

[Original text \(Russian\)](#)

CRIMINAL CODE OF THE AZERBAIJANI REPUBLIC

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General part

Section I. Penal statute

First chapter. Tasks and principles of the penal statute of the Azerbaijani Republic

Article 1. Penal statute of the Azerbaijani Republic

- 1.1. The penal statute of the Azerbaijani Republic consists of this Code.
- 1.2. This Code is based on [the Constitution](#) of the Azerbaijani Republic both the conventional principles and regulations of international law.
- 1.3. The laws establishing criminal liability and providing punishment of the person, committed the crime, are subject to application only after inclusion in this Code.

Article 2. Tasks of the Criminal code of the Azerbaijani Republic

- 2.1. Tasks of the Criminal code of the Azerbaijani Republic are: providing the world and safety of mankind, protection of rights and freedoms of man and citizen, the property, economic activity, the public order and public safety, environment, the constitutional system of the Azerbaijani Republic from criminal encroachments, and also the prevention of crimes.
- 2.2. For implementation of these tasks the Criminal code of the Azerbaijani Republic establishes the basis and principles of criminal liability, determines, what dangerous to the personality, societies or the states of act are recognized crimes and establishes types, the limit and amount of punishments and other measures of criminal and legal nature for making of these crimes.

Article 3. Basis of criminal liability

The basis of criminal liability is making of act (actions or failure to act), the actus reus containing all signs provided by only this Code.

Article 4. Principles of the Criminal code and criminal liability

This Code is based on principles of legality, equality before the law, responsibility for fault, justice and humanity.

Article 5. Principle of legality

- 5.1. Crime of act (action or failure to act), and also punishment for this act and other measures of criminal and legal nature are determined by only this Code.
- 5.2. Application of the penal statute by analogy is not allowed.

Article 6. The principle of equality before the law

6.1. The persons who have committed crimes, are equal before the law and nationalities, the relations to religion, language, the floor, the origin, property and official capacity, belief, belonging to political parties,

trade unions and other public associations, and also other circumstances are subject to criminal liability irrespective of race.

6.2. Nobody can be instituted criminal proceedings or punished, or is exempted from punishment or criminal liability on the bases, [the stipulated in Clause 6.1](#) presents of the Code.

Article 7. Principle of responsibility for fault

7.1. The person is subject to criminal liability and punishment only for those socially dangerous acts (actions or failure to act) and their consequences concerning which his fault is established.

7.2. The person is not subject to criminal liability for innocent damnification.

Article 8. Concept of justice

8.1. Punishment and other measures of criminal and legal nature applied to the person, committed the crime, shall be fair, that is correspond to nature and degree of public danger of the crime, circumstances of its making and the identity of the guilty.

8.2. Nobody can bear criminal liability twice for the same crime.

Article 9. Principle of humanity

9.1. The criminal code ensures safety of the person.

9.2. Punishments and other measures of the criminal-right nature applied to the person, committed the crime, cannot have nature, or the purpose of torture or another cruel, brutal or the degrading treatment.

Chapter second. Action of the penal statute

Article 10. Action of the penal statute in time

10.1. The crime and punishability of act (action or failure to act) are determined by the penal statute existing during making of this act. Nobody is subject to criminal liability for act which was not recognized the crime at the moment of its making.

10.2. Time of crime execution time of making of socially dangerous act (action or failure to act) irrespective of time of approach of consequences is recognized.

10.3. The penal statute eliminating crime of act (action or failure to act) and its punishability, commuting punishment or otherwise improving the provision of the person who has committed the crime, has the retroactive effect, that is extends on the persons who have made the corresponding act (action or failure to act) to the introduction of such law in force, and also on the persons who serving time or have served time but which criminal record is not removed or is not extinguished.

10.4. The penal statute establishing crime of act (action or failure to act), strengthening punishment or otherwise worsening the provision of the person who has committed the crime, has no retroactive effect.

Article 11. Action of the penal statute concerning the persons who have committed the crime in the territory of the Azerbaijani Republic

11.1. The person who has committed the crime in the territory of the Azerbaijani Republic, is subject to criminal liability under this Code. The crime which has begun, proceeded, or terminated in the territory of the Azerbaijani Republic, is recognized perfect in the territory of the Azerbaijani Republic.

11.2. The crime made in territorial waters of the Azerbaijani Republic, sector of the Caspian Sea (lake) belonging to the Azerbaijani Republic, air space over the Azerbaijani Republic and its economic zone, is recognized perfect in the territory of the Azerbaijani Republic.

11.3. The person who has committed the crime on water or the aircraft, attributed to air or to seaport of the Azerbaijani Republic, being in open water or air space outside the limits of the Azerbaijani Republic under

National flag or the identification mark of the Azerbaijani Republic, is subject to criminal liability under this Code.

11.4. The person who has committed the crime on the vessel, belonging to military fleet or military and air forces of the Azerbaijani Republic, is subject to criminal liability under this Code, irrespective of the location of this vessel.

11.5. The question of criminal liability of diplomatic representatives of foreign states and other citizens which use immunity, in case of making by these persons of the crime in the territory of the Azerbaijani Republic is authorized according to regulations of international law.

Article 12. Action of the penal statute concerning the persons who have committed the crime outside the limits of the Azerbaijani Republic

12.1. Citizens of the Azerbaijani Republic and the stateless persons permanently living in the Azerbaijani Republic which have made act (action or failure to act) outside the limits of the Azerbaijani Republic, are subject to criminal liability under this Code if this act is recognized as the crime in the Azerbaijani Republic and in the state in which territory it was made and if these persons were not condemned in the foreign state.

12.1-1. If citizens of the Azerbaijani Republic and the stateless persons which are permanently living in the Azerbaijani Republic, were not condemned in the foreign state for committed by them outside the limits of the Azerbaijani Republic the corruption crime and other crime against interests of service, they are instituted criminal proceedings based on this Code.

12.2. Foreign citizens and the stateless persons which have committed the crime outside the limits of the Azerbaijani Republic, can be instituted criminal proceedings under this Code in cases if the crime is directed against citizens of the Azerbaijani Republic, interests of the Azerbaijani Republic, and also in the cases provided by the international treaty of the Azerbaijani Republic if they were not condemned in the foreign state.

12.2-1. If foreigners and stateless persons committed the corruption crime and other crime against interests of service outside the limits of the Azerbaijani Republic with the assistance of the citizens of the Azerbaijani Republic being officials of the international organizations, members of the international parliamentary assemblies, officials and judges of international courts, and were not condemned for this crime in the foreign state, they are instituted criminal proceedings based on this Code.

12.3. Citizens of the Azerbaijani Republic, foreign citizens and the stateless persons which have committed crimes against the world and humanity, war crimes, human trafficking, terrorism, financing of terrorism, stealing of the aircraft, capture of hostages, torture, the sea piracy, illicit trafficking in drugs and psychotropic substances, production or sale of counterfeit money or securities, attack on persons or the organizations using international protection, the crimes connected with radioactive materials, and also other crimes, which punishability follows from international agreements of the Azerbaijani Republic, are subject to criminal liability and punishment under this Code, irrespective of the place of making of crimes.

12.4. The military personnel of military units of the Azerbaijani Republic which is a part of peacekeeping connections, for the crimes made outside the limits of the Azerbaijani Republic, bears criminal liability under this Code if other is not provided by the international treaty of the Azerbaijani Republic.

12.5. In case of condemnation by courts of the Azerbaijani Republic of the persons specified in Articles 12.1 of this Code, punishment cannot exceed the upper limit of the sanction provided by the law of the foreign state in which territory the crime was committed.

Article 13. Issue of the persons, committed the crime (extradition)

13.1. The citizens of the Azerbaijani Republic who have committed the crime in the territory of the foreign state, are not subject to issue to this state. The question of involvement of these persons to criminal liability is solved according to [Article 12](#) of this Code.

13.2. Foreigners staying in the Azerbaijani Republic or the stateless persons which have committed the crime outside of the Azerbaijani Republic, can be issued to the foreign state for criminal prosecution or execution of the punishment determined by it according to [the Law](#) of the Azerbaijani Republic "About issue of

the persons who have committed the crime (extraditions)", other legal acts of the Azerbaijani Republic and the international treaties which participant is the Azerbaijani Republic.

13.3. If the persons who have committed the crime outside the limits of the Azerbaijani Republic, are not issued to the foreign state and this act (action or failure to act) is recognized the crime according to this Code, they are subject to criminal liability in the Azerbaijani Republic.

13.4. If the international agreements, which participant is the Azerbaijani Republic, other provisions concerning the persons who have committed the crime are established, international agreements are subject to application.

Section II. About the crime

Chapter third. Concept of the crime and classification of crimes

Article 14. Concept of the crime

14.1. The crime is recognized perfect socially dangerous act (action or failure to act), prohibited by this Code under the threat of punishment is guilty.

14.2. Is not the crime act (action or failure to act) though it is formal and containing signs of any act provided by the penal statute, but owing to insignificance not representing to public danger, that is the damnifications which have not caused and not created threat of the personality, to society or the state.

Article 15. Classification of crimes

15.1. Depending on nature and degree of public danger of act (action or failure to act), provided by this Code, are subdivided into the crimes which are not representing to big public danger, less serious crimes, serious crimes and especially serious crimes.

15.2. The crimes which are not representing to big public danger, intentional and careless acts for which making by this Code the punishment which has not been connected with imprisonment is provided are recognized, or maximum punishment does not exceed two years of imprisonment.

15.3. Less serious crimes intentional and careless acts for which making the maximum punishment provided by this Code, does not exceed seven years of imprisonment are recognized.

15.4. Serious crimes intentional and careless acts for which making the maximum punishment provided by this Code, does not exceed twelve years of imprisonment are recognized.

15.5. Especially serious crimes intentional acts for which making by this Code custodial sanction for the term of over twelve years or more stiff punishment is provided are recognized.

Article 16. Not momentariness of crimes

16.1. Not momentariness of crimes making of two or more crimes provided by one Article of this Code is recognized.

16.2. Making of two or more crimes provided by various Articles of this Code, can be recognized numerous only the cases provided by the relevant Articles [of the Special part](#) of this Code.

16.3. The crime is not recognized perfect repeatedly if for earlier made crime the person was in the procedure established by the law is exempted from criminal liability or the criminal record for crime earlier committed by the person was extinguished or removed.

Article 17. Cumulative offenses

17.1. The cumulative offenses will form making of two or more crimes provided by various Articles of this Code, of which the person was not condemned for one or not exempted from criminal liability on legal causes and also if on one of these crimes did not expire prescriptive limits of criminal prosecution.

17.2. Making by one action (failure to act) of two or more crimes provided by two or more Articles of this Code, will form ideal cumulative offenses.

17.3. In case of cumulative offenses the person bears criminal liability for each perfect crime under the relevant Article of this Code.

17.4. If the crime is provided by general and special regulations [of the Special part](#), the cumulative offenses are absent and criminal liability comes on special regulation.

Article 18. Recurrence of crimes and its types

18.1. Recurrence of crimes making of the intentional crime by the person having the criminal record for earlier made intentional crime is recognized.

18.2. Recurrence of crimes is recognized dangerous:

18.2.1. when making by the person of the intentional crime for which it is condemned to imprisonment if earlier this person two times were condemned to imprisonment for the intentional crime;

18.2.2. when making by the person of intentional serious crime if earlier it was condemned for intentional serious crime.

18.3. Recurrence of crimes is recognized especially dangerous:

18.3.1. when making by the person of the intentional crime for which it is condemned to imprisonment if earlier this person at least three times, irrespective of sequence, were condemned to imprisonment for intentional making of less heavy or heavy crimes;

18.3.2. when making by the person of intentional serious crime if earlier it was condemned to imprisonment two times for making of serious crime or once for making of intentional especially serious crime;

18.3.3. when making by the person of intentional especially serious crime if earlier it was condemned to imprisonment for making of heavy or especially serious crime.

18.4. The criminal records removed or extinguished according to the procedure, [the stipulated in Clause 83](#) presents of the Code, and also the criminal record for the crimes made by the person are elderly till eighteen years, are not considered in case of recognition of recurrence of crimes.

18.5. Recurrence of crimes attracts more stiff punishment on the basis and in the limits provided by this Code.

Chapter fourth. Persons which are subject to criminal liability

Article 19. General terms of criminal liability

The person who has reached age, established by this Code and the committed crime is subject to criminal liability responsible physical.

Article 20. Age from which there comes criminal liability

20.1. The person which has reached up the time of crime execution of sixteen-year age is subject to criminal liability.

20.2. The persons which have reached up the time of crime execution of fourteen-year age, are subject to criminal liability for the premeditated murder, intentional causing of heavy or less heavy harm to health, kidnapping, rape, violent acts of sexual nature, theft, the robbery, robbery, racketing, wrongful occupancy by the car or other vehicle without the purpose of plunder, intentional destruction or damage of property in case of aggravating circumstances, terrorism, capture of the hostage, hooliganism in case of aggravating circumstances, plunder or racketing of firearms, ammunition, explosives and destructive devices, plunder or racketing of drugs or psychotropic substances, reduction in worthlessness of vehicles or means of communication.

20.3. The measures accepted concerning persons, not reached when making socially dangerous act (action or failure to act) the age limit provided [by Articles 20.1 and 20.2](#) of this Code, and the procedure for data application of measures are established by the relevant Law.

Article 21. Diminished responsibility

21.1. The person who during making of socially dangerous act (action or failure to act) was in the condition of diminished responsibility is not subject to criminal liability, that is could not realize the actual nature and public danger of the acts (actions or failure to act) or to direct them owing to chronic mental disease, temporary violation of mental activities, weak-mindedness or other mental disease.

21.2. To the person who has made socially dangerous act (action or failure to act) in the condition of diminished responsibility, court can be appointed the enforcement powers of medical nature provided by this Code.

21.3. To the person who has committed the crime in the condition of responsibility, but before removal by court of the sentence to the patient with the sincere illness depriving it to possibility to realize the actual nature and public danger of the acts (actions or failure to act) or to direct them, court the enforcement powers of medical nature provided by this Code can be appointed.

Article 22. Criminal liability of persons with the mental disturbance which is not excluding responsibilities

22.1. The responsible person who during crime execution owing to mental disturbance could not realize fully the actual nature and public danger of the acts (actions or failure to act) or to direct them, is subject to criminal liability.

22.2. The mental disturbance which is not excluding responsibilities, is considered by court in case of purpose of punishment and can form the basis for purpose of enforcement powers of the medical nature provided by this Code.

Article 23. Criminal liability for the crime made in the state of intoxication

The person who has committed the crime in the state of intoxication, irrespective of the reasons of intoxication (alcohol intake, drugs or other strong substances), is subject to criminal liability.

Chapter fifth. Wine

Article 24. Forms of fault

24.1. The person who has made act is recognized the crime guilty (action or failure to act) is intentional or on imprudence.

24.2. The act made on imprudence, is recognized the crime only the case when it is specially provided by the relevant Article [of the Special part](#) of this Code.

Article 25. Crime, perfect intentionally

25.1. The crime, intentionally, act (action or failure to act), made with direct or indirect intention is recognized perfect.

25.2. The crime is recognized perfect with direct intention, if the person realized public danger of the acts (actions or failure to act), expected possibility of approach of socially dangerous consequences and wished their approach.

25.3. The crime is recognized perfect with indirect intention, if the person realized public danger of the acts (actions or failure to act), expected possibility of approach of socially dangerous consequences, did not wish, but meaningfully allowed these consequences.

Article 26. The crime made on imprudence

26.1. The crime made on imprudence, act (action or failure to act), made on criminal presumption or criminal negligence is recognized.

26.2. The crime is recognized perfect on criminal presumption if the person expected possibility of approach of socially dangerous consequences of the acts (actions or failure to act), but without the sufficient bases to that expected prevention of these consequences.

26.3. The crime is recognized perfect on criminal negligence if the person did not expect possibility of approach of socially dangerous consequences of the acts (actions or failure to act) though in case of necessary attentiveness and foresight shall and could expect these consequences.

Chapter sixth. Unfinished crime

Article 27. The ended and unfinished crimes

27.1. The crime is recognized ended if the act made by the person (action or failure to act) contains all signs of the actus reus provided by this Code.

27.2. The unfinished crime preparation for the crime and the attempted crime are recognized.

27.3. Criminal liability for the unfinished crime comes under Article of this Code providing responsibility for the completed crime, referring to [Articles 28 and 29](#) of this Code.

