

Law of the Republic of Azerbaijan

On protection of consumer rights

This law determines general legal, economic and social foundations and mechanisms for equal regulation of relations between a producer and consumer, seller and executor during sale and purchase transactions, performance of works and rendering of services in order to create equal conditions for consumers within the territory of the Republic of Azerbaijan, as well as for protection of consumers' rights.

The law is prepared on the basis of "Guiding principals for protection of consumers' rights" adopted by the UN General Assembly and directed to approximate such relations in the Republic of Azerbaijan to the world practice.

Chapter I. General provisions

Article 1. Key definitions

Key definitions used in this Law:

- **consumer:** an individual who uses, purchases, orders commodities, works and services or who intends to purchase or order them in order to satisfy his/her identified needs;
- **producer:** an enterprise, office, organization or an entrepreneur producing commodities for sale regardless of the form of property and organizational-legal form;
- **executor:** an enterprise, office, organization or an entrepreneur performing a work or rendering a service;
- **seller:** an enterprise, office, organization or an entrepreneur doing sale-purchase transaction or selling commodities;
- **normative document:** state standards, pharmacological, sanitary and construction norms, rules and other documents that determine mandatory requirements according to the legislation of the Republic of Azerbaijan to quality and safety of commodities (works, services);
- **defect:** incompliance of a commodity (work, service) with requirements of normative documents, terms of contract or any other established

requirement, as well as with information that was provided by an executor or seller on a commodity (work, service);

- **significant defect:** a defect that makes impossible or inadmissible to use a commodity (work, service) according to its purpose, that cannot be eliminated by a consumer, elimination of which demands a lot of labor and time consumption, and changes a commodity (work, service) differently from as provided in the contract or that re-occurs again after its elimination;
- **certificate of conformity (certificate):** a document issued for confirming compliance of a certified product, according to the rules of certification system, with established requirements;
- **conformity mark:** a mark that shows compliance of a product, process or service with the approved requirements, and issued and applied in accordance with the rules of certification system and registered in a provided manner;
- **safety of a commodity (work, service):** exclusion of any harm to life, health, property of consumer, as well as to environment while using, storing, transporting and putting in use a commodity (work, service) under ordinary circumstances or during the process of doing a work (rendering a service);
- **warranty period:** a period during which warranty obligations provided for in the relevant normative documents are in force.

Article 2. The legislation of the Republic of Azerbaijan on protection of consumer rights

The legislation of the Republic of Azerbaijan on protection of consumers' rights consists of this Law and other normative-legal acts adopted pursuant to this law.

If the rules determined in this Law are different from those determined in the international treaties of the Republic of Azerbaijan, rules of international rules shall prevail.

Chapter II. Rights of consumers

Article 3. Rights of consumers

Consumers within the territory of the Republic of Azerbaijan are entitled to the following rights:

- to freely choose commodities (works, services) and their producer, executor and seller;
- to have required quality of commodities (works, services) that they consume;
- to safety of commodities (works, services);
- to obtain comprehensive and true information about quantity, type and quality of commodities (works, services);
- to redress, if prescribed in the legislation, for commodities (works, services) that are low quality and harm health of people and dangerous to their lives;
- to apply to competent state authorities and court for defending his/her rights and legal interests;
- to association in public organizations (union of consumers).

Article 4. Warranted production level

Warranted production level is ensured in the following forms:

- in cases where there is no warranty for every consumer to freely buy a commodity through introducing normalized distribution form;
- through payment of compensations, different allowances and concessions to citizens.

Article 5. The right of consumer to have normal quality of commodities (works, services)

1. Consumer is entitled to demand conformance of the quality of purchased commodities (works done or services rendered) from seller (producer, executor) to normative documents, terms of contract, as well as to the information provided by the seller (producer, executor) on commodity (work, service).

2. Requirements to safety of consumer's life, health and property, as well as safety of environment are determined by normative documents.

The above-mentioned requirements for separate commodity (work, service) groups are determined by the legislative acts of the Republic of Azerbaijan.

3. Seller (producer, executor) should give consumer a commodity with the quality that complies with the normative documents, terms of contracts and information provided by the producer (executor) on the commodity (work, service).

Commodities (works, services) imported to the territory of the Republic of Azerbaijan should be accompanied with a document that is prescribed in the legislation and confirms appropriate quality.

