

THE LAW OF THE REPUBLIC OF AZERBAIJAN

on Postal Services

This Law shall determine legal, economic, and organizational principles of postal activities in the Republic of Azerbaijan, regulate relationship between users and those, who render postal services.

Chapter I GENERAL PROVISIONS

Article 1. Main definitions

1.0. The main definitions used for the purposes of this Law are as follows:

1.0.1. **Postal communication** – a unified technological system of subjects and transport facilities that provide receipt, sorting and delivery of postal dispatches to an addressee.

1.0.2. **Postal services** – receipt, sorting, storage, and delivery of postal dispatches to an addressee.

1.0.3. **Universal postal services** – postal services rendered to all levels of the population at affordable rates in the territory of the Republic of Azerbaijan, which is of public use.

1.0.4. **Express postal service** – postal service that provides speedy elaboration and delivery of physical postal dispatches.

1.0.5. **Courier service** – receipt and delivery of a postal dispatch to an addressee by the same courier.

1.0.6. **Postal operator** – individual or legal entity that renders postal services.

1.0.7. **National postal operator (national operator)** – postal operator assigned by the relevant executive authority to render universal postal communication and postal-financial services.

1.0.8. **Postal dispatch** – postal cards, letters, telegrams, money orders, banderols, small packets, seckograms, special «M» bags, packages accepted by a postal operator for further delivery to a specified address.

1.0.9. **Simple postal dispatch** – postal dispatch, which is received from a user for delivery, purposes without any registration and requires no signature from the addressee at delivery.

1.0.10. **Registered postal dispatch** – a postal dispatch that requires issue of a receipt to the user regarding receipt of the item and signing of the relevant document by the addressee.

1.0.11. **Sekogram** – a postal item containing embossed print publications intended for *persons who are completely visually impaired*.

1.0.12. **Monitoring-transition periods** – periods determined by the relevant executive authority from the receipt date of the postal dispatch up to the delivery date to the addressee.

1.0.13. **Declared rate** – the compensation amount announced by the sender during receipt of the item to be paid to him/her or to the person assigned by him/her in case of loss, theft of the postal dispatch (letter, package) or damage to the things inside the package.

1.0.14. **Place of the international postal exchange** – postal object where customs clearance of international postal items is carried out.

1.0.15. **International postal exchange point** – where international postal exchange is carried out.

1.0.16. **Service postal dispatch** – postal dispatch by postal operators with the purpose to render service.

1.0.17. **Postal receipt** – The payment document submitted by a postal operator to a holder of a current postal invoice and paid to the person who submits it.

1.0.18. **Postal-financial services (hereinafter – financial services)** – performance, ensured by the national operator in finance under the present Law.

1.0.19. **Postal account** – account opened by the national operator to conduct operations with funds of individuals and legal entities.

1.0.20. **Postal deposit** – funds that are accepted by the national operator from individuals and legal entities in cash or via wire transfer and recorded in their postal accounts provided the deposit is returned upon the first demand (demand) through accrual of contractual interest rates or the deposit is returned upon contractual maturity (term) or under other reimbursement terms and conditions not contradicting the legislation (*except for funds received for the issue of electronic money*).

~~1.0.21. **Financial markets supervisory authority** – a body established by a relevant executive authority to regulate and supervise financial markets.~~

Article 2. **Postal communication legislation**

2.1. The postal service legislation shall consist of the Constitution of the Republic of Azerbaijan, the present Law, other normative acts of the Republic of Azerbaijan of legal nature and international treaties seconded by the Republic of Azerbaijan.

2.2. *Relations on postal-financial services in the Alat economic zone shall be regulated in accordance with the requirements of the Law of the Republic of Azerbaijan on the Alat Free Economic Zone.*

Chapter II

MANAGEMENT AND REGULATION OF POSTAL COMMUNICATION

Article 3. **Management of postal communication**

3.0. The relevant executive authority that manages postal communication in the Republic of Azerbaijan shall:

3.0.1. conduct postal activities under the present law and other normative acts of legal nature.

