the market of securities, by demand of this body, either presentation of distorted data—

- entails imposition on official persons of penalty in amount of 20-50 and legal persons - 150-200 *manats*. ([1](#), [119](#))

Article 324-1. Failure to provide information about, report on a state property and use thereof

324-1.1. Failure to submit documents associated with information to be included in the Register of state property in the Azerbaijan Republic within the term established by the legislation, or providing falsified information to the relevant executive authority —

- *shall entail imposition of penalty on officials in the amount of seven hundred to one thousand manats.*

324-1.2. Failure to submit a special report of a state organization or a state authority to the relevant executive authority carrying out official oversight of protection and efficient use for purpose of a state property at state-owned enterprises within the established term —

- *shall entail imposition of penalty on officials in the amount of seven hundred to one thousand manats.* ([64](#), [86](#), [119](#), [125](#))

Article 324-2. Non-submission of information to be included to the Register of Public Property in Azerbaijan Republic

Failure of respective executive power body to submit documents connected with information to be included to the Register of Public Property in Azerbaijan Republic stipulated by the legislation within ten business days from the day of requisition --

- entails imposition on authorized persons of penalty in amount of forty to fifty conventional financial unit. ([31](#))

Article 324-3. Violation of the legislation on state register of immovable property

324-3.1. Failure to provide the timely answer to inquiry of the governmental authority, keeping the state register of the immovable property, on doubtful documents, filed to the state register of immovable property for the state registration of the rights for immovable property,—

- entails warning or imposition of penalty on officials in amount of 20-40 *manats*.

324-3.2. Failure to provide the accurate and timely technical information about immovable property by the official of respective executive power authority, keeping the state register on immovable property—

- entails warning or imposition of penalty in amount of 25-45 *manats*.

324-3.3. Inaccurate and untimely recording of information on registration of rights for immovable property by the officials of the governmental authority, keeping the state register of immovable property, or submission of incomplete and inaccurate information from the state register of the immovable property or failure to provide such information —

- entails warning or imposition of penalty in amount of 30-50 *manats*. ([76](#), [119](#))

Article 324-4. Violation of legislation on mortgage

324-4.1. Damaging the interests of relevant party by officials of the authority performing the state registration of mortgage, via violation of registration rules or allowance of non-compliance between the duplicate of the mortgage certificate and original mortgage certificate—

Shall result in application of penalty at the amount of seventy to eighty *manats*. ([83](#), [119](#))

Article 324-5. Violation of rules of state property lease and use

Letting a state property on lease or use by violating rules established by the legislation—

shall entail imposition of penalty: on officials -three thousand five hundred to five thousand manats. ([125](#))

Article 324-6. Violation of rules of giving objects (fixed assets) from balance to balance and writing them off

Giving objects (fixed assets) belonging to state enterprises and organizations from balance to balance without consent of the relevant executive authority and writing them off without the same authority's opinion—

shall entail imposition of penalty on officials at the rate of three thousand five hundred to five thousand manats. ([125](#))

Article 325. Non-execution of requirements of corresponding body of executive power of Azerbaijan Republic in the area of tax service

Non-execution of established by legislation requirements of corresponding body of executive power of Azerbaijan Republic in the area of tax service

- entails imposition on natural persons of penalty in amount of 10-20 and official persons - 30-40 *manats*. ([1](#), [119](#))

Article 326. Non-execution of requirements of official persons of corresponding body of executive power of Azerbaijan Republic in the area customs service

Non-execution by official persons or other employees of enterprises, offices or organisations of established by legislation requirements in the area of customs service, as well as non-fulfilment of such requirements by natural persons, accomplishing work by agreements of civil and legal character for enterprises, offices or organisations in case of making indicated enterprises, offices or organisations answerable for violation of customs rules—

- entails imposition of penalty in amount of 10-50 *manats*. ([1](#), [119](#))

Article 326-1. Interference in the activity of the body, carrying out administrative control over activity of municipality

326-1.1. Interference in the activity of the body, carrying out administrative control over activity of municipality —

- *entails imposition on officials of penalty in the amount of 30-50 conventional financial units;*

326-1.2. Untimely provision of the municipal acts` copies binding to be filed to the body, carrying out administrative control over activity of municipality, —

- *entails imposition on officials of penalty in the amount of 20-40 manats. ([39](#), [119](#))*

Article 326-2. Preventing from fulfilment of official duties by the employee of respective executive power body of Azerbaijan Republic, acting as courier (special messenger)

Preventing from fulfilment of official duties by the employee of respective executive power body of Azerbaijan Republic, acting as courier —

- *entails notice or imposition of penalty in the amount of 10-50 manats. ([42](#), [119](#))*

Article 326-3. Failure to execute relevant recommendations of the Chairman of the Clearing House of the Azerbaijan Republic

Failure by treasury bodies and authorized dealers to execute recommendation on suspension of operations on treasury and bank accounts of a state body, department, organization and enterprise by a decision of the Chairman of the Clearing House of the Azerbaijan Republic —

- *shall entail imposition of penalty on officials in the amount of one thousand to one thousand five hundred manats. ([127](#))*

Article 327. Violation of legislation about registration at residence and location place

327.1. Non passing by natural persons of registration at residence or location place or non-observance by them of rules of passing of registration and removal from registration—

- entails imposition of penalty in amount of 5-15 conventional *manats*.

327.2. Unjustified refusal of official persons to conduct registration of natural persons, requiring from them of documents on conducting of registration, which are not envisaged by Law as well as admission of red tape during its realisation—

- entails imposition of penalty in amount of 70-90 *manats*. ([1](#), [119](#))

Article 328. Deliberately deceitful call of specialised services

Deliberately deceitful call of fire prevention bodies, police bodies, first aid or other specialised services—

- entails imposition of penalty in amount of 15-20 *manats*. ([1](#), [119](#))

Article 329. Residence without identity card or without registration at registration place

Residence of a citizen without identity card or without registration at registration place for more than one month period as well, as living at registration place for the same period—

- entails notice or imposition of penalty in amount of 3-5 *manats*. ([1](#), [119](#))

Article 330. Residence without registration or illegal stay of foreigners or persons without citizenship in Azerbaijan Republic

Residence of foreigners or persons without citizenship at the territory of Azerbaijan Republic without registration, or their stay at the territory of Azerbaijan Republic without registered permission (visa), except occasions envisaged by international agreements,—

- entails administrative deportation of foreigners or persons without citizenship beyond limits of Azerbaijan Republic with imposition of penalty in amount of *three hundred to four hundred manats manats*. ([1](#), [119](#), [126](#))

Article 331. Loss or deliberate spoiling of identity card or passport of a person, *identity card of a seaman*

Loss or deliberate spoiling of identity card or passport of a person, *identity card of a seaman*—

- entails imposition of penalty in amount of 15-25 *manats*. ([1](#), [119](#), [128](#))

Article 332. Violations of rules of issue of identity card, *passport or identity card of a seaman*, its illegal requisitioning or acceptance on security, violation of rules of issue of the certificate for return to Azerbaijan Republic

332.1 Unjustified refusal of issue to citizens of identity cards, *passports or identity card of a seaman*, demand of documents for their release, which are not envisaged by legislation either admission of red tape at issue (replacement) of identity card or passport as well, as its illegal requisitioning or acceptance on security—

- entails imposition of penalty in amount of 85-90 *manats*.

332.2. Unjustified rejection to issue the certificate for return to Azerbaijan Republic, requirement for submission of additional documents not stipulated under the legislation or practicing of circumlocution during issuance —

- shall result in application of penalties against executives at the size of eighty five to ninety *manats*.

332.3. *Unjustified refusal of issuing a seaman's identity card, requesting to submit additional documents not provided for by the legislation for such issue, or committing circumlocution in the issue (change) of the identity card, illegal taking, or taking as security, as well as violation of the rules of issue thereof—*

- *shall entail imposition of penalty in the amount of eighty five to ninety manats.* ([1](#), [98](#), [119](#), [128](#))

Article 333. Illegal restriction of rights of a citizen to leave or enter the country

Illegal restriction of rights of a citizen to leave or enter Azerbaijan Republic—

- entails imposition of penalty in amount of 80-90 *manats*. ([1](#), [119](#))

Article 334. Violation of frontier regime

334.1. Violation of rules of entry (crossing), stay or registration at frontier zone—

- entails notice on natural persons or imposition on them of penalty in amount *one hundred to two hundred manats*.

334.2. *Entering the frontier strip without permission, conducting economical activity and other businesses, keeping and pasture of cattle, conducting public actions at the frontier strip and in the direct vicinity of the state frontier without having a proper permission, or with permission, but violating the established rules—*

- entails imposition on natural persons of penalty in amount *of two hundred to four hundred manats*, official persons – *four hundred to seven hundred manats*. ([1](#), [119](#), [129](#))

Article 335. Violation of frontier regime at waters of Azerbaijan Republic (at Caspian Sea sector, belonging to Azerbaijan Republic)

Violation at frontier waters of Azerbaijan Republic i.e. part of waters of frontier rivers, lakes and other reservoirs, Caspian sea, belonging to Azerbaijan Republic of rules of fishing, hunting, registration, keeping, exit from moors to sea waters, other reservoirs, return to moors, stay, floating of scientific, research, sport, other self-propelled and non-self-propelled *floating facilities*; conducting of commercial, research and prospective

activity at indicated waters without due permission either with permission, but violating established rules,—

- entails imposition on natural persons of penalty in amount of *two hundred to four hundred manats*, official persons - *four hundred to seven hundred manats* with confiscation of vessel or other floating vehicle or without such one. ([1](#), [119](#), [129](#))

Article 336. Violation of regime at control posts of state border of Azerbaijan Republic

Violation of regime at control posts of state border of Azerbaijan Republic—

- shall entail imposition on citizens of penalty in amount of *one hundred to two hundred manats*, administrative deportation of foreigners or persons without citizenship beyond limits of Azerbaijan Republic with imposition of penalty in amount of *two hundred to four hundred manats*. ([1](#), [119](#), [129](#))

~~Article 337. Illegal entry into Azerbaijan Republic or exit from its territory~~

~~Entry into Azerbaijan Republic or exit from its territory without passport, legalised permission (visa) or without crossing emigration control post, except occasions, envisaged by international agreements,—~~

- ~~entails imposition on citizens of penalty in amount of 15-25 minimum wages, administrative deportation of foreigners or persons without citizenship beyond limits of Azerbaijan Republic with imposition of penalty in amount of 20 minimum wages. ([1](#), [3](#))~~

Article 338. Non rendering to owner of diplomatic or official passport of due assistance

Non rendering to owner of diplomatic or official passport in necessary occasions of support and assistance—

- entails imposition on official persons of penalty in amount of 55-80 *manats*. ([1](#), [119](#))

Article 339. Violation of residence rules by foreigners and persons without citizenship in Azerbaijan Republic or their transit journey via territory of Azerbaijan Republic

339.1. Violation by foreigners and persons without citizenship in Azerbaijan Republic of rules of residence in Azerbaijan Republic i.e.

339.1.1. Residence without documents on residence right in Azerbaijan Republic;

339.1.2. Residence by documents, which are acknowledged invalid;

339.1.3. Violation of established rules at fixing up in a job work, non-observance of established order of registration or residence permit, either transportation and selection of place of residence;

339.1.4. Evasion from leaving on expiry of term of stay established by legislation;

339.1.5. Non-observation of rules of transit journey via territory of Azerbaijan Republic—

- *shall entail imposition of penalty: on foreigners or persons without citizenship- three hundred to four hundred manats, with or without deportation outside the boundaries of the Azerbaijan Republic.*

339.2. If official persons of enterprises, offices and organisations of Azerbaijan Republic, receiving foreigners or persons without citizenship, providing their care or acceptance to work, accomplish their obligations, connected with observance of conditions of stay of foreigners or persons without citizenship in Azerbaijan Republic and transit journey via territory of Azerbaijan Republic, violating established order of their registration, removal from registration, legalisation of residence documents for them, transportation and change of residence place in Azerbaijan Republic, then:

- *shall entail imposition of penalty on officials in the amount of three hundred to five hundred manats. (1, [119](#), [126](#))*

Article 340. Not undertaking of measures on registration and removal from registration of foreigners or persons without citizenship

If by citizens, inviting *foreigners and persons without citizenship* on private business and offering them living area, were not undertaken measures on registration and removal from registration in order established by legislation, then—

- *shall entail imposition of penalty in the amount of three hundred to five hundred manats. (1, [119](#), [126](#))*

Article 341. Illegal actions regarding state rewards

Use of order, medal, and breastplate to honorary title or decoration ribbon and service ribbon by persons, who has no right to use it as well, as illegal keeping of order, medal, breastplate to honorary title—

- entails notice or imposition of penalty in amount of 8-10 *manats*. ([1](#), [119](#))

Article 341-1. Use of the National Flag of the Azerbaijan Republic in contravention of provisions of the legislation

Use of the National Flag of the Azerbaijan Republic in contravention of provisions of the legislation -

- *entails imposition on natural persons of penalty in the amount of 30-40, on legal persons in the amount of 70-90 manats. ([50](#), [119](#))*

Article 341-2. Violation of the rules of using flags of foreign states and international organizations in the Azerbaijan Republic

With the exception of cases provided by the legislation, hoisting and placing flags of foreign states and international organizations in the Azerbaijan Republic—

- shall entail imposition of penalty: on natural persons - ten to thirty manats, officials - thirty to forty manats, legal persons: seventy to one hundred manats. ([130](#))

Article 342. Illegal use of emblems, names and identification signs of Red Cross and Red Crescent

Use of emblems and names of Red Cross and Red Crescent in names of legal entities, trademarks, use of emblems of Red Cross and Red Crescent in peaceful terms as protective or identification signs, use of identification signs, emblems and names of Red Cross and Red Crescent in purposes not complying with principles of movement of Red Cross and Red Crescent, any similar signs, used as protective signs, which may be recognized as emblems of Red Cross and Red Crescent —

- entails imposition on natural persons of penalty in amount of 5-10, official persons - 35-55 and legal persons - 120-150 manats. ([1](#), [12](#), [107](#))

Article 342-1. Violation of legislation on territorial structure and administrative-territorial division

Unauthorized change of names and borders of territorial entities and administrative-territorial districts or use of their distorted names —

- entails imposition on natural persons of penalty in the amount of 10-15 manats, officials — in the amount of 35-55 manats, legal entities — in the amount of 100-130 conventional financial units. ([13](#), [119](#))

Article 343. ~~Transfer of illegal items and commodities to persons in places of serving the sentence, prisons and isolators~~

~~Transfer or attempt to transfer to persons in places of serving a sentence, prisons and isolators of alcoholic beverages, substances, money as well as other items and commodities hidden from examination —~~

- ~~shall involve the fine at the amount of thirty five to forty manats with or without seizure of items of administrative breach. ([1](#), [112](#))~~

Article 344. Breach of civil weapons registration (re-registration) rules

Breach of civil weapons registration (re-registration) rules—

- shall involve warning or fine at the amount of ten to twenty manats. ([1](#), [119](#))

Article 345. Breach of rules on safekeeping, handling and use of service weaponry by employees of enterprises, entities and organisations

Breach of rules on safekeeping, transportation or use of service weaponry and ammunition by employees of enterprises, entities and organisations responsible for their handling and safekeeping,—

- shall involve the fines on officials at the amount of twenty five to thirty manats. ([1](#), [119](#))

Article 346. Breach of rules on safekeeping, handling or sale of civil weaponry and ammunition.

