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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.

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GRATA Azerbaijan Law Firm
43 Samed Vurgun Street, World Business Center,
17th floor, AZ1014, Baku, Azerbaijan
Tel.:+994 (12) 597-48-33/53
E-mail: baku@gratanet.com
www.gratanet.com
Байшил

АЗЕРБАЙЖАН