3.0.2. maintain public postal control.

~~3.0.2.1. control compliance of the postal service entities engaged in remittance of funds with the requirements of the Law of the Republic of Azerbaijan on Prevention of Legalization of Criminally Obtained Funds or Other Property and the Financing of Terrorism.~~

3.0.3. develop and conduct state postal programs under the legislation.

3.0.4. establish postal service standards.

3.0.5. participate in development and implementation of a single scientific-technical policy on postal communication.

3.0.6. designate international postal exchange points together with the relevant executive authority in line with the legislation.

3.0.7. determine types and specifics of postal items.

3.0.8. issue proposals on joining of the Republic of Azerbaijan international pacts on postal communication.

3.0.9. appoint and determine responsibilities of the national operator.

Article 4. **Regulation of postal communication**

4.1. The postal communication shall be regulated by the relevant executive authority as follows:

4.1.1. approval of general regulations *and tariffs* on universal postal services, establishment of quality standards ~~and proposals on tariffs for these services.~~

4.1.2. determination of types of postal services in accordance with the legislation.

4.1.3. preparation of public postal payment units, approval of nominal value and edition, their publication, circulation, and withdrawal from circulation.

4.1.4. approval of postal indices and standards concerning monitoring-transition periods.

4.1.5. control over the quality of postal services in accordance with the legislation.

4.1.6. protection of rights and interests of users.

4.1.7. organization of international relations of the national operator.

4.1.8. elaboration of regulations on management of postal networks in emergency cases under the relevant legislation of the Republic of Azerbaijan.

4.2. The list of prohibited postal goods and items shall be developed by the relevant executive authority.

Article 5. Financing sources for activities of the national operator

5.0. The activity of the national operator shall be financed by:

5.0.1. income earned from postal and financial services.

5.0.2. income earned from advertisement via postal items and placement of advertisements on postal items in accordance with the *requirements of Article 23 of the Law of the Republic of Azerbaijan 'on Advertisement'*.

5.0.3. income earned from contractual services.

5.0.4. bank loans, grants, domestic and foreign investments.

5.0.5. organization and development of postal communication, investments made to transport, information and social infrastructures, financial and technical aids.

Article 6. Exclusive rights of the national operator

6.0. The exclusive rights of the national operator shall be to:

6.0.1. depict the Coat of Arms of the Republic of Azerbaijan on mailboxes.

6.0.2. issue proposals on preparation of public postal payment symbols, nominal value and edition, their publication, circulation, and withdrawal from circulation.

6.0.3. install postal boxes in the places suitable for collection of simple letters and postal cards from senders.

6.0.4. assign zip codes to postal objects.

6.0.5. supply with armament during delivery of postal dispatches and cash, for protection purposes in accordance with the legislation.

6.0.6. provide financial services, including postal payment services under the requirements of the Universal Postal Union according to the legislation.

Chapter III POSTAL SERVICES

Article 7. Types of postal communication

7.1. Postal services shall be divided into special postal services and services of public use.

7.2. Universal, express, courier and other postal services shall be included to public postal services.

7.3. Public communication by courier, ~~postal courier communication~~ and special postal services shall be included to special postal services.

Article 8 . Principles of postal communication activities

8.0. Postal communication activities shall base upon the following principles:

8.0.1. free use of public postal services.

8.0.2. protection of users' rights.

8.0.3. equal participation of legal entities and individuals in public postal services.

8.0.4. protection of confidentiality in the postal communication.

8.0.5. avoiding unfair competition and monopoly.