346.1 Breach of rules on safekeeping, handling or sale of civil weaponry and ammunition to it by persons who hold permits of relevant executive authorities of the Azerbaijan Republic,—

- shall involve the fine at the amount of twenty five to thirty five *manats* with or without of seizure of weaponry and ammunition.

346.2. Purchase, storage, bearing, transfer to other persons or sale of civil weaponry and ammunition to it without receiving of permit of relevant executive power authorities of the Azerbaijan Republic —

- shall involve the fine at the amount of thirty to forty conventional financial unit with seizure of weaponry and ammunition with compensation or confiscation. ([8](#), [119](#))

Article 347. Breach of rules on production, import, export, collection, exhibiting, sending, use, seizure or destroying of civil weaponry and ammunition

Breach of rules established by the legislation on production, import, export, collection, exhibiting, sending, use, seizure or destroying of civil weaponry—

- shall involve the fine on natural persons at the amount of ten to twenty five *manats* with or without seizure of weaponry. ([1](#), [119](#))

Article 348. Deliberate damaging or break of seal (stamp).

The deliberate damage or breaks of seal (stamp) placed by authorised person with exception of cases, stipulated by articles 132.1, 139.2 and 147.2 of this Code,—

- shall involve the fine at the amount of fifteen to twenty *manats*. ([1](#), [119](#))

Article 348-1. Violation of legislation on administration

348-1.0. Violation of legislation on administration, i.e.:

348-1.0.1. in implementation by administrative body of its discrete authorities to take the decisions that are directed to unjustified restriction for decision making or rejection to take certain decision, considering the reasons of non-compliance of natural and legal persons with certain requirements, unless stipulated by legislation, or refusal to accept documents submitted by natural persons or legal entities, in connection with obvious or correctable mistakes, allowed in recording or accounting in these documents;

348-1.0.2. non-issuance by the administrative body, on the basis of applications of natural persons or legal entities of samples of application and other blank formats related to administration proceedings;

348-1.0.3. non-application for rejection in participation in administration of the officer, representing the interests of administrative body, or self-rejection in cases

stipulated under the legislation or participation in administrative processes of the expert, specialist or interpreter in cases not allowed by the legislation;

348-1.0.4. non-issuance or non-direction by administrative authority to applicant of the note on date and number of registration of the application within the term stipulated under legislation, or non-implementation of the review of the repeating application and non-acceptance of relevant application in cases, stipulated under the legislation, or rejection of petition, the review of which is within its area of competence and which where submitted to persons participating in administrative proceeding, for the reasons that they were not relevant or are unjustified, or enquiry by interested party of any document or information, in addition to those stipulated under legislation;

348-1.0.5. non-information by administrative authority to relevant parties or their representative about the adoption of administrative act, changes and amendments, introduced to administrative act, recall of administrative act, its cancellation, change or recognition of invalidity;

348-1.0.6. non-issuance of warning by the administrative authority of persons participating in administration, and if necessary- witnesses, experts, interpreters and representatives of other bodies on place and time of the meeting related to administrative proceedings;

348-1.0.7. non-adoption by administrative authority within the established term of decision on acceptance of the administrative act or rejection of its acceptance, or non-submission of complaints and materials related to complaint to appeal instance within terms and in cases stipulated under legislation —

- *Shall be subject to penalty at thirty five to eighty manats. ([104](#))*

Article 348-2. Violation of legislation on non-state (private) security service

348-2.0. Violation of the legislation on non-state (private) security service, i.e.:

348-2.0.1. non-submission by employer to the relevant executive authority of information on incumbent for the position of the security in private security enterprise or security unit of the legal entity within the term set under legislation;

348-2.0.2. non-submission immediately of information to the relevant executive authority and prosecution authority of the fact of application by security of force or special device;

348-2.0.3. non-submission immediately of information to relevant executive authority on loss of the special equipment or security ID;

348-2.0.4. Taking out of territory of the secured facility or handover to third parties for use of special devices, issued for professional use by the private security agency or security unit of the legal entity;

348-2.0.5. dressing in security uniform outside of secured facility;

348-2.0.6. performance by person, implementing the private security activity, of video and audio recording, photo and film shooting without written permit of relevant executives of the legal entity as well as legal owners of facilities under security—

- *Shall result in application of penalty against natural persons at the amount of twenty five to forty conventional financial units, against executives at the size of sixty to ninety manats, against legal entities at the amount of two hundred fifty to three hundred manats.* ([106](#))

Chapter twenty four. Administrative violations of military registration rules

Article 349. Non-submitting to military commissariats of list of citizens to be registered in call-up offices.

Non-submitting of lists of persons to be liable for registration in call-up offices by senior executives, persons responsible for military registration or officials of executive power authorities of the Azerbaijan Republic, enterprises, entities, organisations and educational institutions regardless of ownership, as well as housing management authorities in timely manner to relevant city, region or district military commissariats,—

- shall involve warning or fine at the amount of twenty five to forty *manats*. ([1](#), [119](#))

Article 350. Not showing up in military commissariat on notice

Citizens who did not show up in the military commissariat for registration without any particular reason,—

- shall be warned or fined at the amount of three to five *manats*. ([1](#), [119](#))

Article 351. Non-provision of notices on visiting the military commissariats to persons liable for military call-up or under military obligations

Non-provision of notices on visits to military commissariats to persons liable for call-up or under military obligations by senior executives, persons responsible for military registration or officials of executive power authorities of the Azerbaijan Republic, enterprises, entities, organisations and educational institutions regardless of ownership, as well as housing management authorities or prevention of timely appearance of citizens to call-up offices,—

- shall involve the penalty at the amount of thirty to fifty *manats*. ([1](#), [119](#))

Article 352. Delayed submission of documents necessary for primary registration of persons liable for call-up or under military obligations

Delayed submission to military commissariats by the management or other personnel of dwelling operations or other entities responsible for military registration who perform the operations of houses, organisations, entities and enterprises regardless of their form of ownership, as well as house owners of relevant documentation necessary for military registration and cancellation of registration of persons liable for call-up or under military obligations as well as comparison of information on registration,—

- shall involve the fine at the amount of fifty to seventy *manats*. ([1](#), [119](#))

Article 353. Non-provision of information on persons liable for call-up or under military obligation

353.1. Non-provision of information by officers of medical and social expert commissions responsible for provision of information to military commissariats on all persons liable for call-up or under military obligations, who are recognised *to be under the age of 18 with limited health condition or as disabled* regardless of the group of disability,—

- shall involve the fine at the amount of twenty five to forty five *manats*.

353.2. Non-provision by officers of authorities carrying out civil status registration to regional, city or district military commissariats of information on changes in the last name, first name, middle name of persons liable for call-up and under military obligation, changes made in the civil status of registration authority on date and place of birth, as well as registration of death of persons liable for call-up and under military obligations—

- shall involve the fine at the amount of twenty five to thirty five *manats*. ([1](#), [84](#), [119](#), [123](#))

Article 354. Breach of rules on military registration

Breach by persons liable for call-up and under military obligations of rules on military registration established by the legislation of the Azerbaijan Republic, not appearance at military commissariat by invitation without any particular reason or delayed submission of information to military registration authority on changes in the address, place of education, work and position—

- shall involve warning of fine at the amount of thirteen to twenty *manats*. ([1](#), [119](#))

Article 355. Deliberate damaging of military ID or its lose as a result of negligence

Deliberate damage of military registration documents (military Ids or documents of registration at call up offices) or negligent safekeeping of such documents resulted in their lose—

- shall involve warning or fine at the amount of ten to fifteen *manats*. ([1](#), [119](#))

Article 356. Non-provision by public authorities and local governmental authorities, enterprises , entities or organisations of mobilisation activities

356.1 Untimely notification or lack of provision to call-up points or military units of persons under military obligation by officials of relevant executive authorities and *local governmental authorities* of the Azerbaijan Republic, organisations, entities and enterprises regardless of their form of ownership after the announcement of mobilisation—

- shall involve the fine at the amount of seventy to ninety *manats*.

356.2. Failure of officials of the public authorities and local governmental authorities, organisations, entities and enterprises regardless of their form of ownership, to exercise the obligations conferred on them in the sphere of preparedness activity and mobilization according to the Azerbaijan Republic —

- shall involve the fine in the amount of 80-90 conventional *manats*. ([1](#), [71](#), [119](#))

Article 356-1. Violation of the military-transport legislation

356-1.1. Failure of the public authorities and local governmental authorities of the Azerbaijan Republic, organizations, being the owners of transport vehicles, to provide the information on availability and technical condition of transport vehicles according to inquiry of respective executive power authority of the Azerbaijan Republic —

- shall involve the fine on officials in the amount of 30-50 *manats*, on legal entities — 60-90 *manats*.

356-1.2. Failure to provide the Military Forces of the Azerbaijan Republic, any other military and special formations stipulated by the legislation with military-transport vehicles in an established order for mobilization assignments —

- shall involve the fine on officials in the amount of 70-90, *manats*, on legal entities — 150-200 *manats*. ([72](#), [119](#))

Section III. Authorities (officers) that hold the right to consider cases on administrative violations

Chapter twenty five. Principle provisions

Article 357. Authorities (officers) that hold the right to consider cases on administrative violations

357.0. Cases on administrative violations are considered:

357.0.1. district (city) courts;

357.0.2. commissions on affairs and protection of rights of not adults, election committees;

357.0.3. relevant authorities of the executive power of the Azerbaijan Republic, National Bank (their officials). ([15](#), [24](#))

Article 358. Commissions on juvenile affairs and protection of their rights

The procedure for establishment and activity of commissions on juvenile affairs and protection of their rights (collegial authority), considering cases of administrative violations envisaged by the Articles 51, 297 and 307 of this Code shall be stipulated by the legislation of Azerbaijan Republic. ([23](#))

Article 358-1. Election committees

358-1.1. The procedure of activity of district and regional election committees, Central Election Commission shall be established by legislation of the Azerbaijan Republic.

358-1.2. Election committees consider cases of administrative violations envisaged by articles 39-48 of this Code if they are committed by persons, specified in article 116 of Election Code of Azerbaijan Republic. [\(24\)](#).

Article 359. Authorities of officials

359.1. The officials authorised to consider the cases on administrative violations may apply administrative penalties stipulated by the Special Section of this Code within their level of authority and only when executing their professional duties.

359.2 The list of officials, who are authorised to consider case on administrative violations on behalf of authorities stipulated in article 359.0.3 of this Code, shall be established by the relevant executive power authority of the Azerbaijan Republic.

Chapter twenty six. Subordination of cases on administrative violations

Article 360. District (city) courts

360.1. District (city) courts consider the cases on administrative violations stipulated by articles 39-50.3, 52, 52-1.1, 53-4.1, 60-63, 63-1, 68-1, ~~68-2~~, 68-3, 68-4, 69, 72, 88-3, 90.3, 101, 102.0.2, 102.0.3, 102.0.5, 106, 111, 119-1.2, 123-1, 131.2, 144, 151.4, 152.4, 152-1.4, 152-2.2, 152-2.3, 153.6, 154.2, 154.3, 154.5, ~~153.7~~, 155.4, ~~155.5~~, 169, 170, 173, 175, 180-189, 199-205, 223, 224, 229, 233, 240-1.1, 240-1.2, 224, 229, 233, 258-260, 261.1, 278, 282, 284-287, 292, 293, 293-1.2, 296, 296-1, 301, 305, 307-1, 309-315, 315-1, ~~324-2, 324-3, 324-4, 324-5, 324-6, 326-1~~, 332, 333, 335, 338, ~~343~~-346, 347, ~~348-1~~, 351, 353.1 of this Code.

360.2. If in events, stipulated in article 360.1 of this Code the case on administrative violations is subordinated not only to the authorised body (official), but also a court and sent by the authorised authority (official) for consideration to the court, such case shall be resolved in court.

360.3. If administrative violations stipulated in Article 360.1 of this Code are conducted by military servicemen and persons called-on military service such cases shall be stipulated by military courts. ([6](#), [8](#), [20](#), [22](#), [26](#), [27](#), [35](#), [39](#), [48](#), [56](#), [73](#), [76](#), [78](#), [83](#), [86](#), [95](#), [96](#), [102](#), [105](#), [112](#), [118](#), [122](#), [125](#))

Article 361. Relevant executive authorities of the Azerbaijan Republic

Relevant executive authorities of the Azerbaijan Republic shall consider the cases on administrative violations, stipulated by the Special Section of this Code.

Section IV. Execution of cases on administrative violations

Chapter twenty seven. Principle provisions

Article 362. Objectives of execution of cases on administrative violations

The objectives of execution of cases on administrative violations are the following: protection of rights and legal interests of persons, timely, complete, all considering, fair clarification of circumstances of each case on administrative violation, determination of persons who had performed administrative violation and their administrative punishment, provision of execution of official resolution, as well as determination of reasons and conditions that stimulate the administrative violations and prevention of administrative violations.

Article 363. Language of execution of cases on administrative violations

363.1. The execution of cases on administrative violations in the Azerbaijan Republic shall be performed on Azerbaijani language or the language of dominant population of certain territory.

363.2. Persons who participate in the execution of administrative violation case who do not know the language shall be granted the right to witness, provide explanations, submit claims or petitions in their native language or any other language they know as well as the right use translator services in accordance with procedures stipulated by this Code.

Article 364. Open execution of cases on administrative violations

364.1. Cases on administrative violations shall be considered in an open manner with exception of circumstances when it can result in the disclosure of state, professional, commercial and other sensitive information protected by the Law .

364.2. When it is necessary to have a close hearing of the case on administrative violation special resolution shall be made.

Article 365. Confidentiality of information of the administrative violation case

Information on administrative violation can be made public only by the decision of judge, authorised body (official) who executes the case, and of the victim if such information may have an impact on personal interests of the victim, at the amount that is determined.

Article 366. Petitioning

366.1. Persons, who participate in the execution of case on administrative violation shall have the right to submit a petition to the judge, authorised body (official) who execute the case. Revision of such petition is mandatory.

366.2. The petition shall be submitted in writing and considered immediately. If petitions overruled, official resolution shall be made.

Article 367. Circumstances excluding execution of cases on administrative violations

367.0. The execution of case on administrative violation can not be initiated, and initiated case shall be stopped in following circumstances:

367.0.1. the absence of event of administrative violation;

367.0.2. the absence of content of administrative violation;

367.0.3. violation as a result of extreme necessity;

367.0.4. violation as a result of necessary self-defence;

367.0.5. cancellation of act that establishes the administrative responsibility;

367.0.6. expiry of dates of administrative violation by the time of its consideration in accordance with article 36 of this Code;

367.0.7. presence of resolution of the judge, authorised body (official) on application of administrative punishment on the person for the same event, or not cancelled resolution on close up of case on administrative violation, as well as presence of resolution on initiation of criminal case on the same event;

367.0.8. death of persons against whom the administrative violation case is initiated.

Article 368. Prosecutor control of execution of cases on administrative violations

368.1. Prosecutor within its level of authority shall take measures stipulated by the legislation to remove any breach of Law s that had taken place during the process of the case on administrative violation and shall provide the prosecutor monitoring for application and execution of the Constitution of Azerbaijan Republic, Law s and other legislative acts of the Azerbaijan Republic during the process of case on administrative violation.

368.2. Prosecutor shall hold the right to take the decision on initiation of case on administrative violation, participate in the revision of cases on administrative violations, submit petitions, provide conclusions on issues that arise in connection with the case, raise an objection against decision and resolution made on administrative violation case.