Article 28. Preparation for the crime

28.1. Preparation for the crime the priiskaniye, acquisition or production by the person of means or tools of crime execution, the priiskaniye of assisting offenders, collusion on crime execution or other intentional creation of conditions for crime execution if thus the crime was not finished on circumstances not depending on this person are recognized.

28.2. Criminal liability comes for preparation only to heavy and especially heavy crimes.

Article 29. Attempted crime

Attempted crime intentional acts (actions or failure to act) the persons which have been directly directed on crime execution if thus the crime was not finished on circumstances not depending on this person are recognized.

Article 30. Voluntary refusal of the crime

30.1. Voluntary refusal of the crime the termination by the person of preparation for the crime or the termination by the person of acts (actions or failure to act), directly directed on crime execution if the person realized possibility of finishing of the crime up to the end is recognized.

30.2. The person is not subject to criminal liability for the crime if it voluntary and finally refused finishing of this crime up to the end.

30.3. The person who has voluntarily refused finishing of the crime up to the end, is subject to criminal liability only if the act made by it contains other actus reus.

30.4. The organizer of the crime and the instigator to the crime are not subject to criminal liability if these persons the timely message to authorities or other undertaken measures prevented finishing of the crime by the contractor up to the end. The helper of the crime is not subject to criminal liability if he refused the help previously promised the contractor prior to the beginning of the acts which have been directly directed on crime execution, or prevented consequences of already rendered help.

30.5. If actions of the organizer or the instigator, [the stipulated in Clause 30.4](#) presents of the Code, did not lead to prevention of crime execution by the contractor, the measures taken by them can be acknowledged as court attenuating circumstances in case of purpose of punishment.

Chapter seventh. Partnership in the crime

Article 31. Partnership

Partnership in the crime intentional joint participation of two or more persons in making of the intentional crime is recognized.

Article 32. Types of partnership

32.1. Assisting offenders along with the contractor the organizer, the instigator and the helper are recognized.

32.2. The contractor the person who was directly committing the crime or directly participating in its making together with other persons (soispolnitelstvo), and also the person who has committed the crime by means of use of other persons, not subject to criminal liability in accordance with the circumstances, provided by this Code is recognized.

32.3. The organizer the person organized crime execution or directing its execution is recognized, and the person who has created organized group or criminal society (the criminal organization) or directing them is equal.

32.4. The instigator the person which has inclined other person to crime execution by the arrangement, bribery, threat or in a different way is recognized.

32.5. The helper the person helping crime execution by councils, instructions, provision of information, means or tools of crime execution or removal of obstacles, and also the person, in advance promising to hide the criminal is recognized, means or tools of crime execution, traces of crime or money or other property, extracted by the criminal way, and the person, in advance promising to acquire such money or other property is equal, to own, use or dispose of them.

Article 33. Responsibility of assisting offenders

33.1. Responsibility of assisting offenders is determined by nature and extent of the actual participation of each of them in crime execution.

33.2. Collaborators answer under the relevant Article [of the Special part](#) of this Code for the crime made by them jointly, without the reference to [Article 32](#) of this Code.

33.3. Criminal liability of the organizer, the instigator and the helper comes under the relevant Article [of the Special part](#) referring to [Article 32](#) of this Code, except as specified, when they at the same time were collaborators of the crime.

33.4. The person which is not the subject of the crime, specially specified in the relevant Article [of the Special part](#) of this Code, participating in the crime execution, provided by this Article, bears criminal liability for this crime as his organizer, the instigator or the helper.

33.5. In case of not finishing by the principal offender up to the end on circumstances not depending on it, other accomplices bear criminal liability for preparation for the crime or the attempted crime. For preparation for the crime bears criminal liability also the person who on circumstances not depending on it did not manage to incline other persons to crime execution.

Article 34. Crime execution by the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization)

34.1. The crime is recognized made by the group of persons if two or more contractors jointly participated in its making without preliminary collusion.

34.2. The crime is recognized made by the group of persons on preliminary collusion if two or more persons who have in advance agreed about joint crime execution jointly participated in its making.

34.3. The crime is recognized made by the organized group if it is made by the steady group consisting of two or more persons, in advance united for making one or several crimes.

34.4. Criminal society (the criminal organization) creation of the steady organized criminal group for the purpose of making of heavy or especially serious crimes or the steady consolidation of two or more organized criminal groups created in the same purposes is recognized.

34.5. The crime made by the participant (participants) of criminal society (the criminal organization) for implementation of the purposes of this community (organization), and also made by the person (persons) which is not the participant (participants) of criminal society (the criminal organization) by request of this community (organization), is recognized perfect criminal society (the criminal organization).

34.6. The person created organized group either criminal society or directing them, is subject to criminal liability for their organization and the management of them in the cases provided by the relevant Articles [of the Special part](#) of this Code, and also for everything committed by the organized group or criminal society of the crime if they were covered by his intention. Other members of the organized group or criminal society bear criminal liability for participation in these crimes in the cases provided by the relevant Articles [of the Special part](#) of this Code, and also for crimes, they participated in preparation or which making.

34.7. Creation of the organized group in the cases which have not been provided by Articles [of the Special part](#) of this Code, attracts criminal liability for preparation for those crimes for which making it is created.

34.8. Making of acts by the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization) attracts more stiff punishment on the basis and in the limits provided by this Code.

Article 35. The crime execution, not being covered common intent (the excess of the contractor)

35.1. The excess of the contractor making by the principal offender, falling outside the limits approved general intention, that is, not being covered intention of other accomplices is recognized.

35.2. For the excess of the contractor other assisting offenders of criminal liability are not subject.

Chapter eighth. The circumstances excluding crime of act

Article 36. Justifiable defense

36.1. Is not the crime damnification to the encroaching person in the condition of justifiable defense, that is in case of protection of life, health and the rights defending or other persons, interests of the state or society from socially dangerous encroachment if thus it was not allowed excess of limits of justifiable defense.

36.2. All persons irrespective of their professional or other special training and official position have the right to justifiable defense equally. This right extends on persons irrespective of possibility to address for the help to state bodies or other persons, and also possibility to avoid socially dangerous encroachment.

36.3. Excess of limits of justifiable defense the intentional actions which obviously are not corresponding to nature and degree of public danger of encroachment are recognized.

Article 37. Damnification in case of detention of the person who has committed the crime

37.1. Is not the crime damnification to the person who has committed the crime, in case of its detention for delivery to authorities or suppressions of possibility of making of new crimes by it if use with this purpose of all different ways of impact did not give necessary results and thus was not allowed excess of measures necessary for this purpose.

37.2. Excess of the measures necessary for detention of the person, committed the crime, obvious discrepancy of means and methods of detention of degree of public danger of act and made his face, and also

to circumstances of detention when obviously superfluous injury is needlessly done to the person is recognized. Such excess involves criminal liability only in cases of intentional damnification.

Article 38. Emergency

38.1. Is not the crime damnification by protected this Code to objects in the condition of emergency, that is for elimination of the danger which is directly menacing to life, health and the rights of this person or other persons, to interests of society or the state if this danger could not be eliminated in this case with other means and thus was not allowed excess of limits of emergency.

38.2. Excess of limits of emergency damnification is recognized, is obvious not corresponding to nature and degree of threatening danger and circumstances in case of which danger was eliminated when to the specified interests it was harmed equal or more considerable, than prevented. Such excess involves criminal liability only in cases of intentional damnification.

Article 39. Reasonable risk

39.1. Is not the crime damnification by protected this Code to objects in case of reasonable risk for achievement of socially useful purpose.

39.2. The risk is recognized reasonable if the specified purpose could not be reached by the actions (failure to act) not connected with risk and the person which has allowed risk, took necessary measures for prevention of harm by protected this Code to objects.

39.3. The risk is not recognized reasonable if it was obviously integrated to threat for life of people, with threat of environmental or other disaster.

Article 40. Execution of the order or order

40.1. Is not the crime damnification by protected this Code to objects the person acting in response to obligatory for it of the order or the order, given in accordance with the established procedure. Criminal liability for causing of such harm is born by the person who has made the illegal order or the order.

40.2. The person who has committed the intentional crime in response to obviously illegal of the order or the order, bears criminal liability in accordance with general practice.

40.3. Non-execution obviously illegal the order or the order excludes criminal liability.

Section III. About punishment

Chapter ninth. Concept, purposes of punishment and types of punishments

Article 41. Concept and purposes of punishment

41.1. Punishment is the measure of criminal and legal nature appointed on the sentence of court. Punishment is applied to the person recognized guilty of crime execution and consists in creation of the deprivations established by these Code or restrictions of the rights and freedoms of this person.

41.2. Punishment is applied for the purpose of recovery of social justice, correction condemned and preventions of making of new crimes the condemned and other persons.

Article 42. Types of punishments

42.0. Types of punishments are:

42.0.1. penalty;

42.0.2. deprivation of the right to manage the vehicle;

42.0.3. deprivation of the right to occupy certain positions or to be engaged in certain activities;

42.0.4. social jobs;

- 42.0.5. deprivation of the special, military or honorary title and state awards;
- 42.0.6. corrective works;
- 42.0.7. restriction on military service;
- 42.0.8. *it is excluded according to the Law of the Azerbaijani Republic from 3/7/2012 of No. 314-IVQD*
- 42.0.9. exclusion out of limits of the Azerbaijani Republic;
- 42.0.10. *it is excluded according to [the Law](#) of the Azerbaijani Republic from 5/31/2011 of No. 137-IVQD*
- 42.0.11. content in disciplinary military unit;
- 42.0.12. imprisonment for the certain term;
- 42.0.13. lifelong imprisonment.

Article 43. Main and additional types of punishments

43.1. Social jobs, corrective works, restriction on military service, content in disciplinary military unit, imprisonment for the certain term and lifelong imprisonment are applied only as main types of punishments.

43.2. The penalty and deprivation of the right to occupy certain positions or to be engaged in certain activities are applied in quality as the main, and additional types of punishments.

43.3. Deprivation of the special or military rank, the honorary title or the state award, deprivation of the right to manage the vehicle and exclusion out of limits of the Azerbaijani Republic are applied only as additional types of punishments.

Article 44. Penalty

44.1. The penalty is the cash collection appointed by court in cases and the size, provided by this Code.

44.2. The penalty at the rate to ten thousand manatov or from single till the tenfold size of the damage caused as a result of the crime (the received income) taking into account weight of the committed crime and the property condition condemned is established.

44.3. The penalty as the auxiliary view of punishment can be appointed by courts only in the cases provided by the relevant Articles [of the Special part](#) of this Code.

44.4. To the persons which are intentionally evading from payment of the penalty, it is replaced with social jobs, corrective works or imprisonment with the certain term.

Article 45. Deprivation of the right to manage the vehicle

Deprivation of the right to manage the vehicle is appointed for the term from one year till five years in the cases provided by the relevant Articles of this Code, taking into account nature of the crime, the personality guilty and other circumstances of the crime.

Article 46. Deprivation of the right to occupy certain positions or to be engaged in certain activities

46.1. Deprivation of the right to occupy certain positions or to be engaged in certain activities consists in prohibition to occupy specific positions in state bodies, in local government bodies or to be engaged in specific professional or other activity. This type of punishment is established for the term from one year till five years as the main type of punishment and for the term from one year till three years as the auxiliary view of punishment.

46.2. Deprivation of the right to occupy certain positions or be engaged in certain activities it can to be appointed as the auxiliary view of punishment and in cases when it is not provided by the relevant Article [of the Special part](#) of this Code if taking into account nature and degree of public danger of the committed crime and the personality guilty the court recognizes as impossible preserving the right behind it to occupy certain positions or to be engaged in certain activities.

46.3. In case of purpose of deprivation of the right to occupy certain positions or to be engaged in certain activities as additional to social jobs, corrective works, and also in case of conditional condemnation its term is estimated from the moment of the introduction of the sentence in legal force. In case of purpose of this type of punishment as additional to content in disciplinary military unit, to imprisonment it extends on all the time of serving of the specified main types of punishments, and also, over it, for the term established in the sentence for this type of punishment.

Article 47. Social jobs

47.1. Social jobs consist in accomplishment condemned in free from the main work or study time of free socially useful works. The type of such works is determined by relevant organs of the executive authority.

47.2. Social jobs are established for the term from two hundred forty till four hundred eighty o'clock and over four hours in day are left not.

47.3. In case of malicious evasion by the person condemned on this punishment from accomplishment of these works the court can replace the unexpired part of social jobs with custodial sanction with the certain term. Thus term of accomplishment condemned social jobs is considered in case of determination of custodial sanction for the certain term at the rate of one day of imprisonment at 12 o'clock social jobs.

47.4. Social jobs are not appointed:

47.4.1. to the persons recognized as disabled people of the first or second group, children with limited possibilities of health;

47.4.2. to expectant mothers;

47.4.3. to the women having in charge of children be elderly till eight years;

47.4.4. to women and the men who have reached retirement age;

47.4.5. to the military personnel passable the valid urgent military service.

Article 48. Deprivation of the special, military or honorary title and state awards

If the court in case of condemnation of the person for making of heavy or especially serious crime, taking into account nature of the crime, the personality guilty and other circumstances of the crime, recognizes as necessary to deprive it the special, military or honorary title and the state awards, it directs the corresponding representation to the body which has appropriated the special, military or honorary title and the state awards.

Article 49. Corrective works

49.1. Corrective works are established for the term from two months till two years and left on place of employment of the condemned.

49.2. From earnings condemned to corrective works deduction in the income of the state at the rate from five to twenty percent are made.

49.3. In case of malicious evasion from serving of punishment by the person condemned to corrective works, the court can replace the unexpired part of corrective works with custodial sanction with the certain term. Thus term of accomplishment condemned corrective works is considered in case of determination of custodial sanction for the certain term at the rate of one day of imprisonment for three days of social jobs.

Article 50. Restriction on military service

50.1. Restriction on military service is appointed to the condemned military personnel passable military service on the contract, for the term from two months till two years in the cases provided by the relevant Articles [of the Special part](#) of this Code, for making of crimes against military service, and also to the condemned military personnel passable military service on the contract, instead of the corrective works provided by the relevant Articles [of the Special part](#) of this Code.

50.2. From cash content condemned to restriction on military service deduction in the income of the state at the rate from five to twenty percent are made.

50.3. In the term of imprisonment in the form of restriction on military service the condemned cannot be raised in the position and the military rank, and term of punishment is not set off in time lengths of service for assignment of the next military rank.

Article 51.

It is excluded according to the Law of the Azerbaijani Republic from 3/7/2012 of No. 314-IVQD

Article 52. Exclusion out of limits of the Azerbaijani Republic

52.1. Punishment in the form of exclusion out of limits of the Azerbaijani Republic is appointed to foreigners and the stateless persons sentenced to custodial sanction for the term of over one year, and is carried out after serving of primary punishment by them. To foreigners or the stateless persons sentenced to imprisonment for the term of less than one year or to punishment, not connected with imprisonment, punishment in the form of exclusion out of limits of the Azerbaijani Republic can be appointed taking into account the circumstances specified in Article 58.3 of this Code.

52.1-1. The right to entrance to the Azerbaijani Republic of the person concerning which punishment in the form of exclusion out of limits of the Azerbaijani Republic is applied, is limited before repayment or removal of its criminal record.

52.2. Exclusion out of limits of the Azerbaijani Republic is not appointed to persons:

52.2.1. lived in the territory of the Azerbaijani Republic five years by the time of the introduction of the sentence in legal force;

52.2.2. married to the citizen (citizen) of the Azerbaijani Republic by the time of the introduction of the sentence in legal force;

52.2.3. been born in the Azerbaijani Republic;

52.2.4. one of which parents is the citizen (citizen) of the Azerbaijani Republic;

52.2.5. having the status of the refugee or received the political asylum in the Azerbaijani Republic;

52.2.6. in charge of which there is being the citizen of the Azerbaijani Republic the minor child, the incapacitated person or the disabled person of the I group;

52.2.7. concerning which there are good causes to assume or which exclusion contradicts interests of ensuring national security that they will be exposed to tortures or prosecutions in the country where will arrive after expulsion.

52.3. If the international treaty of the Azerbaijani Republic establishes other rules, than what are provided 52.1-52.2 presents of the Code, are applied rules of the international treaty.

Article 53.

It is excluded according to [the Law](#) of the Azerbaijani Republic from 5/31/2011 of No. 137-IVQD)

Article 54. Content in disciplinary military unit

54.1. Content in disciplinary military unit is appointed for the term from three months till two years to the military personnel passable the valid urgent military service, and also the military personnel passable military service on the contract on positions of ordinary structure and structure of ensigns if they at the moment of removal by court of the sentence did not serve the service life established by the law. This punishment is established in the cases provided by the relevant Articles [of the Special part](#) of this Code for making of crimes against military service, and also in cases when nature of the crime and the identity of the guilty testify to possibility of replacement of imprisonment for the term of not over two years content condemned in disciplinary military unit for the same term.

