



In keeping with GRATA's practice of informing clients regarding important legal developments that might influence their business, we draw your attention to the important recent changes in Azerbaijani legislation.

### **Criminal liability of legal entities**

On October 2, 2018, Milli Majlis (Parliament) of the Republic of Azerbaijan passed a Law on "Amendments to the Code of Execution of Sentences" ("**Amendment Law**").

According to the Amendment Law, a new section (VIII) was added to the Code of Execution of Sentences. Section VIII regulates the following specific matters:

- (i) Rule for execution of criminal law action in the form of special confiscation;
- (ii) Duties of bailiff during execution of criminal law action in the form of special confiscation;
- (iii) Duties of other persons with respect to property to be confiscated;
- (iv) Provision of the confiscated property to the relevant state authority;
- (v) Confiscation of the property which has been detected after enforcement of the final court judgment;
- (vi) Rule for execution of criminal law action in the form of penalty and special confiscation;
- (vii) Rule for execution of criminal law action in the form of deprivation of the right of a legal entity to engage in a certain activity;
- (viii) Rule for execution of criminal law action in the form of liquidation of a legal entity.

It should be noted that criminal law actions against legal entities were included into Criminal Code and Criminal Procedure Code by amendments dated 7 March 2012 and 29 November 2016 respectively, however, it was not working in practice. We assume that criminal law actions against legal entities will be applied in practice upon adoption of the Amendment Law.

#### **Decree of the President of Azerbaijan Republic about the changes to the Presidential decree on application of the law about approval, entering into force and other issues related to legal regulation in this sphere, dated October 18, 2018**

On October 18, 2018 the President of the Republic of Azerbaijan signed the decree approving a small amendment to the Presidential decree dated April 15, 1999. This amendment concerns the "note" section of article 70 of the Labor Code of the Republic of Azerbaijan. In accordance with the new edition of the article, certification of the educators employed in the state educational organizations is conducted by the Ministry of Education of the Republic of Azerbaijan, whereas the certification of the employees engaged in practical medicine and pharmacy is conducted by the Ministry of Health of the Republic of Azerbaijan.

#### **The law of Azerbaijan Republic amending the law of Azerbaijan Republic regarding compulsory insurance against loss of occupational capacity in a result of accidents at industry and occupational diseases, dated October 1, 2018**

On October 1, 2018 the President of the Republic of Azerbaijan signed the law approving a

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small amendment to the law of the Republic of Azerbaijan amending the law of the Republic of Azerbaijan regarding compulsory insurance against loss of occupational capacity in a result of accidents at industry and occupational diseases. In accordance with the recent amendment, the word “investigation” in article 7.1.2 of the abovementioned law was replaced by the word “research”.

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