368.3. Prosecutor shall issue the resolution on initiation on case on administrative violation within a period established by article 411 of this Code. The resolution shall include information indicated in article 410 of this Code.

368.4. Prosecutor shall be notified on time and venue of execution of cases on administrative violations initiated against not adults as well as cases that he/she had initiated.

Article 369. Expenditures of cases on administrative violations

369.1. Expenditures incurred during the cases on administrative violations consist of the following:

369.1.1. amounts paid to witnesses, experts, specialists and translators;

369.1.2. amounts paid for storing, handling, transportation and analysis of material evidences;

369.2. Expenditures incurred for cases on administrative violations initiated against natural persons shall be covered by the state. Expenditures incurred for cases on administrative violations against legal persons shall be covered by these legal persons.

369.3. The amounts of expenditures incurred for cases on administrative violations shall be established in accordance with the document attached to the case, reflecting the costs and confirming the implementation of such costs.

369.4. The decision made on expenditures is specified in the resolution on application of administrative punishment or close up of the case on administrative violation.

Article 370. Amounts to be paid to victims, witnesses, experts and translators

370.1. Witnesses, victims, experts, specialists and translators shall be compensated for costs incurred in connection with their appearance before the court, authorised body (official) that execute the case on administrative violation in accordance with legislation of the Azerbaijan Republic.

370.2. For persons invited as victims, witnesses, experts, specialists and translators the payment of their occupational salaries shall be maintained for the period of their appearance before the court, authorised body (official) that execute the case on administrative violation.

370.3. Services rendered by specialists, experts and translators shall be paid in accordance with procedures stipulated by legislation of the Azerbaijan Republic.

Chapter twenty eight. Participants of the executed case on administrative violation, their rights and responsibilities

Article 371. Person the case on administrative violation is initiated against

371.1. Person the case on administrative violation is initiated against holds the following rights:

371.1.1. review materials of the case;

371.1.2. provide explanations;

371.1.3. submit evidences;

371.1.4. submit petitions and overrule;

371.1.5. to use advocate services during hearings;

371.1.6. to protest against the application on measures on provision of execution of administrative violation case and resolution on the case;

371.1.7. to use its native language and translator services, if does not know the language the case is executed in.

371.2. Person the case on administrative violation is initiated against may use other rights established in this Code.

371.3. The case on administrative violation shall be reviewed with participation of a person against whom its initiated. The case shall be executed in this person`s absence only when there is information that such person was advised on the time and venue of the

case hearing in timely manner or he did not submit a petition on postponing of case hearing as well as if such petition was overruled.

371.4. When case on administrative violation is being processed the judge, authorised body (official) may deem the necessity of participation of the person the case is initiated against.

371.5. In execution of cases on administrative violations, which intend the administrative arrest or administrative extradition from the Azerbaijan Republic of foreigners or persons with no citizenship, the presence of persons the case is initiated against shall be mandatory.

371.6. Not adults may be temporarily released from participation in hearings of administrative violation case if discussion of circumstances of the case may have a negative impact on not adult.

Article 372. Victim

372.1. The person shall be deemed a victim if administrative violation had negative moral, legal or financial impact on him.

372.2. The victim shall hold the following rights:

372.2.1. to review all the materials of administrative violation case;

372.2.2. provide explanations;

372.2.3. submit evidences;

372.2.4. submit petitions and overrules;

372.2.5. use legal assistance;

372.2.6. protest the resolution on the case;

372.3. The victim can also use other rights established by this Code.

372.4. Cases on administrative violations shall be executed in victim's presence. The case shall be executed in this person's absence only when there is information that such person was advised on the time and venue of the case hearing in timely manner or he did not submit a petition on postponing of case hearing as well as if such petition was overruled.

372.5. The victim can be questioned as a witness in accordance with procedure stipulated in article 377 of this Code.

Article 373. Legal representatives of natural person

373.1. Interests of natural person against whom the case on administrative violation is initiated, or the victim, who are not adults or their physical or mental conditions do not allow them to use their rights independently may be represented by their legal representatives.

373.2. The legal representatives of natural persons can be parents, step- parents, guardians and trustees.

373.3. In the absence of legal representatives of the victim or person the administrative violation case is initiated against the authorised officer that executes the case on administrative violation shall recognise the guardian and trustee authority as legal representative.

373.4. The relations and appropriate authorities of persons who are the legal representatives of natural persons shall be confirmed by appropriate documents in accordance with procedures established by the legislation of the Azerbaijan Republic.

373.5. The legal representative of the victim or natural person the case on administrative violation is executed against shall hold the rights and responsibilities stipulated by this Code for this person.

373.6. In execution of cases on administrative violations against persons under the age of 18, the judge, authorised body (official) may deem the necessity of participation of their legal representatives.

Article 374. Representative of legal person

374.1. The protection of rights and legal interests of legal persons who are victims or legal persons the case on administrative violation is initiated against shall be provided by their representatives.

374.2. The representative of the legal person is an executive of legal person as well as other persons that are authorised in accordance with established procedure to represent the interests of the legal person. The authority of the representative of legal person is identified by documents that confirm his position.

374.3. Case on administrative violations conducted by legal persons shall be executed in the presence representative of Lawyer of the legal person. The case can be executed in their absence when there is information that such person was advised on the time and venue of the case hearing in timely manner or he did not submit a petition on postponing of case hearing as well as if such petition was overruled.

374.4. During the execution of the case on administrative violation the judge, authorised body (official) may deem the participation of representative of the legal person mandatory.

Article 375. Advocate and representative

375.1. To provide the legal assistance to the person the administrative violation case is initiated against the advocate shall be allowed to the case and representative shall be allowed to provide the legal assistance to victim.

375.2. Advocate of other persons can participate as Lawyers or representatives during the administrative violation case.

375.3. The advocate and representative shall be allowed to the administrative violation case from the moment of signing the protocol on administrative violation. If

administrative arrest is applied to natural person for conducted administrative violation the advocate shall be allowed to the case from the moment of administrative arrest of this person.

375.4. The advocate and representative shall hold the following rights:

375.4.1. review all materials of the case;

375.4.2. submit evidences;

375.4.3. submit petitions and overrules;

375.4.4. participate in case execution;

375.4.5. deliver claims on application of measures on provision of administrative violation case and the resolution.

375.5. Advocate and representative may exercise other rights stipulated in this Code.

375.6. The authority of advocate to be confirmed by special order issued by *Law (advocate) structures*. The authority of representative shall be confirmed by the power of attorney issued in accordance with legislation.[\(49\)](#)

Article 376. Mandatory presence of advocate

376.1. The presence of advocate in cases if mandatory for under-age, dumb, deaf, blind, persons which do not know the language to be used in legal proceedings and other persons which can not exercise their rights for legal protection independently due to physical or mental disorders detained in an administrative order.

Rejection of advocate of the person, being the subject of legal proceedings in specified cases will not be considered.

376.2. In case when the appearance of advocate selected by the person the case on administrative violation is executed against is not possible, the judge, authorised body (official) shall provide the advocate to such person in accordance with procedure established by legislation of the Azerbaijan Republic.

376.3. To person under administrative arrest who can not hire the advocate on his own due to financial status, the legal assistance shall be provided at the expense of the state. In this situation the advocate has no right to refuse to perform its duties. [\(8\)](#)

Article 377. Witness

377.1. Persons who are aware of circumstances of administrative violation case may be called to be the witnesses of such case.

377.2. Witness shall be obliged to attend on judge's subpoena, or invitation of authorised body (official) at the specified time, provide true information, confirm by signature the recorded testimonies, provide information he holds relevant to the case and answer the questions.

377.3. The witness holds the right not to testify against himself and his close relatives, use translator services free of charge and have notes inserted into the protocol on the accuracy of his statements.

377.4. Not adults at the age under 14 shall be questioned in the presence of pedagogue or psychologist. If necessary, the not adult can be question in presence of his legal representative.

377.5. Witness shall be warned for his administrative liability for deliberately provided false information. For the refusal to perform its obligations or deliberate non-appearance the witness can be called for administrative violation in accordance with procedure of this Code.

Note: «Close relatives» for the purposes of this article can be considered the parents, children, step-parents, step-children, brothers and sisters, grandparents, grandchildren and the spouse.

Article 378. Persons who can not be questioned as witnesses

378.0. Following persons can not be questioned as witnesses:

378.0.1. persons who due to physical or psychological disorders, can not provide the right assessment of crucial circumstances of the administrative violation case as well as accurate testimonies;

378.0.2. advocate of the person who had committed the administrative violation can not be questioned on circumstances such person had provided the information on due to advocate`s professional duties;

378.0.3. legal representative of the natural person or representative of legal person can not be questioned on issues that he received the information on due to his role of a representative (legal representative).

Article 379. Witnesses (at an official search)

379.1. The official executing the administrative violation case shall invite at least two adult people who have no particular interest in the outcome of the case to be the witnesses.

379.2. Participation of witnesses in the person`s search, search of transport means, seizure of items and documents as well as witnessing of under alcohol condition shall be mandatory. Witnesses shall confirm by their signatures in the protocol the content and results of process actions that were taken in their presence.

379.3. Presence of witnesses in the execution of administrative violation case shall be recorded in the protocol.

379.4. Notes of witnesses on process actions for administrative violation case shall be included into the protocol.

379.5. When necessary witnesses can be questioned during the execution of administrative violation case in accordance with article 377 of this Code.

Article 380. Specialist

380.1. The official executing the administrative violation case shall invite as an expert any person who does not hold any personal interests in the results of the case and has a special expertise in identification, obtaining and formal documentation of evidences as well as application of technical means.

380.2. Specialist shall be obliged to:

380.2.1. accept the invitation of judge, authorised body (official) who execute the administrative violation case;

380.2.2. participate in identification, obtaining and formal documentation of evidences;

380.2.3. provide explanations on steps taken;

380.2.4. to put his signature in the protocol for confirmation of its content and results of his actions;

380.2.5. to indicate his refusal to participate on the case to the official who had invited him if any of conditions stipulated in Article 383.2 of this Code exist;

380.3. Specialist shall hold the right to:

380.3.1. review the materials of the case on administrative violation that are related to his participation on the case;

380.3.2. with the permission of the judge, authorised body (official) executing the case to question the person that administrative violation is initiated against, victim, witnesses in relation to the case.

380.3.3. to make comments and explain taken measures.

380.4. The specialist shall be warned in advance for his legal liability for false information provided deliberately. For the refusal to perform its obligations or deliberate non-appearance the specialist can be called for administrative violation in accordance with procedures of this Code.

Article 381. Expert

381.1. Persons who hold the sufficient knowledge for explanation of issues on science, art, technology or crafts, performance of expert analysis and drawing of expert conclusions, who do not have any interests in the result of the case can be invited as experts.

381.2. Expert shall be obliged to:

381.2.1. accept the invitation of judge, authorised body (official) who execute the administrative violation case;

381.2.2. perform all-sided and complete expert investigation of subjects and materials of the case and provide the motivated and objective conclusion on issues raised;

381.2.3. to indicate his refusal to participate on the case to the judge, authorised body (official) who had invited him if any of conditions stipulated in Article 383.2 of this Code exist;

381.3. Expert holds the right to refuse to provide the conclusion if questions raised before him extend beyond his expertise or if materials of the investigation are not sufficient for expert conclusion

381.4. Expert holds the following rights:

381.4.1. to review the materials relevant to implementation of expert analysis;

381.4.2. to submit an application for obtain of additional materials necessary for expert conclusion;

381.4.3. with a permit of judge, authorised body (official) executing the administrative case, to question the person against whom the case is initiated, victim, witnesses, on issues relevant to expert analysis;

381.4.4. in addition to questions raised before him indicate in his conclusions also the circumstances that are relevant to expert analysis and have impact on the case outcome.

381.5. Expert shall be warned for administrative liability for false conclusions made deliberately. Should expert refuse to perform his obligations or not appear on invitation he shall be drawn for administrative violation stipulated by this Code.

Article 382. Translator

382.1. Adult person with knowledge of required translation languages with no personal interests in the outcome of the case can be selected to be the translator.

382.2. Translator is appointed by judge, authorised body (official), who executes the administrative violation case.

382.3. Translator shall appear on invitation of the judge, authorised body (official), who executes the case on administrative violation, providing the complete and accurate translation and confirm its accuracy by signature.

382.4. Translator shall refuse to perform his duties to the authorised person if any of conditions stipulated in article 383.2. of this Code exist.

382.5. Translator shall be warned for administrative liability for false translations made deliberately. Should translator refuse to perform his obligations or not appear on invitation he shall be drawn for administrative violation stipulated by this Code.

Article 383. Circumstances that exclude the participation in the execution of administrative violation case

383.1. Representatives of state authorities that control the compliance with administrative rules or persons who participated in the administrative violation case in whatever role shall not be present as advocates or representatives at the same case.

383.2. Specialist, expert and translator can not participate in administrative violation case in following events:

383.2.1. if they have any relations with the person who has committed the administrative violation, victim, his representative (legal representative), advocate, prosecutor, judge, collegial body member or the official executive the administrative violation case;

383.2.2. if they earlier participated in the case in other roles;

383.2.3. if any basis exists to consider their direct or indirect interest in the case outcome.

Article 384. Overruling of persons whose participation in the execution of administrative violation case is excluded

384.1. If any conditions exist stipulated by Article 383 of this Code, advocate, representative (legal representative), specialist, expert or translator shall be apart from the participation in execution of administrative violation case.

384.2. Refusal or application of refusal shall be submitted to judge, authorised body (official), executing the administrative violation case.

384.3. Upon revision of refusal or application for refusal the judge, authorised body (official) shall make the decision on its satisfaction of declining.

Chapter twenty nine. Evidences to be provided during the execution of the administrative violation cases and their assessment

Article 385. Circumstances that shall be proved during the execution of administrative violation cases

385.0. Following shall be established during the execution of administrative violation cases:

385.0.1. the fact of administrative violation (if administrative violation did take place);

385.0.2. person who had committed an administrative violation;

385.0.3. the guilt of the person in committing the administrative violation;

385.0.4. circumstances that harden or ease the administrative liability;

385.0.5. character and volume of damage caused by the administrative violation;

385.0.6. circumstances that exclude the execution of administrative violation case;

385.0.7. other circumstances that are important for the right outcome of the case as well as reasons and conditions that had stimulated the administrative violation.

Article 386. Evidences

386.1. Any actual information used by judge, authorised body (official) to determine the fact or absence of administrative violation, guilt of the person in committing the administrative violation and other circumstances important for the right outcome of the case shall be considered evidences for administrative violation case.

386.2. This information can be established by use of material evidences, explanations of the person the administrative violation case is initiated against, testimonies of victim, witnesses, other documents, indications of special technology, expert conclusions, administrative violation protocol and other protocols stipulated by this Code.

386.3. The use of evidences that are obtained in non-compliance with Law shall not be allowed.

Article 387. Material evidences

387.1. Items used for committing the administrative violation or became a target of administrative violation as well as items having the traces of administrative violation and help to clarify the circumstances related to administrative violation shall be deemed material evidences.

387.2. If necessary the material evidences shall be photographed and photos attached to the administrative violation case. Material evidences are recorded in the protocol of administrative violation case.

387.3. The judge, authorised body (official) executing the administrative violation case shall take necessary measures to provide the safety of material evidences until the case is closed, and make a resolution on them when case is closed.

Article 388. Explanations of the person the administrative violation case is initiated against

388.1. Explanations of the person the administrative case is initiated against consist of verbal and written information provided by him on circumstances of the case and evidences he is aware of.

