

About compulsory insurance against loss of professional labor capacity due to industrial accidents and occupational diseases

LAW OF THE REPUBLIC OF AZERBAIJAN

This Law regulates relations in the field of compulsory insurance against loss of professional labor capacity as a result of industrial accidents and occupational diseases in the Republic of Azerbaijan, and defines the legal, economic and organizational basis of these relations.

Article 1. Legislation on compulsory insurance against occupational accidents and occupational diseases

1.1. The legislation of the Republic of Azerbaijan on compulsory insurance against loss of professional capacity as a result of industrial accidents and occupational diseases is based on the Constitution of the Republic of Azerbaijan, the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan "On Insurance Activities", the Law of the Republic of Azerbaijan "On Compulsory Insurance" , it consists of this Law, international agreements to which the Republic of Azerbaijan is a party, and other normative legal acts.

1.2. *In the tool free economic zone, relations in the field of compulsory insurance against industrial accidents and loss of professional labor capacity due to occupational diseases are regulated in accordance with the requirements of the Law of the Republic of Azerbaijan "On Tool Free Economic Zone".* [1]

Article 2. Basic concepts

2.0. The main terms used in this Law have the following meanings:

2.0.1. Compulsory insurance against cases of loss of professional working capacity as a result of industrial accidents and occupational diseases (hereinafter - compulsory insurance) - loss of professional working capacity or death of the insured as a result of damage to the life and health of the insured persons due to industrial accidents and occupational diseases resulting from the loss of professional working capacity is an insurance class that provides insurance payment related to;

2.0.2. Compulsory insurance contract against cases of loss of professional labor capacity as a result of industrial accidents and occupational diseases (hereinafter - compulsory insurance contract) - a written agreement that stipulates the obligation of the insurer to make insurance payments as a result of an insurance event in exchange for the payment of the corresponding insurance premium by the insured to ensure compulsory insurance;

2.0.3. Insured - the persons specified in Article 3 of this Law, in whose favor a compulsory insurance contract is concluded and in the cases determined by this Law, insurance payment must be *made* ; [2]

2.0.4. insured - legal and natural persons, state bodies operating in the Republic of Azerbaijan who conclude a compulsory insurance contract for the benefit of the insured;

2.0.5. Insurer - who has a license to carry out insurance activities in the field of life insurance in the Republic of Azerbaijan and is a participant of the Compulsory Insurance Bureau, to carry out compulsory insurance against cases of loss of professional labor capacity as a result of accidents and occupational diseases, as well as as defined by the Law of the Republic of Azerbaijan "On Insurance Activities" a local legal entity that has received the appropriate permission to carry out annuity insurance;

2.0.6. Beneficiary – the person who benefits from the insurance contract (to whom the insurance payment *must be paid*) in accordance with this Law;

2.0.7. annuity contract - an insurance contract concluded between the insured and the beneficiary in accordance with the procedure established by the Law of the Republic of Azerbaijan and the beneficiary, providing for the periodic insurance payment for the benefit of the beneficiary;

2.0.8. contract year - the first year in which the compulsory insurance contract is in force and every subsequent year completed during the entire period of the contract;

2.0.9. production - a place of work where an individual performs work, services (hereinafter - labor functions) for payment;

2.0.10. industrial accident - a case of sudden and acute deterioration of the health of the person for whose benefit a compulsory insurance contract should be concluded while performing labor functions due to damage to body parts and tissues;

2.0.11. occupational disease - a chronic or acute disease that occurs as a result of the effect of unfavorable and harmful production factors on the body of the insured person;

2.0.12. insurance event - a case that is the basis for payment of the insurance payment to the beneficiary according to this Law due to the loss of professional working capacity or death of the insured as a result of an industrial accident or occupational disease during the period of compulsory insurance contract validity;

2.0.13. insurance payment - in the event of an insurance event, monetary compensation given to the beneficiary for the purpose of reimbursing material losses related to the loss of professional labor capacity or death of the insured;

2.0.14. insurance premium - the amount of money to be paid by the insured to the insurer in exchange for accepting the risks under the compulsory insurance contract;

2.0.15. insurance amount - the limit of the insurer's liability under the compulsory insurance contract;

2.0.16. annuity fee - the amount of money paid to the insurer under the annuity contract in exchange for the obligation to pay periodic insurance payments to the beneficiary in cases where an annuity contract is concluded in accordance with this Law;

2.0.17. insurance rate - the interest rate applied to the wage fund determined in accordance with this Law for the calculation of the insurance premium under the compulsory insurance contract;

2.0.18. degree of occupational risk - the level of the probability of loss of professional labor capacity or death while performing labor functions by types of economic activities and categories of insured persons;

2.0.19. categories of the insured - the division of the insured according to the nature of the labor functions performed in the production, as determined by the relevant executive authority;

2.0.20. professional labor capacity - the ability to perform labor functions in a specified volume and quality in accordance with a certain qualification;