54.2. In case of replacement of content in disciplinary military unit term of content in disciplinary military unit is determined by imprisonment at the rate of one day of imprisonment in one day of content in disciplinary military unit.

Article 55. Imprisonment for the certain term

55.1. Imprisonment for the certain term consists in isolation condemned from society by its placement to organization of serving of punishment of settlement type, general, strict or the particular treatment or in prison. The persons condemned to imprisonment, but not reached by the time of removal by court of the sentence of eighteen-year age, are located in educational organizations of the general or strengthened mode.

55.2. Imprisonment is established for the term from three months till twenty years.

55.3. In case of replacement of social jobs with corrective works it can be appointed to term and less than three months.

55.4. In case of partial or complete addition of terms of deprivation of freedom in case of purpose of punishments on cumulative offenses the maximum term of deprivation of freedom cannot be more than twenty years, and on cumulative sentences - more than twenty five years.

Article 56. Appointment condemned to imprisonment of the type of criminal and executive organization

56.1. Serving of custodial sanction is appointed in the following criminal and executive organizations:

56.1.1. to the persons condemned for crimes, made on imprudence, to imprisonment for the term of not over five years, - in criminal and executive organizations settlements;

56.1.2. to the persons for the first time condemned to imprisonment for making of intentional crimes, not representing big public danger or less serious and serious crimes, and also to the persons condemned for crimes, made on imprudence, to imprisonment for the term of over five years, - in criminal and executive organizations of the general regime;

56.1.3. to the persons for the first time condemned to imprisonment for making of especially serious crimes, and also in case of recurrence of crimes if condemned earlier served time in the type of imprisonment, and to women in case of especially dangerous recurrence of crimes - in criminal and executive organizations of the high security;

56.1.4. in case of especially dangerous recurrence of crimes, and also in case of replacement of lifelong imprisonment with imprisonment by the certain term, - in criminal and executive organizations of the particular treatment;

56.1.5. to the persons condemned to lifelong imprisonment, - in prisons.

56.2. To the persons condemned to imprisonment for the term of over five years for making of especially serious crimes, and also in case of especially dangerous recurrence of crimes serving of the part of term of punishment in prison can be appointed.

56.3. Determination of the type of criminal and executive organization is made by the sentence of court according to [Articles 56.1.1-56.1.5 and 56.2](#) of this Code.

56.4. Change of the type of criminal and executive organization is made:

56.4.1. in case of replacement of punishment on softer or more strict;

56.4.2. in case of execution of the sentence of court according to the procedure, established by the law.

Article 57. Lifelong imprisonment

57.1. Lifelong imprisonment is established only for making of especially serious crimes against the world and safety of humanity, war crimes, crimes against the personality, public safety and the public order and the government.

57.2. Lifelong imprisonment is not appointed to women, persons, at the moment of crime execution not reached eighteen-year age, and also to the men who have reached by the time of removal by court of the sentence of six-ten-five years' age.

57.3. Court, considering the valid departure condemned at least twenty five years' the part of punishment in the form of lifelong imprisonment, non-execution condemned the intentional crime in serving of punishment and having come to a conclusion about loss of need of further serving of punishment, can replace lifelong imprisonment by imprisonment with the certain term or conditional early exempt it from this punishment.

57.4. Punishment in the form of lifelong imprisonment can be replaced with imprisonment within fifteen years according to the procedure, [the stipulated in Clause 57.3](#) presents of the Code.

Chapter tenth. Purpose of punishment

Article 58. General beginnings of purpose of punishment

58.1. To the person recognized guilty of crime execution, just penalty in the limits provided by the relevant Article [of the Special part](#) of this Code, and taking into account provisions [of the General part](#) of this Code is imposed. More severe looking of punishment from among provided for the perfect crime is appointed only if less severe looking of punishment cannot provide goal achievement of punishment.

58.2. More stiff punishment, than is provided by the relevant Articles [of the Special part](#) of this Code for the perfect crime, can be appointed on cumulative offenses and on cumulative sentences according to [Articles 66 and 67](#) of this Code. The bases for appointment for the perfect crime of less stiff punishment, than it is provided by the relevant Article [of the Special part](#) of this Code, are determined [by Article 62](#) of this Code.

58.3. In case of purpose of punishment nature and degree of public danger of the crime and the personality guilty, including the circumstances commuting and aggravating punishment, and also influence of the appointed punishment on correction condemned and on living conditions of his family are considered.

Article 59. The circumstances commuting punishment

59.1. Attenuating circumstances are recognized:

59.1.1. making for the first time, owing to accidental combination of circumstances, the crime which is not representing to big public danger or less serious crime;

59.1.2. crime execution by the minor;

59.1.3. crime execution by the expectant mother;

59.1.4. availability in charge of the person who has committed the crime, juvenile children;

59.1.5. crime execution owing to confluence of difficult vital circumstances or on motive of compassion;

59.1.6. crime execution as a result of physical or mental compulsion or owing to material, job or other dependency;

59.1.7. crime execution in case of violation of conditions of legitimacy of justifiable defense, detention of the person who has made socially dangerous act, emergency, reasonable risk, execution of the order or the order;

59.1.8. crime execution owing to illegal or immoral actions of the victim or in the condition of suddenly arisen heat passion (affect) caused by such actions;

59.1.9. the appearance with guilty, active contribution to disclosure of the crime, exposure of other assisting offenders and search of the property extracted as a result of the crime;

59.1.10. rendering of medical and other care to the victim is direct after crime execution, voluntary compensation or elimination of the material and moral harm, caused as a result of the crime, attempt to come to the consent with the victim, other actions directed on smoothing down of harm, caused to the victim.

59.2. In case of purpose of punishment can be considered as mitigating and the circumstances which have not been provided [by Articles 59.1.1-59.1.10](#) of this Code.

59.3. If the attenuating circumstance is provided by the relevant Article [of the Special part](#) of this Code as the sign of the crime, it in itself cannot repeatedly be considered in case of purpose of punishment.

Article 60. Purpose of punishment in the presence of attenuating circumstances

In the presence of the circumstances commuting punishment provided [by Articles 59.1.9 and 59.1.10](#) of this Code, and absence of aggravating circumstances, term or the amount of punishment cannot exceed three quarters of the most strict limit of the type of the punishment provided by the relevant Article [of the Special part](#) of this Code.

Article 61. The circumstances aggravating punishment

61.1. Aggravating circumstances are recognized:

61.1.1. not momentariness of crimes, recurrence of crimes;

61.1.2. approach of heavy consequences as a result of crime execution;

61.1.3. crime execution by the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

61.1.4. especially active participation in crime execution;

61.1.5. attraction to crime execution of persons which suffer heavy mental disturbances or are in the state of intoxication, and also persons under the age of from which there comes criminal liability;

61.1.6. crime execution on motive of national, racial, religious hatred or fanaticism, from revenge for lawful actions of other persons, with a mercenary motive or other low motives, and also on purpose to hide other crime or to facilitate its making;

61.1.7. crime execution concerning the woman, obviously for guilty the pregnancy which was in the condition, and also concerning the juvenile, elderly or helpless person or the person which is in dependence from the guilty;

61.1.8. crime execution concerning the person or his relatives in connection with implementation by this person of office activities or accomplishment of the social duty;

61.1.9. crime execution with special cruelty including tortures or tortures for the victim;

61.1.10. crime execution with use of firearms, explosive means, and also other all-dangerous methods and means;

61.1.11. crime execution in the conditions of emergency state, natural or other public disaster, and also in case of mass riots;

61.1.12. crime execution with use of uniform or documents of the public agent;

61.1.13. crime execution with use of the trust rendered to guilty owing to its of official position or the agreement.

61.2. In case of purpose of punishment cannot be considered as the aggravating circumstance, not provided [by Articles 61.1.1-61.1.13](#) of this Code.

61.3. If the aggravating circumstance is provided by the relevant Article [of the Special part](#) of this Code as the sign of the crime, it in itself cannot repeatedly be considered in case of purpose of punishment.

Article 62. Purpose of milder punishment, than is provided for this crime

62.1. In the presence of the exceptional circumstances connected with the purposes and motives of the crime, the role guilty, his behavior during time or after crime execution and other circumstances which are essentially reducing degree of public danger of the crime, and it is equal with active assistance of the participant of the crime made in partnership, to disclosure of this crime, punishment can be appointed below the lowest limit provided by the relevant Article [of the Special part](#) of this Code, or the court can appoint softer type of punishment, than is provided by this Article, or not to apply the auxiliary view of punishment provided as the obligatory.

62.2. Exclusive can be acknowledged both separate attenuating circumstances, and set of such circumstances.

Article 63. Purpose of punishment for the unfinished crime

63.1. In case of purpose of punishment for the unfinished crime circumstances owing to which the crime was not finished are considered.

63.2. Term or the amount of punishment for preparation for the crime cannot exceed the half of the maximum limit of the most severe looking of the punishment provided by the relevant Article [of the Special part](#) of this Code for the completed crime.

63.3. Term or the amount of punishment for the attempted crime cannot exceed three quarters of the maximum limit of the most severe looking of the punishment provided by the relevant Article [of the Special part](#) of this Code for the completed crime.

63.4. Lifelong imprisonment for preparation for the crime and the attempted crime are not appointed.

Article 64. Purpose of punishment for the crime made in partnership

64.1. In case of purpose of punishment for the crime made in partnership, nature and extent of the actual participation of each accomplice in its making, value of this participation for goal achievement of the crime, its influence on the size and nature of damage suffered are considered.

64.2. The mitigating or aggravating circumstances relating to the identity of one of accomplices, are considered in case of purpose of punishment only to this accomplice.

Article 65. Purpose of punishment in case of recurrence of crimes

65.1. In case of purpose of punishment in case of the recurrence, dangerous recurrence or especially dangerous recurrence of crimes the number, nature, weight and consequences of earlier made crimes, circumstances owing to which corrective impact of the previous punishment appeared insufficient, and also nature, weight and consequences of again made crimes are considered.

65.2. Term of punishment in case of recurrence of crimes cannot be lower than the half of the maximum term of the most strict limit of the type of the punishment provided for the perfect crime, in case of dangerous recurrence of crimes - at least two thirds, and in case of especially dangerous recurrence of crimes - at least three quarters of the maximum term of the most severe looking of the punishment provided for the perfect crime in the relevant Article [of the Special part](#) of this Code.

65.3. If Article [of the Special part](#) of this Code contains specifying on the criminal record of the person who has committed the crime as on qualifying sign, and also in the presence of exceptional circumstances, [the stipulated in Clause 62](#) presents of the Code, punishment in case of the recurrence, dangerous recurrence or especially dangerous recurrence of crimes is appointed without rules, [the stipulated in Clause 65.2](#) presents of the Code.

Article 66. Purpose of punishment on cumulative offenses

66.1. In case of cumulative offenses for each perfect crime separate penalty and by absorption of less stiff punishment by more strict is imposed or by complete or partial addition of the appointed punishments final penalty is imposed.

66.2. If the crimes made on sets, are only the crimes which are not representing to big public danger, final punishment is appointed the way of absorption of less stiff punishment by more strict or by complete or partial addition of punishments. Thus final punishment cannot exceed the maximum limit of the punishment provided for heaviest of perfect crimes.

66.3. If at least one of the crimes made on sets, is less heavy, heavy or especially serious crime, final punishment is appointed the way of complete or partial addition of punishments. Thus final custodial sanction cannot exceed twenty years. And in case of appointment for one of the crimes entering into cumulative

offenses, punishment in the form of lifelong imprisonment or imprisonment to term in twenty years, final punishment it is appointed the way of absorption of less stiff punishment by more stiff punishment.

66.4. In case of cumulative offenses the additional types of punishments established by the relevant Articles [of the Special part](#) of this Code for these crimes can be attached to main types of punishments. Final additional punishment in case of complete or partial addition of punishments cannot exceed the maximum limit provided for this type of punishment [by the General part](#) of this Code.

66.5. By the same rules penalty if after removal by court of the sentence on case it will be determined is imposed that the condemned is guilty also of other crime made by it before adjudgement of court on the first case. In this case in final punishment the punishment left on the first sentence of court is set off.

Article 67. Purpose of punishment on cumulative sentences

67.1. In case of purpose of punishment on cumulative sentences to the punishment appointed on the last sentence of court, the unexpired part of punishment on the previous sentence of court in parts or in full joins.

67.2. Term or the amount of the final punishment which has not been connected with imprisonment, on cumulative sentences cannot exceed the maximum limit provided for this type of punishment [by the General part](#) of this Code.

67.3. Final punishment on cumulative sentences in the form of imprisonment cannot exceed twenty five years.

67.4. Final punishment on cumulative sentences shall be more as the punishment appointed for again made crime, and the unexpired part of punishment on the previous sentence of court.

67.5. Accession of additional types of punishments in case of purpose of punishment on cumulative sentences is made by rules, [the stipulated in Clause 66.4](#) presents of the Code.

67.6. When making by the person which is serving time in the type of lifelong imprisonment, the new crime again imposed penalty is absorbed by lifelong imprisonment.

Article 68. The procedure for determination of terms in case of addition of punishments

68.1. In case of partial or complete addition of punishments on cumulative offenses and cumulative sentences to one day of imprisonment correspond:

68.1.1. one day of content in disciplinary military unit;

68.1.2. *it is excluded according to [the Law](#) of the Azerbaijani Republic from 5/31/2011 of No. 137-IVQD)*

68.1.3. three days of corrective works or restriction on military service;

68.1.4. eight hours of social jobs.

68.2. Deprivation of the right to occupy certain positions or to be engaged in certain activities, deprivation of the right to manage the vehicle, deprivation of the special, military or honorary title and the state awards or the penalty in case of their addition with corrective works, content in disciplinary military unit, restriction on military service, imprisonment are performed independently.

Article 69. Calculation of terms of punishments and offsetting of punishment

69.1. Terms of deprivation of the right to occupy certain positions or to be engaged in certain activities, deprivations of the right to manage the vehicle, restrictions on military service, corrective works, content in disciplinary military unit, imprisonments are estimated in months and years, and social jobs - in hours.

69.2. In case of replacement of punishment or addition of punishments, [the stipulated in Clause 69.1](#) presents of the Code, and also when offsetting punishment terms of punishments can be estimated in days.

69.3. Time of content of the person under guards to the introduction of the sentence in legal force is set off in terms of deprivation of freedom and content in disciplinary military unit at the rate of one day in one day, corrective works and restriction on military service - one day in three days, and in time social jobs - at the rate of one day of detention in eight hours of social jobs.

69.4. In case of appointment condemned, held in custody before legal proceeding, as the main type of punishment of the penalty, deprivation of the right to occupy certain positions or to be engaged in certain activities court, considering term of detention, commutes the imposed penalty or completely exempts it from serving of this punishment.

Article 70. Conditional condemnation

70.1. If, having appointed corrective works, restriction on military service, content in disciplinary military unit or imprisonment for the certain term, court will come to a conclusion about possibility of correction of the punishment condemned without serving, it can pass the decision on conditional application of this punishment.

70.2. In case of purpose of conditional condemnation the court considers nature and degree of public danger of the committed crime, the personality condemned, including circumstances extenuating and aggravating fault.

70.3. In case of purpose of conditional condemnation the court establishes the probation period. During this term the condemned shall prove the behavior the correction. The probation period is appointed for the term from six months till five years.

70.4. In case of conditional condemnation additional types of punishments can be appointed.

70.5. Court, appointing conditional condemnation, can assign on condemned execution of the following obligations: not to change the permanent residence, study, work without notice the body exercising control of behavior of condemned, not to visit certain places, to receive medical treatment for alcoholism, drug addiction, glue sniffing or the venereal disease, to perform material support of the family. The court can assign on condemned execution and other obligations promoting its correction.

70.6. Control of behavior of the conditionally condemned is performed by the relevant state body, and concerning the military personnel - command of military units and organizations.

70.7. During the probation period the court on representation of the state body exercising control of behavior conditionally condemned, can cancel fully or partially or add earlier established for condemned the obligation.

Article 71. Cancellation of conditional condemnation or prolongation of the probation period

71.1. If after at least a half of the probation period conditionally condemned by the behavior proved the correction, the court on representation of the state body exercising control of behavior condemned, can decide about cancellation of conditional condemnation and about removal with condemned criminal records.