Article 9 . Provision of postal services

9.1. The postal operator shall render postal services under relevant standards.

9.2. The postal operator may contract other persons to provide postal services.

9.3. Sending money orders abroad shall be carried out in accordance with the legislation of the Republic of Azerbaijan.

9.4. Tariffs for other postal services, excluding universal services shall be freely set by postal operators.

Article 10 . Services provided by the national operator on a contractual basis

The national operator may be engaged in distribution of press through subscription and sale, payment of pensions, allowances and other target payments, organization of phone calls, receipt of payments for all kinds of telephone and public utilities on a contractual basis.

Article 11 . Universal Postal Services

11.1. Universal postal services shall consist of:

11.1.1. local and international letters, banderols, and small packages (simple and registered) weighing up to 2 kg.

11.1.2. local and international simple postal packets weighing up to 10 kg.

11.2. Tariffs for universal postal services shall be set by the relevant executive authority.

11.3. The national operator shall provide the following services free of charge:

11.3.1. delivery of local and international sekograms weighing up to 7 kg.

11.3.2. service postal items sent by postal objects.

11.4. Free-of-charge postal services shall be rendered to military men in accordance with the relevant legislation of the Republic of Azerbaijan.

11.5. The relevant executive authority shall set standards for universal postal services, as well as regulations and sources for compensation for damage due to rendering of these services.

Article 11-1. Special postal service

11-1.1. *A special postal service shall receive, sort, store, transport and deliver to addressees postal items with which information protected under the Law of the Republic of Azerbaijan on State Secret, precious metals, precious stones, pieces of jewelry, securities and special loads are sent.*

11-1.2. *The relevant executive authority shall establish rules for provision of special postal services, as well as a list of special loads.*

Article 12. State postal payment symbols

12.1. State postal payment symbols shall include postal stamps, postal stamps printed on envelopes and postal cards, picture of a marking machine, which is equal to the state postal payment symbols.

12.2. Persons engaged in falsification of state postal payment symbols shall be kept responsible under the legislation of the Republic of Azerbaijan.

Article 13. Storage, unwrapping, sale, and destruction of undeliverable and undelivered postal dispatches

13.1. Postal dispatches shall be deemed undeliverable when:

13.1.1. the address on the postal dispatch is not exactly indicated, is erased, unreadable or in similar cases.

13.1.2. the addressee refuses to receive the postal dispatch.

13.2. When the address is impossible to be specified or the addressee refuses to receive the postal item, it should be returned to the sender as an undeliverable postal item. When it is impossible to determine the sender as per the information on the postal item, or the sender refuses to receive the postal dispatch, then such dispatches shall be related to undelivered ones. In this case, the postal operator may open the dispatch after decision of the court.

13.3. The postal operator should appeal to court on undelivered postal dispatches no less than once in 3 (three) months, the court should review the appeal within 5 (five) business days.

13.4. Undelivered postal dispatches should be stored by the postal operator for 6 (six) months except for the cases specified in the legislation.

13.5. If there are perishables in undelivered postal dispatches, they should be sold as provided by the legislation; otherwise, those products should be destroyed. After the period indicated in Article 13.4 herein expires, funds g from sale shall be transferred to the state budget after deduction of charges spent by the postal operator.

13.6. If it is impossible to deliver the postal dispatch to the addressee or sender of goods, the products or funds in the postal item shall be deemed un-owned according to the appeal of the postal operator and corresponding decision of the court.

13.7. Materials of correspondence nature discovered in the postal dispatch should be destroyed upon completion of the period indicated in Article 13.4 herein. If other products in the un-owned postal dispatch do not influence personal and commercial confidentiality of the sender and addressee, the postal operator should sell them. Cash discovered in the postal dispatch, also funds gained from the sale of the products are transferred to the state budget after deduction of charges spent by the postal operator.

13.8. Rules regarding storage, unwrapping, sale, and destruction of postal dispatches shall be established by the relevant executive authority.

Chapter III-I
FINANCIAL SERVICES OF THE NATIONAL OPERATOR

Article 13-1. Types of activities in financial services

13-1.1. In financial services the national operator shall:

13-1.1.1. open and maintain postal accounts.

