LAW ON NORMATIVE LEGAL ACTS
of the REPUBLIC OF AZERBAIJAN

Chapter 1

GENERAL PROVISIONS

Article 1. Purpose of this Law

This Law shall define drafting, entry into force, interpretation of the laws and other normative legal acts of the Republic of Azerbaijan and the rules of collaboration of the relevant state agencies in this regard.

Article 2. Definition of normative legal acts of the Republic of Azerbaijan

2.1. Normative legal act of the Republic of Azerbaijan (“normative legal act” hereafter) shall be an official written document of a generally binding character, adopted (issued) by an authorized state body, and shall establish, amend or repeal legal norms and be envisaged for continuous application.


Article 3. Acts of normative character

Acts of normative character of the Republic of Azerbaijan shall be the following:

3.1. Decisions of the Constitutional Court of the Republic of Azerbaijan issued in accordance with the paragraphs 1-6, 8 of Section III and Section IV of article 130 of the Constitution of the Republic of Azerbaijan.

3.2. Decisions, instructions and directives of the Central Election Commission of the Republic of Azerbaijan;

3.3. Decisions of local executive bodies, local self-government bodies;

3.4. Decisions of the National Bank of the Republic of Azerbaijan;

3.5. Decisions of the National Television and Radio Council;


Article 4. Legal basis of the authorities to issue normative legal acts

The authorized bodies to issue normative legal acts and limits of their authorities shall be determined by the Constitution and other laws of the Republic of Azerbaijan.
Article 5. **Compliance of normative legal acts with superior normative legal acts**


Article 6. **Delegation of authorities to issue normative legal acts to subordinate bodies**

6.1. State body of the Republic of Azerbaijan authorized to issue normative legal act may delegate part of this authority to other state body, unless otherwise prescribed by the legislation.

6.2. Relevant executive body of the Republic of Azerbaijan authorized to issue normative legal act, may delegate part of this authority to other subordinate relevant executive bodies, unless otherwise prescribed by the legislation.

6.3. The act of delegation of authorities shall indicate the deadline of delegation and the delegated body.


6.5. The body receiving authorities as provided for in the section 6.1 of this article shall not delegate them to other bodies.

6.6. The body recipient of authorities to issue normative legal acts, for the execution of delegated authorities shall refer to the normative legal act on the delegation of authorities.

6.7. In order to execute transferred authorities, the delegated body shall submit adopted normative legal acts to the delegating body within 24 hours from its issuance (without counting holidays). The delegating body may repeal or modify such acts.

6.8. The delegated body shall cover expenses related to the transfer of authorities from its budget, unless otherwise prescribed by the act of delegation of authorities.

Article 7. **Rules of implementation of normative legal acts**

In the case of contradiction between normative legal acts of different legal force normative legal act with superior legal force shall apply. In case of contradiction between normative legal acts of the same force, normative legal act of the latest date shall prevail.
Article 8. Legal force of normative legal acts issued before the independence of the Republic of Azerbaijan

Normative legal acts in force before the declaration of the independence of the Republic of Azerbaijan shall maintain their legal force, unless they are repealed and contradict the Constitution of the Republic of Azerbaijan.

Article 9. Legal basis for issuing normative legal acts


9.2. The rules for evaluation, adoption and affirmation of normative legal acts of relevant executive bodies shall be determined by the relevant executive body.

Article 10. Bodies authorized to issue normative legal acts

The bodies authorized to issue normative legal acts shall be determined by the Constitution of the Republic of Azerbaijan.

CHAPTER 2

PLANNING OF NORMATIVE LEGAL ACTS

Article 11. Approval of plans for drafting normative legal acts


11.2. Relevant executive bodies shall approve plans for drafting normative legal acts to be issued by these bodies.

Article 12. Proposals to be considered in the drafting of normative legal acts

The proposal of the deputies of the Milli Mejlis of the Republic of Azerbaijan, members of the Accounting Chamber of the Republic of Azerbaijan, relevant executive bodies of the Republic of Azerbaijan, Nakhchivan Autonomous Republic, administrative territorial units of the Republic of Azerbaijan, scientific institutions, proposal submitted in the mass media and submissions of the population shall be considered in the establishment of plans for drafting normative legal acts.
Article 13. Duration of plans for drafting normative legal acts

Current plans for drafting normative legal acts shall be made as a rule for the duration of six months to one year. In necessary cases, perspective plans for 5 years may be envisaged. These plans shall determine measures for development directions of the legislation, broad measures of codification and other measures for systematization of normative documents, consider systematized or updated publications of normative acts. Perspective plans shall be specified and itemized in current plans.