4. Producer should give warranty during the service time for usage of the commodity (results of performed works and rendered services) foreseen in the normative document or prescribed in the contract with consumer according to its purpose, and in case of absence of such period during 10 years period.

Producer during the whole production period should provide technical maintenance and intermediate maintenance, including provision of the organizations doing technical maintenance and service with spare parts in necessary quantity and sorts; after withdrawal of the commodity (work, service) from the production - during the service period, and in cases where such period is not determined - during 10 years.

Article 6. Warranty obligations

1. Producer (executor) ensures normal functioning (application and usage) of commodity (work, service), as well as its component parts during the warranty period provided for in the legislation, and in cases where these periods absent, in the manner as prescribed in the contract.

Warranty period of component parts if otherwise is not prescribed in the legislation or contract shall not be less than warranty period of the commodity (work, service) itself.

2. Warranty period shall be indicated in passport or marking paper (label) of commodity (work, service) or any other document attached to the commodity (work, service).

Perishables and foodstuffs, medicines, perfumery-cosmetic commodities, chemicals and other commodities (works, services) that might be dangerous for health, life and property of people, as well as to environment, should have indication of the expiration period on their package or on the relevant attached documents.

It is prohibited to sell expired commodities.

Warranty periods are counted from the time when commodity was given to consumer, if other period is not prescribed in the sale-purchase contract; expiration period - from the day of preparation..

3. Consumer is entitled to make his/her claims before seller (producer, executor) concerning detected defects of commodities whose warranty period is not determined not later than the time prescribed in the Civil Code of the Republic of Azerbaijan.

4. After intermediate maintenance, warranty period of a commodity (work, service) is extended equal to the time how long it was in maintenance. The indicated period is counted from the day when consumer made his/her claim for elimination of the defects. When commodity is substituted, warranty period is counted from the day of the substitution.

Article 7. Rights of consumers when defective commodities are sold

1. If during the warranty period prescribed in the contract or in other rules, consumer finds a defect or fraud in the purchased commodity he/she is entitled to demand the followings from seller or producer as he/she desires:

- to substitute for a commodity of normal quality;
- to decrease the sale price in appropriate amount;
- to eliminate defects of the commodity on the account of executor (seller, producer) or restitution of costs made by the consumer or a third party in order the eliminate defects;
- to substitute the commodity with new calculation of the value for other model (brand, type, etc.) commodity;
- to denounce the contract and compensate for the harm.

2. Seller (executor) is obliged to take back low quality commodity and do one of the demands of the consumer envisaged in the first paragraph of this Article.

Return of large-size and heavy commodities from consumer back to seller (executor) and re-return after substitution back to consumer is performed on the account of the seller (executor).

3. Demand of consumer for substitution of commodity shall be implemented immediately if such commodity exists, and when appropriate, its quality should be checked within 14 days after the relevant demand, or be changed during time as agreed between parties.

If there is no commodity as to the demand of consumer substitution of commodity shall be implemented within two months after making an appropriate application.

If it is impossible to substitute commodity during the indicated time, consumer may demand implementation of other demands envisaged in the second, third, fourth and fifth items of the first paragraph of this Article.

4. If price is changed when defective commodity is substituted for a commodity with normal quality and of the same model (brand, type etc.) consumer shall not pay for the price difference.

If price changed when defective commodity is substituted for a commodity with normal quality, same features, but of different model (brand, type etc.) then value of the commodity shall be re-calculated taken as basis prices as of the date when that commodity was purchased.

In denunciation of the contract if prices of commodity are increased calculations shall be based on the price increase of the same grade commodities; when prices are declined by taking as basis value of the commodity as of its purchase time.

5. If low-quality foodstuff is sold to consumer which is detected before expiration time, seller should substitute that commodity for normal quality commodity or reimburse the value of commodity.

In these cases, calculations with consumer are held as provided in paragraph 4 of this Article.

6. If consumer demands gratis elimination of the defect of commodity that defect should be eliminated within 14 days or within a different period as agreed by the parties.

With the demand of consumer seller (executor) should give similar commodity (with home delivery) when home appliances and means of transport are under repair or in the process of substitution.

If implementation of the demand for giving similar commodity during repair (substitution), including elimination of commodity's defects or its substitution is delayed (14 days) seller shall besides giving the commodity back to the consumer, also pay fault-money in amount of one percent of the commodity for each delayed day.