2.0.21. degree of loss of professional labor capacity - percentage expression of continuous loss of professional labor capacity that the insured had before the occurrence of the insured event;

2.0.22. *Compulsory Insurance Bureau - an institution established by Article 27 of the Law of the Republic of Azerbaijan "On Compulsory Insurance"*; [3]

2.0.23. *financial market control body - an institution established by the relevant executive authority for the purpose of regulation and control in financial markets.* [4]

Article 3. Insured persons

3.1. The following persons must be insured under the compulsory insurance contract concluded on the basis of this Law:

3.1.1. Persons who perform labor functions on the basis of an employment contract or civil-legal contract concluded with a legal entity or an individual engaged in entrepreneurial activity without creating a legal entity in accordance with the Labor Code of the Republic of Azerbaijan or the Civil Code of the Republic of Azerbaijan, civil servants and other employees working in a state body (Persons with military or special rank, court judges and jurors serving in the bodies provided for in Article 2 of the Law of the Republic of Azerbaijan "On State Compulsory Personal Insurance of Employees of Judicial and Law Enforcement Agencies", as well as "except for the persons provided for in Article 2 of the Law of the Republic of Azerbaijan "On State Compulsory Personal Insurance of Military Servicemen"); [5]

~~3.1.2. persons sentenced to imprisonment and working;~~ [6]

3.1.3. those who work in elective paid positions that are supposed to be involved in mandatory state social insurance (except for deputies of the Milli Majlis of the Republic of Azerbaijan and deputies of the Supreme Majlis of the Nakhchivan Autonomous Republic);

3.1.4. students and apprentices undergoing industrial experience (training);

3.1.5. military personnel employed in enterprises;

3.1.6. persons involved in the prevention of natural disasters and elimination of their consequences, as well as the performance of works in the military and emergency regime;

3.1.7. natural persons engaged in entrepreneurial and labor activities on an individual basis.

3.2. According to the Labor Code of the Republic of Azerbaijan, this Law applies to foreigners and stateless persons engaged in labor activities in the Republic of Azerbaijan (except for foreigners who are not covered by compulsory state social insurance according to the Law of the Republic of Azerbaijan "On Social Insurance").

Article 4. Insureds

4.0. According to this Law, the following are obliged to conclude a compulsory insurance contract:

4.0.1. Enterprises, departments and organizations operating in the Republic of Azerbaijan, regardless of their ownership and organizational-legal form, established in accordance with the legislation of the Republic of Azerbaijan or a foreign state, with the status of a legal entity, their branches and representative offices;

4.0.2. government agencies;

4.0.3. natural persons engaged in entrepreneurial activity without creating a legal entity;

4.0.4. elected bodies;

4.0.5. natural persons engaged in entrepreneurial and labor activities on an individual basis.

Article 5. Beneficiaries

5.1. The following persons are considered beneficiaries under this Law:

5.1.1. insured persons who suffered damage as a result of an insurance event;

5.1.2. In case of death of the insured as a result of an insurance event, the following persons:

5.1.2.1. disabled persons who were dependents of the insured person or had the right to receive livelihood security from him until the day of his death;

5.1.2.2. a child born after the death of the insured;

5.1.2.3. one of the parents, wife, who has been under the care of the insured and who ~~has~~ not reached the age of fourteen, or who, despite having reached this age, is engaged in taking care of his children, grandchildren, brothers and sisters who, according to the opinion of the medical authorities, need the care of someone else due to their health condition, ~~and who do not work regardless of their ability to work~~, wife (husband) or other family member;

5.1.2.4. persons who were dependents of the insured and who lost their ability to work within five years after his death.

5.2. For the purposes of Articles 5.1.2.1 and 5.1.2.4 of this Law, a person who is incapable of working and has lost his ability to work means the following:

5.2.1. Children under the age of 18;

5.2.2. children studying in the formal department of educational institutions, but up to the age of 23;

5.2.3. if the father, mother, husband, wife, child has reached the retirement age determined in accordance with Articles 7 and 8 of the Law of the Republic of Azerbaijan "On Labor Pensions", or is a person *with a disability*; [7]

5.3. In the absence of any person specified in Article 5.1.2 of this Law, the insured's family members are considered beneficiaries.