388.2. Explanations of the person the administrative violation case is initiated against are recorded in the administrative violation case protocol, protocol on execution of measures for implementation of administrative violation case, protocol of revision of the administrative violation case. If necessary, they are put in writing and attached to the administrative violation case.

Article 389. Testimonies of victim and witnesses

389.1. Testimonies of victim and witnesses consist of verbal or written information on circumstances of the administrative violation case to be determined.

389.2. Testimonies of victim and witnesses are recorded in the administrative violation case protocol, protocol on execution of measures for implementation of administrative

violation case, protocol of revision of the administrative violation case. If necessary, they are put in writing and attached to the administrative violation case.

389.3. Testimonies based on information from unknown source shall not be considered evidences.

Article 390. Documents

390.1. If information in the documents confirmed or commented by the officials of enterprises, entities, organisations and legal persons shall be deemed important for administrative violation case such documents shall be attached to the case as evidences.

390.2. Documents may hold the information established in written or other from. Photos, audio and video recordings, data bases and data banks as well as other information carriers shall be deemed documents.

390.3. Judge, authorised body (official) executing the administrative violation case shall take all necessary measures to provide the safety of documents before starting the case and after its closing to take resolution on the evidences.

Article 391. Indications of special technology

391.1. Various measuring devices approved as measuring devices, have a certificate and had passed the metrology tests in accordance with the legislation of the Azerbaijan Republic shall be deemed special technology.

391.2. Indications of special measuring devices shall be included in the protocol of administrative violation case.

Article 392. Expertise

392.1. Expertise can be appointed by the decision of judge, authorised body (official) in order to clarify issues that require special knowledge in sciences, arts, technology or crafts, to clarify certain issues of importance within the execution of case on administrative violation.

392.2. The decision shall indicate:

392.2.1. reasons for expertise;

392.2.2. first, middle and last names of the expert or title of the entity that will conduct the expertise;

392.2.3. issues the expert shall provide conclusions on;

392.2.4. materials provided to the expert;

392.2.5. explanatory note to the expert indicating his rights and responsibilities as well as warning for administrative liability for deliberately wrong conclusions.

392.3. Issues raised before the expert shall not extend out of his special knowledge.

392.4. Judge, authorised body (official) conducting the case on administrative violation shall before sending out of decision on execution of expertise shall submit this for the revision of victim or person the administrative violation case is initiated against and explain their rights.

392.5. Expert provides the conclusion in writing under its own name and puts his signature. The conclusion shall include the date, venue and reason for expertise, its content as well as motivated answers to questions raised before the expert as well as final results.

Article 393. Enquiry of additional information

393.1. Judge, authorised body (official) executing the administrative violation case may take the decision on enquiry of additional information necessary to solve the case.

393.2. Information shall be sent within three days from the date of enquiry, and in the case of administrative violation that stipulates the administrative punishment in the form of administrative arrest- immediately to relevant authorities, organisations, entities and enterprises.

393.3. Relevant bodies, organisations, entities and enterprises should they not be in position to provide the enquired information shall inform the judge, authorised body (official) about it in writing within three days.

Article 394. Evaluation of proves

394.1. Judge, member of collegial body, official executing the case on administrative violation shall evaluate the proves based on good judgement with complete, all sided and objective consideration of circumstances together.

394.2. No prove shall have the prior set force.

Article 395. The transfer of materials to the prosecutor or investigation authority

If judge, authorised body (official) executing the case on administrative violation find the indications of crime in the administrative violation performed by the natural person he shall send the materials of the case to the prosecutor or investigation authority.

Chapter thirty. Application of measures on provision of administrative violation cases` execution

Article 396. Measures on provision of execution of administrative violation cases

396.1. In order to prevent the administrative violations, to determine the person, to develop administrative violation protocol when such protocol is necessary, to provide the timely and rightful execution of cases and to execute resolutions the authorised official shall apply following measures:

396.1.1. delivery;

396.1.2. administrative arrest;

396.1.3. searching the person and his carried personal belongings;

396.1.4. searching the transport mean;

396.1.5. arresting documents and belongings;

396.1.6. keeping from driving;

396.1.7. alcohol testing;

396.1.8. arrest of transport means and prohibition for their operation.

396.2. The damage caused as a result of unlawful application of measures on execution of administrative violation cases shall be compensated in accordance with procedures established by legislation of the Azerbaijan Republic.

Article 397. Delivery

397.1. Delivery can be applied to natural person the administrative violation case is initiated against, his legal representative, representative of legal person or witnesses as well as in events stipulated by articles 420.3, 423.3 of this Code.

397.2. Delivery can not be used against persons at the age under 16 and pregnant women.

397.3. Delivery of natural person is performed by the decision of judge, authorised body (official) who execute the case on administrative violation by relevant executive power authority of the Azerbaijan Republic at the place of natural person's residence or place of being.

Article 398. Administrative arrest

398.1. Administrative arrest - the short term limitation of freedom of natural person may be applied in exceptional cases when deemed necessary for provision of right and timely execution of the administrative violation case or implementation of its decision *except for cases stipulated by the legislation.*

Administrative arrest can be performed by following authorised bodies (officials):

398.1.1. officials of the relevant executive authority of the Azerbaijan Republic- if action of hooliganism, deliberate non-compliance with lawful requirements or instructions of police or military officers, ~~appearance in public places under the effect of alcohol with violation of human dignity and public moral~~, *idleness performed, foreigners and persons without citizenship live in the Azerbaijan Republic without registration, or stay therein illegally*, if rules for hunting, fishing and protection of fishery resources have been violated.

398.1.2. authorised official of the relevant executive authority of the Azerbaijan Republic- violation of state border control regime, border-patrol troops regime or of rules applied for points of passage through the state borders of the Azerbaijan Republic;

398.1.3. superior officer at the location of facility guarded by armed security if any administrative violation is performed compromising the safety of guarded facilities, the state or public property;

398.1.4. officials of the executive authorities of the Azerbaijan Republic- when drivers or other persons, driving the transport means of Military Forces of the Azerbaijan Republic violate the traffic rules;

398.1.5. authorised persons of special superior authority and *commandant* at places where emergency situation is announced when emergency situation regime is violated.

398.2. Person affected by administrative arrest shall be made aware of his rights stipulated by this Code and appropriate record shall be made in administrative arrest protocol. ([42](#), [55](#), [97](#), [126](#))

Article 399. Periods of administrative arrest

399.1. Administrative arrest of the person who had committed the administrative violation can not be for than three hours with following exceptions stipulated by articles 399.2. 399.2-1 and 399.3. of this Code.

399.2. Persons who had violated the state border control regime, border-patrol troops regime or of rules applied for points of passage through the state border of the Azerbaijan Republic and also idling about, *foreigners and persons without citizenship living in the Azerbaijan Republic without registration or staying therein illegally* may be arrested for the period of up to 24 hours necessary to clarify circumstance of the administrative violation and identification, or by the decision of judge for the period of up to 3 days in the absence of any identification documents.

399.2-1. *if the person in respect of which the proceedings under administrative case are carrying out, is staying in the streets or any other public places on the territory where national emergency has been declared, during curfew without special permit, then he may be administratively arrested for the period up to curfew expiry or if he is staying in the streets or any other public places under curfew without identification document, then up to ascertainment of detained person identity.*

399.3. The person, against which is initiated the administrative violation case, stipulating arrest applied as an administrative punishment may be detained by administrative order no more than for 24 hours.

399.4. The period of administrative arrest shall be counted from the moment of delivery of person who had committed the administrative violation for the execution of protocol and for the person under the effect of alcohol- from the moment of his soberness.

399.5. On expiry of the period of national emergency regime, persons administratively arrested in connection with violation of requirements of this regime shall be forthwith released.

399.6. Resolution on arrest by administrative order may be appealed with the higher authorised body (official) or the court. ([55](#), [97](#), [126](#))

Article 400. Administrative arrest protocol

400.1. For each case of arrest of the person who had committed the administrative violation protocol shall be made indicating the following:

400.1.1. date and place of its execution;

400.1.2. position, first/middle/last name of the person who had executed the protocol;

400.1.3. information on identity of the person arrested;

400.1.4. arrest time and reasons.

400.2. Protocol is signed by official who had developed it and the person arrested. Should the person arrested refuse to sign protocol appropriate note in the protocol shall be made. The arrested person holds the right to provide explanations and comments on protocol content as well as indicate the reasons for which he refuses to put his signature. Such explanations and comments shall be attached to the protocol.

Article 401. Provision of rights of the person arrested

401.1. Authorised body (official) shall take the following measures to provide the rights of the person arrested in accordance with this Code:

401.1.1. shall let the person arrested to review the protocol on administrative violation;

401.1.2. shall immediately advice the arrested person on reasons of his arrest, explain his rights;

401.1.3. on arrested person request shall inform his close relatives, employer or place of study, as well as advocate about the fact of arrest.

401.1.4. shall immediately inform about the arrest of not adult person to his parents or legal representatives;

401.1.5. in relations with the person arrested shall maintain the respect to his personality and dignity;

401.1.6. provides the person arrested with opportunity to get hold of his advocate and meet him;

401.1.7. in the absence of the personal advocate of the person arrested, provide him with the list of advocates who provide legal consulting services at the places of arrest and other entities in accordance with the legislation of the Azerbaijan Republic, helps him to maintain contacts with advocate.

401.2. People affected by administrative arrest shall be kept in locations and in accordance with procedures established by the legislation of the Azerbaijan Republic.

Article 402. Search of person and personal items that belong to natural person

402.1. The personal search of natural person as well as his personal items shall be conducted when necessary to find the item which was an instrument or target of administrative violation.

402.2. Personal search is conducted by the authorised body in presence of two witnesses of the same gender.

402.3. Items (baggage, luggage, hunting and fishing instruments, product received and other items) shall be searched in presence of their owners. In emergency situations, such items can be searched in the absence of their owners but in presence of two witnesses. Correspondence and other items of mail delivered by the employee of respective executive power body of the Azerbaijan Republic acting as special messenger (courier) shall not be searched.

402.4. Protocol is made on personal and items search or appropriate notes are made in the protocol of administrative violation or protocol of administrative arrest.

402.5. Protocol of personal or items` search shall include the following:

402.5.1. date and place of its execution;

402.5.2. position, first name, middle name, last name of the person who had executed the protocol;

402.5.3. information on the person searched;

402.5.4. information on type, quantity and other identification characteristics of items found during the search.

402.6. Protocol shall be signed by the official who had executed it, person the administrative violation case is initiated against, or owners of searched items as well as witnesses. Should the person administrative violation case is initiated against or owner of searched items refuse to sign the protocol, appropriate note about this fact shall be inserted into the protocol.[\(42\)](#)

Article 403. Search of transportation means

403.1. The search of the transportation mean is his inspection conducted without damage to its technical integrity with a purpose of finding the items that were used as instruments or were the targets of administrative violation.

403.2. The search of transportation mean is conducted in the presence of the transport owner and two witnesses. In emergency situations the search of transport can be conducted in absence of owner.

403.3. Photography and video recording is used when necessary to document the material evidences.

403.4. Protocol is developed on the search of transport.

403.5. Protocol of transport search shall include:

403.5.1. date and venue of protocol preparation;

403.5.2. position, first/middle/last names of the person who had prepared the protocol;

403.5.3. information on the owner of transport;

403.5.4. reasons for transport search;

403.5.5. information on type, model, state licence plate number and other identification characteristics of transport;

403.5.6. types of items;

403.5.7. types and references of documents.

403.6. The protocol of transport search shall have notes on application of photography or video recording. Materials obtained as a result of application of photography and video recording during the search shall be attached to the relevant protocol.

403.7. The protocol on search of transport shall be signed by the official who had prepared it, person the administrative violation case is initiated against or the owner of transport as well as witnesses (at the search). Should the person the administrative violation case is initiated against or the owner of transport refuse to put their signature in the protocol appropriate note shall be included into the protocol.

Article 404. Seizure of belongings and documents

404.1. Seizure of belongings and documents found at the administrative violation case location or during the search of person, his belongings or transport that can be used as evidences during the case, used as an instrument or were targets of administrative violation, shall be conducted by the official executing the administrative violation case in presence of two witnesses.

404.2. If violation is conducted by the driver, marine transport operator or pilot and stipulates the limitation of access to driving/operation before the decision of administrative violation case, driver`s licence shall be seized from driver and certificates from the marine transport operator and pilot and temporary documents shall be issued providing the right of temporary driving of vehicles, marine or air transport. If the decision is made on limitation of driving access, the driver`s licence not to be returned. The validity date of the document that provides the right of temporary operation of onshore, marine or air transport shall be extended until the expiry of the date of submission the petition for re-consideration of resolution on limitation of driving/operating access in accordance with procedure stipulated by the legislation of the Azerbaijan Republic, or until the decision is reached on such petition.

404.3. Protocol shall be made on seizure of belongings and documents or appropriate note shall be made into the protocol of administrative violation.

404.4. The protocol on seizure of belongings and documents shall include:

404.4.1. date and venue of protocol preparation;

404.4.2. position, first/middle/last names of the person who had prepared the protocol;

404.4.3. information on the owner of belongings and documents;

404.4.4. reasons for seizure of belongings and documents;

404.4.5. types and references of documents.

404.4.6. information on type, quantity, characteristics of seized items, including type or model, calibre series and number of weapons, quantity and type of ammunition, type, model, state license plate number and other identification characteristics of transport;

404.5. The protocol on seizure of items and documents shall include the note on application of photography or video recording and obtain of documents by other methods. Materials obtained as a result of application of photography, video recording and other technical means in relation with seizure of belongings and documents shall be attached to the protocol.

404.6. The protocol on seizure of belongings and documents shall be signed by the person who had prepared it and the person whose belongings and documents were seized as well as witnesses. Should the owner of seized property refuse to sign a protocol appropriate note shall be made into the protocol indicating this. The copy of protocol shall be submitted to person the administrative violation case is initiated against or his legal representative (representative).

404.7. If necessary seized items and documents shall be packed and sealed at location. Before the start of the administrative violation case seized items and documents shall be stored in locations established by authorities (officials) authorised to seize the items and documents.

404.8. Seized firearms and bullets, other weapons as well as ammunition shall be stored in accordance with procedures established by the relevant executive authority of the Azerbaijan Republic.

404.9. Seized short expiry term items are sent for sale by relevant organisations and if sale is impossible such items shall be destroyed.

404.10. Products that do not comply to standards, sanitary norms and rules, hygiene requirements established in the Azerbaijan Republic, confiscated narcotic and drug substances, ethyl alcohol, alcoholic and alcohol containing products shall be sent for processing or shall be destroyed in accordance with procedures established by the relevant executive authority of the Azerbaijan Republic.

404.11. Before the resolution on administrative violation case is entered into force, samples of narcotic and drug substances, ethyl alcohol, alcoholic and alcohol containing products shall be preserved.

Article 405. Evaluation of seized items

405.1. The evaluation of seized items is performed in following cases:

405.1.1. during the application of administrative penalty criteria, allowing to evaluate the penalty based on the value of item, which was the target of administrative violation.

405.1.2. if seized products have a short expiry period and sent for disposal;

405.1.3. if ethyl alcohol, alcoholic or alcohol containing products are sent for processing or disposal.

405.2. If prices of seized items are regulated by the state the state shall apply established prices. In all other cases items are evaluated based on their market value. If it is not deemed possible to establish the value in accordance with procedures the evaluation of seized items shall be made based on expert conclusion.