7. Demand of the consumer is considered when he/she presents receipt, commodity or cash check, and for warranted commodities - technical passport or any substituting document.

Seller should issue consumer a receipt, commodity or cash check or any other written document when sells a commodity.

If consumer loses technical passport or its substituting document their restoration will be performed as prescribed in the legislation.

8. Producer should pay expenses of seller that he/she made for satisfying demand of consumer.

9. Demands, which are envisaged in the first paragraph of this Article in relation to commodities produced outside of the Republic of Azerbaijan or purchased through mediators, are satisfied on the account of seller.

10. If seller, producer (enterprises doing their functions) proves that defects of commodity were occurred as a result of breach of utilization and storage rules by consumer, actions of third parties or natural disaster then demands of consumer envisaged in this Article shall not be implemented.

Producer is entitled to personally or through his/her representative participate in the quality checking of commodity.

Article 8. Responsibilities of executor in closing of a contract for performing a work or rendering a service

A producer or executor holding dominant position in the market is obliged to conclude a contract with consumer for performing works and rendering services (save the cases when he/she proves that this deal goes out of his charter activity or production capabilities). In this case he/she should organize his/her production or other economic activity in such manner, which will allow to appropriately and

continuously satisfying needs of people. Executor is responsible for reimbursement of any loss, arisen from non-fulfillment of works or services, which is occurred as a result of his/her groundless denial from concluding a contract.

Article 9. Rights of consumers when provisions of contracts for performing works and rendering services are infringed

1. If executor doesn't start in time implementation of the contract for performing works and rendering services or his/her very slow work proves that work won't be completed in time, consumer is entitled to refuse from the contract and demand for compensation of losses.

2. If there will be significant divergence in works (services) from what was envisaged in provisions of the contract or when there are other significant defects and consumer gives additional time to executor for elimination of these defects but again this work (service) is not fulfilled during this time then consumer is entitled to ask for denunciation of the contract and reimbursement of losses or task third parties to eliminate defects on the account of executor.

3. If executor has worsened work (service) by diverging from contract provisions or led to other defects in work (service), consumer is entitled to, according to his/her wish, demand elimination of indicated defects for free of charge in appropriate time or reimbursement of necessary expenses he/she made for elimination of defects or reduce price of work (service) in corresponding amount.

4. If there is significant divergence from provisions of contract or other significant defects will be detected in works (services) that were performed by using consumer's materials then consumer is entitled to, according his/her wish, demand from executor to perform these works by using the same type and quality materials or denunciation of the contract and reimbursement of losses.

5. If defect envisaged in paragraph 2 of this Article will not be eliminated in determined time or if fulfillment of works (services) will be delayed, executor should pay back to consumer fault-money in amount of one percent of the price of commodity or service (if no separate price is determined, then price of order) for each delayed day, unless other amount of fault-money is determined in the contract.

Payment of fault-money (fine, penalty) or reimbursement of losses for non-fulfillment or incomplete fulfillment of works by executor does not exempt him/her from fulfillment of obligations.

6. If executor proves that defects in performed works or rendered services are occurred through fault of consumer, he/she shall not be held responsible.

7. Demands of consumer envisaged in 2 and 5 paragraphs of this Article can be made if defects are detected when consumer accepts work (service) during its fulfillment, as well as during warranty period, if such period does not exist, during one year.

Warranty period is counted from the receipt of material (thing) and when not received in time at fault of consumer - from the time as prescribed in the contract for performing work (service).

8. If executor loses, deteriorates or damages a thing (material) that received from consumer, he/she should return back a thing with similar quality and price (perform a work or render a service), and whenever it is impossible, with the permission of consumer reimburse cost of that thing (material) or cost of damages not later than a month.

9. Executor should advise consumer on the special properties of a thing (material), which may lead to its deterioration or damage. If level of scientific and technical knowledge does not allow detecting special properties of that thing (material), executor shall not be exempted from responsibility.

Value of a thing (material) accepted by executor for performing works or rendering services is determined by consumer while concluding a contract.

10. If in performing works or rendering services life, health or property of a citizen is damaged as a result of using materials, equipment, devices, instruments, installations or any other means that do not ensure safety of consumer's life, health or property, executor shall be held responsible regardless whether he/she knows their properties.