Article 6. Rights and duties of the insured

6.1. The insured has the following rights:

6.1.1. to undergo free training on safe work methods, labor protection rules and instructions without leaving production or leaving production ~~in the manner established by legislation~~;

6.1.2. to undergo initial and periodic mandatory medical examinations at the expense of the insured in accordance with the Labor Code of the Republic of Azerbaijan ;

6.1.3. to receive free information about rights and duties related to compulsory insurance from the insured and the insurer;

6.1.4. To exercise other rights stipulated in the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

6.2. The insured has the following duties:

6.2.1. to comply with labor protection rules and labor protection instructions;

6.2.2. perform the duties stipulated in the employment contract or civil-legal contract;

6.2.3. not later than 10 working days from the date of occurrence of such cases, to inform the insured about the change of information specified in the compulsory insurance contract;

6.2.4. To perform other duties stipulated in the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

Article 7. Rights and duties of the insured

7.1. The insured has the following rights:

7.1.1. to freely choose an insurer for concluding a compulsory insurance contract, taking into account the requirements specified in Article 11.2 of this Law;

7.1.2. to participate *in the investigation* of accidents occurring in production in the manner determined by the relevant executive power body ; [8]

7.1.3. in the event of an insured event, to participate personally or through a representative in the examination of the insured in the manner determined by the relevant executive authority;

7.1.4. to protect the rights and legal interests of himself and the insured;

7.1.5. to require the insurer to explain the conditions of compulsory insurance, the rights and duties under the compulsory insurance contract;

7.1.6. to appeal *to the financial market control body* and the court ~~against~~ the insurer's decision to refuse to make the insurance payment or to reduce its amount ; [9]

7.1.7. To exercise other rights stipulated in the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

7.2. The insured has the following duties:

7.2.1. to conclude a compulsory insurance contract with the insurer in the manner established by this Law;

7.2.2. to pay the insurance premium to the insurer in the amount, order and terms determined by the compulsory insurance contract;

7.2.3. in case of changes in the categories of insured persons and the level of occupational risk, to inform the insurer about this within 10 working days from the moment of making changes in their categories;

7.2.4. to implement measures in the field of prevention of insurance events, as well as to ensure safe working conditions ~~in accordance with the legislation~~;

7.2.5. to ensure the investigation of insurance events in the manner determined by the relevant executive authority;

7.2.6. inform the insurer about it within 3 working days from the date of occurrence of the insured event;

7.2.7. to submit to the insurer other documents that are necessary for the implementation of compulsory insurance and which provide the basis for the calculation and payment of the insurance premium, the determination of the insurance payment;

7.2.8. to ensure the initial medical examination and periodical mandatory medical examination of the insured in the period and in the manner determined by the legislation;

7.2.9. immediately inform the insurer about reorganization, liquidation or termination of activity;

7.2.10. to carry out the decisions and instructions of the relevant executive authority on the prevention of occurrence of insurance events and the results of their investigation;

7.2.11. to explain to the insured their rights and duties, as well as the terms and conditions of compulsory insurance;

7.2.12. to carry out the correct accounting of the calculation and transfer of insurance premiums, to ensure the preservation of documents that are the basis for insurance payment, to provide information to the insurer in the manner specified in the insurance contract;

7.2.13. to take measures to reduce the losses resulting from the insurance event;

7.2.14. To perform other duties stipulated in the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

7.3. If the insured who has the duty to insure according to this Law does not fulfill that duty or concludes the compulsory insurance contract under conditions that worsen the condition of the insured compared to the conditions stipulated by the legislation, in the event of an insurance event, the insurance coverage determined by this Law shall be provided to the persons for whose benefit an insurance contract must be concluded in accordance with this Law. is responsible for

Article 8. Rights and duties of the beneficiary

8.1. The beneficiary has the following rights:

8.1.1. to receive insurance payment in the manner and under the conditions established by this Law;

8.1.2. freely choose an insurer to conclude an annuity contract in accordance with this Law;

8.1.3. to participate personally and together with the representative of the relevant trade union in the investigation of the insurance event in the manner determined by the relevant executive power body;

8.1.4. to file a complaint in accordance with the law in case of disagreement with the results of the investigation of the insurance event;

8.1.5. To exercise other rights stipulated in the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan (in relation to the beneficiaries provided for in Article 5.1.1 of this Law), the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

8.2. The beneficiary has the following duties:

8.2.1. to submit the documents stipulated in Article 18.6 of this Law to the insurer;

8.2.2. not later than 10 working days from the date of occurrence of such circumstances, to inform the insurer about the change of the information specified in the compulsory insurance contract or the annuity contract, as well as about the circumstances that may lead to a change in the amount of the insurance payment or the loss of the right to receive this payment;

8.2.3. not later than 6 months, to notify the insurer of the annuity contract in writing about the intention to terminate the contract;

8.2.4. To perform other duties stipulated in the Civil Code of the Republic of Azerbaijan, the Labor Code of the Republic of Azerbaijan (in relation to the beneficiaries provided for in Article 5.1.1 of this Law), the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

Article 9. Rights and duties of the insurer

9.1. The insurer has the following rights:

9.1.1. to participate in the investigation of insurance events in the manner determined by the relevant executive authority;

9.1.2. to participate in the examination conducted by the relevant executive authority for the purpose of determining the loss of professional working capacity of the insured injured as a result of the insurance event, to dispute that decision administratively and in court if one does not agree with the decision regarding the results of such an examination, to demand a new examination ; [\[10\]](#)

