

Law of the Republic of Azerbaijan on State Compulsory Personal Insurance of Employees of Judicial and Law Enforcement Bodies

This Law defines the rules and conditions of state compulsory personal insurance of life and health of employees of judicial and law enforcement bodies in order to strengthen their social protection.

Article 1. Legislation on state compulsory personal insurance of employees of judicial and law enforcement bodies

State compulsory personal insurance of employees of judicial and law enforcement bodies shall be regulated by this Law, the Civil Code of the Republic of Azerbaijan, the Laws "On Insurance Activity", "On State Protection of Employees of Judicial and Law Enforcement Bodies" and other laws and normative acts adopted by relevant executive authorities in accordance with this Law.

Article 2. Insured

For the purposes of this Law, employees of judicial and law enforcement bodies (insured persons) include all court judges, ~~jurors~~, prosecutors, investigators, persons serving in the judiciary, migration authorities, persons conducting investigations, persons carrying out operational and search activities and employees of the relevant executive authorities who ensure the elimination of consequences of emergency situations, protection of public order and national security and perform customs work.

Article 3. Insurer

Insurer of employees of judicial and law enforcement bodies shall be a state insurance agency.

The insurer shall not have the right to refuse to conclude a compulsory insurance contract with state bodies provided for in Part 1 of Article 6 of this Law, which apply for insurance of the relevant risks and have an insurable interest.

Article 4. Minimum insurance amount and insurance premium

In accordance with this Law, employees of the court and law enforcement bodies shall be insured in the amount of their 5-year salary.

The insurance premium shall be determined in the amount of one percent of the insurance amount, ~~taking into account commission premiums of the insurer.~~

The amount of the insurance premium can be increased by the decision of the relevant executive authorities.

Article 5. **Insurance event and insurance indemnity**

Demise (death) and injury (wound, trauma, contusion) of employees of judicial and law enforcement bodies in performing their duties shall be considered insurance events.

Upon occurrence of insurance events, the following insurance indemnities are paid with a percentage of the insurance amount:

- a) in case of demise (death) while working in judicial or law enforcement bodies - 100 percent;
- b) in case of death within three years after discharge from service due to an injury (wound, trauma, contusion) received while in the insured service - 100 percent;
- c) when the insured is defined as a person with disability;
Group I - 80 percent;
Group II - 60 percent;
Group III - 40 percent
- d) in case of:
severe injury (wound, trauma, contusion) of the insured person - 20 percent;
minor injury (wound, trauma, contusion) - 10 percent.

Article 6. **Insurance procedure**

State compulsory personal insurance of employees of judicial and law enforcement bodies shall be carried out for the relevant executive power bodies, relevant courts and the Prosecutor's Office of the Republic of Azerbaijan (policyholders) at the expense of funds provided in the state budget for this purpose every year.

Policyholders shall provide the list of employees to the insurer to ensure state compulsory personal insurance of employees of judicial and law enforcement bodies and pay the required amount of insurance premiums on a quarterly basis each year at the expense of funds allocated from the state budget to them.

Each quarter the insurer shall submit a report to policyholders on the results of the previous quarter.

Allocations for the costs of work on state compulsory personal insurance of employees of judicial and law enforcement bodies shall be determined in the amount of 10 percent of the corresponding insurance premiums.

The insurer or its territorial subdivisions shall pay the insurance indemnity to the insured or their heirs within 7 days from the day of receiving the relevant documents under the conditions and in the amounts stipulated by this Law.

If a new insurance event occurs in connection with the insurance event for which the insurance indemnity has already been made, the previously paid amount shall be taken into account.

If the insurer does not pay the insurance indemnity within the period specified by the fifth part of this article, it shall pay a penalty in the amount of 0.1 percent of the insurance indemnity amount for each delayed day.

Article 7. Documents needed to receive insurance indemnities

In order to receive insurance indemnities, the insured persons or their heirs shall submit an application in the prescribed form to the state insurance bodies or subdivisions of those bodies at their place of residence, a document confirming their identity, a copy of the employment record book or a certificate from the workplace, that the insurance event is directly related to the performance of service duties:

- a) in case of demise (death):
copy of the ~~notarized~~ certificate of the relevant executive authority on the death of the insured; document attesting heirship;
in case of death within three years after leaving the service due to an insured injury (wound, trauma, contusion), in addition to the above mentioned documents, statement of the medical commission confirming this fact;
- b) document proving disability: ~~notarized~~ copy of the statement of the medical and social expert commission on the determination of disability (indicating the group of disability, cause and date of determination);
- c) in case of severe or minor injury (wound, trauma, contusion):
doctor's certificate about the degree and cause of the injury (wound, trauma, contusion).

~~The insured persons or their heirs shall have the right to apply to the state insurance body or subdivisions of these bodies at the place of their residence to receive the insurance indemnity until 3 years have passed from the day of the insurance event.~~

Article 8. Refusal to pay insurance indemnity

Payment of the insurance amount to the insured persons or their heirs may be refused in the following cases: a verdict or court decision establishing that the occurrence of the insurance event is not directly related to the performance of the insured's official duties or the insured acted in a state of alcoholic, narcotic, psychotropic or severe intoxication.

Article 9. Supervision and liability

The insurance authority shall supervise the timely and correct conduct of state compulsory personal insurance of employees of judicial and law enforcement bodies.

The heads of insured persons, state insurance bodies and their subdivisions and other officials shall be liable for violation of the provisions of this Law in cases stipulated by the Civil, Administrative and Criminal Codes of the Republic of Azerbaijan.

Article 10. ~~Taxation~~

~~Insurance indemnities paid to insured persons from the amount of insurance premiums paid to state insurance agencies (except for profit received from the provision of insurance services) shall not be subject to taxation.~~

Article 11. Dispute resolution

Disputes related to state compulsory personal insurance of employees of judicial and law enforcement bodies shall be settled in the manner prescribed by the legislation of the Republic of Azerbaijan, including in a judicial proceeding.

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President of the Republic of Azerbaijan

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