13-1.1.2. make transfers.

13-1.1.3. open correspondent accounts with financial institutions, including the Central Bank of the Republic of Azerbaijan (hereinafter – the Central Bank).

13-1.1.4. accept postal deposits.

13-1.1.5. *provide financial services, organize payment systems, issue postal cheques.*

13-1.1.6. *conduct currency exchange* at the order of and against the funds of customers.

13-1.1.7. transport cash and other valuables.

13-1.2. Any activity type under Article 13-1 herein may be solely provided upon issue of a special permit (license) of the *Central Bank*.

Article 13-2. Licensing of financial services

13-2.1. The National operator may provide financial services on the basis and within the scope of the permit (license) issued by the *Central Bank*. The *Central Bank* shall establish licensing rules. The appeal of the national operator for a license shall be reviewed at the latest within 60 calendar days upon submitting of all required documents and a relevant decision shall be taken. The license shall be unlimited and take effect from the date of issue.

13-2.2. Branches and departments of the national operator may solely be engaged in types of activities on financial services, permitted by the *Central Bank*. Conditions for issue of permits for branches and departments shall be established in licensing regulations.

13-2.3. Special permit (license) to deliver financial services, including acceptance of postal deposits may be issued only upon launch of internal information, control and risk management systems of the national operator and its full compliance with the capital norm and organizational-technical requirements determined by normative acts of the *Central Bank*.

13-2.4. The national operator shall pay a state duty in the amount set in the legislation to get a license.

Article 13-3. General requirements with respect to financial services of the national operator

13-3.1. Unless otherwise specified in the present Law and regulations of ~~the financial markets supervisory authority~~ and the Central Bank, ~~normative~~ legal acts that regulate banking activities, *as well as activities on providing payment services*, shall apply to acceptance of postal deposits, maintenance of postal accounts and other financial services provided by the national operator. Postal deposits shall not be subject to the Law of the Republic of Azerbaijan ‘on Deposit Insurance’.

13-3.2. The activity of the national operator on financial services shall be regulated through establishment of separate prudential norms and requirements applied to banking activity by the *Central Bank* under the legislation.

13-3.2-1. *National operator’s payment services, including on the issue of electronic money and/or acquiring, as well as activities on payment systems shall be provided according to this Law considering the requirements of the Law of the Republic of Azerbaijan ‘on Payment services and payment systems.’*

13-3.3. The limit of a credit card issued by the national operator may not exceed the amount of the cardholder's postal deposit. To subdue the activity risk of the national operator on financial services the *Central Bank* may set maximum amount on a deposit accepted per depositor.

13-3.4. The national operator may place postal deposits it accepts and balances of postal accounts in government securities issued by domestic and foreign issuers, securities of central banks, as well as in deposits with central banks and other highly rated banks within the investment strategy determined by the relevant executive authority *jointly with the Central Bank*, in other highly rated financial instruments, as well as on credit cards implied in Article 13-3.3 herein.

13-3.5. *The national operator shall hang a copy of the license (permit) issued by the Central Bank in premises it operates in (including in the premises where branches and departments are located). The national operator should ensure that information about financial services and their terms are available to customers before the contract is concluded and that information is available in an understandable form.*

13-3.6. *When opening accounts or providing financial services to customers, the national operator should comply with requirements of normative acts of the Republic of Azerbaijan of legal nature, as well as international treaties seconded by the Republic of Azerbaijan allowing for exchange of tax and financial data and, under those international treaties, deliver information on financial operations of legal entities and individuals of foreign countries in the territory of the Republic of Azerbaijan to authorized public authorities of those foreign countries based upon the requirements of Article 76-1 of the Tax Code of the Republic of Azerbaijan.*

13-3.7. *The Central Bank shall establish minimum requirements for ensuring information security in the field of financial services of the national operator.*

Article 13-4. Supervision of financial services

13-4.1. *Supervision of activities of the national operator in financial services, including inspections shall be maintained by the Central Bank according to the present Law and the Law of the Republic of Azerbaijan 'on the Central Bank of the Republic of Azerbaijan'.*

13-4.2. The National operator shall submit prudential reports on financial services to the *Central Bank*. The *Central Bank* shall determine the format, content, and periodicity of reports.