71.2. If the conditionally condemned evaded from execution assigned to it court of obligations or made violation of the public order for which administrative penalty was imposed on it, court on representation of the state body specified in [Article 71.1](#) of this Code, can extend the probation period, but no more than for one year.

71.3. In case of systematic or malicious non-execution conditionally condemned during the probation period assigned to it court of obligations the court on representation of the state body specified in [Article 71.1](#) of this Code, can decide about cancellation of conditional condemnation and the execution of the punishment, the court appointed the sentence.

71.4. In case of making conditionally condemned during the probation period of the crime on imprudence or the intentional crime which is not representing to big public danger, the question of cancellation or of preserving conditional condemnation is solved court.

71.5. In case of making conditionally condemned during the probation period of intentional less heavy, intentional heavy or especially serious crime the court cancels conditional condemnation and imposes to it penalty by rules, [the stipulated in Clause 67th](#) present of the Code. By the same rules penalty in cases, [the stipulated in Clause 71.4](#) presents of the Code is imposed.

Section IV. Release from criminal liability and from punishment

Chapter eleventh. Release from criminal liability

Article 72. Release from criminal liability in connection with active repentance

72.1. The person who for the first time has committed the crime, not representing to big public danger, can be exempted from criminal liability if it voluntary came to confess, actively promoted disclosure of the crime, indemnified the loss or otherwise smoothed down the harm caused as a result of the crime.

72.2. The person who has committed the crime of other category, in the presence of conditions, [the stipulated in Clause 72.1](#) presents of the Code, can be exempted from criminal liability only in the cases which have been directly provided by the relevant Articles [of the Special part](#) of this Code.

Article 73. Release from criminal liability in connection with conciliation with the victim

The person who for the first time has committed the crime, not representing to big public danger, can be exempted from criminal liability if it conciliated with the victim and indemnified the loss caused to it or smoothed down damage suffered.

Article 74. Release from criminal liability in connection with change of the situation

The person who for the first time has committed the crime, not representing to big public danger or less serious crime, can be exempted from criminal liability if it will be determined that owing to change of the situation perfect act or the person who has made act, ceased to be socially dangerous.

Article 75. Release from criminal liability in connection with the expiration of prescriptive limits

75.1. The person cannot be instituted criminal proceedings, if from the date of making of the crime by it expired the following terms:

- 75.1.1. two years after the crime execution which is not representing to big public danger;
- 75.1.2. seven years after making of less serious crime;
- 75.1.3. twelve years after making of serious crime;
- 75.1.4. twenty years after making of especially serious crime.

75.2. Prescriptive limits are estimated from the date of crime execution and till the introduction of the sentence of court in legal force. In case of making by the person of the new crime prescriptive limits on each crime are estimated independently.

75.3. The current of prescriptive limits stops, if the person who has committed the crime, absconds or vessels. In this case the current of prescriptive limits renews from the moment of detention of the specified person or its appearance from the guilty.

75.4. The question of application of prescriptive limits to the person who has committed the crime, punishable by lifelong imprisonment, is solved court. If the court does not find as possible to exempt the specified person from criminal liability in connection with the expiration of prescriptive limits, lifelong imprisonment to it is not applied.

75.5. Provisions of this Article are not applied to the persons who have committed crimes against the world and safety of humanity, terrorism, financing of terrorism and the war crimes provided by the relevant Articles [of the Special part](#) of this Code.

Chapter twelfth. Release from punishment

Article 76. The conditional early release from serving of punishment

76.1. If the court comes to a conclusion that the person which is serving time in the type of corrective works, contents in disciplinary military unit, restrictions on military service or imprisonments for the certain

term, does not need complete serving of punishment, it can exempt this person from serving of punishment conditional early. Thus the person can be fully or partially exempted from serving and additional punishment.

76.2. Applying the conditional early release from serving of punishment, the court can assign on condemned obligations, [the stipulated in Clause 70.5](#) presents of the Code which shall them be performed during the remained not left part of punishment.

76.3. The conditional early release from serving of punishment can be applied only after the actual departure by the condemned:

76.3.1. at least a half of term of the punishment appointed for the crime, not representing to big public danger or less heavy;

76.3.2. *it is excluded;*

76.3.3. at least three quarters of term of the punishment appointed for making of heavy or especially serious crime, and also at least three quarters of term of the punishment appointed to the person, earlier conditional early exempted from punishment if the conditional early release was cancelled on the bases, [the stipulated in Clause 76.6](#) presents of the Code, or the person which has earlier served time in the type of imprisonment, were repeatedly condemned to custodial sanction for recurrence of crimes.

76.4. Actually left condemned term of deprivation of freedom cannot be less than six months.

76.5. Control of behavior of the person exempted conditional early, is performed by the relevant state bodies, and concerning the military personnel - command of military units and organizations.

76.6. If during the remained not left part of punishment the condemned:

76.6.1. it is malicious evaded from execution regularly, or the obligations assigned to it by court in case of application of the conditional early release, or made violation of the public order for which administrative penalty was imposed on it, court on representation of the bodies specified [by Article 76.5](#) of this Code, can decide about cancellation of the conditional early release and execution of the remained not left part of punishment;

76.6.2. committed the crime on imprudence, the question of cancellation or of preserving the conditional early release is solved court;

76.6.3. committed the intentional crime, the court imposes to it penalty by rules, [the stipulated in Clause 67th](#) present of the Code. By the same rules penalty in case of crime execution on imprudence if the court cancels the conditional early release is imposed.

Article 77. Replacement of not left part of punishment with softer type of punishment

77.1. To the person, leaving imprisonment for the crime which is not representing to big public danger or less serious crime, court taking into account his behavior in serving of punishment can replace with the certain term remained not left the part of punishment with softer type of punishment. Thus the person can be fully or partially exempted from serving and additional punishment.

77.2. The unexpired part of punishment can be replaced with softer type of punishment after the actual departure condemned at least one third of term of punishment.

77.3. In case of replacement of the unexpired part of punishment the court can choose any softer kind of punishment according to the types of punishments specified in [Article 42](#) of this Code, in the limits provided by this Code for each type of punishment.

Article 78. Release from punishment in connection with the illness

78.1. The person at whom after crime execution there came the mental disturbance depriving its possibilities to realize the actual nature and public danger of the act (action or failure to act) or to direct this act, is exempted from punishment or from its further serving. To such persons by court the enforcement powers of medical nature provided by this Code can be applied.

78.2. The person which has fallen ill after crime execution by other serious illness, interfering serving of punishment, can be exempted by the court order from serving of punishment.

78.3. The military personnel, leaving content in disciplinary military unit, is exempted from further serving of punishment in the case, doing them unusable to military service. In such cases the court can replace not left part of punishment with it (except for the persons being at the terminal stage of the oncological disease) by softer type of punishment.

78.4. The persons specified in [Articles 78.1 and 78.2](#) of this Code, in case of their recovery can be subject to criminal liability and punishment if did not expire the prescriptive limits provided [by Articles 75 and 80](#) of this Code.

Article 79. Delay of serving of punishment to expectant mothers and the persons having juvenile children

79.1. To the condemned expectant mothers and the women having children be elderly till eight years, and also to the men, independently bringing up the child to 8-year age, except persons condemned to imprisonment for the term of over five years for heavy and especially serious crimes against the personality, the court can delay serving of punishment before achievement by the child of eight-year age.

79.2. If the persons specified in [Article 79.1](#) of this Code, refused the child or continue to evade from education of the child after the prevention of the relevant state body exercising control of behavior of condemned persons, the court can cancel delay of serving of punishment on representation of this body and send condemned for serving of punishment to the place established by the sentence of court.

79.3. On reaching the child of eight-year age the court exempts the condemned person from serving of not left part of punishment, or replaces not left part of punishment with softer type of punishment, or sends the condemned person to the relevant organization for serving of the rest of punishment.

79.4. If in delay of serving of punishment the condemned person commits the new crime, the court imposes it penalty by rules, [the stipulated in Clause 67th](#) present of the Code.

Article 80. Release from serving of punishment in connection with the expiration of prescriptive limits of the conviction

80.1. The condemned person is exempted from serving of punishment if the conviction of court was not carried out in the following terms from the date of its introduction in legal force:

80.1.1. two years in case of the conviction of an offense, not representing to big public danger;

80.1.2. seven years in case of condemnation for less serious crime;

80.1.3. twelve years in case of condemnation for serious crime;

80.1.4. twenty years in case of condemnation for especially serious crime.

80.2. The current of prescriptive limits stops, if the condemned person evades from serving of punishment. In this case the current of prescriptive limits renews from the moment of detention condemned or its appearances from the guilty.

80.3. The question of application of prescriptive limits to the person condemned to lifelong imprisonment, solves court. If the court does not find as possible to apply prescriptive limits, this type of punishment is replaced with imprisonment with the certain term.

80.4. Provisions of this Article are not applied to the persons who have committed crimes against the world and safety of humanity, terrorism, financing of terrorism and the war crimes provided by the relevant Articles [of the Special part](#) of this Code.

Chapter thirteenth. Amnesty. Pardon. Criminal record

Article 81. Amnesty

81.1. The act of amnesty is accepted by Millie Medzhlisom of the Azerbaijani Republic concerning individually not the certain group of people.

81.2. By the act about the amnesties of the person which have committed crimes, can be exempted from criminal liability. The persons condemned for making of crimes, can be exempted from punishment, or term of the punishment appointed by it can be reduced or not left part of punishment can be replaced with softer type of punishment, or such persons can be exempted from additional punishment. From the persons which have served time, by the act of amnesty the criminal record can be removed.

Article 82. Pardon

82.1. Pardon is performed by the President of the Azerbaijani Republic concerning individually certain person.

82.2. The act of pardon the person condemned for the crime, can be exempted from serving of the rest of punishment, or term of the punishment appointed to it can be reduced or not left part of punishment can be replaced with softer type of punishment.

82.3. Lifelong imprisonment according to the procedure of pardon can be replaced with imprisonment for the term of not over twenty five years.

82.4. From the person which has served time, by the act of pardon the criminal record can be removed.

Article 83. Criminal record

83.1. The person condemned for crime execution, is considered the offender from the date of the introduction of the conviction of court in legal force till removal or repayment of the criminal record. The criminal record according to this Code is considered in case of recurrence of crimes and in case of purpose of punishment.

83.2. The person exempted from punishment, is considered not offender.

83.3. The criminal record is settled:

83.3.1. concerning the persons who have been conditionally condemned, - after the probation period;

83.3.2. concerning the persons condemned to softer types of punishments, than imprisonment, - after one year after departure of punishment;

83.3.3. concerning the persons condemned to imprisonment for crimes, not representing to big public danger, and less serious crimes, - after three couples after departure of punishment;

83.3.4. concerning the persons condemned to imprisonment for serious crimes, - after six years after departure of punishment;

83.3.5. concerning the persons condemned for especially serious crimes, - after eight years after departure of punishment.

83.4. If condemned in the procedure established by the law it was early exempted from serving of punishment or not left part of punishment was replaced with softer type of punishment, the repayment period of the criminal record is estimated from the moment of release from serving of the primary and additional punishment.

83.5. If condemned after departure of punishment by good behavior will prove the correction, according to its petition the court can remove from it the criminal record early.

83.6. Repayment or removal of the criminal record cancels all consequence in law connected with the criminal record.

Section V. Criminal liability of minors

Chapter fourteenth. Features of criminal liability and punishment of minors

Article 84. Criminal liability of minors

84.1. Minors persons by whom up the time of crime execution it was performed fourteen are recognized, but was not performed eighteen years.

84.2. To the minors who have committed crimes, it can be imposed penalty or to them enforcement powers of educational impact can be applied

Article 85. Types of the punishments appointed to minors

85.1. Types of the punishments appointed to minors, are:

85.1.1. penalty;

85.1.2. social jobs;

85.1.3. corrective works;

85.1.4. imprisonment for the certain term.

85.2. The penalty is appointed only in case of availability at the minor condemned independent earnings or property on which collection can be turned. The penalty is appointed at the rate to six hundred manatov.

85.3. Social jobs are appointed for the term from eighty till three hundred twenty o'clock, consist in performance of works, feasible for the minor condemned in free from study or the main work time. Duration of execution of this type of punishment by persons aged till fifteen years cannot exceed two hours in day, and persons at the age from fifteen till sixteen years - three hours in day.

85.4. Corrective works are appointed the minor condemned for the term from two months till one year. In this case from earnings condemned deduction in the income of the state in the amount of, established by the sentence of court, in limits from five to twenty percent are made.

85.5. Imprisonment is appointed the minor condemned for the term of not over ten years. Minors condemned serve time in the following educational organizations:

85.5.1. female minors, and also the male minors condemned for the first time to imprisonment - in educational organizations of the general regime;

85.5.2. the male minors which were earlier serving time in the type of imprisonment, - in educational organizations of the strengthened mode.

Article 86. Purpose of punishment as the minor

86.1. In case of purpose of punishment to the minor except circumstances, [the stipulated in Clause 58th](#) present of the Code, the court also considers living conditions and education of this person, level of mental development, other features of its personality, and also influence of extraneous persons on it.

86.2. In case of purpose of punishment minor age as the attenuating circumstance is considered in aggregate with other circumstances commuting and aggravating punishment.

Article 87. Content of enforcement powers of educational impact

87.1. The prevention consists in the explanation to the minor of the harm caused by its act, and consequences of repeated making of the crimes provided by this Code.

87.2. Transfer under supervision consists in assignment on parents or persons, them replacing, or on relevant organ of the executive authority of the obligation on educational impact on the minor and to control of his behavior.

87.3. The obligation to smooth down damage suffered it is assigned taking into account the property status of the minor and availability at it the corresponding labor skills.

87.4. Restriction of leisure and establishment of special requirements to behavior of the minor can provide the prohibition of visit of certain places, uses of certain forms of leisure, including connected with management of the mechanical transport vehicle, restriction of stay out of door after the certain time of day, departure to other districts without the permission of the relevant state body. The obligation can be also assigned to the minor to continue education or to find a job by means of relevant organ of the executive

authority. Restriction of leisure and establishment of special requirements to behavior of the minor can provide, except these, and other measures.

Article 88. Application of enforcement powers of educational impact

88.1. The minor who for the first time has committed the crime, not representing to big public danger or less serious crime, can be exempted from criminal liability if it will be recognized that correction can be reached by the way of application of enforcement powers of educational impact.

88.2. To minors the following enforcement powers of educational impact can be applied:

88.2.1. prevention;

88.2.2. transfer under supervision of parents or persons, them replacing, or the relevant state body;

88.2.3. assignment of the obligation to smooth down damage suffered;

88.2.4. restriction of leisure and establishment of special requirements to behavior of the minor.

88.3. To the minor some enforcement powers of educational impact can be appointed at the same time. Duration of term of application of enforcement powers of the educational impact provided [by Articles 88.2.2 and 88.2.4](#) of this Code, is established by the relevant state body appointing these measures.

88.4. In case of systematic non-execution by the minor of enforcement powers of educational impact, these measures for representation of the relevant state body are cancelled and materials are taken to court for involvement of the minor to criminal liability.

Article 89. Release from punishment of minors

89.1. The minor condemned for crime execution, not representing big public danger or less serious crime, can be exempted from punishment using enforcement powers of educational impact, [the stipulated in Clause 87.2](#) presents of the Code.

89.2. The court can exempt from punishment of the minor condemned for making of less serious crime if recognizes that the purposes of punishment can be reached only by the way of the room it in the educational or special teaching and educational organization of the closed type provided for such persons. Thus the minor contains in the specified organization before achievement of eighteen years, however under condition of no more than three years.

89.3. In case of correction of the minor and with respect thereto loss of need of application of the specified measure, the court based on joint representation of the management of special teaching and educational organization of the closed type or teaching and educational organization and the commission on cases of minors and protection of their rights, can pass the decision on the early release of the minor from this organization.

Article 90. The conditional early release of minors from serving of punishment

90.0. The conditional early release from serving of punishment can be applied to the minors condemned to corrective works or to imprisonment, after departure:

90.0.1. at least one third of term of the punishment appointed for the crime, not representing to big public danger, or less serious crime;

90.0.2. at least a half of term of the punishment appointed for serious crime;

90.0.3. at least two thirds of term of the punishment appointed for especially serious crime.

Article 91. Prescriptive limits

The prescriptive limits provided [by Articles 75 and 80](#) of this Code, in case of release of minors from criminal liability or from serving of punishment decrease half.