Article 14. Drafting of unplanned normative legal acts

Plans for drafting normative legal acts shall include most important and major acts and shall not deter drafting of other unplanned normative acts on the assignments of superior bodies, as well as in other necessary cases.

Chapter 3

PREPERATION (DRAFTING) OF NORMATIVE LEGAL ACTS

Article 15. Establishment of commissions for drafting normative legal acts

15.1. Body which drafts normative legal act, as a rule, shall establish a commission composed of officials of this body, specialists and scientists in order to draw the draft.

15.2. Officials of scientific institutions, interested state and non-governmental institutions may be involved in the drafting process.

15.3. Participation of legal services of the body or entity drafting legal act shall be necessary in the drafting process.

Article 16. Drawing or ordering of the drafts of normative legal acts

Preparation of the preliminary draft of normative legal act, including preparation of alternative drafts may be assigned to state bodies, scientific institutions, non-governmental organizations, to individual scientists or specialists or to their associations, or may be ordered on contractual basis, as well as a tender may be launched for the best draft.

Article 17. Involvement of representatives of state bodies and administrative territorial units in the drafting process of normative legal acts

17.1. Representatives of Nakhchivan Autonomous Republic and administrative territorial units shall be involved in the drafting process of normative legal acts in the cases affecting their competences and interests.
17.2. Relevant executive bodies responsible for the development and maintenance of economic and state administration shall be involved in the drafting process of normative legal act affecting these fields.

**Article 18. Disclosure of drafts of normative legal acts**

Drafts normative legal acts from the moment of the submission for agreement or approval shall be disclosed on the internet information resources of the drafting body. Draft normative legal acts may be disclosed also by the way of arranging proper conditions for consultation of the draft in the mass media, official publications, libraries, public information centers, as well as by other means provided by the legislation.

**Article 19. Submission of drafts to public (national) discussion**

Milli Meclis of the Republic of Azerbaijan or Supreme Council of Nakhchivan Autonomous Republic on their initiative may submit draft laws of the Republic of Azerbaijan to public (national) discussion as provided for by the legislation.

**Article 20. Simultaneous examination of the main and supplementary drafts**

Drafts of the main normative legal acts and of the acts supplementing or concretizing its provisions shall be prepared and examined simultaneously, if it shall not be possible, the main draft or the act for its implementation shall envisage drafting or adoption of such acts.

**Article 21. Documents attached to the draft**

Drafts of the normative legal acts shall be submitted for examination and approval, together with motivated comments on the necessity of such draft, purposes, main provisions and hierarchy of the future acts in the existing legislative system, broad characterization of their expected social-economic and other consequences, as well as drafts of the amendments to the existing legislation as a result of the adoption of the present draft. Additionally, shall be indicated collectives and persons who participated and whose agreement received in the drafting process, disagreements in the process and motivated comments thereto. In cases where the implementation of the draft will require additional materials and other expenses, financial-economic motivation shall be attached to the draft.
Article 22. **Requisites of the normative legal acts**

Each normative act shall bear the following requisites:

22.1. Type of the normative legal act (law, decree, decision etc.);
22.2. Title of the normative legal act with its object of regulation;
22.3. Date and place of adoption (issuance) of the normative legal act;
22.4. Signature of the authorized official;
22.5. Registration number of the normative legal act.

Article 23. **Structure of normative legal act**

23.1. Article and paragraph containing legal norms shall be the basic structural component of normative legal act. Legal norms shall be included to the law in the form of articles entitled “article”. Other normative legal acts shall be composed of “section” with the heading “section”.

23.2. Articles (paragraphs) of normative legal acts close in their content may be united in chapters. Several chapters close in their content may be united in parts.