Article 406. Dismissal from operation of transport and alcohol confirmation test

406.1. Natural persons shall be dismissed from operation of transport in following cases:

406.1.1. if the person operating the transport and one of his accompanying passengers do not have a driver`s licenses or transport registration certificate or any other documents confirming the right of operation of transport mean;

406.1.2. if both or one of state registration license plate numbers of transport are absent or if they are faked or non-standard, or are issued for other transport facilities when driving transport vehicle with state registration license plate numbers;

406.1.3. if the numbers of engine, body and chassis of transport are not identical with numbers indicated on the registration certificate of the transport;

406.1.4. if transport was not registered in accordance with legislation;

406.1.5. if transport is operated by the person, and there are reasonable indications that this person is intoxicated by alcohol, narcotic substances and psychotropic agents or other hard substances and none of the accompanying passengers has no driver`s license;

406.1.6. installation of equipment or customizing of the transport with violation of standard requirements, application of glass films restricted by legislation, equipping of the transport with special noise (multi sound) horns or blinking lighting, if such violations cannot be remedied at place.

406.2. When there are reasonable indications that people operating the transport mean are intoxicated special technical appliances shall be used to confirm the fact of intoxication or such persons are directed for medical tests.

406.3. Special protocol on dismissal from operation of transport means and use of technical appliances or direction for medical examination to confirm the fact of intoxication shall be prepared. The copy of protocol shall be provided to person against whom such measure is applied.

406.4. Protocol on dismissal from operation of transport means and use of technical appliances or direction for medical examination to confirm the fact of intoxication shall include:

406.4.1. date, time and venue of protocol preparation;

406.4.2. position, first/middle/last names of the person who had prepared the protocol;

406.4.3. reasons for dismissal from operation of transport means and confirmation medical test;

406.4.4. information on person operating the transport;

406.4.5. information on type, model, state license plate number and other identification characteristics of transport.

406.5. Protocol on dismissal from operation of transport means and use of technical appliances or direction for medical examination to confirm the fact of intoxication shall be signed by official who had developed the protocol, as well as driver (marine transport operator) who is dismissed from driving the transport (marine transport) and against whom special technical appliances are used to confirm his intoxication or the one directed for medical examination. Special note shall be made in the protocol should the driver (marine transport operator) refuse to put his signature in the protocol.

406.6. Medical examination for intoxication and documentation of results shall be implemented in accordance with procedures established by the relevant executive authority of the Azerbaijan Republic.

406.7. The act of medical examination for intoxication shall be attached to the protocol. ([30](#), [102](#), [111](#))

Article 407. Storage of transport means

407.1. In cases indicated by article 406.1. of this Code or if rules stipulated by the legislation of the Azerbaijan Republic on parking and stoppage of transport means are violated, the transport means shall be stored at the guarded parking area of the relevant executive authority of the Azerbaijan Republic.

407.2. If the reason for the arrest of transport mean can be dismissed within three hours it shall be kept with the employee of the relevant executive authority of the Azerbaijan Republic who had dismissed the transport mean from traffic. Upon submission of appropriate documentation on dismissal of such reason or clarification of argued circumstances or application of administrative penalty for violation, the arrested transport mean shall be immediately returned to its owner.

407.3. If the reason for the arrest of transport mean can not be resolved at the place of arrest within three hours, the transport mean shall be taken to the guarded parking lot of the relevant executive authority of the Azerbaijan Republic. Upon submission of appropriate documentation on dismissal of such reason or application of administrative penalty for violation, making of payment for delivery of transport mean to the parking lot

and its storage on the parking lot, the transport mean shall be returned to its owner immediately.

407.4. Storage of transport means shall be documented by appropriate act executed in two original copies and one copy shall be attached to the administrative violation protocol and other to be handed over to the owner of transportation mean.

Article 408. Prohibition to operate the transportation means

The appropriate executive authority of the Azerbaijan Republic shall prohibit the operation of transport mean with defected braking system or driving wheel mechanism, outside lighting, windscreen wipers, wheels and tyres, or engine as well as other elements, if such defects can not be dismissed. [\(30\)](#)

Section V. Phases of execution for administrative violation cases

Chapter thirty one. Initiation of administrative violation cases.

Article 409. Motives and basis for initiation of administrative violation case.

409.1. The administrative violation cases can be initiated based on following motives:

409.1.1. direct recognition by authorised official of basis indicating the fact of administrative violations;

409.1.2. receipt of materials from public authorities and organisations, local administrations, public entities;

409.1.3. Information submitted by natural and legal persons, their applications, as well as information announced in mass media.

409.2. Materials, information and applications shall be reviewed by the official authorised to initiate the execution of administrative violation cases. The basis for initiation of administrative violation case can be the presence in such materials, information and statements of actual information that indicate the signs of administrative violation and absence of circumstances that exclude the execution of administrative violation case.

409.3. If one of the reasons stipulated in Article 409.1 of this Code is present and there are sufficient reasons the authorised official shall initiate the administrative violation case.

409.4. The execution of administrative violation case shall be deemed initiated:

409.4.1. from the moment of execution of first protocol on application of measures stipulated by article 396 of this Code.

409.4.2. from the moment of execution of protocol on administrative violation or resolution of prosecutor on execution of administrative violation case;

409.4.3. from the moment of resolution on initiation of administrative violation case in events when administrative investigation on the case shall be conducted.

409.5. If one of the reasons stipulated in article 409.1.2. and 409.1.3. of this Code is ungrounded the authorised official shall make a motivated decision on refusal to initiate the administrative violation case.

409.6. Copies of decision on refusal to initiate the material violation case shall be sent to people who had provided materials, information and statements. (105)

Article 410. Administrative violation protocol

410.1. The protocol shall be made on execution of administrative violation case with exception stipulated in articles 368 and 412.1. of this Code. The protocol of administrative violation shall include:

410.1.1. date and venue of execution;

410.1.2. position, first/middle/last name of the person who had executed the protocol;

410.1.3. information on person, the administrative violation case is initiated against;

410.1.4. place, time of content of administrative violation;

410.1.5. relevant article of this Code that stipulates the liability for such administrative violation;

410.1.6. first/middle/last names and resident addresses of victims and witnesses;

410.1.7. explanations of natural person or representative of legal person the administrative violation case is initiated against;

410.1.8 other information necessary to execute the administrative violation case.

410.2. When executing the protocol rights and responsibilities, stipulated by this Code shall be made clear to the natural person or representative of legal person the administrative violation case is initiated against as well as other case participants and appropriate note shall be made in the protocol.

410.3. Natural person or representative of the legal person the administrative violation case is initiated against shall be given an opportunity to study the protocol of administrative violation.

410.4. Protocol shall be signed by the person who had made it, natural person or representative of legal person the case is initiated against. Should the natural person or representative of legal person refuse to sign a protocol appropriate note shall be made in the protocol. The natural person or representative of legal person may provide his explanations and comments on protocol and give motives for non-signing the protocol. Such explanations and opinions shall be attached to protocol. Natural person or representative of legal person the administrative violation case is initiated against as well as victim hold the right to receive the copies of protocol on administrative violation.

Article 411. Administrative violation case execution timing

411.1. Protocol of administrative violation shall be executed immediately upon the identification of fact of administrative violation.

411.2. When it is necessary to clarify additional circumstances of the case as well as identity of natural person or information on legal person the administrative violation case is initiated against, administrative violation case protocol shall be executed within two days from the moment of identification of administrative violation.

411.3. During the execution of administrative investigation, protocol of administrative violation shall be made upon the completion of administrative investigation within a period stipulated by article 413.5. of this Code.

Article 412. Cases when administrative violation protocol is not executed

412.1. When application of administrative punishment in form of probation warning or the penalty at the amount that does not exceed *twenty manats* takes place the protocol of administrative violation is not to be executed. In such cases the authorised official shall collect the administrative violation penalty or issue the probation warning at the place of violation.

412.2. The administrative violation protocol is executed when the person does not agree the case is initiated against does not agree with the fact that administrative violation had taken place or with the form of punishment or refuses to pay the penalty at the place of administrative violation. ([1](#), [102](#), [119](#))

Article 413. Administrative investigation

413.1. Administrative investigation shall be conducted when it is necessary to implement the expert analysis or other actions that require sufficient period of time if administrative violation is identified in the area of finance, taxes, duties, customs affairs, environmental protection, traffic and fire safety.

413.2. The decision on initiation of administrative violation case and implementation of administrative investigation shall be made by the official authorised to execute the protocol of administrative violation in accordance with this Code. Resolution on initiation of administrative violation case and execution of administrative investigation shall be made by the prosecutor.

413.3. The decision on initiation of administrative violation case and implementation of administrative investigation shall include:

413.3.1. place and date of execution;

413.3.2. position, first/middle/last name of the person that had made the decision;

413.3.3. motives for initiation of execution of administrative violation case and information on presence of the fact of administrative violation;

413.3.4. relevant article of this Code that stipulates the administrative liability for certain administrative violation.

413.4. Administrative investigation shall be performed at the location where administrative violation has been committed or identified.

413.5. Administrative investigation timing shall not exceed the period of one month from the moment of initiation of administrative violation case. In exceptional cases this period might be extended for one additional month based on the petition of official who executes the case.

413.6. When administrative investigation is completed the protocol of administrative violation shall be executed.

Article 414. Directing the protocol (prosecutor resolution) for revision

414.1. The protocol (prosecutor resolution) on administrative violation shall be directed to the judge, authorised body (official) within 48 hours from the moment of execution.

414.2. The protocol (prosecutor resolution) on administrative violation that stipulates the administrative punishment in the form of arrest shall be directed to judge immediately after execution. (102)

Article 415. Suspending the execution of administrative violation case

415.1. The execution of administrative violation case can be suspended in following cases:

415.1.1. when the natural person the case is initiated against is hiding or his whereabouts are not identified for whatever reason;

415.1.2. if natural person the case is initiated against had mental or other serious health problems;

415.1.3. when the person who had committed the administrative violation is not identified.

415.2. When the execution of administrative violation case is suspended the authorised official shall implement all process actions on the case that are allowed to be performed in the absence of person the case is initiated against and take all measures stipulated by the legislation to dismiss circumstances stipulated by articles 415.1.1. and 415.1.3. of this Code and establish the reasons for suspending the case execution.

415.3. The execution of the case on administrative violation shall be suspended by the resolution of authorised official. The resolution on suspension of administrative violation case execution shall include the information listed in Article 426 of this Code.

415.4. If circumstance indicated in articles 415.1.1.-415.1.3. of this Code are dismissed, the administrative violation case execution shall be restarted by the resolution of authorised official.

Article 416. Closing the execution on administrative violation case

416.1. If any of circumstances stipulated in article 367 of this Code exist, the authorised official executing the administrative violation case shall announce the resolution on closing the case.

416.2. Copies of resolution on closing the case shall be sent to persons the case was initiated against.

Chapter thirty two. Consideration of administrative violation cases

Article 417. Preparation for consideration of administrative violation case

417.0. The judge, authorised body (official) shall decide on following issues when prepares for consideration of administrative violation case:

417.0.1. if consideration of this case is within his competence;

417.0.2. if there are circumstances that exclude the possibility of case consideration by the judge, collegial body member, authorised official;

417.0.3. if protocol on administrative violation and other materials of the case are in accordance with requirements of this Code;

417.0.4. if there are circumstances, that exclude the possibility of case execution;

417.0.5. if there are sufficient evidences for case consideration;

417.0.6. if there are petitions and overrules on the case.

Article 418. Circumstances that exclude the consideration of the case by judge, collegial authority member, official

418.0. Judge, member of collegial body, official that are considering the case on administrative violation shall not be in position to consider the case in following events:

418.0.1. if he is related to person the administrative violation case is initiated against, victim, their legal representatives, advocate or representative;

418.0.2. if he has any direct or indirect interest in the case outcome

Article 419. Self-withdrawals of judge, collegial body member, official and withdrawal petitions against their candidature

419.1. The judge, collegial body member, official must self-withdraw themselves is any of circumstances stipulated by article 418 of this Code exist. The self-withdrawal announcement shall be submitted to the chairman of relevant court, chairman of collegial body, superior official.

419.2. The person that administrative violation case is initiated against, victim, legal representative of natural person or representative of legal person, advocate and representative, prosecutor may submit withdrawal petitions against the judge, collegial body member or official if any of the circumstances stipulated in Article 418 of this Code exist.

419.3. The petition shall be considered by the judge, collegial body or official executing the case.

419.4. The satisfaction of denial of petition shall be announced upon its consideration.

Article 420. Acceptance of resolution (decision) in preparation for consideration of administrative violation case

420.1. The decision shall be reached during the preparation for execution of administrative violation case on following issues:

420.1.1. appointment of the date and place of case consideration;

420.1.2. invitation of persons for participation in accordance with articles 371-377, 379-382 of this Code;

420.1.3. enquiry for provision of additional materials on the case;

420.1.4. appointment of expert analysis;

420.1.5. postponement of case consideration;

420.1.6. If the protocol and other documents are executed by unauthorised individuals, executed in wrongful manner or the materials submitted are incomplete and their update during the case execution is not possible, such protocols and other documents on administrative violation shall be returned to the body or official who had executed them;

420.1.7. if consideration of the case is not within the competence of judge, body (official) or there is a decision on withdrawal of judge, collegial body member, official, the protocol and other materials of administrative violation case shall be directed for consideration by subordinate instance.

420.2. If there are circumstances stipulated by articles 367 and 415.1. of this Code, there shall be a decision made on closing or suspending the execution of administrative violation case.

420.3. If consideration of the administrative violation case is postponed due to deliberate non- appearance under subpoena of natural person, representative of legal person the case on administrative violation is initiated against, legal representative of not adult as well as witness, which creates obstacles for complete, all sided, integral and timely clarification of all circumstances, the judge, authorised body (official) considering the case shall make a decision on delivery of such persons.

Article 421. Venue for consideration of administrative violation case

421.1. The case on administrative violation is considered at the place where administrative violation was committed. On petition of the person the case is initiated against it can be considered at the place of his residence.

421.2. The cases on administrative violation of not adults shall be considered at their place of residence.

421.3. Case on administrative violations that might result in limitation of right for operation of transport means shall be considered at the place of registration of transport.

Article 422. Periods for consideration of administrative violation cases

422.1. Cases on administrative violations shall be considered within fifteen days from the date of receive of protocols on administrative violations and other materials of the case by the judge, body (official), authorised to consider such cases.

422.2. Based on petition from the participants of administrative violation case or when it is necessary to establish additional circumstances, the judge, authorised body (official), considering the case may extend the period of case consideration for the period of up to one month by motivated decision.

422.3. Cases on administrative violations that stipulate the measures in the form of administrative arrest, shall be considered at the date of receive of protocol on administrative violation, and for persons under temporary administrative arrest no later than within 48 hours from the start of temporary arrest.

Article 423. Procedure on consideration of administrative violation case

423.1. When considering the administrative violation case:

423.1.1. the person considering the case, brief description of the case and person whose case is considered shall be announced;

423.1.2. the participation during the case of the legal representative of natural person or representative of legal person the case is initiated against as well as other persons shall be announced;

423.1.3. the authority of the legal representative of natural person and representative of legal person, advocate and representative shall be identified;

423.1.4. reasons for non-appearance of persons participating in case execution to be clarified, and decision on whether to consider the case in their absence or postpone the consideration shall be taken;

423.1.5. roles and responsibilities of persons participating in the case shall be advised to such persons;

423.1.6. withdrawals and petitions are allowed.