13-4.2-1. *The national operator shall enter the information on its foreign exchange transactions to the single information system created at the Central Bank in accordance with the Law of the Republic of Azerbaijan 'on Currency Regulation' and use the said system for currency control purposes.*

13-4.3. *In the event it is discovered that the national operator violates prudential norms and requirements, provides financial services in violation of the requirements of the present Law, the Law of the Republic of Azerbaijan 'on Prevention of legalization of criminally obtained property and the financing of terrorism' and regulations of the Central Bank, violates the restrictions incorporated to the license and permit issued by the Central Bank, or grounds likely to lead to such violations are found out, including when using the right of substantiated judgement is used according to the Law of the Republic of Azerbaijan 'on the Central Bank of the Republic of Azerbaijan', depending on the nature of the violation the Central Bank shall be entitled to impose the below enforcement measures:*

13-4.3.1. issue binding instructions to the national operator to eliminate revealed violations.

13-4.3.2. limit or terminate certain types of activities in financial services.

13-4.3.3. increase prudential norms (requirements).

13-4.3.4. limit a portion of or prohibit financial services rendered by certain branches (departments) of the national operator.

13-4.3.5. raise an issue to the management of the national operator on dismissal of persons (their deputies) who head financial services and accounting thereof, as well as the manager of internal audit division and/or take administrative reproach measures against the persons in question under the legislation.

13-4.4. The *Central Bank* shall revoke the license it issued for the national operator in the following cases:

13-4.4.1. based on the appeal of the national operator.

13-4.4.2. the information submitted when applying to receive a license is discovered to be erroneous.

13-4.4.3. the national operator does not start functioning within 12 months after the license takes effect.

13-4.4.4. the national operator is declared bankrupt or liquidated.

13-4.4.5. the amount of chartered or total capital of the national operator falls below the minimum amount of the chartered or total capital established by the Central Bank for the national operator or the capital adequacy ratio falls below 25 percent of the norm established by the Central Bank for the national operator.

13-4.4.6. the national operator fails to ensure management and current activity reliably and prudentially.

13-4.4.7. the national operator fails to follow the requirements of the *Central Bank* with respect to elimination of grave violations on financial services.

13-4.4.8. no prudential reports are submitted to the *Central Bank* as of three reporting periods or the facts of delivery of intentional erroneous reports or information to the *Central Bank* are discovered.

13-4.4.9. the national operator regularly violates the requirements specified in the Laws of the Republic of Azerbaijan 'on Prevention of Legalization of Criminally Obtained Property and the Financing of Terrorism' and 'on Targeted Financial Sanctions'.

13-4.5. The *Central Bank* may revoke the permit issued for a branch or department of the national operator when:

13-4.5.1. it is discovered that erroneous information was delivered when applying for permit.

13-4.5.2. a permitted branch or department fails to ensure management or current activity reliably and prudentially.

13-4.5.3. types of activities not specified in the permit on financial services are provided.

13-4.5.4. a decision is taken to close the branch or the department.

13-4.5.5. permitted branch or department regularly violates the requirements specified in the Laws of the Republic of Azerbaijan 'on Prevention of Legalization of Criminally Obtained Property and the Financing of Terrorism' and 'on Targeted Financial Sanctions'.

13-4.6. The *Central Bank* shall immediately inform the national operator on enforcement measures and sanctions it has imposed in writing.

13-4.7. To verify compliance of financial service operations the *Central Bank* may request documents, including operational documents, accounting books from the national operator, as well as its branches and departments with respect to its management and current activity, and request explanation thereof and provide on-site examinations.