23.3. Articles of normative legal acts may be divided into sections containing different legal norms; sections may be divided into subsections. Article, section and subsections may be divided into parts with paragraphs.

23.4. Internal structure of Code may be set on different basis.

23.5. The normative act may begin with introductory part (preamble) that will describe the purpose and reasons of its adoption and main purposes;

23.6. If necessary, an article may be included in the normative legal act to explain terms and definitions used therein.

23.7. Normative legal act shall be divided into Chapters and each of its articles shall have titles (heading).

23.8. Small normative legal acts without chapters may have untitled articles.

23.9. Appendixes may be included in the structure of normative legal acts.

23.10. Codes and if necessary, big normative legal acts shall have indexes in their structure.

Article 24. **Amendments to normative legal acts**

24.1. If a part of normative legal act (chapter, article, section) is repealed, they are removed from the normative legal acts in force, but their enumeration shall be kept and the enumeration of other parts of the normative legal act (chapters, articles, sections) shall not be modified.

24.2. If an additional part is added to a normative legal act (chapter, article, section), they shall be included in the text with additional number reiterating previous enumeration of the act.
Article 25. **Reference in normative legal acts to the articles of other normative legal acts and duplication of articles of other normative legal acts**

Normative legal acts may, if necessary, with reference to the articles of other acts, as well as with reference to the superior legal acts may duplicate separate provisions of such acts.

Article 26. **Reference in articles of normative legal acts to its other articles**

If necessary, articles of normative legal act may make reference to its other articles, in order to keep interaction between the legal norms and avoid duplications.

Article 27. **Language of normative legal act**

Texts of the acts shall be given in a simple, literal language. The use of outmoded, polysemantic words and phrases, figurative words, epithet and metaphors shall be avoided.

Article 28. **Liabilities (sanctions) in normative legal acts**

Normative legal acts establishing duties for state and local self-government bodies, political parties, public unions, trade unions and their public officials, legal and natural persons shall determine liabilities, if for the violation of these duties such liabilities are not provided for in other legislative acts in force.

Article 29. **Repeal or amendment of acts in force by a new legal act**

29.1. After the adoption of new act, all the previously adopted (issued) acts or their parts in contradiction with the new normative assignments or acts covered by the new act or formally in force by factually unsound acts shall be considered as repealed.

29.2. After the adoption of new normative legal act, the issuing body, if necessary, shall amend or modify normative legal acts in force.

29.3. In cases of detection of contradictions between valid acts of normative character or normative legal acts of central executive bodies and superior legal acts, the relevant executive body shall request the issuing body to amend or repeal such act. Request to the concerned bodies to amend or repeal the acts of normative character of local self-government bodies which contradict superior normative legal acts shall be made in accordance with the law of the Republic of Azerbaijan “On administrative control on the activities of municipalities”.

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Article 30. Repeal, dissemination, amendment of the acts of dissolved or restructured norm creating bodies

The issues of repeal, dissemination or amendment of the acts of dissolved or restructured norm creating bodies shall be regulated by the legal successor of these bodies or by the superior authority.

CHAPTER 4

INDEPENDENT SCIENTIFIC EXPERT EXAMINATION OF NORMATIVE LEGAL ACTS

Article 31. Scientific expert examination of drafts and its purposes

31.1. Draft of normative legal act submitted for review or adoption may be subjected to independent scientific expert examination (legal, economic, financial, technical, ecological etc) in order to assess its quality.

31.2. The main purposes of scientific expert examination shall be the following:
   31.2.1. to guarantee high quality, effectiveness, legitimacy and actuality of the draft;
   31.2.2. to establish scientifically justified system of the adopted legal acts;
   31.2.3. to research the possible negative, social, economic, legal, ecological and other consequences of the adopted acts.

Article 32. Authority to submit drafts to expert examination

Draft of normative legal act shall be submitted to scientific expert examination by the decision of the head of state body authorized to issue such acts.

Article 33. Rights of experts involved in drafting process of laws

Persons involved as experts in the drafting process of laws shall have the following rights:
   33.1. to consult materials and documents, as well as proposals, opinions, feedbacks and other materials received during agreement or public (national) discussion relevant to the drafting at the Milli Mejlis of the Republic of Azerbaijan and other state bodies;
   33.2. during the discussion of the draft, to participate in the works of collegial body authorized to issue normative legal act.