Article 92. Repayment periods of the criminal record

92.0. For the minors who have committed crimes, repayment periods of the criminal record, [the stipulated in Clause 83](#) presents of the Code, are reduced and are respectively equal:

92.0.1. to one year from the date of departure of custodial sanction for the crime which is not representing to big public danger, or less serious crime;

92.0.2. to three years from the date of departure of custodial sanction for heavy or especially serious crime.

Section VI. Other measures of criminal and legal nature

Chapter fifteenth. Enforcement powers of medical nature

Article 93. Bases of application of enforcement powers of medical nature

93.1. Enforcement powers of medical nature can be appointed by court to persons:

93.1.1. made act (action or failure to act), provided [by the Special part](#) of this Code, in the condition of diminished responsibility;

93.1.2. after crime execution by the diseased by the mental illness excluding appointment or the execution of the punishment;

93.1.3. committed the crime and suffering the mental disturbances which are not excluding responsibilities;

93.1.4. committed the crime and recognized needing treatment for alcoholism or drug addiction.

93.2. To the persons specified in [Articles 93.1.1-93.1.4](#) of this Code, enforcement powers of medical nature are appointed only in cases when mental disturbances generate danger of damnification to themselves or other persons.

93.3. The procedure for application of enforcement powers of medical nature is determined by the legislation of the Azerbaijani Republic.

93.4. Concerning the persons which are specified in [Articles 93.1.1-93.1.4](#) of this Code and not representing dangers on the mental condition, required materials are transferred to bodies of health care for the solution of the question on treatment of these persons or their direction in psychoneurological organizations.

Article 94. Purposes of application of enforcement powers of medical nature

The purposes of application of enforcement powers of medical nature are treatment of the persons specified in [Articles 93.1.1-93.1.4](#) of this Code, or improvement of their mental condition, and also the prevention of making by them new acts.

Article 95. Types of enforcement powers of medical nature

95.0. The court can appoint the following types of enforcement powers of medical nature:

95.0.1. out-patient forced supervision and treatment at the psychiatrist,

95.0.2. forced treatment in the psychiatric hospital of general type;

95.0.3. forced treatment in the psychiatric hospital of specialized type;

95.0.4. forced treatment in the psychiatric hospital of specialized type with intensive supervision.

Article 96. Out-patient forced supervision and treatment at the psychiatrist

Out-patient forced supervision and treatment at the psychiatrist can be appointed in the presence of the bases, [the stipulated in Clause 93.2](#) presents of the Code if there is no need of the room of the person in the psychiatric hospital.

Article 97. Forced treatment in psychiatric hospitals

97.1. Forced treatment in psychiatric hospitals can be appointed in the presence of the bases, [the stipulated in Clause 93.2](#) presents of the Code if nature of mental disturbance of the person requires such conditions of treatment, leaving, content and supervision which can be performed only in psychiatric hospitals.

97.2. Forced treatment in psychiatric hospitals of general type can be to the nominated person who on the mental condition needs hospitalization and supervision, but does not require intensive supervision.

97.3. Forced treatment in psychiatric hospitals of specialized type can be to the nominated person who on the mental condition requires permanent supervision.

97.4. Forced treatment in psychiatric hospitals of specialized type with intensive supervision can be to the nominated person who on the mental condition represents the special peril for itself or other persons and requires permanent and intensive supervision.

Article 98. Prolongation, change and phase-out of enforcement powers of medical nature

98.1. Prolongation, change and phase-out of enforcement powers of medical nature are performed by court on representation of administration of the medical institution performing forced treatment, based on the conclusion of the commission of doctors-psychiatrists.

98.2. The person to whom the enforcement power of medical nature is appointed, is subject to survey by the commission of doctors-psychiatrists not less often than once in six months for the solution of the question on phase-out or on change of such measure. In the absence of the bases for phase-out or change of the enforcement power of medical nature the administration of the organization performing forced treatment, brings into court the conclusion for prolongation of forced treatment. The first prolongation of forced treatment is made after six months from the moment of the initiation of treatment, in subsequent prolongation of forced treatment is made annually.

98.3. Change or phase-out of the enforcement power of medical nature is performed by court in case of such change of the mental condition of the person in case of which need for application of earlier appointed measure disappears or there is the need for purpose of other enforcement power of medical nature.

98.4. In case of phase-out of enforcement powers of medical nature, the court transfers required materials concerning the person which was on forced treatment, to bodies of health care.

Article 99. Offsetting of time of application of enforcement powers of medical nature

In case of treatment of the person at which mental disturbance came after crime execution, in case of purpose of punishment or renewal of its execution, time during which to the person forced treatment in the psychiatric hospital was applied, is set off in time punishments at the rate of one day of stay in the psychiatric hospital in one day of imprisonment.

Chapter 15-1. Special confiscation

Article 99-1. Special confiscation

99-1.1. The criminal legal measure in the form of special confiscation consists in forced and uncompensated taking for benefit of the state of the following property:

99-1.1.1. tools and the means used condemned in case of crime execution (except for tools and means which are subject to return to the legal owner);

99-1.1.2. money or other property received by the condemned criminal way, and also the income received for the account of this money or other property (except for money or other property and the income received from them which are subject to return to the legal owner);

99-1.1.3. other property or its corresponding part to which by the conclusion of civil-law transactions or different ways the money received by the criminal way or other property are fully or partially transformed;

99-1.1.4. the property provided or used for financing of terrorism, not stipulated by the legislation paramilitary groups or the groups, the organized groups or criminal societies (the criminal organizations).

99-1.2. The court solves the question of availability or lack of the subject of confiscation of the property provided [by Articles 99-1.1](#) of this Code, on each criminal case. Special confiscation can be applied both to physical, and to legal entities.

99-1.3. [The stipulated in Clause 99-1.1](#) presents of the Code the property which was aloof or transferred somehow to other persons from condemned, will be confiscated if the person which has acquired this property, knew or shall know about receipt of property by the criminal way and accepted it.

Article 99-2. Confiscation on property value

If the property subject to confiscation provided [by Articles 99-1.1.2-99-1.1.4](#) of this Code, it is impossible to confiscate for benefit of the state from - for its uses, alienations or other reasons, in the amount of cost of this property other property belonging to the condemned will be confiscated.

Article 99-3. Repayment of the harm caused as a result of the crime, by means of condemned property

99-3.1. In case of the solution of the question of confiscation the harm caused as a result of the crime to the legal owner of property, first of all, is subject to repayment.

99-3.2. If the committed crime the person except condemned property has no other property for ensuring repayment of harm, the harm caused to the legal owner of property as a result of the crime, is subject to repayment at the expense of condemned property then the rest of property is confiscated.

Chapter 15-2. The criminal legal measures applied concerning legal entities

Article 99-4. The bases and conditions of application of criminal legal measures to legal entities

99-4.1. Criminal legal measures to the legal entity are applied for the crimes made by the following physical persons for benefit of this legal entity or in protection of its interests:

99-4.1.1. the official, authorized to represent the legal entity;

99-4.1.2. the official, authorized to make decisions on behalf of the legal entity;

99-4.1.3. the official, authorized to supervise activities of the legal entity;

99-4.1.4. the worker of the legal entity as a result of non-realization of control from the officials provided [by Articles 99-4.1.1-99-4.1.3](#) of this Code.

99-4.2. Application of criminal legal measures to the legal entity does not exclude criminal liability of the physical person made this act or participating in any form in its making.

99-4.4. The termination of criminal prosecution concerning physical person, [the stipulated in Clause 99-4.1](#) presents of the Code, in the cases established by the law does not interfere with application of criminal legal measures to the legal entity.

99-4.5. Criminal legal measures cannot be applied concerning the state, municipalities, and also the international organizations.

99-4.6. Criminal legal measures are applied to legal entities for making of the acts provided [by Articles 144, 144-1, 144-2, 144-3, 167-169, 169-1, 170-171-1, 193-1, 194, 200-1, 200-2, 214-220, 233, 242-244-1, 271-284, 308, 311, 312, 312-1, 313, 315, 316-1, 316-2, 320 and 323-326](#) of this Code.

99-4.7. If the legal entity is reorganized before removal by court of the decision in connection with purpose of criminal legal measure, criminal legal measures are appointed to the legal successor of the legal entity. From the moment of removal by court of the decision in connection with purpose of criminal legal measure and before its complete execution or cancellation reorganization of the legal entity, or its liquidation

according to the decision of founders (participants) or the body authorized by the charter of the legal entity is forbidden.

Article 99-5. Types of the criminal legal measures applied to legal entities

99-5.1. The criminal legal measures applied to legal entities:

99-5.1.1. penalty;

99-5.1.2. special confiscation;

99-5.1.3. deprivation of the legal entity of the right to be engaged in certain activities;

99-5.1.4. liquidation of the legal entity.

99-5.2. Special confiscation is applied according to the procedure, established [by Chapter 15-2](#) of this Code.

99-5.3. Liquidation of the legal entity is applied as the main, the penalty

- in quality as the main, and additional, deprivation of the legal entity of the right to be engaged in certain activities and special confiscation - only as additional criminal legal measure.

99-5.3. In case of establishment of the type and the limit of the criminal legal measure applied to the legal entity, the following circumstances are considered:

99-5.3.1. nature and degree of public danger of the crime;

99-5.3.2. amount of the benefit received by the legal entity as a result crimes, or nature and extent of ensuring its interests;

99-5.3.3. crime amount and weight (its) their consequences;

99-5.3.4. assistance in disclosure of the crime, exposure of his participants, search and finding of the property received as a result of the crime;

99-5.3.5. voluntary compensation or elimination of the material and moral harm caused as a result of the crime, other measures undertaken by the legal entity for reduction of harm, caused to the injured person;

99-5.3.6. circumstances, harakteriziruyushchy the legal entity, including application before criminal legal measures concerning it, either occupation by charity or other socially useful activities.

Article 99-6. Penalty

99-6.1. The penalty as criminal legal measure applied to legal entities consists of the forced cash collection appointed by court and withheld for benefit of the state in cases and the size, established by this Code.

99-6.2. The penalty taking into account the circumstances specified in [Articles 99-6.3, 99-6.4 and 99-8.3](#) of this Code, and the financial and economic condition of the legal entity is established at the rate from fifty thousand to two hundred thousand manatov or from single till the fivefold extent of the harm caused as a result of the crime (the received income).

99-6.3. The criminal legal measure in the form of the penalty is appointed to legal entities in the following limits:

99-6.3.1. for the crimes which are not representing to big public danger, - at the rate from fifty thousand to seventy five thousand manatov, or from single till the double extent of the harm caused as a result of the crime (the received income);

99-6.3.2. for less serious crimes - at the rate from seventy five thousand to hundred thousand manatov, or from double till the triple extent of the harm caused as a result of the crime (the received income);

99-6.3.3. for serious crimes - at the rate from hundred thousand to hundred twenty five thousand manatov, or from triple till the quadruple extent of the harm caused as a result of the crime (the received income);

99-6.3.4. for especially serious crimes - at the rate from hundred twenty five thousand to hundred fifty thousand manatov, or from quadruple till the fivefold extent of the harm caused as a result of the crime (the received income).

99-6.4. The penalty applied to the legal entity, cannot exceed the half of cost of its property.

Article 99-7. Deprivation of the legal entity of the right to be engaged in certain activities

99-7.1. Deprivation of the legal entity of the right to be engaged in certain activities consists in cancellation of the special consent (license) or special permission to implementation of the certain type of business activity, will lock on the conclusion of certain transactions, the share issue or other securities, receipt of government subsidies or other privileges, or occupation by other activities.

99-7.2. Deprivation of the legal entity of the right to be engaged in certain activities is appointed to the following terms taking into account the circumstances specified in [Article 99-5.3](#) of this Code if preserving for the legal entity of the right to be engaged in certain activities it is considered impossible:

99-7.2.1. for the crimes which are not representing to big public danger - for the term from one till two years;

99-7.2.2. for less serious crimes - for the term from two till three years;

99-7.2.3. for serious crimes - for the term from three till four years;

99-7.2.4. for especially serious crimes - for the term from four till five years.

Article 99-8. Liquidation of the legal entity

99-8.1. Liquidation of the legal entity is exclusive criminal legal measure which consists in the termination of existence and activities of the legal entity in connection with the crime made in its advantage or in protection of its interests, without transition of its rights and obligations to other persons according to the procedure of legal succession.

99-8.2. Liquidation of the legal entity is applied, if this legal entity was regularly used in making of crimes or concealment of the traces of crime received by the criminal way of money either other property, or more than a half of its property consists of the property which is subject to confiscation according to [Article 99-1.1](#) of this Code.

99-8.3. In case of purpose of criminal legal measure in the form of liquidation of the legal entity as additional criminal legal measure taking into account [Article 99-6.4](#) of this Code the penalty in the amount of two hundred thousand manatov is appointed.

99-8.4. Liquidation of the legal entity is not applied to political parties and trade unions, the state (municipal) companies or legal entities at which the controlling stock (shares) belongs to the state (municipality).

Article 99-9. Release of the legal entity from application of criminal legal measures

Criminal legal measures concerning the legal entity cannot be applied, if the person who has committed the crime for benefit of the legal entity or in protection of its interests, is exempted from criminal liability in connection with lapse of time according to the procedure, [the stipulated in Clause 75th](#) present of the Code.

Special part

Section VII. Crimes against the world and safety of humanity

Chapter sixteenth. Crimes against the world and safety of humanity

Article 100. Planning, preparation, razvyazyvaniye or conducting war of aggression

100.1. Planning, preparation or razvyazyvaniye of war of aggression are punished by imprisonment for the term from eight till twelve years.

100.2. Conducting war of aggression it is punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 101. Public appeals to the razvyazyvaniye of war of aggression

101.1. Public appeals to the razvyazyvaniye of war of aggression are punished by imprisonment for the term up to three years.

101.2. The same acts made with use of mass media or the official, are punished by imprisonment for the term from two till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 102. Attack on persons or organizations which use international protection

Attack on the representative of the foreign state or the employee of the international organization using international protection, and is equal on office either premises or the vehicle of these persons if this act is made for the purpose of provocation of war or complication of the international relations,

it is punished by imprisonment for the term from five till ten years.

Article 103. Genocide

The actions directed on complete or partial destruction of national, ethnic, racial or religious group by murder of members of this group, causing of heavy harm to their health or serious harm to their mental capacities, creation of the vital conditions expected complete or partial physical destruction of members of this group, implementation of the actions directed on prevention of birth rate in group, forced transfer of children belonging to one group, to another,

are punished by imprisonment for the term from fourteen till twenty years or lifelong imprisonment.

Article 104. Instigation to making of genocide

Direct and obvious instigation to making of any acts, [the stipulated in Clause 103](#) presents of the Code, it is punished by imprisonment for the term from five till ten years.

Article 105. Destruction of the population

Complete or partial destruction of the population in the absence of signs of genocide it is punished by imprisonment for the term from fourteen till twenty years or lifelong imprisonment.

Note: Crimes against safety of humanity the intentional acts provided [by Articles 105-113](#) of this Chapter, being the component of large-scale or systematic attacks on the civilian population as in peace, and the wartime are recognized.

Article 106. Slavery

106.1. Slavery, that is complete or partial implementation concerning the person of the competences inherent in the property right,

it is punished by imprisonment for the term from five till ten years.

106.2. The same acts made concerning the minor or for the purpose of moving of the person in the foreign state,

are punished by imprisonment for the term from seven till twelve years.

106.3. Slave trade, that is content of the person for the purpose of transformation into the slave or use as the slave, its sale or the exchange, the order it, and also any act connected with slave trade or transportation of slaves, and is equal slavery on the sexual basis or infringement of sexual freedom on the basis of slavery,

are punished by imprisonment for the term from five till ten years.

Article 107. Deportation or forced relocation of the population

Expulsion of the population from legal places of the settlement to other state or exile by other forced actions, without the bases established by regulations of international law and the laws of the Azerbaijani Republic,

are punished by imprisonment for the term from ten till fifteen years.

Article 108. Sexual violence

Rape, coercion to prostitution, forced sterilization or making against persons of other actions connected with sexual violence,

are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 108-1. Forced pregnancy

Illegal imprisonment of the woman forced to pregnancy for the purpose of change of ethnic structure of these or those people or with other severe violations of international law,

it is punished by imprisonment from twelve to twenty years or lifelong imprisonment.

Article 109. Prosecution

Prosecution of any group or the organization on political, racial, national, ethnic, cultural, religious reasons, motives of the sex or another prohibited by regulations of international law to motives, that is gross violation of basic rights of people because of their belonging to these groups or the organizations if this act is connected with other crimes against safety of humanity,

it is punished by imprisonment for the term from five till ten years.