Article 10. Rights of consumers to safety of commodities (works, services)

1. Consumer is entitled to the right to have safety of commodities (works, services) while used, stored and transported under usual conditions, to his/her life, health, as well as environment, and to the right of ensuring no harm to his/her property.

If there is no document, which determines safety measures regarding a commodity that might damage lives, health and property of citizens, including environment, then the respective executive power authorities should ensure prompt development and adoption of such normative documents and immediately stop production, sale of commodity and performance of work and rendering of service.

2. Expiration period (usability period) should be determined for commodities (works, services) that might be dangerous to or harm, if used after certain time, lives, health, property of consumers, including environment.

Producer (executor) is obliged to indicate service (usability) period of such commodities in their instructions.

3. If it is necessary to follow special rules for safe usage, storage or transportation of a commodity (work, service), then producer (executor) should determine these rules and seller should advise consumer of these rules.

4. Commodities (works, services) regarding which safety requirements are established by the legislations acts or other normative documents for protection of citizens' lives, health and property, and environment, should pass mandatory certification according to the legislation in force. If there is no certificate confirming compliance with the indicated requirements such commodities (including foreign commodities) are prohibited to be sold and used in the Republic of Azerbaijan.

Ground for the importation of such commodities to the territory of the Republic of Azerbaijan is certificate of conformance that is presented to the customs bodies and issued by a competent authority.

Responsibility for infringement of safety requirements regarding the commodities (works, services) envisaged in this paragraph is determined by this Law and other legislative acts.

5. If consumer properly follows rules for using, transporting and storing a commodity (results of a work, service), but that commodity (work, service) damages or might damage his/her life, health, property or environment, producer (executor, seller) should suspend its production (sale) unless causes that might

damage are not eliminated, and when necessary, take actions for its withdrawal from circulation and consumer.

If it is impossible to eliminate causes of damage, producer (executor) is obliged to withdraw such commodities (works, services) from production, circulation and consumer. If producer (executor) fails to fulfill these obligations, decision for withdrawal of commodities (works, services) from production, circulation and consumer shall be made by the respective state control authorities within their competencies. If as a result of this action food raw material or products will be found not edible, they should be destroyed or re-processed.

Damage to consumer in connection with return of commodity (works, services) shall be fully reimbursed by producer (executor).

6. If requirements set forth in paragraphs 4 and 5 of this Article are infringed then by the decision of state authorities performing control of commodity quality shall transfer earnings made from the sale of commodities that were sold with infringement of those rules to the state budget.

7. When new (modernized) commodity (work, service) is developed producer should present normative documents of that commodity to the respective authority for confirmation of its compliance with safety requirements related to lives, health, property of citizens, as well as environment, and for passing state expertise.

8. Producer (executor) is obliged to advise consumer about potential harm (risk) in a commodity (work, service) and safe usage by using signs approved in international practices.

Article 11. Property accountability for harm caused by low-quality commodity (work, service)

Any harm to life, health or property of consumer caused as a result of construction, production, recipe and other defects of commodity (work, service) shall be fully reimbursed to consumer by the guilty person, if higher responsibility is not provided for in the legislation.

In cases when harm to properties as a result of defects in commodity, work or service, this rule shall only be applied if the low-quality product causes damages to other properties when it is used for the intended purpose.

Article 12. Redress of moral damages

If the rights of consumers envisaged in this Law are violated by producer (executor, seller) moral damage to consumer should be redressed by the guilty person. Amount of the redress payment is set by a court, unless otherwise is determined by the law.

Article 13. Rights of consumers to obtain information on commodity (work, service)

1. Seller (executor) shall provide consumer necessary and true information on price, consumption properties (in case of foodstuffs also information on composition, expiration period, calorificity, comparative quantity of harmful matters with requirements of normative documents), conditions for obtaining, warranty obligations and claims, ways and rules for using, storing and safe usage of commodity (work, service) that he/she is interested in.

Seller (executor) shall provide consumer comprehensive and true information on trade rules for commodities being in sale and types of services of the enterprise.

Labels and other writings on the commodities produced within the territory of the Republic of Azerbaijan or exported shall be besides appropriate foreign languages also in the state language. Labels and names on the commodities, explanatory sheets on instructions for their usage besides other languages also should be accompanied with Azerbaijani translation.