Article 34. Independence of experts

Experts shall be independent in assessing normative legal acts and shall not depend on the body which ordered expert examination.
**Article 35. Examination of expert opinions**

Opinions of experts on the draft law shall be examined in permanent commission before their discussion at the Milli Majlis of the Republic of Azerbaijan.

Drafts of the laws or other normative legal acts submitted to the Milli Majlis of the Republic of Azerbaijan shall be discussed at the Milli Majlis of the Republic of Azerbaijan only after being subjected to expert examination.

**CHAPTER 5**

**PUBLICATION AND OTHER FORMS OF DISSEMINATION OF NOTAMTIVE LEGAL ACTS**

**Article 36. Publication of normative legal acts**

36.1. The rules for disseminating and entry into force of the acts containing state secret, except the acts adopted in referendum, laws, decrees of the President of the Republic of Azerbaijan, decisions of the Cabinet of Ministers of the Republic of Azerbaijan, shall be determined by the relevant executive body.

36.2. Normative legal acts published in the official journal after their entry into force shall be applied and executed by all the state bodies and public officials, regardless of their communication to the concerned subjects.

36.3. Normative legal act beginning from the day of its entry into force shall be disclosed on the internet resources of the issuing body.

**Article 37. Duties of the implementing persons of normative legal acts**

Organs and public officials responsible for the implementation of normative legal acts shall have the following duties:

37.1. to familiarize implementing persons with the act (in necessary cases with acknowledgement);

37.2. to provide, if necessary, implementing persons with copies, extracts from normative legal act, to post acts in public places, and to take necessary measures to communicate the act to the concerned entity, body and persons.

**Article 38. Publication of normative legal acts**


38.3. Decisions of the Cabinet of the Ministers shall be published in the official publications “Legislation Journal of the Republic of Azerbaijan” and the “Azerbaijan” newspaper, if necessary, other means of mass media shall be used for their immediate and extensive dissemination.


38.6. Normative legal acts indicated in this article shall be published by the issuing bodies and relevant executive bodies in sufficient copies taking into account the necessity of familiarizing broad range of population.

38.7. Normative legal acts may also be published by any mass media and publication.

Article 39. Publication of decisions and resolutions of the Constitutional Court of the Republic of Azerbaijan

Decisions and resolutions of mandatory publication of the Constitutional Court of the Republic of Azerbaijan shall be published in the official publication “Azerbaijan” newspaper and the “Bulletin of the Constitutional Court of the Republic of Azerbaijan”

Article 40. Publication of acts of the Central Election Commission

Acts of Central Election Commission of mandatory publication shall be published in the official publication “Azerbaijan” newspaper and other official media means.

Article 40-1. Publication of decisions of the Judicial Legal Council

Decision of mandatory publication of the Judicial-Legal Council shall be published in the official journal of the relevant executive body.
TEMPORAL, TERRITORIAL, SUBJECT SCOPE OF NORMATIVE LEGAL ACTS

Article 41. Time of entry into force of normative legal acts

41.1. Laws of the Republic of Azerbaijan, Decrees of the President of the Republic of Azerbaijan and decisions of the Cabinet of Ministers of the Republic of Azerbaijan shall enter into force from the day of their publication, unless otherwise prescribed in the act itself.

41.2. Normative legal acts of relevant central executive bodies, normative acts of local executive bodies, local self-government bodies and National Bank of the Republic of Azerbaijan after their registration according to the established rules, shall enter into force from the day of their publication, unless otherwise prescribed in the act itself.

41.3. Normative act may stipulate a different date on which a specific part (chapter, article, section) of the act will take effect.

41.4. Normative legal act on foreign commercial trade shall enter into force 30 days after its publication, unless a longer date is established by an interstate convention to which the Republic of Azerbaijan is party. In exceptional cases, with the condition of informing international organizations, normative legal on international commercial activity may enter into force from the date provided by the act itself.

Article 42. Retroactive force of normative legal acts

Retroactive force of normative legal acts shall be regulated by the article 149 of the Constitution of the Republic of Azerbaijan.