Article 110. Violent keeping of the person

Detention, arrest or kidnapping of the person for the purpose of deprivation of legal protection for long term on the task, support or with the consent of the state or the political organization and the subsequent denial of the fact of imprisonment of the person or refusal of the message of data on its fate or the location

are punished by imprisonment for the term from ten till twenty years or lifelong imprisonment.

Article 111. Racial discrimination (apartheid)

111.0. The acts made for the purpose of the organization and ensuring of superiority of one racial group for oppression of other racial group:

111.0.1. denial of the right of members of racial group or groups on life and freedom, that is murder of members of racial group or groups, causing of heavy harm to their health or serious harm to mental capacities, application to them of tortures or cruel, brutal or the degrading treatment and punishments, and equally arbitrary arrest or illegal imprisonment;

111.0.2. intentional creation for racial group or groups of the housing conditions expected their complete or partial physical destruction;

111.0.3. implementation of any legislative and other measures for the purpose of hindrance to participation of racial group or groups in political, social, economic and cultural life of the country, and also to complete development of such group or groups by denial belonging to members of this group or groups of

basic rights and human freedoms, including the right to work, on creation of labor unions, on education, the right to leave the country and to return to it, the right to nationality, to freedom of travel and the choice of the residence, on freedom of belief and the word, on freedom of peaceful assemblies and associations;

111.0.4. implementation of any measures, including legislative, for the purpose of separation of the population into racial groups by means of creation of the isolated reservations and the ghetto, prohibition of mixed marriages between members of various racial groups, expropriations of the parcels of land belonging to racial group or groups, or their members;

111.0.5. operation of work of members of racial group or groups;

111.0.6. prosecution of the organizations and the persons, opposing the apartheid, by means of deprivation of their basic rights and freedoms,

are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 112. Imprisonment in defiance of regulations of international law

Arrest or other imprisonment of persons, in defiance of regulations of international law,
it is punished by imprisonment for the term from five till eight years.

Article 113. Application of tortures

Causing of physical pain or mental sufferings to the persons which have undergone to detention or other restriction of freedom,

it is punished by imprisonment for the term from seven till ten years.

Chapter seventeenth. War crimes

Article 114. Nayemnichestvo

114.1. Recruitment, training, financing or other material security of the mercenary, and its use is equal in armed conflict or military transactions

are punished by imprisonment for the term from eight till twelve years.

114.2. The same acts made by the person with use of the official position or concerning the minor,
are punished by imprisonment for the term from nine till fifteen years.

114.3. Participation of the mercenary in armed conflict or military transactions
it is punished by imprisonment for the term from five till eleven years.

Notes:

1. The acts provided by this Chapter, made in connection with planning, preparation, the razvyazyvaniye or carrying out military transactions both in case of international, and in case of internal armed conflicts, are recognized war crimes.

2. The mercenary the person which is acting for the purpose of receipt of material compensation and not being the citizen of the state, participating in armed conflict or the military transactions, not living permanently in its territory, and also not being the person directed for execution of official obligations is recognized.

Article 115. Violation of the laws and customs of war

115.1. Compulsion of prisoners of war and other persons protected by the international humanitarian law to serve in armed forces of the party which has taken them prisoner, and also compulsion of citizens of the enemy state to participate in military transactions,

directed against the country,

are punished by imprisonment for the term from two till five years.

115.2. Ill or inhuman treatment with the persons specified in [Article 115.1](#) of this Code, application to them of tortures, carrying out medical, biological and other researches, including the removal of organs for transplantation, and also their use as the barrier for protection of the armies or objects, or content as hostages, and is equal involvement of the civilian population to forced hard labor or forced moving from places of the legal settlement for other purposes

are punished by imprisonment for the term from five till ten years.

115.3. The acts provided [by Articles 115.1 and 115.2](#) of this Code, the entailed death or causing of heavy harm to their health,

are punished by imprisonment for the term from ten till fifteen years.

115.4. The premeditated murder of the persons specified in [Article 115.1](#) of this Code,

it is punished by imprisonment for the term from fourteen till twenty years or lifelong imprisonment.

Article 116. Violation of regulations of the international humanitarian law during armed conflicts

116.0. Violation of regulations of the international humanitarian law during armed conflicts, that is:

116.0.1. use of methods of the war, capable to cause big destructions;

116.0.2. intentional causing of large-scale, long and serious damage to environment;

116.0.3. attack on the staff involved in implementation of peacekeeping actions or humanitarian assistance, including on structure, structures, constructions, vehicles, the medical property, having distinctive emblems of the Red Cross and Red Crescent;

116.0.4. use of the hunger which has arisen among the civilian population, as the method of conducting military transactions;

116.0.5. involvement of minors in armed forces;

116.0.6. implementation of the large-scale destructions which have not been caused by military need;

116.0.7. attack on the unprotected territories, settlements and zones of disarmament;

116.0.8. attack without military need on not being the military purpose, clearly visible and distinguishable religious, educational, scientific, charitable, medical objects, the locations of patients and wounded;

116.0.8-1. transformation without military need of cultural property, including the cultural property which was under strengthened protection in object of attack, or use of the cultural property which was under strengthened protection or territories directly adjoining to it for support of military transactions;

116.0.8-2. destruction or assignment of cultural property in large amount, or making of theft, robbery, misappropriation or acts of vandalism concerning cultural property;

116.0.8-3. illegal export of cultural property from the occupied territory, either transfer or the termination of the property right to the cultural property being in this territory; carrying out any archeological excavations in the occupied territory, except as specified, when it is required for direct protection, accounting or preserving cultural property; modification of cultural property or change of the type of using by it for the purpose of concealment or destruction of its cultural, historical or scientific nature.

116.0.9. agreement breach about the temporary truce, and equally in the agreement on the termination of the fighting transactions, the export concluded with the purpose fallen and wounded from the zone of fight, their exchange or transportation;

116.0.10. attack on the civilian population or on the certain civilians who are not participating in fights;

116.0.11. violence, robbery, destruction of property, and also unlawful taking of property under the pretext of the military need, performed concerning the population in zones of military transactions;

116.0.12. attack on the constructions, which destruction can lead to big losses among the civilian population or cause significant damage to civil objects;

116.0.13. attack on the person, obviously for guilty the stopped direct participation in military transactions, and also the unarmed person or the person who was given, having laid down arms, or the person which does not have possibilities to resist owing to wound or for other reason;

116.0.14. placement of the part of the civilian population in occupied territories;

116.0.15. unreasonable hindrance to return of prisoners of war and civilians to the country;

116.0.16. application in armed conflicts of the weapon, means and the methods of war forbidden by interstate agreements of the Azerbaijani Republic;

116.0.17. making of other actions connected with rape, slavery on the sexual basis, forced prostitution, forced sterilization, forced pregnancy, and also sexual violence;

116.0.18. arrest or imprisonment in other forms, and also deprivation of the procedural law of the persons specified in [Article 115.1](#) of this Code, in defiance of regulations of international law,

are punished by imprisonment for the term from ten till twenty years or lifelong imprisonment.

Note: In [Articles 116.0.8-1-116.0.8-3](#) of this Code it is meant "cultural property":

1. movable and immovable values which represent special value for the cultural heritage of each people (monuments of architecture, arts, or historical, religious or secular monuments; places of archeological excavations; the architectural complexes representing the historical or art importance; works of art; manuscripts, books and other subjects of art, historical or archaeological value; and also scientific collections or significant collections of the above-stated values);

2. buildings, the main and which valid objective is storage or the exhibition of the movable cultural values specified in [the Item 1 "Notes"](#) (museums, large libraries, archives, and also the shelters used for storage of movable cultural values specified in this Item in armed conflict);

3. the centers which are referred to as "centers of concentration of cultural property" in which there is the large amount of the cultural values specified in [Items 1 and 2](#) of this "Note".

Article 117. Failure to act or return of criminal orders during armed conflict

117.1. Intentional non-use by the chief or the official of all possibilities within the powers concerning subordinated for prevention of making during armed conflict of the crimes provided [by Articles 115-116](#) of this Code,

it is punished by imprisonment for the term from five till ten years.

117.2. The announcement in fighting zones about intention to leave nobody in live or return by the subordinate of obviously criminal orders or the orders directed on it, or the crimes directed on making provided [by Articles 115-116](#) of this Code,

are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 118. Military robbery

Abduction in the field of fight of property of the killed or wounded persons (the military robbery)

it is punished by imprisonment for the term from three till ten years.

Article 119. Abuse of the signs being under protection

119.1. Use in the military conflicts as the protective or identification mark of emblems of the Red cross and Red crescent, identification signals, emblems of the Red cross and Red crescent and their names for the purpose of, not being combined with principles of movement of the International Red cross and Red crescent, any, able to be accepted for emblems of the Red cross and the Red crescent, the similar signals used as protective marks, the persons which are not using such right

are punished by imprisonment for the term up to two years.

119.2. Abuse of the white flag, and also the flag, signs or regimentals of the United Nations, including the distinctive marks protected by the Geneva conventions of 1949 if these acts entailed death of the victim or causing of heavy harm to its health,

are punished by imprisonment for the term from five till ten years.

Section VIII. Crimes against the personality

Chapter eighteenth. Crimes against life and health

Article 120. Premeditated murder

120.1. Premeditated murder, that is intentional deprivation of life of other person, it is punished by imprisonment for the term from nine till fourteen years.

120.2. Premeditated murder:

120.2.1. made by the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

120.2.2. made from hooligan motives;

120.2.3. the victim or his relatives in connection with implementation by this person of office activities or accomplishment of the social duty;

120.2.4. made with special cruelty or all-dangerous method;

120.2.5. made from mercenary motives or on hiring, and it is equal for the purpose of use of bodies or fabrics of the victim;

120.2.6. on purpose to hide other crime or to facilitate its making, and equally integrated to rape or other violent acts of sexual nature;

120.2.7. two or more persons;

120.2.8. women, obviously for guilty the pregnancy which was in the condition;

120.2.9. persons, obviously for guilty being down and out, and equally integrated to kidnapping or capture of the hostage;

120.2.10. perfect repeatedly;

120.2.11. integrated to robbery, racketing, terrorism; or gangsterism;

120.2.12. on motive of national, racial, religious hatred or hostility,

it is punished by imprisonment for the term from fourteen till twenty years or lifelong imprisonment.

Note: Repeated crime execution, [the stipulated in Clause 120th](#) present of the Code, the person who has earlier made one or several crimes, provided by Articles of this Code establishing responsibility for the premeditated murder is recognized numerous.

Article 121. Premeditated murder mother of the newborn child

Premeditated murder mother of the newborn child during time or at once after the delivery

it is punished by imprisonment for the term up to three years.

Article 122. The premeditated murder made in the condition of suddenly arisen heat passion

122.1. The premeditated murder made in the condition of suddenly arisen heat passion (affect), caused by the violence, the great insult from the victim either other illegal or immoral actions (failure to act) of the victim, and equally long psychoinjuring situation which has arisen in connection with systematic delinquent or immoral behavior of the victim,

it is punished by corrective works for the term up to two years or imprisonment for the term up to three years.

122.2. The premeditated murder of two or more persons made in the condition of heat passion, it is punished by imprisonment for the term from three till six years.

Article 123. The premeditated murder made in case of excess of limits of justifiable defense or in case of excess of measures, necessary for detention of the person who has committed the crime

123.1. The premeditated murder made in case of excess of limits of justifiable defense, it is punished by corrective works for the term up to two years or imprisonment for the term up to two years.

123.2. The premeditated murder made in case of excess of measures, necessary for detention of the person who has committed the crime,

it is punished "by corrective works for the term up to two years or imprisonment for the term up to three years.

Article 124. Murder on imprudence

124.1. The murder made on imprudence, it is punished by corrective works for the term up to two years or imprisonment for the term up to three years.

124.2. Murder on imprudence of two or more persons it is punished by imprisonment for the term from two till six years.

Article 125. Finishing before suicide

Finishing of the person which were in material, job or other dependency on guilty, before suicide or before attempt at suicide by threats, ill treatment or systematic humiliation of its advantage,

it is punished by imprisonment for the term from three till seven years.

Article 126. Intentional causing of heavy harm to health

126.1. Intentional causing of heavy harm to health, that is harm, the life-threatening person, or the sight which has entailed loss, hearing, speech or any body or loss by body of its functions, mental disturbance or other frustration of health, long disability at least on one third or obviously for guilty complete loss of professional work capacity, either interruption of pregnancy, or the harm which consequence was the disease of the person drug addiction or glue sniffing or the person expressed in the indelible disfiguration,

it is punished by imprisonment for the term from three till eight years.

126.2. Same acts, perfect:

126.2.1. concerning two or more persons, and also repeatedly or the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

126.2.2. concerning the person or his close relatives in connection with implementation by this person of office activities or accomplishment of the social duty;

126.2.3. with special cruelty including tortures for the victim or on hiring, and it is equal in the relation of the person, obviously for guilty being down and out;

126.2.4. by all-dangerous method, from hooligan motives;

126.2.5. for the purpose of use of bodies or fabrics of the victim,

are punished by imprisonment for the term from six till eleven years.

126.3. The acts provided [by Articles 126.1 and 126.2](#) of this Code, entailed on imprudence death of the victim,
are punished by imprisonment for the term from nine to twelve couples.

Article 127. Intentional causing of less heavy harm to health

127.1. Intentional causing of less heavy harm to health, not the life-threatening victim and not entailed the consequences specified in [Article 126](#) of this Code, but the health which has caused long frustration or considerable loss of general work capacity less than on one third,

it is punished by corrective works for the term up to two years, or imprisonment for the term up to two years.

127.2. Same act, perfect:

127.2.1. concerning the person or his relatives in connection with implementation by this person of office activities or accomplishment of the social duty;

127.2.2. with special cruelty including tortures for the victim or on hiring, and it is equal in the relation of the person, obviously for guilty being down and out;

127.2.3. by all-dangerous method or from hooligan motives;

127.2.4. for the purpose of use of bodies or fabrics of the victim,

it is punished by imprisonment for the term up to five years.

Article 128. Intentional causing of the little harm to health

Intentional causing of the little harm to the health which has caused short-term frustration of health or insignificant loss of general work capacity,

it is punished by the penalty at the rate to three hundred manatov or or imprisonment for the term up to one year for the term up to one year.

Article 129. Intentional causing of heavy or less heavy harm to health in the condition of suddenly arisen heat passion

129.1. Intentional causing of heavy harm to the health, made in the condition of suddenly arisen heat passion (affect) caused by violence, the great insult from the victim either other illegal or immoral actions (failure to act) of the victim, and equally long psychoinjuring situation which has arisen in connection with systematic delinquent or immoral behavior of the victim,

it is punished by corrective works for the term up to two years or imprisonment for the same term.

129.2. Intentional causing of less heavy harm to the health, made in the condition of suddenly arisen heat passion (affect) caused by violence, the great insult from the victim either other illegal or immoral actions (failure to act) of the victim, and equally long psychoinjuring situation which has arisen in connection with systematic delinquent or immoral behavior of the victim,

it is punished by corrective works for the term up to two years or imprisonment for the term up to one year.

Article 130. Causing of heavy harm to health in case of excess of limits of justifiable defense or causing of heavy or less heavy harm to health in case of excess of the measures necessary for detention of the person, committed the crime

130.1. Intentional causing of heavy harm to the health, made in case of excess of limits of justifiable defense,

it is punished by corrective works for the term up to one year, or imprisonment for the term up to one year.

130.2. Intentional causing of heavy or less heavy harm to the health, made in case of excess of the measures necessary for detention of the person, committed the crime,
it is punished by corrective works for the term up to two years or imprisonment for the same term.

Article 131. Causing of less heavy or heavy harm to health on imprudence

131.1. Causing of less heavy harm to health on imprudence

it is punished by the penalty at the rate to three hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

131.2. Causing of heavy harm to health on imprudence

it is punished by the penalty at the rate to five hundred manatov, or corrective works for the term up to two years, or imprisonment for the term up to six months.

Article 132.

It is excluded according to the Law of the Azerbaijani Republic from 6/29/2012 [of No. 405-IVQD](#)

Article 133. Torture

133.1. Causing of physical or mental sufferings by systematic drawing of the beating or other violent acts if it did not entail the consequences specified in [Articles 126 and 127](#) of this Code,

it is punished by imprisonment for the term up to three years, corrective works for the term up to two years.

133.2. Same act, perfect:

133.2.1. concerning two or more persons or the person grasped as the hostage either kidnapped, or made on hiring;

133.2.2. concerning the woman who is obviously in the condition of pregnancy;

133.2.3. the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

133.2.4. concerning obviously minor or the person, obviously for guilty being down and out:

133.2.5. concerning the person or his close relatives in connection with implementation by this person of office activities or accomplishment of the social duty,

133.2.6. made with tortures -

it is punished by imprisonment for the term from two till five years.