9.1.3. when a compulsory insurance contract is concluded, for the assessment of the insurance risk, to carry out measures to investigate the production conditions of the insured who acts as a party to that contract, to involve independent experts for this purpose;

9.1.4. obtain information on insurance events, check and, if necessary, submit requests to competent state bodies;

9.1.5. to request the necessary documents in accordance with this Law in connection with the insurance event from the insured, the insured and the beneficiaries;

9.1.6. to make recommendations on preventing the occurrence of insurance events;

9.1.7. to refuse to make the insurance payment in the cases provided for in Article 20 of this Law ;

9.1.8. To exercise other rights stipulated in the Civil Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

9.2. The insurer has the following duties:

9.2.1. control the calculation and payment of insurance premiums on time and in full;

9.2.2. to ensure that the insurance payment is issued in the manner and within the period specified by this Law;

9.2.3. in case of decision on refusal of insurance payment, to send a justified written notice to the insured and the beneficiary about the reasons for the refusal;

9.2.4. To perform other duties stipulated in the Civil Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Insurance Activity" and the Law of the Republic of Azerbaijan " On Compulsory Insurance" .

9.3. *The insurer cannot refuse to conclude a compulsory insurance contract with the subjects provided for in Article 4 of this Law who apply to insure relevant risks and have an insurable interest.* [\[11\]](#)

Article 10. **Determination of insurance event** [\[12\]](#)

10.1 . According to this Law, the insured event is determined based on the following:

10.1.1 . an act about an accident in production drawn up in the form determined by the relevant executive power body , or a court decision about the occurrence of an accident in production in relation to the person in whose favor a compulsory insurance contract should be concluded;

10.1.2. the decision of the relevant executive power body confirming the degree of loss of professional working capacity of the insured as a result of an accident or occupational disease or a death certificate.

10.2. *In response to requests provided for in Article 9.1.4 of this Law, authorized state bodies must provide any information, the dissemination of which is not prohibited by the Law of the Republic of Azerbaijan " On Access to Information", within 10 days from the date of receipt of the request.*

Article 11. **Compulsory insurance contract**

11.1. Compulsory insurance contract is an insurer that has a license that gives the right to carry out insurance activities only in the field of life insurance, and is a participant of the Compulsory Insurance Bureau, and has the permission granted *by the financial market control body* to carry out activities in the form of compulsory insurance against loss of professional labor capacity as a result of industrial accidents and occupational diseases. can be closed by [\[13\]](#)

11.2. The insured is free to choose the insurer, taking into account the requirements specified in Article 11.1 of this Law. The insurer cannot refuse to conclude the compulsory insurance contract.

11.3. The compulsory insurance contract is concluded *in the form of an electronic document through the information system provided for in Article 34-1 of the Law of the Republic of Azerbaijan "On Compulsory Insurances"* . The content and form of the compulsory insurance contract is determined by *the financial market supervisory authority* . [\[14\]](#)

11.4. If the compulsory insurance contract worsens the condition of the insured or the beneficiary compared to the conditions established by the Civil Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan " On Compulsory Insurance" and this Law, the insurer shall be obligated to the insured or the beneficiary in the amount of insurance coverage determined by this Law. [\[15\]](#)

11.5. The compulsory insurance contract is concluded indefinitely.

11.6. Compulsory insurance contract enters into force in accordance with the Civil Code of the Republic of Azerbaijan.

11.7. The compulsory insurance contract is terminated in the following cases:

11.7.1. on the initiative of the insured, provided that the insurer is notified about the termination of the compulsory insurance contract at least 30 days before the end of the contract year;

11.7.2. if the rights and duties under the compulsory insurance contract cannot be transferred to another person, when the natural person insured dies, or when the legal person insured is liquidated or its activity is terminated;

11.7.3. in case of termination of the employment contract or civil-legal contract concluded by the insured with the insured, in relation to that insured;

11.7.4. In other cases stipulated in Article 919 of the Civil Code of the Republic of Azerbaijan .

11.8. Termination of the compulsory insurance contract does not release the insurer from the obligation to pay insurance payments to the beneficiary for the insurance events that occurred during the period of validity of the contract.

11.9. If the grounds stipulated in Article 908 of the Civil Code of the Republic of Azerbaijan exist, the insurance contract is considered invalid from the moment it is concluded. [16]

Article 12. **Annuity contract**

12.1. According to Article 16.3 of this Law, a beneficiary who has received a one-time insurance payment may conclude an annuity contract with an insurer that has the right to conclude an annuity contract.

12.2. The content and form of the annuity contract, the rules for concluding, changing and terminating it are determined by *the financial market control body* . [17]

Article 13. **Insurance tariff**

13.1. Different insurance rates depending on the degree of occupational risk and the categories of the insured are determined by the relevant executive authority, provided that they do not exceed 2 percent.