Seller (executor) shall indicate prices of commodities (works, services) sold in the Republic of Azerbaijan in Azeri Manats.

2. The information prescribed in paragraph 1 of this Article is delivered to the notice of consumer through technical documents attached to commodity, as well as through marking, indicating production and sale date or by other mean accepted in different service fields.

3. Produced commodity should bear production or trade mark and geographical indication. Production mark shall indicate name, category, place of producer (executor) and mark of standards (normative documents). Produced commodity

should fit with production mark. Commodity (work, service) prepared by a person who is engaged in entrepreneurship activity shall bear a label. The label should contain information on number of document entitling to be engaged in entrepreneurship activity, name of approving organization, wherever necessary, on its certification and for commodities that meet special requirements, number of state standards.

4. If provision of untrue information or not enough comprehensive information on sold commodity led to purchasing by consumer of a commodity (work, service) without necessary specifications, he/she shall have the right to denounce the contract and demand reimbursement of losses.

5. It is prohibited to advertise a product that is subject to mandatory certification but has no certificate of conformity.

6. In case of damage to consumer as a result of purchasing unfairly advertised commodity (work, service), it should be fully indemnified by the guilty persons.

7. When demand of consumer for indemnification of losses occurred as a consequence of untrue or incomplete information on a commodity (work, service) or unfair advertisement, it should be deemed that he/she has not got special knowledge about features and specifications of the obtained commodity (work, service).

8. The state shall create conditions than enable consumers to obtain necessary information on their rights and their protection.

Article 14. Rights of consumers in the field of trade and other types of services

1. All citizens have equal rights in satisfaction of their demands in the field of trade and other kinds of services.

Save the cases prescribed in the legislation, it is inadmissible to favor consumers' rights, restrict them, directly or indirectly, in any form. Separate groups of citizens needing social protection might be granted concessions and preferences as prescribed by the legislative acts of the Republic of Azerbaijan in the field of trade and other kinds of services.

2. Consumer, by taking into account working regime of seller (executor), shall have the right to freely choose a commodity and service in a convenient time for him/her.

Seller (executor) is obliged to help consumer in freely choosing a commodity and service.

It is prohibited to force consumer to buy low-quality or unnecessary commodity and forcibly render a service.

3. Seller (executor) should give consumer true and understandable information on the name, category and working regime of his/her organization.

4. Consumer shall have the right to check quality, completeness, size, weight and price of purchased commodity, and have demonstrated proper and safe usage of commodities. In these cases seller upon demand of consumer should present checking-measuring devices, documents on price of commodity. When it is necessary to determine causes of the loss of quality during the warranty period, seller should send that commodity to examination within 3 days after getting written application of consumer. Examination costs shall be borne by seller.

5. Consumer is entitled to purchase a commodity that he/she needs from the set that seller affectedly creates.

6. If the rights of consumers in the field of trade and other kinds of services are violated, seller (executor) and employees of the enterprise shall be held accountable as prescribed in the legislation.

Article 15. Right of consumer to substitute a commodity not satisfying his/her demands for commodity of normal quality

1. If a non-food product of normal quality is not suitable to consumer because of its form, size, style, color or cannot be used according to its purpose due to other reasons, consumer is entitled to substitute it for a suitable commodity in the place of its purchase.

Consumer shall have right within 14 days, not including day of purchase, to substitute that commodity for a commodity of normal quality. A longer period can be stated by seller for retail sale commodities.

A commodity that was purchased by consumer can be substituted if it was not used and its commodity appearance, consumption specifications, seal, label, as well as commodity or cash receipt or other documents that were attached to it are conserved.

List of commodities, not subject to substitution on the basis prescribed in this Article, shall be approved by the Cabinet of Ministers of the Republic of Azerbaijan.

2. If during substitution of a commodity there is no suitable commodity, consumer shall have the right to buy other commodity with re-calculation of price or take back money in amount of commodity return or substitute it when suitable commodity will come to sale. Seller should so inform consumer on the day when that commodity comes to sale.

Article 16. Invalidity of contract terms that restrict consumers' rights

Terms of contract that restrict consumer's rights compared to the rights prescribed by the legislation, shall be deemed invalid. If as a result of application of contract terms that restrict consumer's rights, consumer has suffered damage then it should be fully indemnified by responsible person.