Article 43. Period of validity of normative legal act

43.1. A normative legal act shall operate for an unlimited time, unless the legislation or the act itself stipulates otherwise.

43.2. A normative act or its part may be adopted (issued) to operate for a certain period of time. In this case the period of validity of the act or part of it shall be indicated. After expiration of this term the normative act or its part shall be deemed repealed without additional announcement. Before the expiration of the mentioned term, the body that adopted (issued) the normative act may extend or lift the time limit of validity of the act.

Article 44. Repeal of normative legal acts

44.1. A normative act or its part loses force if:
44.1.1. The time period for which it was adopted (issued) has expired;
44.1.2. Previously adopted act contradicts new adopted act;
44.1.3. Provisions of previously adopted acts contradict international convention to which the Republic of Azerbaijan is party;
44.1.4. Constitutional Court of the Republic of Azerbaijan renders decision in the cases provided for in the paragraphs 1-3, 6, 8 of section III article 130 of the Constitution of the Republic of Azerbaijan;
44.1.5. State body that issued normative legal act or obtained such authority according to the legislation adopts a decision on the repeal or suspension of the act.

44.2. Normative legal acts shall be deemed repealed by an act of the issuing body or the body commissioned for this purpose by the legislation.

Article 45. Territorial and subject scope of normative legal acts

45.1. Normative legal acts shall operate on the totality of the territory of the Republic of Azerbaijan or the territory of the administrative territorial unit.
45.2. Normative acts shall be applicable, unless otherwise prescribed by the legislation, to the citizens of the Republic of Azerbaijan and to the foreigners and aliens residing permanently or temporarily on the territory of the Republic of Azerbaijan, as well as to the public officials of state and self-government bodies, political parties, public unions, trade unions and other legal persons.

CHAPTER 7

INTERPRETATION OF NORMATIVE LEGAL ACTS

Article 46. Necessary cases of interpretation of normative legal acts

46.1. Interpretation of normative legal act shall be the determination of its content, meanings and purposes, clarification of the terms used in the legislation.

46.2. Official interpretation shall be provided by the authorized bodies.


Official interpretation of the Constitution and laws of the Republic of Azerbaijan shall be provided by the Constitutional Court of the Republic of Azerbaijan in accordance with the paragraph IV article 130 of the Constitution of the Republic of Azerbaijan.
**Article 48. Official interpretation of normative legal acts of relevant executive bodies**

Relevant executive bodies may provide official interpretation to their adopted normative legal acts.

**Article 49. Impossibility of amending or adding concretizing norms during the interpretation of normative legal acts**

Normative legal acts shall not be amended or supplemented with concretizing norms during interpretation. Broad or restrictive interpretation shall be provided only in cases of obvious contradiction between the text and the content of normative legal act.

**CHAPTER 8**

**SYSTEMATIZATION AND REGISTRATION OF NORMATIVE LEGAL ACTS**

**Article 50. Journals and bulletins of normative legal acts**

Official journals and bulletins of normative legal acts, unless otherwise provided by the legislation, shall be published by the issuing bodies or by other bodies on their assignment.

**Article 51. Official registration and record of normative legal acts**

51.1. In order to keep official records of all the normative legal acts of the Republic of Azerbaijan, normative legal acts of central executive bodies, as well as acts of normative character of local executive bodies, local self-government bodies, National Bank, National Television and Radio Council shall be submitted to the relevant executive body for official registration.

51.2. The rules for state registration of normative legal acts of the Republic of Azerbaijan shall be determined by the relevant executive body.

**CHAPTER 9**

**FINAL PROVISIONS**

**Article 52. Financing of preparation, publication, registration of normative legal acts**

Expenses related to the preparation of normative legal acts on contractual basis or by order, its expert examination, official publication or dissemination by other means, as well as state registration shall be financed from the state budget.
Article 53. **Entry into force of this Law**

53.1. This law shall enter into force form the day of its publication.

53.2. From the day of entry into force of this law, the “Law on Normative legal acts” of the Republic of Azerbaijan adopted on September 6, 1994 shall be deemed repealed.

President of the Republic of Azerbaijan

HEYDAR ALIYEV

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