13.2. Insurance rates are determined for each calendar year.

13.3. Insurance rates for the next calendar year must be determined by December 1 of the current year.

Article 14. **Insurance fee and insurance amount**

14.1. The insurance fee is determined on the basis of the product of the one-year salary fund calculated in the manner determined by the relevant executive authority of the persons for whose benefit a compulsory insurance contract must be concluded in accordance with this Law, and the insurance rate.

14.2. The insurance fee is paid by the insured to the insurer at the beginning of the contract year in installments or in one lump sum in accordance with the procedure stipulated in the compulsory insurance contract.

14.3. If there are changes in the categories of insured persons and the level of occupational risk, as well as in the salary fund, during the period of validity of the compulsory insurance contract, the insurance premium must be recalculated in proportion to the time remaining from the date of these changes to the end of the relevant contract year.

14.3-1. Payment of the insurance fee is carried out only in cashless manner. [18]

14.4. For the purposes of this Law, the procedure for determining the insurance amount under the compulsory insurance contract is determined by *the financial market control body* . [19]

Article 15. **Annuity fee**

The rules for calculating the amount of the annuity fee are determined by *the financial market supervisory authority, with the expectation of actuarial principles*. [20]

Article 16. **Insurance payment**

16.1. According to this Law, the following insurance payments are given to the beneficiaries : [21]

16.1.1. monthly insurance payment;

16.1.2. one-time insurance payment;

16.1.3. additional insurance payment.

16.2. The monthly insurance payment is a monetary compensation given to the beneficiary in lieu of the lost monthly salary due to the insured's loss of professional labor capacity in the event of an insurance event.

16.3. One-time insurance payment is a one-time payment of monthly insurance payment amounts in the manner specified by this Law. One-time insurance payment is given in the following cases:

16.3.1. *when the disability of the insured person* who suffered as a result of the insurance event is *determined* without specifying the next examination period ; [22]

16.3.2. if the insured person dies as a result of the insurance event;

16.3.3. if the insured person, who received the monthly insurance payment due to the loss of professional labor capacity as a result of the insured event, dies due to health impairment caused directly by that event.

16.4. Additional insurance payment is given to the insured person who has suffered damage as a result of an insurance event, in order to compensate for the costs of treatment, supplementary nutrition, medication, prosthetics, care of others, sanatorium-resort treatment, acquisition of special means of transport, training for another profession in connection with the circumstances directly caused by that event . monetary compensation.

16.5. *If the insurer does not pay the insurance payment within the period specified by this Law, it shall pay a sum of 0.1 percent of the insurance payment amount for each delayed day.* [23]

Article 17. Calculation of insurance payment amounts

17.1. The amount of the monthly insurance payment is determined as a percentage of the average monthly salary of the insured, who was injured as a result of the insurance event, before the date of his loss of professional work capacity.

17.2. The procedure for calculating the average monthly salary provided for in Article 17.1 of this Law is determined by the relevant executive authority.

17.3. When calculating the amount of the monthly insurance payment, if it is not possible to obtain the reference of the average monthly salary of the insured person who was injured as a result of the insurance event from the insured, the amount of the monthly insurance payment is calculated by the relevant executive authority on the basis of the average monthly salary determined for the relevant period in the relevant field of the economy. [24]

17.4. Except for the case specified in Article 17.7 of this Law, the amount of one-time insurance payment is calculated in the manner determined by the relevant executive authority.

17.5. The procedure for calculating the amount of additional insurance payment is determined by the relevant executive authority.

~~17.6. The insurer may, based on its independent decision, pay insurance premiums in addition to the insurance amounts determined by this Law.~~ [25]

17.7. In the case provided for in Article 5.3 of this Law, the one-time insurance payment is calculated in the amount of twelve times the average monthly salary of the insured person calculated in accordance with Article 17.2 of this Law.

Article 18. Procedure for issuing insurance payment

18.1. The monthly insurance payment under the compulsory insurance contract is issued from the day when the degree of loss of previous professional working capacity of the insured person as a result of the insurance event is determined by the relevant executive authority.

18.2. The insurance payment under the annuity contract is given to the beneficiary from the date agreed in that contract.

18.3. One-time insurance payment is given in accordance with Article 17.4 of this Law based on the agreement between the beneficiary and the insurer under the compulsory insurance contract ~~or annuity contract~~.

18.4. Additional insurance payment is provided from the date and within the period specified in the decision of the relevant executive authority.

18.5. Additional insurance payment is given if the insured person, who has suffered damage as a result of an insurance event, needs the types of assistance and care related to that payment and the right to receive them free of charge is not provided for by law .

18.6. The determination of the insurance payment is carried out by the insurer based on the request of the beneficiary and the documents specified in the list determined by the relevant executive authority.

18.7. The rules for determining, suspending and restoring insurance payment are determined by the relevant executive authority.

18.8. In order to determine the insurance payment, the insurer may not require other documents in addition to the documents specified in Article 18.6 of this Law.