If consumer (executor, seller) causes damage to consumer through benefiting from dominance of position in the field of production or trade, consumer shall have the right to be indemnified for that damage.

Chapter III. Protection of consumers' rights

Article 17. Rules on trade and other types of services

Rules on trade, personal services and other kind services (performance of works, rendering of services) are approved by the Cabinet of Ministers of the Republic of Azerbaijan. These rules should not be contrary to the Law of the Republic of Azerbaijan "On protection of consumers' rights" and other legislative acts.

Article 18. State policy on protection of consumers' rights

18.0. The state policy on protection of consumers' rights envisions the following requirements for the purposes of protection of legal interests of consumers (users) of commodities (services, works):

18.0.1. state control over compliance of commodities (services, works) sold in the consumer market, including food products and medicines, with the sanitary-hygienic, environmental, technical, safety standards of packaging, transportation, storage and sale conditions, as well as trade norms and guidelines;

18.0.2. issue of permits (licenses) for production, importation and sale of certain types of commodities (services, works);

18.0.3. specification of commodities (services, works) that require compulsory certification and provision of conformance certificates and/or marks.

18.0.4. control over medical background of persons involved in sale of medicines and provision of medical services;

18.0.5. prevention of delusion of consumers (users) by sellers and/or advertisers by means of placement of false and/or incomplete information about origin, quantity and quality, expiration date, terms and conditions of sale and price of commodities (services, works);

18.0.6. ensuring compensation of confirmed financial and moral damages in the amount, specified in the relevant manner from the seller (producer, importer, advertiser) to buyer (consumer);

18.0.7. prohibition of production, importation and sale of commodities (services, works) that present a danger to human health and environment;

18.0.8. cooperation with international organizations operating in fields of protection of consumers' rights, establishment of relevant conditions for operation of public unions.

Article 19 State protection of rights and legal interests of consumers

19.1. State protection of rights and legal interests of consumers of commodities (services, works) is provided by the relevant executive authorities by means of ensuring conformity with trade, public works, consumer and other service norms and guidelines.

19.2. The relevant local executive authority performing the function of protection of rights and legal interests of consumers:

19.2.1. controls conformity of produced, imported and/or sold commodities (services, works) to the relevant standards and technical conditions, issues certificates and marks of conformance;

19.2.2. specifies the list of commodities (services, works) that require compulsory certification and prevents uncertified sale (execution) and withdraws uncertified commodities from circulation;

19.2.3. prevents production, importation and sale of commodities (services, works) that do not meet relevant standards and technical requirements, or present threats to human lives, health and environment;

19.2.4. takes measures for withdrawal of expired products and products of unclear origin from trade circulation, and bringing persons who authorized sale of such products to responsibility in accordance with the relevant legislation;

19.2.5. publishes and distributes information in mass media to ensure timely supply of information to population about commodities (services, works) that were prohibited from production, importation and sale;

19.2.6. checks if raw materials, materials and ready products meet relevant quality and safety requirements on base of examination (test) of samples and takes relevant measures. The cost of samples and examination (test) fees are paid for by the economic subject. These expenditures shall fall into production and economic expenditures of the economic subject;

19.2.7. controls use of materials which are safe from sanitary-hygiene, toxicological and reliability points of view, in packaging of food products, medicines and products which might represent a threat to human health and environment;

19.2.8. prevents sale of patented medicines and products which might represent a threat to human health and environment without prior distribution of information about safety guidelines;

19.2.9. ensures withdrawal of fake products from commercial turnover and persecution of persons involved into production and sale of such products in accordance with the relevant legislation;

19.2.10. controls sale of commodities (services, works) as approved by the relevant local executive authorities, and as recommended by the producer;

19.2.11. controls over sale of precious metals, precious stones and jewelry made of precious stones and metals in accordance with the sale guidelines specified in the relevant legislation;

19.2.12. reviews and investigates complaints from buyers regarding delusion in weight, price and calculation from seller, supply of false information about products, violation of terms and conditions of sales;

19.2.13. receives information regarding quality, price and terms and conditions of sale of commodities (services, works) from producers, importers, exporters and sellers;

19.2.14. prepares suggestions regarding increasing quality, stock-list and diversity of commodities (services, works) and submits to the relevant executive authority.

