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## LEGISLATION UPDATE

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on the latest developments in the legislation

January,  
2023

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## Date, heading

## Updates

**9 January, 2023**  
*Support of entrepreneurship in  
liberated territories*

Within the Decree No. 3037 of the President of the Republic of Azerbaijan dated December 10, 2021 "On some measures related to the acceleration of economic development in the territories liberated from occupation" and in order to ensure its implementation, the "Rule on providing loans to business entities operating in territories liberated from occupation with state guarantee and subsidizing loan interest" has been approved.

With this Rule, the loan portfolio of 500.0 (five hundred) million manats given to business entities will be provided with a **state guarantee** up to the amount of 450.0 (four hundred and fifty) million manats. The Rule also regulates the relevant tasks of the state organs as regards the implementation of the Rule.

**9 January, 2023**  
*Ratified Convention*

Azerbaijani President approved the law on ratification of the "Convention on providing mutual assistance in consular matters of the member states of the Organization for Democracy and Economic Development - GUAM" which was signed in New York on September 20, 2022.

**9 January, 2023**  
*Disclosure of  
commercial information*

With the new amendment to the Law on state registration and state registry of legal entities, information about the founders (participants) of commercial legal entities and their shares in the authorized capital since now along with other state bodies will also be provided upon request to the **State Service for Antimonopoly and Consumer Market Control**.

The similar amendment has been made to the Tax Code, allowing the State Service for Antimonopoly and Consumer Market Control access information on taxpayers.

**11 January, 2023**  
*New Law adopted*

The new Law "**on Political Parties**" has been approved by the President of Azerbaijan, which determines the order of establishment, state registration, verification, suspension and restoration, liquidation of political party, as well as organization of political party activities, membership and financial security issues.

**12 January, 2023**  
*Foreigners in Alat Free Economic  
Zone*

**12 January, 2023**  
*Amendments to the Code of  
Administrative Offences*

From the day this Law enters into force, the previous Law of the Republic of Azerbaijan "On Political Parties" is repealed.

The new amendments to Migration Code cover **foreigners and stateless persons involved to work in the Alat Free Economic Zone** (AFEZ). Namely, foreigners and stateless persons are not required to obtain work permit when employed by the authorized institution of the AFEZ, administrative enterprises and legal entities in the territory of the AFEZ, as well as to the founders of these legal entities.

Besides, when extending the period of temporary stay in Azerbaijan or applying for the temporary residence permit, application is based on the petition of AFEZ, and the registration address is provided by the authorized institution of the AFEZ.

A number of amendments have been made to the Code of Administrative Offences.

- The period for the imposition of the administrative penalty is extended to four months from the day the administrative offense was committed.
- The list of offences where the period for the imposition of the administrative penalty is 1 year is extended to include the offences regarding the regulation of inspections conducted in the field of entrepreneurship and the protection of the interests of entrepreneurs.
- A new ground for terminating or changing the decision in case of administrative offence is added: adoption of a decision on the case of an administrative offense by a judge or body (official) that did not have the authority to do so.
- Clauses 528 and 529 have been redacted to include sanctions that are more detailed.
- The sanction for carrying out the inspection without registration in the single information register of the inspections conducted in the field of entrepreneurship has been extended from 1000-1500 AZN to 2000-3000 AZN.

For further details:

<https://president.az/az/articles/view/58580>

**13 January, 2023**

*Amounts of social benefits increased*

According to Presidential Decree No. 3708 dated January 5, 2023, the amounts of social allowances from January 1, 2023 should be determined as follows:

- the amount of social allowance by age is 220 (two hundred and twenty) manats;
- The amount of social allowance for persons diagnosed with a disability due to 81-100 percent impairment of body functions is 270 (two hundred and seventy) manats; the amount of social allowance for persons with disabilities due to 61-80 percent impairment of body functions is 220 (two hundred and twenty) manats; the amount of social allowance for persons with disabilities due to 31-60 percent impairment of body functions is 150 (one hundred and fifty) manats;
- the amount of social allowance for the loss of the breadwinner is 120 (one hundred and twenty) manats;
- the amount of social allowances to poor families with a child under 1 year is 100 (one hundred) manats per child;
- the amount of social allowance for treatment of the persons injured by radiation is 300 (three hundred) manats;
- the amount of social allowance in a case of birth of a child is 500 (five hundred) manats;
- the amount of social allowance for funeral is 500 (five hundred) manats.