18.9. In order to receive the insurance payment, within 10 working days from the date of submission of the insurance request and relevant documents (and within 2 working days in the case of the insured's death), the insurer makes a decision on whether to issue the insurance payment and officially informs the beneficiary about it.

18.10. If the insurer is not satisfied with the decision of the relevant executive authority on the results of the examination conducted in accordance with Article 9.1.2 of this Law, it shall officially notify the beneficiary within the period provided for in Article 18.9 of this Law of its intention to dispute that decision in accordance with the legislation and demand a new examination. must provide information.

18.11. If the beneficiary submits the insurance claim later than three years after the right to receive the insurance payment, the insurance payment is paid for the three years prior to the date of submission of this request. If this application is made within three years, the insurance payment is applied to the entire period from the day this right was created.

18.12. In the event that it is not possible to make insurance payments in the manner established by this Law as a result of damage to the life and health of the insured persons as a result of their loss of professional labor capacity or death, provided in Article 32.1.1 of the Law of the Republic of Azerbaijan "On Compulsory Insurances", the Compulsory Insurance Bureau compensation payment is given by [26]

Article 19. Procedure for determining the degree of professional incapacity

19.1. The examination of the injured insured as a result of the insurance event to determine the degree of loss of professional labor capacity is carried out by the relevant executive authority based on the application of the insured, the insured or the insurer, or on the basis of the decision of the court in accordance with the law.

19.2. The procedure for determining the degree of loss of professional labor capacity of the insured, who was injured as a result of the insurance event, as well as the procedure for initial and repeated examination for that purpose, is determined by legislation.

Article 20. Grounds for refusal of insurance payment

20.0. The insurer refuses to pay insurance in the following cases:

20.0.1. when the insured event is the result of the insured's intentional actions aimed at the occurrence of that event;

20.0.2. when the insured event occurs when the insured is in a state of intoxication due to the influence of alcoholic beverages, drugs and psychotropic, toxic and other toxic substances while performing his/her work functions;

20.0.3. When there are other general grounds for refusing insurance payment in accordance with Articles 935 of the Civil Code of the Republic of Azerbaijan and Article 21 of the Law of the Republic of Azerbaijan " On Compulsory Insurance".

Article 21. Control in the field of compulsory insurance against cases of loss of professional labor capacity as a result of industrial accidents and occupational diseases [27]

21.1. The supervision of the activities of insurers on compulsory insurance is carried out by *the financial markets control body* ~~in accordance with the insurance legislation of the Republic of Azerbaijan~~. [28]

21.2. ~~In accordance with the legislation,~~ the state control over the taking of preventive measures to reduce accidents and occupational diseases and the fulfillment of labor protection duties by the insured is carried out by the relevant executive authority. [29]

21.3. The rules for keeping records of industrial injuries and occupational diseases by the insured are determined by the relevant executive authority.

Article 22. Settlement of disputes

Disputes arising from this Law are resolved in the manner established by legislation, including in court.

Article 23. Liability for violation of the law

Insurers, insured persons, insured persons and beneficiaries are responsible for violation of this Law in the cases provided for in the Civil, Administrative and Criminal Codes of the Republic of Azerbaijan .

Ilham Aliyev,

President of the Republic of Azerbaijan

Baku city, May 11, 2010

№ 999-IIIQ

LIST OF SOURCE DOCUMENTS USED

1. Law of the Republic of Azerbaijan No. 233-IVQD dated November 15, 2011 ("Respublika" newspaper, December 14, 2011, No. 270, "Azerbaijan" newspaper December 15, 2011, No. 277, Legislative Collection of the Republic of Azerbaijan , 2011, No. 12, Article 1089)
2. Law of the Republic of Azerbaijan No. 805-IVQD dated October 29, 2013 ("Respublika" newspaper, November 15, 2013, No. 250; Legislative Collection of the Republic of Azerbaijan, 2013, No. 11, Article 1318)

3. Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11 , Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9)
4. Law of the Republic of Azerbaijan [No. 999-IVQD dated June 20, 2014](#) ("Respublika" newspaper, July 13, 2014, No. 148; Legislative Collection of the Republic of Azerbaijan, 2014, No. 07, Article 777)
5. Law of the Republic of Azerbaijan [No. 1131-IVQD dated December 16, 2014](#) (" Respublika " newspaper, February 5, 2015, No. 027, Legislative Collection of the Republic of Azerbaijan, 2015, No. 2, Article 74)
6. Law of the Republic of Azerbaijan [No. 1164-IVQD dated December 30, 2014](#) (" Respublika " newspaper, February 5, 2015, No. 027, Legislative Collection of the Republic of Azerbaijan, 2015, No. 2, Article 96)
7. Law of the Republic of Azerbaijan [No. 1195-IVQD dated February 13, 2015](#) ("Respublika" newspaper, March 20, 2015, No. 063 , Legislative Collection of the Republic of Azerbaijan, 2015, No. 3, Article 253)
8. Law of the Republic of Azerbaijan [No. 66-VQD dated December 18, 2015](#) ("Respublika" newspaper, February 18, 2016, No. 37; Legislative Collection of the Republic of Azerbaijan, 2016, No. 02, Book I, Article 184)
9. Law of the Republic of Azerbaijan [No. 150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416)
10. Law of the Republic of Azerbaijan [No. 731-VQD dated June 13, 2017](#) ("Azerbaijan" newspaper, July 21, 2017, No. 155 , Legislative Collection of the Republic of Azerbaijan, 2017, No. 7, Article 1290)
11. Law of the Republic of Azerbaijan [No. 1245-VQD dated October 1, 2018](#) ("Azerbaijan" newspaper, November 3, 2018, No. 248 , Legislative Collection of the Republic of Azerbaijan, 2018, No. 10, Article 1961)
12. Law of the Republic of Azerbaijan [No. 1418-VQD dated December 28 , 2018](#) ("Azerbaijan" newspaper, February 3, 2019, No. 27, Legislative Collection of the Republic of Azerbaijan, 2019, No. 01, Article 3 5)
13. Law of the Republic of Azerbaijan [No. 1443-VQD dated December 28 , 2018](#) ("Azerbaijan" newspaper, February 3, 2019, No. 27, Legislative Collection of the Republic of Azerbaijan, 2019, No. 01, Article 49)
14. Law of the Republic of Azerbaijan [No. 112-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, July 21, 2020, No. 141 , Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 830)

[LIST OF AMENDMENTS AND AMENDMENTS TO THE ACT](#)

[1] With the Law of the Republic of Azerbaijan [No.1418-VQD dated December 28, 2018](#) ("Azerbaijan" newspaper, February 3, 2019, No. 27, Legislative Collection of the Republic of Azerbaijan, 2019, No. 01, Article 35) The text of Article 1 was considered as Article 1.1 and Article 1.2 was added in the new content.

[2] With the Law of the Republic of Azerbaijan [1164-IVQD dated December 30, 2014](#) ("Respublika" newspaper, February 5, 2015, No. 027, Legislative Collection of the Republic of Azerbaijan, 2015, No. 2, Article 96) In Articles 2.0.3 and 2.0.6, the words "right to buy" have been replaced by the word **must be given**

[3] Law of the Republic of Azerbaijan [No.66-VQD dated December 18, 2015](#) ("Respublika" newspaper, February 18, 2016, No. 37; Legislative Collection of the Republic of Azerbaijan, 2016, No. 02, Book I, Article 184) at the end of Article 2.0.21, the period sign was replaced by a semicolon and Article 2.0.22 was added in the new content.

[4] By the Law of the Republic of Azerbaijan [150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) The period at the end of Article 2.0.22 was replaced by a semicolon and Article 2.0.23 was added in the new content.

[5] With the Law of the Republic of Azerbaijan [1195-IVQD dated February 13, 2015](#) ("Respublika" newspaper, March 20, 2015, No. 063, Legislative Collection of the Republic of Azerbaijan, 2015, No. 3, Article 253) "and jurors" have been removed 3.1.1.

[6] Law of the Republic of Azerbaijan No. 233-IVQD dated November 15, 2011 ("Respublika" newspaper, December 14, 2011, No. 270, "Azerbaijan" newspaper, December 15, 2011, No. 277, Legislation of the Republic of Azerbaijan Collection, 2011, No. 12, Article 1089) and Article 3.1.2 have been repealed.

[7] With the Law of the Republic of Azerbaijan No. 112-VIQD dated May 19, 2020 ("Azerbaijan" newspaper, July 21, 2020, No. 141, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 830) In Article 5.2.3, the word **if a disabled person** is replaced by the words **if a person with a disability**

[8] With the Law of the Republic of Azerbaijan 1245-VQD dated October 1, 2018 ("Azerbaijan" newspaper, November 3, 2018, No. 248, Legislative Collection of the Republic of Azerbaijan, 2018, No. 10, Article 1961) In Article 7.1.2, the word **"investigation"** has been replaced by the word **investigation**

[9] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) In Article 7.1.6, before the word **complaint** the **insurance control body and the court** were added.

7.1.6 with the Law of the Republic of Azerbaijan No. 150-VQD dated March 4, 2016 ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In the article, the words **" insurance control body** were replaced by the words **financial markets control body "**.

[10] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) In Article 9.1.2, the words **"according to the legislation"** replaced by the words **administratively and**.

[11] With the Law of the Republic of Azerbaijan 1131-IVQD dated December 16, 2014 ("Respublika" newspaper, February 5, 2015, No. 027, Legislative Collection of the Republic of Azerbaijan, 2015, No. 2, Article 74) Article 9.3 has been added in the new content.

[12] With the Law of the Republic of Azerbaijan No. 999-IVQD dated June 20, 2014 ("Respublika" newspaper, July 13, 2014, No. 148; Legislative Collection of the Republic of Azerbaijan, 2014, No. 07, Article 777) Articles 10.0, 10.0.1 and 10.0.2 were considered Articles 10.1, 10.1.1 and 10.1.2, respectively, and Article 10.2 was added in the new content.