13-4.8. *State control over the compliance of the national operator with competition legislation shall be carried out in accordance with the procedure stipulated by the Competition Code of the Republic of Azerbaijan.*

Article 13-5. Prevention of legalization of criminally obtained property and the financing of terrorism

13-5.1. *The national operator shall submit information and documents to the financial monitoring unit regarding operations subject to monitoring for the prevention of money laundering and the financing of terrorism, develop and implement its internal control program and undertake other actions as mandated by the laws of the Republic of Azerbaijan and international treaties ratified by the Republic of Azerbaijan*

13-5.2. *The National operator shall conduct customer due diligence and comply with information and document storage requirements concerning the customer, the beneficial owner and the authorized representative as stipulated by law.*

13-5.3. *Other requirements, except those specified in Articles 13-5.1 and 13-5.2 herein, shall be determined by the Laws of the Republic of Azerbaijan 'on Prevention of Legalization of Criminally Obtained Property and the Financing of Terrorism', 'on Targeted Financial Sanctions', and other normative legal acts and regulations.*

~~*Article 13-6. Fees paid to the financial markets supervisory authority*~~

~~*Fees paid to the financial markets supervisory authority.*~~

Chapter IV

RELATIONS OF POSTAL COMMUNICATION OPERATORS WITH PUBLIC AND LOCAL SELF-GOVERNMENT AUTHORITIES, OTHER INSTITUTIONS

Article 14. Location of postal service objects

14.1. Public authorities and municipalities should provide construction of buildings, allocation of spaces or land areas for location of postal objects of the National operator during projection, construction, and re-establishment of residential points, as well as residential buildings.

14.2. Land areas to locate objects of the National operator shall be allocated in accordance with the land legislation of the Republic of Azerbaijan. Land areas for construction of postal offices of exchange and systems at the automobile and railway stations, air and seaports should be directly allocated near the stations and ports, and the land areas for construction of other postal objects should be allocated in the central part of residential points.

14.3. Mailboxes shall be installed on the first floors of multi-stored buildings by construction entities. Purchase and installation charges for mailboxes shall be included into the construction charges of these buildings.

14.4. Users shall install mailboxes at their own expenses in private buildings to receive postal packages.

14.5. Legal entities in multistoried buildings shall install mailboxes on the first store of these buildings and keep them in a good state.

14.6. Irrespective of the forms of property, postal service operators functioning in the territory of the Republic of Azerbaijan should enable the staff of operational investigation authorities to take necessary actions as per the legislation, solve organizational and technical issues and keep the methods used confidential.

Article 15. Security, customs, and quarantine control for postal dispatches

15.1. Customs control over goods exported from and imported to the territory of the Republic of Azerbaijan via postal dispatches shall be carried out in accordance with the present Law and other legislation acts.

15.2. Security control over the goods entered and sent from the territory of the Republic of Azerbaijan shall be carried out under the legislation.

15.3. Sending goods subject to customs dues in ordinary and registered letters from the territory of the Republic of Azerbaijan shall be prohibited.

15.4. Security and customs control over international postal dispatches exported and imported by postal service operators shall be carried out by relevant executive authorities in dedicated places.

15.5. Customs dues applied to goods sent via international postal dispatches shall be received by a postal service operator and transferred to the account of customs authorities of the Republic of Azerbaijan in accordance with the legislation.

15.6. Postal service operator shall not be kept responsible for decisions taken by customs authorities with respect to goods sent in international postal dispatches. Postal service operators shall in advance inform users on goods and items prohibited to be taken through the border in postal dispatches.

15.7. Quarantine control over the goods sent in international postal dispatches and involved to quarantine shall be carried out by relevant executive authorities.