423.2. The decision on postponement of the case shall be taken in following events:

423.2.1. When self-withdrawal or withdrawal note is received from the judge, official or collegial body member considering the case, when such self-withdrawal or withdrawal note affect the case execution;

423.2.2. If the withdrawal petition against the specialist, expert or translator creates obstacles for case execution;

423.2.3. When the presence of person is required, additional documents enquiry has been made and expert analysis is appointed.

423.3. The decision shall be made on delivery of the person, whose participation is necessary in accordance with article 420.3. of this Code.

423.4. When directing the case to subordinate instance the decision shall be made in accordance with article 421 of this Code.

423.5. The protocol on administrative violation is announced when the case is continued along, if necessary with other materials of the case. The explanations of natural person, representative of legal person the case is initiated against, other persons participating in the execution as well as a specialist, conclusion of expert, other evidences are obtained and if prosecutor participates in the case his conclusions are obtained.

Article 424. The content of the protocol for administrative violation case execution

424.1. The protocol of case consideration is executed during the administrative violation case by collegial body.

424.2. The protocol of administrative violation case consideration shall include:

424.2.1. date and venue of case consideration;

424.2.2. title and membership of collegial body considering the case;

424.2.3. brief description of considered case;

424.2.4. information on appearance of persons, participating on the case;

424.2.5. withdrawals, petitions and results of consideration;

424.2.6. explanations of persons who participate in consideration of the case, their petitions and conclusions;

424.2.7. documents reviewed during case consideration.

424.3. Protocol of collegial authority shall be signed by the person who chaired the meeting and the secretary.

Article 425. Resolutions (decisions) taken during the consideration of administrative violation cases

425.1. Resolutions on following issues shall be taken during the consideration of case on administrative violations:

425.1.1. On application of administrative punishment;

425.1.2. On suspending the case;

425.1.3 On closing the case

425.2. The resolution on closing of administrative violation case shall be made in following events:

425.2.1. if one of the circumstances stipulated by article 367 of this Code is present;

425.2.2 if the materials of case are sent to relevant executive authorities in accordance with Article 15.5 of this Code for disciplinary measures against the person;

425.2.3 when the administrative violation case is closed due to the fact that certain indications of criminal case are identified and the case materials are directed to prosecutor`s office, investigation/questioning authority;

425.2.4 when the administrative violation case is directed to commission (collegial body) on affairs and protection of rights of not adults.

425.3. Decisions of following issues are taken as a result of consideration of the administrative violation case:

425.3.1. directing the case to judge, authorised body (official) based on subordination if consideration of the case is not within the competency of current judge, authorised body (official);

425.3.2. transfer of case to another judge, body (official) authorised to apply other type of administrative punishment.

~~425.4. Resolution or decision of collegial body shall be made by the majority of votes of members participating at the meeting. (24).~~

Article 426. Resolution on administrative violation case

426.1. Following is indicated in the resolution for administrative violation case:

426.1.1. position, first/middle/last names of the judge, official or membership of collegial authority that had made the resolution;

426.1.2. date and venue of case consideration;

426.1.3. information on person whose case was considered;

426.1.4. circumstances established during case consideration;

426.1.5. relevant article of this Code that stipulates the liability for administrative violation and type of imposed administrative penalty in relation to administrative violation;

426.1.6. relevant article of this Code that serves as basis for suspending or closing the case execution;

426.1.7. timing and procedure for protest submission on the resolution.

426.2. Simultaneous to administrative punishment the judge resolves the issues of compensation for damage caused due to administrative violation.

426.3. Issues on seized items and documents shall also be reflected in the resolution for administrative violation. In this:

426.3.1. non-usable items and documents shall be returned to owner, and if owner is not identified to the state;

426.3.2. usable items shall be transferred to relevant enterprises or entities or shall be destroyed;

426.3.3. documents recognised as materials evidences shall be stored together with the case on administrative violation for the established period of time or transferred to relevant persons;

426.3.4. seized medals, decorations, shall be returned to owners and when owner is unknown shall be directed to the relevant executive authority of the Azerbaijan Republic.

426.4. The resolution on administrative violation case shall be signed by the judge, who had made the resolution, person who is the chairman at the meeting of the collegial body as well as official. (102)

Article 427. Announcement of resolution on administrative violation case

427.1. The resolution on administrative violation case shall be announced immediately upon the case consideration.

427.2. Copies of resolution shall be handed to natural person, representative of legal person the case was initiated against, and to victim ~~on his request~~ within three days. (102)

Article 428. Decision on administrative violation case

428.1. The decision on administrative violation case shall include:

428.1.1. position, first/middle/family name of the judge, official or collegial body membership who had made the decision;

428.1.2. date and place of consideration of statement, petition, case materials;

428.1.3. information on the person who had made the statement, submitted the petition or against whom the case is initiated;

428.1.4. content of statement, petition;

428.1.5. circumstances established during consideration of statement, petition, and case materials;

428.1.6. result of statement, petition, and case materials consideration.

429.2. The decision on administrative violation case shall be signed by the judge who had made the decision, person who was a chairman of collegial body and the official.

Article 429. Submission on dismissal of reasons and grounds that stimulate the administrative violations

429.1. Judge, authorised body (official) considering the administrative violation case upon the identification of reasons and grounds stimulating the administrative violations shall submit the memo to relevant enterprises, entities and officials on measures for dismissal of such reasons and grounds.

429.2. Specified enterprises, entities, organisations as well as officials shall inform the judge, authorised body (official) on measures taken within one month from the date of receive of petition.

Chapter thirty three. Reconsideration of resolutions on administrative violation cases

Article 430. The right for reconsideration or objections against the resolution on administrative violation case

430.1. Natural person, legal representative of not adult, representative of legal person the resolution is made against, victim as well as advocate and representative hold the right to file for reconsideration of resolution on the case and the prosecutor holds the right to object against it.

430.2. The claim or objection shall be submitted in following order:

430.2.1. for judge resolution- to appeal court;

430.2.2. for resolution of collegial body- to court authority at the area of collegial body;

430.2.3. for resolution of authorised body (official)- to superior authorised body (official) or to the court. ([102](#))

Article 431. Procedure on appeal for reconsideration or objections to resolutions on administrative violation cases

431.1. The appeal for reconsideration or objections to resolution on administrative violation case shall be submitted to judge, authorised body (official) who had made the resolution:

431.2. Judge, authorised body (official) within three days from the date of resolution shall direct the claim or objection along with other case materials to the appeal court, court at the area of collegial authority residence, authorised body (official).

431.3. The claim or objection against the resolution on application of administrative punishment in the form of administrative arrest shall be sent to appeal court at the date of receive of claim or objection.

431.4. If consideration of claim or objection is not within the competence of judge, body (official), the claim or objection shall be re-directed to subordinate instances within three days.

431.5. Claims on resolutions for administrative violation cases are not subject to state duties.

Article 432. Periods for filing of claims and objections against the resolution

432.1. The filing of claim and objection for resolution on administrative violation case may be implemented within ten days from the date of receive of its copy.

432.2. If the period stipulated in article 432.1. of this Code is missed for certain grounded reasons, the judge, authorised body (official) may reinstate this period based on the petition of person filing the claim or objection.

432.3. If reinstatement of missed period is not possible the decision shall be made on denial of petition.

Article 433. Timing for consideration of claim or objection against the resolution on administrative violation case.

433.1. The claim or protest against the resolution on administrative violation case shall be considered within ten days from the date of receive.

433.2. If administrative arrest is applied as a punishment to person who had committed the administrative violation, the claim or objection against the resolution on administrative arrest shall be considered within three days from the date of obtaining.

Article 434. Preparation for consideration of claims and objections against the resolution of administrative violation case

434.0. When preparing for consideration of claim or objection against the resolution of administrative violation case judge, authorised body (official) shall resolve following issues:

434.0.1. if the case within his competence;

434.0.2. if there are circumstances that exclude the case execution;

434.0.3. considers the petitions, if necessary appoints the expertise, enquires additional materials, recalls for people necessary for consideration of claim or objection;

434.0.4. directs the claim or protest along with other materials to subordinate instances if consideration is not within his competence;

Article 435. Consideration of claim or objection against the resolution of administrative violation case

435.1. The claim or objection against the resolution of administrative violation case shall be considered solely by the judge or official.

435.2. When considering the claim or objection against the resolution of administrative violation case:

435.2.1. it shall be announced who the claim or protest is considered by, which claims or objections are considered, who they brought by;

435.2.2. shall be established the presence or absence of natural person or representative of legal person, the resolution is made against as well as other persons invited to participate in claim or objection consideration;

435.2.3. authorities of legal representative of natural person or representative of legal person, advocate and representative shall be identified;

435.2.4. reasons for non-appearance of case participants shall be identified, the consideration of claims or objections can be implemented in their absence or shall be postponed, and when necessary there shall be a decision made on delivery of people that are required to consider the claim;

435.2.5. persons participating in claim or objection consideration shall be made aware of their rights and responsibilities;

435.2.6. self-withdrawal or petitions are allowed;

435.2.7. claim or objection against the resolution of administrative violation case shall be announced;

435.2.8. based on materials of the case and additional materials obtained the legal basis of the decision made during the consideration of claim or objection shall be evaluated;

435.2.9. the conclusion of prosecutor shall be obtained if he participates in the execution of administrative violation case.

Article 436. Decision on consideration of claim or objection against the resolution of administrative violation case

436.1. When considering the claim or objection against the resolution of administrative violation case one of the following decisions shall be made:

436.1.1. on making no changes to resolution;

436.1.2. on satisfaction of claim or objection;

436.1.3. on changes to resolution without any additional punishment on the person the resolution is made against or reinforcement of punishment;

436.1.4. on cancellation of resolution or closing the execution of the case in accordance with articles 21 and 367 of this Code;

436.1.5. on cancellation of resolution and direction of case for re-consideration by the judge, authorised body (official), if requirements established by this Code are

violated at the level that affected the Law ful, all sided and complete investigation of the case;

436.1.6. on cancellation of resolution and direction of the case for re-consideration by subordinate instance, if it is established during the consideration of claim or objection that resolution is made by an unauthorised judge, body (official).

436.2. The decision on consideration of claim or objection shall include the information listed in article 426 of this Code.

Article 437. Announcement of the decision on claim or objection against the resolution of administrative violation case

437.1. Decision on claim or objection against the resolution of administrative violation case shall be announced immediately.

437.2. Copies of decision on claim or objection against the resolution of administrative violation case shall be handed within three days to natural person, representative of legal person the resolution on administrative violation is made against, victim and prosecutor.

437.3. Decision on claim or objection against the resolution of administrative violation case in the form of administrative arrest shall be transferred at the date of decision to authorised body (official) who shall execute it and the person the administrative arrest is applied against.

Article 438. Re-consideration by the court of the decision on claim or objection against the resolution of administrative violation case

The claim of natural person, legal representative of not adult, representative of legal person, victim, advocate or representative, as well as objection of the prosecutor against the decision on claim or objection against the resolution of administrative violation case shall be considered in courts in accordance with procedures established by legislation of the Azerbaijan Republic.

Section VI. Execution of resolutions of administrative violation cases

Chapter thirty four. General provisions

Article 439. Entering into force of resolution on administrative violation case, decisions on claims and objectives

439.0. Resolution on administrative violation case, decisions on claims and objectives shall enter into legal force:

439.0.1. after the expiry of term of filing the claims against resolutions for administrative cases, if such resolutions were not claimed or objected against;

439.0.2. after the expiry of term of filing the claims or objections by official against the resolution for administrative violation case, if such resolutions were not claimed or objected against;

439.0.3. if judge reconsiders the case based on the claim or objection against the resolution of official executing the administrative violation case, if the period for filing of claim or objection against the resolution by judge is expired, if the resolution was not claimed or objected.

Article 440. Binding force for implementation of resolution on administrative violation case

440.1. Implementation of resolution on administrative violation case shall be the binding force for all state and local authorities, officials, natural and legal persons.

440.2. Resolution on administrative violation case shall be implemented immediately upon entering into force.

Article 441. Submission of resolution on administrative violation case for implementation

441.1. The judge, authorised body (official) shall be responsible for submission of resolution on administrative violation case for implementation.

441.2. Upon the consideration of claim or objection against the resolution of administrative violation case, the decision made shall be sent to the judge, authorised body (official) within three days from the date of entering into legal force.

Article 442. Implementation of resolution on administrative violation case

442.1. The resolution on administrative violation case shall be implemented by the authorised bodies (officials) in accordance with procedures stipulated by this Code.

442.2. If there are resolutions that stipulate the number of administrative punishments against one person, execution of each one of them shall be independent from others.

Article 443. Resolving the issues connected with execution of resolution on application of administrative punishment

443.1. Should there be any reasons for consideration of issues on postponement, suspending or cancellation of execution of administrative punishment or penalty against the not adult from his parents or persons acting as his parents, such issues shall be considered within three days by the judge, authorised body (official) who had made the resolution.

443.2. Persons interested in solution of issued indicated in article 443.1 of this Code shall be informed on place and time of their consideration. The absence of interested parties without reasons shall not prevent from consideration of such issues.

443.3. The decision shall be made on issues regarding the postponement and suspending the execution of resolution. Copies of decision are handed over to natural person or representative of legal person the decision is made against, as well as the victim on his request. In absence of listed persons copies of decision shall be sent to these persons within three days with insert of appropriate note into administrative violation case.

Article 444. Suspending or postponement of implementation of resolution on application of administrative punishment

444.1. If there are circumstances that do not allow to implement within the established timeframe the resolution on application of administrative punishment in the form of arrest, limiting the special rights of natural person or administrative penalty (with exception of those charged in place), judge, authorized body (official) that had made the resolution may postpone its execution for the period of up to one month.

444.2. Payment of administrative penalties may be postponed by the judge, authorized body (official) who had made the resolution on penalty for the period of up to three months with consideration of financial status of the person under administrative liability.

Article 445. Suspending the implementation of resolution on application of administrative punishment

445.1. If resolution is objected or appealed the judge, authorised body (official) that had made the resolution on application of administrative punishment shall suspend its implementation until the objection or complaint is considered. The decision shall be issued on suspending the implementation and sent when necessary to the body (official) that had started the implementation of the resolution.

445.2. Objection or complaint against the resolution on application of punishment in the form of arrest shall not result in the suspension of its implementation. [\(102\)](#)

Article 446. Stopping the implementation of resolution on application of administrative punishment

446.1. Judge, authorized body (official) who had made the decision on application of administrative punishment shall stop its implementation in following cases:

446.1.1. when deemed that relevant provisions of administrative violation legislation establishing the administrative liability had lost their legal force;

446.1.2. in case of death of the person the resolution on administrative violation is made against, or when such person is deemed to be dead in accordance with procedures established by the legislation;

446.1.3. when the time period established for implementation of resolution on application of administrative punishment in accordance with article 447.1 of this Code is expired.

446.2. Judge, authorized body (official) shall issue the decision on stopping the implementation of resolution on application of administrative punishment.

Article 447. Timeframe for implementation of resolution on application of administrative punishment

447.1. If resolution on application of administrative punishment is not implemented within a year from the date of entry into legal force it shall not be implemented after this year.

447.2. If the person under administrative liability lacks to implement the resolution on application of administrative punishment, the count of timeframe of execution established

in accordance with article 447.1. of this Code shall be stopped. In such case the implementation period shall be counted from the moment of this person`s arrest.