[13] With the Law of the Republic of Azerbaijan 150-VQD dated March 4, 2016 ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In Article 11.1, the words **"insurance control body"** have been replaced by the words **financial markets control body**

[14] Law of the Republic of Azerbaijan No. 66-VQD dated December 18, 2015 ("Respublika" newspaper, February 18, 2016, No. 37; Legislative Collection of the Republic of Azerbaijan, 2016, No. 02, Book I, Article 184) and in Article 11.3, the words **in written form based on the written application of the insured** replaced by the words **"in the form of an electronic document through the information system provided for in Article 34-1 of the Law of the Republic of Azerbaijan "On Compulsory Insurance"**.

11.3 of the Law of the Republic of Azerbaijan No. 150-VQD dated March 4, 2016 ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) in the article, the words **" relevant executive power body "** were replaced by the words **financial market control body "**.

[15] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) In Article 11.4, the word **"by legislation"** replaced by the words **Civil Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan "On Compulsory Insurance" and this**

Law.

[16] With the Law of the Republic of Azerbaijan No. 847-IV QD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) Article 11.9 is given in a new edition.

The previous editorial said:

~~11.9. In addition to the grounds for invalidity of contracts provided by legislation, a compulsory insurance contract is also considered invalid from the moment of its conclusion in the following cases:~~

-

[17] With the Law of the Republic of Azerbaijan [150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In Article 12.2, "relevant executive power body" have been replaced by **financial market control body**

[18] Law of the Republic of Azerbaijan [No.66-VQD dated December 18, 2015](#) ("Respublika" newspaper, February 18, 2016, No. 37; Legislative Collection of the Republic of Azerbaijan, 2016, No. 02, Book I, Article Article 14.3-1 was added in new content with 184).

14.3-1 with the Law of the Republic of Azerbaijan No. [150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In the article, the words " insurance control body " were replaced by the words " **financial markets control body** ".

14.3- with the Law of the Republic of Azerbaijan No. [731-VQD dated June 13, 2017](#) ("Azerbaijan" newspaper, July 21, 2017, No. 155 , Legislative Collection of the Republic of Azerbaijan, 2017, No. 7, Article 12 90) Article 1 has been revised.

The previous editorial said:

~~14.3-1. Insurance intermediaries transfer the insurance premiums received from the insured in cash to the account of the respective insurer through the payment system integrated with the information system provided for in Article 11.3 of this Law. This payment system should allow the Compulsory Insurance Bureau to obtain an electronic report on all payments, and on payments transferred to its account to the relevant insurer in the form determined by the financial market control body.~~

[19] With the Law of the Republic of Azerbaijan [150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In Article 14.4, "relevant executive power body" have been replaced by **financial market control body**

[20] With the Law of the Republic of Azerbaijan [150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In Article 15, "relevant executive power body" have been replaced by **financial market control body**

[21] With the Law of the Republic of Azerbaijan No. 847-IV QD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) In Article 16.1, the words "may be given" replaced by the word **given**.

[22] With the Law of the Republic of Azerbaijan [No.112-VIQD dated May 19, 2020](#) "Azerbaijan" newspaper, July 21, 2020, No. 141, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 830 In Article 16.3.1, the words "disability of the insured" were replaced by the words "**disability of the insured**" and the word **determined** was replaced by the word **certain**

[23] With the Law of the Republic of Azerbaijan [No.999-IVQD dated June 20, 2014](#) ("Respublika" newspaper, July 13, 2014, No. 148; Legislative Collection of the Republic of Azerbaijan, 2014, No. 07, Article 777) Article 16.5 has been added in the new content.

[24] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) In Article 17.3, the words **necessary documents** by the words **reference from the insured** the words **necessary** by the word **relevant**.

[25] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) Article 17.6 has been removed.

[26] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) Article 18.12 has been added in the new content.

[27] With the Law of the Republic of Azerbaijan [150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) In the title of Article 21 and in Article 21.1, the words "state control" have been replaced by the word **control**

[28] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) The words "in accordance with the insurance legislation of the Republic of Azerbaijan" have been removed from Article 21.1.

21.1 of the Law of the Republic of Azerbaijan [No. 150-VQD dated March 4, 2016](#) ("Azerbaijan" newspaper, March 16, 2016, No. 59, Legislative Collection of the Republic of Azerbaijan, 2016, No. 03, Article 416) in the article, the words "insurance control body" were replaced by the words "financial markets control body".

[29] With the Law of the Republic of Azerbaijan No. 847-IVQD dated December 17, 2013 ("Respublika" newspaper, January 19, 2014, No. 11, Legislative Collection of the Republic of Azerbaijan, 2014, No. 01, Article 9) in accordance with the legislation from Article 21.2.