133.3. *It is excluded.*

Article 134. Threat by murder or causing of heavy harm to health

Threat by murder or causing of heavy harm to health if there were real bases to be afraid of execution of this threat,

it is punished by the penalty at the rate from two hundred to five hundred manatov or corrective works for the term up to two years or imprisonment for the term up to two years.

Article 135. Euthanasia

Euthanasia, that is satisfaction of the request of the patient about acceleration of his death by any means or actions or the termination of artificial measures for maintenance of life,

it is punished by corrective works for the term up to two years or imprisonment for the term up to three years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years or without that.

Article 136. Illegal artificial insemination and implantation of the embryo, medical sterilization

136.1. Artificial insemination or implantation of the embryo to the woman or the minor, performed without their consent,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

136.2. Carrying out without the consent of the person of transactions for the purpose of medical sterilization, that is deprivation of the person of the capability to reproduction of the sort or protection of the woman from pregnancy,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

136.3. The acts provided [by Articles 136.1 and 136.2](#) of this Code, the death which has entailed on imprudence or causing of less heavy or heavy harm to health of the person,

are punished by the penalty at the rate from one thousand to five thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term from two till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 137. Purchase and sale and coercion to withdrawal for the organ transplantation or fabrics of the person

137.1. Illegal purchase and sale of bodies or fabrics of the person

it is punished by the penalty at the rate from two thousand to five thousand manatov or corrective works for the term up to two years, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

137.2. Coercion to the removal of organs or fabrics of the person for the transplantation, made using violence or with threat of application by it,

it is punished by imprisonment for the term up to four years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

137.3. The same act, made with use of the helpless condition of the victim or his material, job or other dependency from guilty,

it is punished by imprisonment for the term from three till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 138. Illegal carrying out biomedical researches or application of the forbidden methods of diagnostics and treatment, and also medicines

138.1. Carrying out biomedical researches over the person without its consent

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without that.

138.2. Application of the methods of diagnostics forbidden in accordance with the established procedure and treatment, and also medicines if it entailed on imprudence death of the person or causing of heavy or less heavy harm to its health,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term from two till five years with deprivation of the

right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

138.3. Carrying out biomedical experiments with the persons recognized in the procedure established by the legislation incapacitated, and also involved in enforcement powers of medical nature, or persons the psychiatric help appears whom irrespective of their will,

it is punished by the penalty at the rate from five hundred to one thousand manatov or corrective works within 2 years, or imprisonment by term from two to five years with deprivation or without deprivation of the right to hold the certain position or to be engaged in certain activities within two years.

138.4. Use in case of treatment of mental violation of the surgical methods leading to inevitable consequences,

it is punished by the penalty at the rate from five hundred to one thousand manatov or corrective works within two years, or imprisonment within three years with deprivation or without deprivation of the right to hold the certain position or to be engaged in certain activities within three years.

Article 139. Distribution of venereal diseases

139.1. Infection of other person with the venereal illness with the person knowing about availability at it to this illness,

it is punished by the penalty at the rate from three hundred to five hundred manatov or corrective works for the term up to two years, or imprisonment for the term up to two years.

139.2. The same act made concerning two or more persons or concerning the minor,

it is punished by imprisonment for the term up to four years.

Article 140. Infection of HIV infection

140.1. The notorious postavljeniye of other person in danger of infection of HIV infection

it is punished by corrective works for the term up to two years, or imprisonment for the term up to one year.

140.2. Infection of other person of HIV infection with the person knowing about availability at it to this illness,

it is punished by imprisonment for the term from two till five years.

140.3. Act, [the stipulated in Clause 140.2](#) presents of the Code, the entailed infection of two or more persons or minor HIV infection,

it is punished by imprisonment for the term from five till eight years.

140.4. Infection of other person of HIV infection owing to improper execution by the person of the service duties

it is punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 141. Illegal production of abortion

141.1. Production of abortion by the doctor out of medical institutions

it is punished by the penalty at the rate to two hundred manatov or corrective works for the term up to six months.

141.2. Production of abortion by the person who does not have vocational higher medical education,

it is punished by the penalty at the rate to three hundred manatov, or social jobs for the term from three hundred sixty till four hundred o'clock, or corrective works for the term up to one year.

141.3. The acts provided [by Articles 141.1 and 141.2](#) of this Code if they entailed on imprudence causing of heavy harm to health of the victim,

are punished by the penalty at the rate from three hundred to five hundred manatov, or corrective works for the term up to two years, or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to one year or without that.

141.4. The acts provided [by Articles 141.1 and 141.2](#) of this Code if they entailed death of the victim on imprudence,

are punished by imprisonment for the term up to five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 142. Non-rendering of the help to the patient

142.1. Non-rendering of medical care to the patient without valid excuse the medical worker, obliged it to render according to the law or with special rules if it entailed causing of less heavy harm to health of the patient,

it is punished by the penalty at the rate to three hundred manatov or corrective works for the term up to one year, or with imprisonment with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without that.

142.2. The same act if it entailed causing of heavy harm to health,

it is punished by corrective works for the term up to two years or with imprisonment for the term up to two years with deprivation of the right to borrow determined positions or to be engaged in certain activities for the term up to three years.

142.3. The same act if it entailed death of the victim,

it is punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 143. Leaving in danger

Notorious leaving without the aid of the person being in life-threatening or health the condition and deprived of possibility to take measures to self-preservation in cases if the guilty had possibility to assist this person and shall have about it care or itself delivered it in life-threatening or health the condition,

it is punished by the penalty at the rate to three hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

Article 143-1. Coercion to use of doping means and (or) methods

Coercion to use of doping means and (or) methods

- it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years.

Chapter nineteenth. Crimes against freedom and advantage of the personality

Article 144. Kidnapping

144.1. Kidnapping

it is punished by imprisonment for the term from five till ten years.

144.2. Same act, perfect:

144.2.1. concerning two or more persons;

144.2.2. concerning the woman, obviously for guilty the pregnancy which was in the condition;

144.2.3. the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

144.2.4. using violence, life-threatening or health of the victim;

144.2.5. using the weapon or the subjects used as the weapon,

144.2.6. from mercenary motives or on hiring,

it is punished by imprisonment for the term from eight till twelve years.

144.3. The acts provided [by Articles 144.1 and 144.2](#) of this Code if they are made concerning the minor or entailed death of the victim or other heavy consequences on imprudence,

are punished by imprisonment for the term from ten till fifteen years.

Note: The person which has voluntarily exempted stolen, is exempted from criminal liability if in its actions does not contain other actus reus.

Article 144-1. Human trafficking

144-1.1 Human trafficking, that is recruitment, obtaining, deduction, concealment, transportation, transfer or acceptance of the person for the purpose of its operation under the threat of application of violence or using violence, by means of threats or other means of coercion, abduction, fraud, deception, by abuse of possibility of pressure or helplessness, or with provision or receipt of material and other values, privileges or privileges for receipt of the consent of the person exercising control over other person —

It is punished by imprisonment for the term from five years till ten years.

144-1.2. Same act, perfect:

144-1.2.1. concerning two or more persons;

144-1.2.3. concerning the minor;

144-1.2.4. concerning the woman, obviously for the guilty person of the pregnancy which was in the condition;

144-1.2.4-1. with moving of the victim of human trafficking through frontier of the Azerbaijani Republic;

144-1.2.5. the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

144-1.2.6. the guilty person with use of the official position;

144-1.2.7. using violence, life-threatening and health, or with threat of application of such violence;

144-1.2.8. with causing of sufferings to the victim or with the address cruel, brutal or degrading its advantage;

144-1.2.9. for the purpose of use of bodies or fabrics of the victim

It is punished by imprisonment from eight to twelve years of imprisonment.

144-1.3. The acts provided [by Articles 144-1.1 and 144-1.2](#) of this Code, entailed on imprudence death of the victim or other heavy consequences

Are punished by imprisonment by term from ten to fifteen years.

Note:

1. "Operation of the person" is understood as the forced labor (services), sexual operation, the slavery similar to slavery of usage and following from them the servile status, unlawful taking of bodies and fabrics of the person, carrying out over the person of illegal biomedical researches, use of the woman as substitute mother, involvement in illegal, including criminal activities.

2. The consent of the victim from human trafficking on operation, its conduct of life, and also immoral behavior cannot be considered as the circumstances commuting punishment recognized guilty person.

3. Attraction, the purchase, content, concealment, transportation, transfer or acceptance of the minor person for the purpose of its operation is recognized human trafficking even in case of non-use of the methods specified in [Article 144-1.1](#) of this Law.

Article 144-2. Forced labor

144-2.1. Coercion to accomplishment of the corresponding work (rendering of service) using threats, violence or with threat of application of violence, and also restriction of freedom of the person in addition to particular cases, stipulated by the legislation,

it is punished by imprisonment for the term from four till eight years.

144-2.2. Same act, perfect:

144-2.2.1. concerning two or more persons;

144-2.2.2. repeatedly;

144-2.2.3. concerning the minor;

144-2.2.4. concerning the woman, obviously for the guilty person of the pregnancy which was in the condition;

144-2.2.5. the guilty person with use of the official position;

144-2.2.6. the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization)

It is punished by imprisonment for the term from seven till ten years of imprisonment.

144-2.3. The acts provided [by Articles 144-2.1 and 144-2.2](#) of this Code, entailed on imprudence death of the victim or other heavy consequences

It is punished by imprisonment for the term from nine till twelve years of imprisonment.

Article 144-3. Illegal actions with documents for the purpose of human trafficking

144-3.1. The counterfeit of the identity certificate, the passport or other document proving the identity, or road documents (for crossing of border) persons for the purpose of human trafficking -

- it is punished by imprisonment for the term from one year till three years.

144-3.2. Providing the dealer with people or victims of human trafficking by the fraudulent identity document, the passport or other document proving the identity, or road documents (for crossing of border) for the purpose of trade in people -

- it is punished by imprisonment for the term from one year till three years.

144-3.3. Acquisition of the fraudulent identity document, the passport or other document proving the identity, or road documents (for crossing of border) for providing with these documents of the dealer with people or the victim of human trafficking for the purpose of human trafficking -

- it is punished by imprisonment for the term from one year till three years.

144-3.4. Withdrawal, storage, concealment, damage or destruction of the identity certificate, the passport or other document proving the identity, or road documents (for crossing of border) any person for the purpose of human trafficking -

- are punished by imprisonment us fate from two to four years.

Article 145. Illegal imprisonment

145.1. Illegal deprivation of the person of freedom, not connected with its abduction,

it is punished by corrective works for the term up to two years or imprisonment for the term up to one year.

145.2. Same act, perfect:

145.2.1. concerning two or more persons;

145.2.2. concerning the woman, obviously for guilty the pregnancy which was in the condition;

145.2.3. concerning the minor;

145.2.4. the group of persons, the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization);

145.2.5. using violence, life-threatening or health of the victim;

145.2.6. using the weapon or the subjects used as the weapon,

it is punished by imprisonment for the term from three till five years.

145.3. The acts provided [by Articles 145.1 or 145.2](#) of this Code if they entailed death of the victim or other heavy consequences on imprudence,

are punished by imprisonment for the term from five till ten years.

Article 146. Illegal placement to psychiatric hospital

146.1. The room obviously mentally the healthy face in psychiatric hospital,

it is punished by corrective works for the term up to two years or imprisonment for the term up to three years.

146.2. The same act, made by the guilty person with use of the official position,

it is punished by imprisonment for the term from three till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

146.3. The acts provided [by Articles 146.1 or 146.2](#) of this Code, entailed on imprudence death of the victim or other heavy consequences,

are punished by imprisonment for the term from five till eight years.

Article 147. Slander

147.1. Slander, that is distribution of obviously false data discrediting honor and advantage of other person or undermining its reputation in the public statement, publicly being shown work, mass media or, in case of mass distribution, in information resource of the Internet,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from two hundred forty till four hundred eighty o'clock, or corrective works for the term up to one year, or imprisonment for the term up to six months.

147.2. The slander connected to accusation of the person in making of heavy or especially serious crime,

it is punished by corrective works for the term up to two years, or imprisonment for the term up to three years.

Article 148. Insult

Insult, that is humiliation of honor and advantage of other person, expressed in the indecent form in the public statement, publicly being shown work, mass media or, in case of mass distribution, in information resource of the Internet,

it is punished by the penalty at the rate from three hundred to one thousand manatov, or social jobs for the term from two hundred forty till four hundred eighty o'clock, or corrective works for the term up to one year, or imprisonment for the term up to six months.

Chapter twentieth. Crimes against sexual immunity and the sexual personal freedom

Article 149. Rape

149.1. Rape, that is sexual connection using violence or with threat of its application to the victim either to other persons or with use of the helpless condition by the victim,

it is punished by imprisonment for the term from four till eight years

149.2. Same acts:

149.2.1. made by the group of persons, the group of persons on preliminary collusion or the organized group;

149.2.2. entailed infection of the victim with the venereal disease,

149.2.3. made concerning the person, obviously for guilty not reached age of majority,

149.2.4. connected to threat by murder or causing of heavy harm to health, and also made with special cruelty in relation to the victim or to other persons,

149.2.5. made repeatedly,

are punished by imprisonment for the term from five till ten years.

149.3. Same acts:

149.3.1. entailed on imprudence death of the victim;

149.3.2. entailed on imprudence infection of the victim of HIV infection or other heavy consequences:

149.3.3. made concerning the victim, obviously for guilty not reached fourteen-year age,

are punished by imprisonment for the term from ten till fifteen years.

Article 150. Violent acts of sexual nature

150.1. The sodomy or other actions of sexual nature using violence or with threat of its application to the victim either to other persons or with use of the helpless condition of the victim

are punished by imprisonment for the term from three till five years.

150.2. Same acts:

150.2.1. made by the group of persons, the group of persons on preliminary collusion or the organized group;

150.2.2. entailed infection of the victim with the venereal disease;

150.2.3. made concerning the person, obviously for the guilty not reached age of majority;

150.2.4. made with special cruelty in relation to the victim or to other persons;

150.2.5. made repeatedly, - are punished by imprisonment for the term from five till eight years.

150.3. Same acts:

150.3.1. entailed on imprudence death of the victim;

150.3.2. entailed on imprudence infection of the injured HIV infection or other heavy consequences;

150.3.3. made concerning the person, obviously for guilty not reached fourteen-year age,

are punished by imprisonment for the term from eight till fifteen years.

Article 151. Compulsion to actions of sexual nature

Compulsion of the person to sexual connection, the sodomy or making of other actions of sexual nature by threat by destruction, damage or withdrawal of property or with use of material or other dependence of the victim,

- it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to three years.

Article 152. Sexual connection and other actions of sexual nature with the person which has not reached sixteen-year age

152.1. The introduction in sexual relations or making of other actions of sexual nature with the person which has not reached sixteen-year age,

- it is punished by imprisonment for the term up to three years.

152.2. The same acts made concerning the person, not reached fourteen-year age,

- are punished by imprisonment for the term from three till six years.

152.3. The acts specified in Articles 152.1 or 152.2 of this Code, made by persons to whom the obligation on education of minors, either the teacher or other employee of educational, educational, medical or other institution to whom the obligation on implementation of supervision over full age is assigned is assigned,

- are punished by imprisonment for the term from four till seven years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years or without that.

Note: Responsibility for the crimes provided by Articles 152 or 153 of this Code, arises if the difference between age of the person who has made acts specified in these Articles, and age of the victim more than two years.

Article 153. Dissolute actions

153.1. Making of immoral actions without application of violence concerning the person which has not reached sixteen-year age,

- it is punished by corrective works for the term up to two years or imprisonment for the term up to two years.

153.2. The same acts made concerning the person, not reached fourteen-year age,

- are punished by corrective works for the term from one year till two years or imprisonment for the term from one year till three years.

153.3. The acts specified in Articles 153.1 or 153.2 of this Code, made by persons to whom the obligation on education of minors, either the teacher or other employee of educational, educational, medical or other institution to whom the obligation on implementation of supervision over full age is assigned is assigned,

- are punished by imprisonment for the term from two till four years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years or without that.

Chapter twenty first. Crimes against constitutional rights and freedoms of man and citizen

Article 154. Violation of equality of citizens

154.1. Violation of equality of citizens depending on race, nationalities, the relations to religion, language, the floor, the origin, property and official capacity, belief, belonging to political parties, trade unions and other public associations, harmed the rights and legitimate interests of citizens,

it is punished by the penalty at the rate from hundred to five hundred manatov or corrective works for the term up to one year.