447.3. If implementation or resolution on application of administrative punishment is suspended or postponed in accordance with articles 443-445 of this Code the time count for implementation shall be stopped for the period of suspending or postponement.

Article 448. Completion of the case execution on application of administrative punishment

448.1. Upon the completion of the case execution on application of administrative punishment the resolution on application of administrative punishment shall be returned with appropriate note by the authorized body (official) who had implemented the punishment to the judge, authorized body (official) who had made such resolution.

448.2. If the implementation on application of administrative punishment had not taken place or was implemented partially the resolution on application of administrative punishment shall be returned by the authorized body (official) executing the implementation to the judge, authorized body (official) who had made such resolution in following cases:

448.2.1. if the natural person under administrative liability does not live, work or study at the address (place) indicated by judge, authorized body (official) who had executed the resolution or legal person under administrative liability is not located at the indicated address, or people located at the indicated address (place) does not have a property that administrative punishment can be used against;

448.2.2. if people under administrative liability do not have property or income the administrative punishment can be used against and measures on locating their property did not succeed.

448.2.3. when the period established by article 447.1. of this Code for implementation of resolution on application of administrative punishment is expired.

448.3. In case stipulated by article 448.2.1. and 448.2.2. of this Code the authorized official the resolution shall be implemented by shall develop an act to be approved by superior official.

Article 449. Implementation of resolution on application of administrative punishment against the person who lives outside of the territory of the Azerbaijan Republic and does not have any property on the territory of the Azerbaijan Republic

The issue on implementation of resolution of administrative punishment against the person who lives outside of the territory of the Azerbaijan Republic and does not have any property on the territory of the Azerbaijan Republic shall be resolved in accordance with legislation and international treaties of the Azerbaijan Republic.

Chapter thirty five. Implementation of resolution on warning

Article 450. Implementation of resolution on warning

The resolution on application of administrative punishment by warning shall be implemented by the judge, authorized body (official) who had made this resolution by sending or handing of the copy of resolution in accordance with article 427 of this Code.

Article 451. Implementation of resolution on application of administrative penalty

451.1. The administrative penalty shall be paid by the person who had committed the administrative violation no later than within thirty days from the date when resolution is entered into force or in accordance with timing established by article 444 of this Code for the periods of suspending or postponement.

451.2. If not adult does not have an independent source of income the administrative penalty shall be applied to his parents or persons acting as parents.

451.3. Administrative penalty is paid or transferred into the bank account of authorized credit entity by the person committed the administrative offence with exceptions stipulated by article 452.1 of this Code. Relevant information on bank or authorized credit entity is provided to the person, who has committed the administrative offence by the authorized body (authorized officer), processing the administrative violation case.

451.4. If administrative penalty is not paid within timeframes stipulated by article 451.1 of this Code, the copy of resolution on application of penalty shall be sent for the purposes of its payment by the judge, authorized body (official) who had made the resolution to:

451.4.1. For natural persons- enterprise, entity, organization or authority, granting a pension, where the person under administrative liability works or studies to withhold the penalty from his salary, scholarship, pension or other sources of income;

451.4.2. for legal persons- to the bank or other credit entity to withhold the penalty from funds or profits of legal person.

Decree of the bank or other credit organization shall be fulfilled within 7 days from the moment of its receipt. In case of non-availability of money assets at the account of legal entity within such period, decree of the bank or other credit organization on application of administrative penalty shall be forthwith returned back to the judge, authorized body (official), issued such decree with indication of reason of its non-fulfilment.

451.5. In case when the person under administrative liability is dismissed from his position or when it is not possible to withhold the administrative penalty from his salary or other sources of income, the employer shall within three days send a copy of resolution on administrative penalty to the judge, authorized body (official) who had made the resolution with indication of person`s new place of employment (if possible) and indication of the reasons for which the payment is not possible or acknowledgment of payment if payment is made.

451.6. If natural person the administrative penalty is applied to is unemployed, or the payment of administrative penalty from his salary or other sources of income is not possible, and in cases if information about accounts of legal entity in banks and other credit organizations is not available or when there are no funds on the accounts of legal

persons or if the penalty is not paid voluntarily, the resolution on application of administrative penalty shall be subject to compulsory execution in accordance with procedures stipulated by respective legislation. ([16](#), [25](#), [89](#), [102](#))

Article 452. Implementation of resolution on application of administrative penalty charged at the place of administrative violation

452.1. When the administrative penalty is charged at the place of administrative violation the natural person shall be provided with an established form of receipt.

452.2. The receipt shall include:

452.2.1. date of issue;

452.2.2. first/middle/last name of the official who charges the administrative penalty;

452.2.3. information on the person charged for administrative violation;

452.2.4. the relevant article of this Code that stipulates the administrative responsibility for this administrative violation;

452.2.5. place and time of administrative violation;

452.2.6. amount of administrative penalty

452.3. The receipt is made in two copies and signed by the official who applied the administrative penalty and the person charged for administrative violation.

452.4. If administrative penalty is not paid at the place of administrative violation the case on administrative violation to be executed in accordance with this Code.

Article 453. Implementation of resolution on compensated seizure of item that was used as an instrument of administrative violation or was the target of administrative violation

453.1. The procedure on implementation of resolution on compensated seizure of item that was used as an instrument of administrative violation or was the target of administrative violation shall be established by the legislation of the Azerbaijan Republic.

453.2. Upon the completion of implementation of resolution on compensated seizure of item that was used as an instrument of administrative violation or was the target of administrative violation this resolution shall be returned to the judge who had executed the resolution with appropriate notes.

Article 454. Implementation of resolution on seizure of property that was used as an instrument of administrative violation or was the target of administrative violation

454.1. The resolution on seizure of property that was used as an instrument of administrative violation or was the target of administrative violation shall be implemented by seizure of item and its non-compensated transfer to the state ownership.

454.2. Execution of resolution on seizure of item shall be implemented in accordance with procedure established by the legislation of the Azerbaijan Republic.

454.3. Upon completion of implementation of resolution on seizure of property the resolution shall be returned to the judge with appropriate notes.

Article 455. Execution of resolution on limitation of special rights of natural person

455.1. Resolution on limitation of right to operate the means of transport shall be implemented by seizure of driver`s license.

455.2. If person refuses to give out his driver`s license the seizure shall be implemented by the appropriate executive authority of the Azerbaijan Republic.

455.3. Execution of the resolution on limitation of rights to operate vessels (small sized vessels) shall be implemented by the relevant executive authority of the Azerbaijan Republic in charge of state control over the vessels (small sized vessels).

455.4. Implementation of the resolution on limitation of rights for hunting shall be provided by the relevant executive authority of the Azerbaijan Republic in charge of the state control over hunting rules.

455.5. The authorised official who had made the resolution on limitation of rights for operation of transport or hunting for certain period of time, upon the expiry of the half of the limitation period may decrease its timing base on the petition of enterprise, entity, organisation where person whose rights were limited works or studies.

Article 456. Counting of limitation periods for special rights of natural person

456.1. Natural person shall be recognised as limited in his special rights from the date of execution of resolution by the authorised official.

456.2. Upon the expiry of the special right limitation period or its decrease in accordance with article 455.5 of this Code the documents of the person, against whom this administrative measure is initiated shall be returned.

Article 457. Execution of the decision on administrative repatriation from the territory of the Azerbaijan Republic of foreigners and individuals without citizenship

457.1. Foreigners and individuals without citizenship shall leave the territory of the Azerbaijan Republic within a timeframe stipulated by the resolution on their administrative repatriation.

457.2. The resolution of the authorised body (official) on administrative repatriation from the territory of the Azerbaijan Republic shall be implemented by the relevant executive authority of the Azerbaijan Republic.

457.2-1. If there is likelihood that a foreigner or a person without citizenship may evade enforcement of the decision until the decision on administrative deportation beyond the boundaries of the Azerbaijan Republic is enforced, such a person may, according to a decision of the court, be detained in an establishment of the relevant executive authority designed for placing illegal immigrants.

457.3. Costs incurred in relation to administrative repatriation of foreigners or individuals without citizenship from the territory of the Azerbaijan Republic shall be covered by these persons.

457.4. If these persons do not have funds for repatriation from the territory of the Azerbaijan Republic such costs shall be covered by the host entities, enterprises and organisations and for foreigners or individuals who visit the Azerbaijan Republic on personal business- by the relevant executive authority of the Azerbaijan Republic.

457.5. Upon the implementation of resolution on administrative repatriation from the territory of the Azerbaijan Republic the resolution shall be returned to the authorised body (official) who had initiated it with relevant notes.[\(126\)](#)

Article 458. Execution of resolution on administrative arrest

458.1. The resolution on administrative arrest shall be implemented immediately upon the decision of the judge.

458.2. Persons, the administrative arrest is applied against shall be kept in places established by the relevant executive authorities of the Azerbaijan Republic. When the administrative arrest resolution is implemented the arrested persons shall be searched.

458.3. The time of temporary arrest shall be counted as part of the time for administrative arrest.

458.4. Administrative arrest shall be implemented by rules established by the legislation of the Azerbaijan Republic.

Published in the «Code of Legal Acts of the Azerbaijan Republic», 2000, № 8 (book 1), article 584.

The list of documents that affect changes and updates to this Code

1. Law s № 48-IIGD of the Azerbaijan Republic dated 26 December, 2000 - «Azerbaijan» newspaper of January 24, 2001, № 18.
2. Law s № 49-IIGD of the Azerbaijan Republic dated 26 December, 2000 - «Azerbaijan» newspaper of January 24, 2001, № 18.
3. Law № 84-IIGD of the Azerbaijan Republic dated 20 February, 2001 - «Azerbaijan» newspaper of March 30, 2001, № 70.
4. Law № 172-IIGD of the Azerbaijan Republic dated 2 July, 2001 - «Azerbaijan» newspaper of July 20, 2001, № 162.

5. Law № 187-IIGD of the Azerbaijan Republic dated 5 October, 2001 - «Azerbaijan» newspaper of December 1, 2001, № 274.
6. Law № 206-IIGD of the Azerbaijan Republic dated 12 October, 2001 - «Azerbaijan» newspaper of December 1, 2001, № 274.
7. Law № 214-IIGD of the Azerbaijan Republic dated 15 November, 2001 - «Azerbaijan» newspaper of December 29, 2001, № 298.
8. Law № 240-IIGD of the Azerbaijan Republic dated 27 December, 2001 - «Compiled Law s of Azerbaijan Republic», 31 December, 2002, № 1, article 9.
9. Law № 262-IIGD of the Azerbaijan Republic dated 12 February, 2002 - «Azerbaijan» newspaper of March 31, 2002, № 72.
10. Law № 303-IIGD of the Azerbaijan Republic dated 19 April, 2002 - «Azerbaijan» newspaper of May 12, 2002, № 107.
11. Law 309-IIGD of the Azerbaijan Republic dated 19 April, 2002 - «Azerbaijan» newspaper of May 4, 2002, № 101.
12. Law № 302-IIGD of the Azerbaijan Republic dated 16 April, 2002 - «Azerbaijan» newspaper of June 23, 2002, № 141.
13. Law № 306-IIGD of the Azerbaijan Republic dated 19 April, 2002 - «Azerbaijan» newspaper of June 02, 2002, № 124.
14. Law № 356-IIGD of the Azerbaijan Republic dated 2 July, 2002 - «Azerbaijan» newspaper of August 27, 2002, № 196.
15. Law № 385-IIGD of the Azerbaijan Republic dated 3 December, 2002 - «Azerbaijan» newspaper of 15 January, 2003, № 11.
16. Law № 409-IIGD of the Azerbaijan Republic dated 24 December, 2002 - «Azerbaijan» newspaper of January 10, 2003, № 7.
17. Law № 395-IIGD of the Azerbaijan Republic dated 3 December, 2002 - «Azerbaijan» newspaper of January 16, 2003, № 12.
18. Law № 427-IIGD of the Azerbaijan Republic dated 25 March, 2003 - «Azerbaijan» newspaper of April 15, 2003, № 83.
19. Law № 429-IIGD of the Azerbaijan Republic dated 25 March, 2003 - «Azerbaijan» newspaper of April 15, 2003, № 83.
20. Law № 422-IIGD of the Azerbaijan Republic dated 01 March, 2003 - «Azerbaijan» newspaper of May 03, 2003, № 99.
21. Law № 339-IIGD of the Azerbaijan Republic dated 4 June, 2002 - «Compiled Law s of Azerbaijan Republic», 31 December, 2002, № 12, article 692.

22. Law № 428-IIGD of the Azerbaijan Republic dated 25 March, 2003 - «Azerbaijan» newspaper of June 07, 2003, № 128.
23. Law № 486-IIGD of the Azerbaijan Republic dated 20 June, 2003 - «Azerbaijan» newspaper of July 02, 2003, № 148.
24. Law № 490-IIGD of the Azerbaijan Republic dated 20 June, 2003 - «Azerbaijan» newspaper of June 24, 2003, № 141.
25. Law № 463-IIGD of the Azerbaijan Republic dated 30 May, 2003 - «Azerbaijan» newspaper of August 07, 2003, № 179.
26. Law № 485-IIGD of the Azerbaijan Republic dated 20 June, 2003 - «Azerbaijan» newspaper of August 06, 2003, № 178.
27. Law № 512-IIGD of the Azerbaijan Republic dated 7 November, 2003 - «Azerbaijan» newspaper of 3 December, 2003, № 277.
28. Law № 536-IGD of the Azerbaijan Republic dated 5 December, 2003 - «Azerbaijan» newspaper of 25 December, 2003, № 297.
29. Law № 556-IIGD of the Azerbaijan Republic dated 9 December, 2003 - «Azerbaijan» newspaper of 25 December, 2003, № 297.
30. Law № 557-IIG of the Azerbaijan Republic dated 9 December, 2003 - «Azerbaijan» newspaper of 26 December, 2003, № 298.
31. Law № 558-IIGD of the Azerbaijan Republic dated 9 December, 2003 - «Azerbaijan» newspaper of 9 January, 2004, № 6.
32. Law № 538-IIGD of the Azerbaijan Republic dated 5 December, 2003 - «Azerbaijan» newspaper of 9 January, 2004, № 6.
33. Law № 569-IIGD of the Azerbaijan Republic dated 5 December, 2004 - «Azerbaijan» newspaper of 1 February, 2004, № 25.
34. Law № 574-IIGD of the Azerbaijan Republic dated 6 January, 2004 - «Azerbaijan» newspaper of 1 February, 2004, № 25.
35. Law № 599-IIGD of the Azerbaijan Republic dated 5 March, 2004 - «Azerbaijan» newspaper of 14 April, 2004, № 86.
36. Law № 600-IIGD of the Azerbaijan Republic dated 5 March, 2004 - «Azerbaijan» newspaper of 15 April, 2004, № 87.
37. Law № 609-IIGD of the Azerbaijan Republic dated 23 March, 2004 - «Azerbaijan» newspaper of 28 April, 2004, № 98.
38. Law № 621-IIGD of the Azerbaijan Republic dated 6 April, 2004 - «Azerbaijan» newspaper of 14 May, 2004, № 112.