Article 16. Use of vehicles in postal communication

16.1. The emblem of the national operator shall be scraped on vehicles owned by the national operator and used in mail delivery, and they shall be deemed to be operative vehicles specified in the legislation of the Republic of Azerbaijan.

16.2. Postal service operators shall organize mail delivery via automobile, railway, air, sea transport accompanied by its employees or making transportation entities responsible for that.

Chapter V

RESPONSIBILITIES OF POSTAL COMMUNICATION OPERATORS, USERS, AND INTERMEDIARIES

Article 17. Responsibilities of a postal service operators

17.1. Postal service operators shall take the following financial responsibilities before users:

17.1.1. in the amount of the quoted price of a postal dispatch for loss, theft of and damage to the postal dispatch the price of which is quoted.

17.1.2. if a part of the things inside the postal dispatch, the price of which is quoted, is lost, stolen and damaged, in the amount of the damage to these things not exceeding the cost shown by the sender in the list.

17.1.3. in tenfold amount of the price paid, due to the loss, theft of and damage to postal dispatches of internal order or an ordinary dispatch.

17.1.4. in the amount of real value of the lost, stolen, damaged things not exceeding the amount specified in Article 17.1.3 in case a part of postal dispatches of internal order or an ordinary dispatch is lost, stolen or damaged.

17.1.5. in the amount of other payment charges, excluding payment charges for the quoted price in addition to the compensations specified in the Articles 17.1.1 and 17.1.3. herein due to the lost, stolen, and damaged postal dispatch.

17.1.6. in the amount not less than the amount specified in the acts, regulations, and recommendations of the Universal Post Union due to loss, steal of and damage to postal dispatches of international order, an ordinary dispatch, or the items therein.

17.1.7. in tenfold amount of the payment charge due to distortion of information which affects the meaning of a telegram text.

17.1.8. in the amount of non-paid charge for non-payment or partial payment of money orders.

17.1.9. in 10% amount of the payment charge per each delayed time unit not exceeding the amount of payment charge in case the rules for the monitoring-transition periods of postal dispatches are not observed.

17.1.10. in the amount of real damage value (not to exceed the amount indicated by the sender in the list), if the normative on the monitoring-transition periods of the internal price letter which include medical certificates, air, railway, and other tickets is not observed, because of which their period of use is expired.

17.2. Reimbursement and payment charges indicated in Article 17.1 herein shall be paid to the sender or the addressee upon his/her written request.

17.3. If the lost or stolen dispatch is found after reimbursement and payment charges, this dispatch shall be delivered to the sender or addressee within 5 (five) business days after reimbursement and payment charges are taken back.

17.4. Postal service operators shall not be kept responsible before users when:

17.4.1. loss, spoil of, damage to, or missing of the dispatch or things inside the package occurs as a result of a force-majeure case.

17.4.2. missing of, damage to or spoil of the dispatch or the things inside the dispatch occurs depending on the characteristics of the things sent.

17.4.3. loss, steal of, damage to, spoil of the dispatch or the things inside the dispatch occurs due to non-earned income, indirect material and moral damage in cases of delay in dispatch.

17.4.4. the addressee or sender submits a warrant on receipt of the dispatch.

17.4.5. due to a decision taken by customs authorities.

17.4.6. the dispatch is taken back, seized, and confiscated at a court order.

Article 18 . Responsibilities of users

Users shall be kept responsible for the following cases in the same amount that the mail service operators are kept responsible before users: damage to or spoil of other dispatches in consequence of putting the things prohibited by the law into dispatches or improper package of the things sent.

Article 19 . Responsibilities of postal service intermediaries

If dispatches are lost, stolen or damaged because of legal entities or individuals, intermediating in delivery of dispatches, they shall take the same financial responsibility before postal service operators as the responsibility of postal service operators before users.

Article 20. Confidentiality of correspondence in and information on dispatches

20.1. Confidentiality of correspondence in and information on dispatches shall be protected by the present Law and other legislation acts of the Republic of Azerbaijan.