Article 20. Obligations of local executive authorities for protection of consumers' rights

Local executive authorities may establish relevant bodies for protection of consumers' rights. Relevant bodies for protection of consumers' rights of local executive authorities:

- consider complaints of consumers and give them appropriate advice on protection of their rights provided for in the legislation;
- analyze contracts concluded between sellers (producers, executors) and consumers in order to find out provisions restricting consumers' rights;
- collect information on damage to lives, health or property of consumers and send it to a relevant competent authority;

- advise relevant state executive authorities performing control over safety of commodities (works, services) when consumers find defects in commodities (works, services) or dangerous commodities (works, services);
- can bring a suit to a court on own initiative or upon request of a consumer (union of consumers).

Article 21. Responsibility for violation of consumers' rights

Responsible persons for violation of this Law shall have civil, administrative and criminal liability as prescribed in the legislation of the Republic of Azerbaijan.

Article 22. Consideration of complaints concerning decisions of state executive authorities responsible for protection of consumers' rights, and their officials, as well as actions of their officials

Consideration of complaints concerning decisions of state executive authorities responsible for protection of consumers' rights and their officials, as well as actions of their officials is performed as prescribed in the legislation.

Implementation of decisions of state executive authorities responsible for protection of consumers' rights and their officials, as well as actions of their officials is not suspended through lodging a complaint.

Article 23. Relationship between state executive authorities responsible for protection of consumers' rights and law enforcement agencies

Staff of the law enforcement agencies assists state executive authorities responsible for protection of consumers' rights in fulfillment of their duties and prevents unlawful actions of citizens that hinder fulfillment of their duties.

Article 24. Legal protection of the officials of state executive authorities responsible for protection of consumers' rights in the Republic of Azerbaijan

Rights of the officials and specialists of state executive authorities responsible for protection of consumers' rights are determined by appropriate legislation acts of the Republic of Azerbaijan.

It is prohibited to hinder in or otherwise impact on performance of their duties, as well as interfere with their activities.

Authorities, officials and citizens will be held responsible as prescribed by the legislation of the Republic of Azerbaijan if they do so.

Article 26. Protection of consumers' rights prescribed in the legislation

Protection of consumers' rights prescribed in the legislation is realized by a court.

Court besides acting up to demands of consumers also resolves redress of moral (non-property) damage.

Consumers are exempted from payment of state duties when they lodge claims concerning violation of their rights.

Chapter 4. Public organizations of consumers (union of consumers)

Article 27. Public organizations of consumers (union of consumers) and their rights

1. Citizens of the Republic of Azerbaijan shall have the right to establish public organizations of consumers (union of consumers) through association on voluntary basis in order to protect their legal rights.

The union of consumers is a public organization and acts on the basis of the Law of the Republic of Azerbaijan "On Public Unions".

2. The union of consumers is entitled to:

- obtain public opinion on consumption specifications of commodities, demand to them, quality and price of a commodity being produced and sold;
- apply to the relevant state control authority for examination and testing of commodities (works, services);

- obtain necessary information from the relevant executive authorities and economic subjects in order to realize its aims and objectives;
- assist the state authorities in performing control over quality of commodities (works, services) and in the field of trade and other kinds of services;
- organize provision of legal consultations in accordance to the legislation to consumers;
- make proposals and comments in drafting of the normative documents determining requirements to quality of a commodity (work, service);
- raise issues on the interests of consumers and protect them before the relevant executive authorities pursuant to the legislation;
- make proposals to the relevant executive authorities, enterprises and organizations on improvement of quality of a commodity (work, service) and compliance with pricing rules, temporary suspension of sale of a commodity (work, service) not meeting determined quality requirements, suspension of production and withdrawal from sale of a commodity (work, service) that is dangerous to lives, health and property of citizens, as well as to environment, suspension of sale of products with groundlessly increased prices, including cancellation of prices that were set with violation of the legislation in force;
- protect rights of citizens that are not member of public organizations of consumers (union of consumers) in the court pursuant to the legislation;
- apply to the relevant executive authorities for bringing into account persons at fault of producing and selling low-quality commodity (work, service);
- inform the public on the rights of consumers;
- assist development of international cooperation on protection of consumer's rights.

President of the Republic of Azerbaijan

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