39. Law № 622-IIGD of the Azerbaijan Republic dated 9 April, 2004 - «Azerbaijan» newspaper of 14 May, 2004, № 112.
40. Law № 638-IIGD of the Azerbaijan Republic dated 20 April, 2004 - «Azerbaijan» newspaper of 14 May, 2004, № 112.
41. Law № 642-IIGD of the Azerbaijan Republic dated 20 April, 2004 - «Azerbaijan» newspaper of 20 June, 2004, № 142.
42. Law № 646-IIGD of the Azerbaijan Republic dated 4 May, 2004 - «Azerbaijan» newspaper of 14 May, 2004, № 112.
43. Law № 679-IIGD of the Azerbaijan Republic dated 1 June, 2004 - «Azerbaijan» newspaper of 10 August, 2004, № 184.
44. Law № 684-IIGD of the Azerbaijan Republic dated 8 June, 2004 - «Azerbaijan» newspaper of 12 August, 2004, № 186.
45. Law № 732-IIGD of the Azerbaijan Republic dated 7 September, 2004 - «Azerbaijan» newspaper of 23 October 2004, № 248.
46. Law № 752-IIGD of the Azerbaijan Republic dated 10 September, 2004 - «Azerbaijan» newspaper of 23 October, 2004, № 248.
47. Law № 765-IIGD of the Azerbaijan Republic dated 28 September, 2004 - «Azerbaijan» newspaper of 5 December, 2004, № 282.
48. Law № 781-IIGD of the Azerbaijan Republic dated 26 October, 2004 - «Azerbaijan» newspaper of 10 November, 2004, № 262.
49. Law № 813-IIGD of the Azerbaijan Republic dated 14 December, 2004 - «Azerbaijan» newspaper of 29 January, 2005, № 21.
50. Law № 814-IIGD of the Azerbaijan Republic dated 14 December, 2004 - «Azerbaijan» newspaper of 29 January, 2005, № 21.
51. Law № 815-IIGD of the Azerbaijan Republic dated 24 December, 2004 - «Azerbaijan» newspaper of 10 February, 2005, № 31.
52. Law № 847-IIGD of the Azerbaijan Republic dated 4 March, 2005 - «Azerbaijan» newspaper of 3 May, 2005, № 99.
53. Law № 849-IIGD of the Azerbaijan Republic dated 4 March, 2005 - «Azerbaijan» newspaper of 1 May, 2005, № 98.
54. Law № 852-IIGD of the Azerbaijan Republic dated 4 March, 2005 - «Azerbaijan» newspaper of 1 May, 2005, № 98.
55. Law № 856-IIGD of the Azerbaijan Republic dated 4 March, 2005 - «Azerbaijan» newspaper of 30 April, 2005, № 97.

56. Law № 885-IIGD of the Azerbaijan Republic dated 15 March, 2005 - «Azerbaijan» newspaper of 11 June, 2005, № 132.
57. Law № 890-IIGD of the Azerbaijan Republic dated 15 March, 2005 - «Azerbaijan» newspaper of 11 June, 2005, № 132.
58. Law № 938-IGD of the Azerbaijan Republic dated 14 June, 2005 - «Azerbaijan» newspaper of 20 July, 2005, № 165.
59. Law № 947-IIGD of the Azerbaijan Republic dated 24 June, 2005 - «Azerbaijan» newspaper of 11 August, 2005, № 184.
60. Law № 948-IIGD of the Azerbaijan Republic dated 24 June, 2005 - «Azerbaijan» newspaper of 3 September, 2005, № 204.
61. Law № 981-IIGD of the Azerbaijan Republic dated 1 September, 2005 - «Azerbaijan» newspaper of 2 November, 2005, № 254.
62. Law № 983-IIGD of the Azerbaijan Republic dated 1 September, 2005 - «Azerbaijan» newspaper of 2 November, 2005, № 254.
63. Law № 990-IIGD of the Azerbaijan Republic dated 20 September, 2005 - «Azerbaijan» newspaper of 24 November, 2005, № 272.
64. Law № 991-IIGD of the Azerbaijan Republic dated 20 September, 2005 - «Azerbaijan» newspaper of 24 November, 2005, № 272.
65. Law № 994-IIGD of the Azerbaijan Republic dated 20 September, 2005 - «Azerbaijan» newspaper of 24 November, 2005, № 272.
66. Law № 1020-IIGD of the Azerbaijan Republic dated 30 September, 2005 - «Azerbaijan» newspaper of 26 October, 2005, № 248.
67. Law № 1030-IIGD of the Azerbaijan Republic dated 21 October, 2005 - «Azerbaijan» newspaper of 14 December, 2005, № 289.
68. Law № 1038-IIGD of the Azerbaijan Republic dated 21 October, 2005 - «Azerbaijan» newspaper of 14 December, 2005, № 289.
69. Law № 32-IIIGD of the Azerbaijan Republic dated 23 December, 2005 - «Azerbaijan» newspaper of 16 February, 2006, № 34.
70. Law № 39-IIIGD of the Azerbaijan Republic dated 23 December, 2005 - «Azerbaijan» newspaper of 16 February, 2006, № 34.
71. Law № 72-IIIGD of the Azerbaijan Republic dated 3 March, 2006 - «Azerbaijan» newspaper of 31 March, 2006, № 68.
72. Law № 73-IIIGD of the Azerbaijan Republic dated 3 March, 2006 - «Azerbaijan» newspaper of 27 May, 2006, № 116.

73. Law № 74-IIIGD of the Azerbaijan Republic dated 3 March, 2006 - «Azerbaijan» newspaper of 1 April, 2006, № 69.
74. Law № 79-IIIGD of the Azerbaijan Republic dated 3 March, 2006 - «Azerbaijan» newspaper of 1 April, 2006, № 69.
75. Law № 82-IIIGD of the Azerbaijan Republic dated 3 March, 2006 - «Azerbaijan» newspaper of 1 April, 2006, № 69.
76. Law № 100-IIIGD of the Azerbaijan Republic dated 21 April, 2006 - «Azerbaijan» newspaper of 25 June, 2006, № 139.
77. Law № 155-IIIGD of the Azerbaijan Republic dated 10 October, 2006 - «Azerbaijan» newspaper of 1 December, 2006, № 269.
78. Law № 156-IIIGD of the Azerbaijan Republic dated 10 October, 2006 - «Respublika» newspaper of 30 November, 2006, № 268.
79. Law № 170-IIIGD of the Azerbaijan Republic dated 20 October, 2006 - «Azerbaijan» newspaper of 2 December, 2006, № 270.
80. Law № 185-IIIGD of the Azerbaijan Republic dated 28 November, 2006 - «Azerbaijan» newspaper of 13 December, 2006, № 279.
81. Law № 193-IIIGD of the Azerbaijan Republic dated 5 December, 2006 - «Azerbaijan» newspaper of 29 December, 2006, № 293.
82. Law № 167-IIIGD of the Azerbaijan Republic dated 20 October, 2006 - «Azerbaijan» newspaper of 30 December, 2006, № 294.
83. Law № 219-IIIGD of the Azerbaijan Republic dated 26 December, 2006 - «Azerbaijan» newspaper of 24 January, 2007, № 14.
84. Law № 220-IIIGD of the Azerbaijan Republic dated 29 December, 2006 - «Azerbaijan» newspaper of 25 January, 2007, № 15.
85. Law № 200-IIIGD of the Azerbaijan Republic dated 19 December, 2006 - «Azerbaijan» newspaper of 8 February, 2007, № 27.
86. Law № 192-IIIGD of the Azerbaijan Republic dated 5 December, 2006 - «Code of Legal Acts of the Azerbaijan Republic», 28 February, 2007, № 2, article 65.
87. Law № 322-IIIGD of the Azerbaijan Republic dated 1 May, 2007 - «Azerbaijan» newspaper of 10 May, 2007, № 100.
88. Law № 236-IIIGD of the Azerbaijan Republic dated 1 February, 2007 - «Azerbaijan» newspaper of 24 May, 2007, № 112.
89. Law № 260-IIIGD of the Azerbaijan Republic dated 6 March, 2007 - «Azerbaijan» newspaper of 26 May, 2007, № 114.

90. Law № 251-IIIIGD of the Azerbaijan Republic dated 27 February, 2007 - «Azerbaijan» newspaper of 30 May, 2007, № 116.
91. Law № 357-IIIIGD of the Azerbaijan Republic dated 31 May, 2007 - «Azerbaijan» newspaper of 13 June, 2007, № 128.
92. Law № 317-IIIIGD of the Azerbaijan Republic dated 17 April, 2007 - «Azerbaijan» newspaper of 24 June, 2007, № 137.
93. Law № 320-IIIIGD of the Azerbaijan Republic dated 17 April, 2007 - «Azerbaijan» newspaper of 24 June, 2007, № 137.
94. Law № 313-IIIIGD of the Azerbaijan Republic dated 17 April, 2007 - «Respublika» newspaper of 29 June, 2007, № 140.
95. Law № 391-IIIIGD of the Azerbaijan Republic dated 16 June, 2007 — «Azerbaijan» newspaper of 21 August, 2007, № 185.
96. Law № 421-IIIIGD of the Azerbaijan Republic dated 1 October, 2007 — «Azerbaijan» newspaper of 27 October, 2007, № 241.
97. Law № 455-IIIIGD of the Azerbaijan Republic dated 19 October, 2007 — «Azerbaijan» newspaper of 27 October, 2007, № 241.
98. Law № 422-IIIIGD of the Azerbaijan Republic dated 1 October, 2007 — «Azerbaijan» newspaper of 28 October, 2007, № 242.
99. Law № 429-IIIIGD of the Azerbaijan Republic dated 9 October, 2007 — «Azerbaijan» newspaper of 2 November, 2007, № 246.
100. Law № 452-IIIIGD of the Azerbaijan Republic dated 19 October, 2007 — «Azerbaijan» newspaper of 6 November, 2007, № 249.
101. Law № 478-IIIIGD of the Azerbaijan Republic dated 6 November, 2007 — «Azerbaijan» newspaper of 25 November, 2007, № 266.
102. Law № 481-IIIIGD of the Azerbaijan Republic dated 6 November, 2007 — «Azerbaijan» newspaper of 25 November, 2007, № 266.
103. Law № 424-IIIIGD of the Azerbaijan Republic dated 1 October, 2007 — «Azerbaijan» newspaper of 27 November, 2007, № 267.
104. Law № 430-IIIIGD of the Azerbaijan Republic dated 9 October, 2007 — «Respublika» newspaper of 27 November, 2007, № 267.
(This Law comes into force at the same day with the Code of Administrative Procedure of the Azerbaijan Republic).
105. Law № 423-IIIIGD of the Azerbaijan Republic dated 1 October, 2007 — «Respublika» newspaper of 29 November, 2007, № 269.
106. Law № 461-IIIIGD of the Azerbaijan Republic dated 19 October, 2007 — «Respublika» newspaper of 29 November, 2007, № 269.

107. Law № 464-IIIIGD of the Azerbaijan Republic dated 23 October, 2007 — «Respublika» newspaper of 29 November, 2007, № 269.
108. Law № 475-IIIIGD of the Azerbaijan Republic dated 6 November, 2007 — «Azerbaijan» newspaper of 16 December, 2007, № 284.
109. Law № 508-IIIIGD of the Azerbaijan Republic dated 7 December, 2007 — «Azerbaijan» newspaper of 20 December, 2007, № 287.
110. Law № 502-IIIIGD of the Azerbaijan Republic dated 7 December, 2007 — «Azerbaijan» newspaper of 30 December, 2007, № 294.
111. Law № 509-IIIIGD of the Azerbaijan Republic dated 7 December, 2007 — «Azerbaijan» newspaper of 30 December, 2007, № 294.
112. Law № 522-IIIIGD of the Azerbaijan Republic dated 25 December, 2007 — «Azerbaijan» newspaper of 30 December, 2007, № 294.
113. Law № 524-IIIIGD of the Azerbaijan Republic dated 25 December, 2007 — «Azerbaijan» newspaper of 7 February, 2008, № 28.
114. Law № 545-IIIIGD of the Azerbaijan Republic dated 12 February, 2008 — «Azerbaijan» newspaper of 8 March, 2008, № 54.
115. Law № 535-IIIIGD of the Azerbaijan Republic dated 1 February, 2008 — «Respublika» newspaper of 12 March, 2008, № 55.
116. Law № 521-IIIIGD of the Azerbaijan Republic dated 25 December, 2007 — «Respublika» newspaper of 14 March, 2008, № 57.
117. Law № 574-IIIIGD of the Azerbaijan Republic dated 1 April, 2008 — «Azerbaijan» newspaper of 30 April, 2008, № 91.
118. Law № 578-IIIIGD of the Azerbaijan Republic dated 1 April, 2008 — «Xalg» newspaper of 14 May, 2008, № 103.
119. Law № 607-IIIIGD of the Azerbaijan Republic dated 16 May, 2008 — «Respublika» newspaper of 4 June, 2008, № 120.
120. Law № 615-IIIIGD of the Azerbaijan Republic dated 2 June, 2008 — «Respublika» newspaper of 24 June, 2008, № 136.
121. Law № 617-IIIIGD of the Azerbaijan Republic dated 2 June, 2008 — «Respublika» newspaper of 24 June, 2008, № 136.
122. Law № 621-IIIIGD of the Azerbaijan Republic dated 2 June, 2008 — «Azerbaijan» newspaper of 25 June, 2008, № 137.
123. Law № 648-IIIIGD of the Azerbaijan Republic dated 13 June, 2008 — «Respublika» newspaper of 10 July, 2008, № 149.

124. Law № 655-IIIIGD of the Azerbaijan Republic dated 24 June, 2008 — «Respublika» newspaper of 10 July, 2008, № 149.
125. Law № 647-IIIIGD of the Azerbaijan Republic dated 13 June, 2008 — «Azerbaijan» newspaper of 15 July, 2008, № 153.
126. Law № 658-IIIIGD of the Azerbaijan Republic dated 24 June, 2008 — «Azerbaijan» newspaper of 7 August, 2008, № 173.
127. Law № 649-IIIIGD of the Azerbaijan Republic dated 13 June, 2008 — «Azerbaijan» newspaper of 27 August, 2008, № 190.
128. Law № 691-IIIIGD of the Azerbaijan Republic dated 2 October, 2008 — «Azerbaijan» newspaper of 30 October, 2008, № 242.
129. Law № 693-IIIIGD of the Azerbaijan Republic dated 2 October, 2008 — «Azerbaijan» newspaper of 30 October, 2008, № 242.
130. Law № 692-IIIIGD of the Azerbaijan Republic dated 2 October, 2008 — «Respublika» newspaper of 16 November, 2008, № 257.
131. Law № 695-IIIIGD of the Azerbaijan Republic dated 2 October, 2008 — «Azerbaijan» newspaper of 15 November, 2008, № 256.
132. Law № 705-IIIIGD of the Azerbaijan Republic dated 28 October, 2008 — «Azerbaijan» newspaper of 14 December, 2008, № 279.
133. Law № 708-IIIIGD of the Azerbaijan Republic dated 28 October, 2008 — «Respublika» newspaper of 13 December, 2008, № 278.
134. Law № 711-IIIIGD of the Azerbaijan Republic dated 28 October, 2008 — «Azerbaijan» newspaper of 14 December, 2008, № 279.

In compliance with the Decree of the Constitutional Court of the Azerbaijan Republic of 27 August, 2004 the provisions of article 398.1.1 of the Code of the Azerbaijan Republic on Administrative Violations «...appearance in public places under the effect of alcohol with violation of human dignity and public moral» shall be considered as null and void since the special part of this Code does not provide the norm, that defines responsibility for such action (offence), which does not comply with to Parts I, II of Article 28, Part II of Article 71, Article 80, Parts I, III of Article 149 of the Constitution of the Azerbaijan Republic.