20.2. Persons engaged in postal services should protect confidentiality of correspondence in and information on dispatches.

20.3. Seizure and confiscation of the dispatch shall be regulated in accordance with the relevant legislation.

Article 21. Rights of users

21.1. Users shall have the right to express their disagreement if responsibilities to render postal services are not taken or partially taken.

21.2. Disagreement of the user due to non-delivery, delay, theft of and damage to the dispatch may be submitted to any post office of the corresponding postal service operator within 6 (six) months after the day of receiving the dispatch.

21.3. User's disagreement due to internal dispatches should be clarified within 15 (fifteen) working days and international dispatches within 3 (three) months, and he/she should be immediately informed on the decision taken.

21.4. If user's disagreement is not provided by the postal service operator or partially provided or no reply received about the result of review, the user shall have the right to appeal to the court.

Article 22. Security in postal communication

22.1. The postal service operator shall take corresponding actions in accordance with the legislation to provide security of dispatches, postal objects, employees, and customers.

22.2. When postal security staff investigates cases of violation of the legislation, all entities (airport, railway, seaport, vehicles) that have contacts with postal services should provide them with all necessary conditions.

Chapter VI

SPECIFICS OF PROVIDING POSTAL COMMUNICATION

Article 23. The language used in postal communication

23.1. Clerical work by postal service operators shall be maintained in the Azerbaijani language in the territory of the Republic of Azerbaijan under the legislation.

23.2. Addresses and notes in internal dispatches should be written in the Azerbaijani language.

23.3. International dispatches are made and handled in accordance with the requirements of the international agreements of the Republic of Azerbaijan.

23.4. The name of the country, the dispatch is addressed to, may be written in one of international languages adopted by the Universal Post Union to avoid certain difficulties in transit countries.

Article 24. Registration – accounting time

The Baku time shall apply as common registration-accounting time for postal services in the territory of the Republic of Azerbaijan. Common registration-accounting time in the international mail service shall be defined in accordance with international agreements of the Republic of Azerbaijan.

Chapter VII FINAL PROVISIONS

Article 25. International cooperation in postal service

25.1. International postal service cooperation shall be carried out in accordance with the legislation and international agreements of the Republic of Azerbaijan, international agreements concluded between postal service operators and international postal service operators.

25.2. Legal entities and individuals of the Republic of Azerbaijan participating in implementation of international postal service projects may conclude agreements with foreign legal entities and individuals in accordance with the legislation of the Republic of Azerbaijan.

25.3. The relevant executive authority shall carry out international operations on universal postal services, establish mutual relations with postal authorities of other countries within its authority, represent the Republic of Azerbaijan in international organizations and defend its interests.

25.4. Membership fee in connection with the participation of the Republic of Azerbaijan in international postal service organizations shall be paid by the relevant executive authority.

Article 25-1. Accounting and financial statements

25-1.1. Relations regarding maintenance of accounting by the operator of postal communication, including the national operator and development, submission and publication of financial statements shall be regulated with the Law of the Republic of Azerbaijan 'on Accounting'.

25-1.2. The national should submit annual financial report and consolidated financial statements to the Central Bank within the timeframe established in accordance with Article 12.1 of the Law of the Republic of Azerbaijan on Accounting.

Article 26. Liability for breach of the present Law

Legal entities and individuals shall be kept responsible for breach of the requirements of the present Law in accordance with the legislation of the Republic of Azerbaijan.

Article 27. Dispute resolution

27.1. Disputes related to postal services shall be settled in accordance with the legislation of the Republic of Azerbaijan in the court order.

27.2. Disputes between postal entities located in the territory of the Republic of Azerbaijan and foreign countries shall be settled in accordance with the corresponding legislation and international agreements of the Republic of Azerbaijan.

Ilham Aliyev,
President of the Republic of Azerbaijan
Baku city, 29 June 2004
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