For further details:

<https://president.az/az/articles/view/58591>

**14 January, 2023**

*New Article in Code of Administrative Offences*

New Article 562-1 "Violation of the procedure for registering death" has been added to the Code of Administrative Offences. The Article provides sanctions for the fact that the medical institution does not immediately transfer the information about the death to the body (organization) determined by the relevant executive authority, as well as for the transfer of incorrect information.

For further details:

<https://president.az/az/articles/view/58615>

**14 January, 2023**

*Access for notary*

Amendments have been made to the Civil Code improving **access of notaries to the state register of real estate**. Article

**21 January**  
*Fees on services related to land*

148.3 is now expanded and allows direct access of notaries to the state register.

In addition, clause 491.2 is expanded with the following term: "If the agreement on the estate is related to the conclusion of the contract on the disposal of real estate, it must be notarized."

For further details:

<https://president.az/az/articles/view/58614>

According to the amendments to the Land Code, fees are determined for the services provided by the relevant body (institution) in connection with the determination of the coordinates of the turning points of the plots of land and the preparation of the plan and size of the plot of land.

According to the amendments to the Law "On the state land cadastre, land monitoring and land construction", fees are determined for the services provided by the relevant body (institution) in connection with the land cadastre, land monitoring and land construction works, preparation of technical cadastral and land construction documents and provision of information and documents related to these works carried out by the order of state institutions, municipalities, legal and natural persons, as well as confirmation of compliance of private legal and natural persons carrying out surveying works by the relevant body (institution), except for works carried out on the basis of the state order.

According to the amendments to the Law "On the state register of real estate" fees are determined for the services provided by the relevant body (institution) in connection with the initial and repeated technical inventory of real estate, verification of information on real estate related to the creation and transfer of rights to real estate and entering it into the state register, providing information from the state register about the rightful owner, description and address of real estate, drawing up schematic address plans, provision of mobile services related to receiving and issuing documents for state registration of rights, regarding the provision of an expert opinion on the land area based on land cadastral data and the results of field surveying works.

**23 January**

*One-stop shop in immovable property*

A number of amendments have been made to the Law "On the state register of real estate" directed to the development of **one-stop shop principle**.

The newly added definition of one-stop shop principle describes it as a simplified administrative procedure provided for in Article 9-1 of the Law regarding the state registration of rights over real estate. The other amendments regulate the use and implementation of this principle during the registration of the immovable property.

For further details:

<https://president.az/az/articles/view/58687>

Corresponding amendments have been made to the Law "On notary".

For further details:

<https://president.az/az/articles/view/58689>

**26 January, 2023**

*Customs duty exemptions*

The new clauses 22 and 23 have been added to Article 20 of the Law on Customs tariffs extending the list of exemptions from customs duty:

- 20.0.22. based on the confirmation document, import of machinery, technological equipment and facilities, as well as raw materials in accordance with the list approved by the relevant body by the residents of the territories liberated from occupation registered for the purposes of VAT - for a period of 10 years from January 1, 2023."
- 20.0.23. import of equipment, devices, installations and other means for educational activities, the list of which is approved by the relevant body by state general educational institutions based on the confirmation document of the relevant body (institution) - January 2023 for a period of 1 to 2 years."

**26 January, 2023**

*New Law adopted*

The new Law "on the Development of Micro, Small and Medium Entrepreneurship" has been approved by the President of Azerbaijan, which regulates relations in the field of development of micro, small and medium entrepreneurship, determines the forms and methods of promotion of state support to micro, small and medium entrepreneurship subjects.

**28 January, 2023**  
*Protection of IMEI number*

From the day this Law enters into force, the previous Law of the Republic of Azerbaijan "About state aid to small business" is repealed.

Article 25 of the Law On the Telecommunications has been expanded with the purpose of protection of mobile devices through IMEI numbers. According to these amendments, for the use of cellular (mobile) services, mobile devices must be registered in accordance with the procedure determined by the relevant executive authority. It is prohibited to change or copy the IMEI number of a mobile device in order to avoid the registration of a mobile device, as well as to provide telecommunication services to mobile devices whose IMEI numbers are on the black page of the mobile device registration system by the mobile operator.

In accordance with the above article, corresponding sanctions have been added to Article 368 of the Code of Administrative Offences.

For further details:

<https://president.az/az/articles/view/58735>

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