154.2. The same acts made by the official with use of the official position,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 155. Violation of secret of correspondence, telephone negotiations, post, cable or other messages

Violation of secret of correspondence, telephone negotiations, post, cable or other messages

it is punished by the penalty at the rate from hundred to five hundred manatov or corrective works for the term up to one year.

Article 156. Violation of immunity of private life

156.1. Illegal collecting of data, distribution, and also sale or transfer to other person of documents, materials video and photographings, sound recordings with such data on private life of the person, constituting its personal or family secret,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from two hundred forty till four hundred eighty o'clock, or corrective works for the term up to one year.

156.2. The same acts made by the official with use of the official position,

are punished by imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 157. Violation of inviolability of home

157.1. Penetration into the dwelling made without the bases, established by the laws of the Azerbaijani Republic, against the will of the person living in it,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from two hundred forty till four hundred eighty o'clock, or corrective works for the term up to one year.

157.2. The same act made using violence or with threat of its application,

it is punished by corrective works for the term up to two years or imprisonment for the same term.

157.3. The acts provided [by Articles 157.1 or 157.2](#) of this Code, made by the official with use of the official position,

are punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 158. Violation of immunity of buildings (rooms) of legal entities

158.1. Penetration into the buildings (rooms) being in the property of legal entities, or leased by them, without the bases established by the laws of the Azerbaijani Republic,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or corrective works for the term up to one year.

158.2. The same act made using violence or with threat of its application,

it is punished by corrective works for the term up to two years or imprisonment for the same term.

158.3. The acts provided [by Articles 158.1 or 158.2](#) of this Code, made by the official with use of the official position,

are punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 159. Preventing to implementation of the voting rights (participation in the referendum)

159.1. Preventing to implementation of the voting rights (participation in the referendum) citizen

it is punished by the penalty at the rate from hundred to five hundred manatov either social jobs from three to four hours or imprisonment within six months.

159.2. Compulsion of the citizen to deliver the signature in support of the candidate or preventing to petition in support of the candidate

it is punished by the penalty at the rate from two hundred to six hundred manatov either social jobs from four to four hours or imprisonment within one year.

159.3. Compulsion of the citizen to vote against the will or preventing to its vote

it is punished by the penalty at the rate from three hundred to seven hundred manatov either social jobs from four to four hours or imprisonment within two years.

159.4. When making provided [by Articles 159.1-159.3](#) of this Code of actions:

159.4.1. by subordination to itself, deception, threat, application of violence or threat of application of violence;

159.4.2. group of persons which have obviously entered into collusion or the organized group;

159.4.3. with use by the official of the official position

it is punished by the penalty at the rate from five hundred to one thousand manatov or deprivation of the right to hold the certain position, or to be engaged in certain activities within three years or without deprivation of such right by imprisonment within three years.

Article 159-1. Abuse of regulations of participation in elections (referendum)

159-1.1. Intervention in the election campaigns (campaigns for the referendum) candidates, batches, blocks of political parties or its failure

it is punished by the penalty at the rate from two hundred to six hundred manatov or social jobs from four to four hours, or imprisonment within one year.

159-1.2 Preventing to carrying out pre-election (before the referendum) mass actions

it is punished by the penalty at the rate from five hundred to one thousand manatov or social jobs from four to four hours, or imprisonment within one year.

159-1.3. Creation of conditions for vote on elections (referendum) instead of others

it is punished by the penalty at the rate from five hundred to one thousand manatov or corrective works within two years, or imprisonment for the same term.

Article 160. Intervention in work of the electoral commissions (the commissions on the referendum) or rendering of impact on it

160.1. Intervention in work of the electoral commissions (the commissions on the referendum) or rendering on it of impact or intervention in activities of the member of the electoral commission, connected with accomplishment the of obligations by it

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from three hundred till four hundred eighty o'clock, or corrective works for the term up to one year.

160.2. Same actions:

160.2.1. connected to bribery, deception, threat, application of violence or with threat of its application;

160.2.2. made by the group of persons on preliminary collusion or the organized group;

160.2.3. made by the official with use of the official position,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

Article 161. Falsification of the selective documents (participation in the referendum), obviously incorrect counting of votes or violation of secret of vote

161.1. Falsification by the member of the electoral commission of the selective documents (participation in the referendum) or representation of dummy documents by it, obviously incorrect counting of votes, incorrect determination of results of vote or violation of secret of vote

are punished by the penalty at the rate from hundred to five hundred manatov or corrective works for the term up to two years.

161.2. Falsification of the selective documents by other persons submission of dummy documents, vote instead of other persons, lowering in the ballot box one person of the envelope more than with one ballot

it is punished by the penalty at the rate from hundred to five hundred manatov or corrective works for the term up to one year.

Article 162. Abuse of regulations of labor protection

162.1. Abuse of regulations of safe engineering or other industrial safety rules, made by the person on whom obligations on observance of these rules if it entailed on imprudence causing of heavy or less heavy harm to health of the person lay,

it is punished by the penalty at the rate from hundred to five hundred manatov, or corrective works for the term up to two years, or imprisonment for the term up to six months.

162.2. The same act which has entailed on imprudence death of the person,

it is punished by imprisonment for the term up to five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term from three till five years or without that.

Article 162-1. Attraction to accomplishment of any works (services) without the introduction of the employment contract (contract) in legal force

162-1.1. Attraction of considerable number of persons employed to accomplishment of any works (services) without the introduction of the employment contract (contract) in legal force according to the procedure, provided by the Labor [code](#) of the Azerbaijani Republic, -

it is punished by the penalty at the rate from seven thousand to ten thousand manatov or imprisonment for the term up to three years.

162-1.2. The same acts made repeatedly, -

are punished by imprisonment for the term from three till seven years.

Note: In this Article "the considerable number" is meant as ten and more workers.

Article 163. Hindrance of legal professional activity of journalists

163.1. Hindrance of legal professional activity of journalists, that is coercion them to distribution or to refusal of distribution of information, using violence or with threat of its application

it is punished by the penalty at the rate from hundred to five hundred manatov or corrective works for the term up to one year.

163.2. The same acts made by the official with use of the official position,

are punished by corrective works for the term up to two years or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 164. Violation of labor rights of the expectant mother or the woman having children, the man who is independently bringing up the child be elderly till three years be elderly till three years

Unreasonable termination of the employment contract with the woman based on her pregnancy or availability in charge of the child, and also the man who is independently bringing up the child be elderly till three years be elderly till three years

are punished by the penalty at the rate from five hundred to one thousand manatov.

Article 165. Violation of the author's or related rights

165.1. Illegal use of objects author's or the related rights, that is the edition under the name or other assignment of authorship to another's scientific, literary, art or other work, its illegal reissuing or distribution, and is equal coercion to the co-authorship if these acts caused significant damage,

are punished by the penalty at the rate from hundred to five hundred manatov or social jobs for the term from three hundred twenty till four hundred eighty o'clock.

165.2. Same acts, perfect:

165.2.1. repeatedly;

165.2.2. the group of persons on preliminary collusion or organized group,

are punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term up to three years.

Article 165-1. Violation of the exclusive right of using by topology of the integrated scheme

165-1.1. Removal of the copy from topology of the integrated scheme in any form, including by its inclusion as a whole, or in its any part in the integrated scheme, except for removal of the non-original part of topology of the integrated scheme, and also application, delivery, the offer for sale, sale of topology or the integrated scheme consisting of this topology, or their introduction in economic circulation in other form, without the permission of the author or other owner of the right if as a result of these actions significant damage is caused,

are punished by the penalty at the rate from hundred fifty to five hundred manatov or social jobs by term from three to four hours.

165-1.2. Same actions:

165-1.2.1. in case of repeated making;

165-1.2.2. when making by the group of persons, entered into preliminary collusion, or the organized group

are punished by the penalty at the rate from five hundred to one thousand manatov.

Note: In [Article 165-1.1](#) of this Code the words "significant damage" are understood as the damage in the amount of, exceeding from one thousand manatov.

Article 165-2. Violation of requirements for use of expressions of folklore

165-2.1. Violation of requirements for use of expressions of folklore if as a result of these acts the damage in the considerable size is caused,

it is punished by the penalty at the rate from hundred fifty to five hundred manatov or social jobs for the term from three hundred twenty till four hundred eighty o'clock.

165-2.2. Same acts, perfect:

165-2.2.1. repeatedly;

165-2.2.2. the group of persons on preliminary collusion or organized group,

are punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term up to three years.

Note: In this Article the words "significant damage" are understood as the amount exceeding from one thousand manatov.

Article 165-3. Illegal use of information collections

165-3.1. Illegal use of information collections if as a result of these acts the damage in the considerable size is caused,

it is punished by the penalty at the rate from hundred fifty to five hundred manatov or social jobs for the term from three hundred twenty till four hundred eighty o'clock.

165-3.2. Same acts, perfect:

165-3.2.1. repeatedly;

165-3.2.2. the group of persons on preliminary collusion or organized group,

are punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term up to three years.

Notes: Under "the considerable size" the amount is recognized this Article over one thousand manatov.

Article 166. Violation of inventive and patent laws

166.1. Violation of inventive and patent laws, that is illegal use of the invention and the improvement suggestion, disclosure without the consent of the author of essence of the invention and the improvement suggestion before the official publication of data on them, assignment of authorship, coercion to the co-authorship if these acts caused significant damage,

are punished by the penalty at the rate from hundred to five hundred manatov or social jobs for the term from three hundred twenty till four hundred eighty o'clock.

166.2. Same acts, perfect:

166.2.1. repeatedly;

166.2.2. the group of persons on preliminary collusion or organized group,

are punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term up to three years.

Article 167. Hindrance to making of religious practices

Illegal hindrance to making of religious practices

it is punished by the penalty at the rate from one thousand to two thousand manatov, or social jobs for the term from three hundred twenty till four hundred eighty o'clock, or corrective works for the term up to one year.

Article 167-1. Coercion to the veroispovedovaniye

167-1.1. Compulsion of the person to the ispovedovaniye of any religion (religious trend), including to accomplishment of religious practices and ceremonies or participation in religious practices and ceremonies, and also to receipt of spiritual education

* it is punished by the penalty at the rate from three thousand to five thousand manatov or corrective works for the term up to two years, or imprisonment for the term up to two years.

167-1.2. Compulsion of the person to membership in any religious structure or preventing to the exit of the person from religious structure in which he is the member

* it is punished by the penalty at the rate from three thousand to five thousand manatov or corrective works for the term up to two years, or imprisonment for the term up to two years.

167-1.3. Provided [by Articles 167-1.1 or 167-1.2](#) of this Code of act, perfect:

167-1.3.1. concerning the minor person;

167-1.3.2. the group of persons on preliminary collusion or the organized group;

167-1.3.3. with use the of official position by the official,

* are punished by the penalty at the rate from seven thousand to nine thousand manatov or imprisonment for the term from two till five years.

Article 167-2. Illegal production, import, sale or distribution of literature, audio-and video data, goods and products of religious appointment and other information materials of religious content

167-2.1. Production, import with the sales objective or distributions, sale or distribution of literature (on paper and electronic carriers), audio-and video data, the goods and products of religious appointment and other information materials of religious content without the corresponding permission -

- are punished by the penalty at the rate from five thousand to seven thousand manatov or imprisonment for the term up to two years.

167-2.2. Same acts:

167-2.2.1. made by the group of persons on preliminary collusion or the organized group;

167-2.2.2. made repeatedly;

167-2.2.3. made by the official with use of the official position -

- are punished by the penalty at the rate from seven thousand to nine thousand manatov or imprisonment for the term from two till five years.

Article 168. Infringement of the rights of citizens under the pretext of making of religious practices

168.1. Creation of the group performing activities under the pretext of distribution of religious faiths and making of religious practices and breaking activities the public order, or harming health of citizens or breaking the rights of citizens irrespective of the form of violation, and also distracting citizens from execution of the obligations established by the law by them, and is equal the management of such group or participation in it

it is punished by the penalty at the rate from seven thousand to nine thousand manatov or imprisonment for the term up to two years.

168.2. Involvement of minors in making of the acts specified in [Article 168.1](#) of this Code,

it is punished by corrective works for the term up to two years or imprisonment for the term up to three years.

Article 169. Abuse of regulations of carrying out meetings

169.1. The organization, carrying out or participation in meetings in the cases forbidden by the law if it entailed fundamental breach of the rights and legitimate interests of citizens,

it is punished by the penalty at the rate from five thousand to eight thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

169.2. Carrying by participants of meeting during its carrying out the fire or cold weapon or explosives and devices, and also other substances and the subjects which are posing hazard to life and health of people around,

it is punished by the penalty at the rate from five thousand to eight thousand manatov, or imprisonment for the term up to three years.

Article 169-1. Coercion to membership in political party

167-2.1. Coercion to the accession to political party or stay in its membership —

it is punished by the penalty at the rate from one thousand to three thousand manatov or corrective works for the term up to two years, or imprisonment for the term up to two years.

Chapter twenty second. Crimes against the minor and family relations

Article 170. Involvement of the minor in crime execution

170.1. Involvement of the minor in crime execution by deception, promises, the threats, made by the person which has reached eighteen-year age,

it is punished by imprisonment for the term up to three years.

170.2. The same act made by the person, obliged to bring up the minor,

it is punished by imprisonment for the term from three till five years.

170.3. The acts provided [by Articles 170.1 or 170.2](#) of this Code, made using violence or with threat of its application, and involvement of the minor in criminal group or in making of heavy or especially serious crime is equal

are punished by imprisonment for the term from five till ten years.

Article 171. Involvement of the minor in occupation by prostitution, or making of immoral actions

171.1. Involvement of the minor in occupation by prostitution, or making of other immoral actions

it is punished by imprisonment for the term from three till six years.

171.2. Same acts, perfect:

171.2.1. using violence or with threat of its application;

171.2.2. the organized group, - are punished by imprisonment for the term from four till eight years.

Article 171-1. Turnover of the child pornography

171-1.1. Distribution, advertizing, sale, transfer to another, departure, the offer, creation of conditions for acquisition, or production, acquisition or storage for the purpose of distribution or advertizing of the child pornography,

- are punished by the penalty at the rate from eight thousand to ten thousand manatov or imprisonment for the term up to five years.

171-1.2. Same acts, perfect:

171-1.2.1. repeatedly;

171-1.2.2. the group of persons on the preliminary collusion, the organized group or criminal society (organization);

171-1.2.3. parents of the minor person or other persons to whom the law assigns the obligation on education of the minor, either the teacher or other employee of educational, educational, medical or other institution to whom the obligation on implementation of supervision over the full age is assigned;

171-1.2.3. with receipt of the considerable income;

171-1.2.4. parents of the minor or other persons to whom the law assigns the obligation on education of the minor, either the teacher or other employee of the educational, educational, medical or other institution, obliged to exercise supervision of minors;

171-1.2.5. concerning the person who obviously for the guilty did not reach fourteen-year age;

- are punished by imprisonment for the term from five till eight years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Note:

1. For the purpose of [Article 171-1](#) of this Code "child pornography" is implied as any subjects or materials which reflect participation of the minor or the person creating the image of the minor, in the real or

simulated actions of obviously expressed sexual nature, or reflect genitals of minors in the sexual purposes, including realistic images which reflect the minor participating in obviously expressed sexual actions.

2. In [Article 171-1.2.3](#) of this Code words "in the considerable size" are meant as the amount over one thousand manatov.

Article 172. Substitution of another's child

Substitution of another's child in the medical institutions, made from self-interest, revenge or other low motives by the person to which the obligation of protection of the child or care of it is assigned,

it is punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 173.

It is excluded.

Article 174. Illegal adoption (adoption)

Illegal actions on adoption (adoption) of children, their transfer under guardianship (guardianship), on education in the foster homes made from mercenary motives,

are punished by the penalty at the rate from hundred to three hundred manatov, or corrective works for the term up to one year, or with imprisonment for the term up to six months with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 175. Disclosure of secret of adoption (adoption)

Disclosure of secret of adoption (adoption) contrary to the will of the adoptive father, made by the person, obliged to store the fact of adoption (adoption) as official or professional secrecy, or other person from self-interest, revenge or other low motives,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from three hundred twenty till four hundred eighty o'clock, or corrective works for the term up to one year, or with imprisonment for the term up to six months with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 176.

It is excluded according to the Law of the Azerbaijani Republic from 12/28/2012 of No. 541-IVQD

Article 176-1. Compulsion of the woman to marriage

176-1.1. Compulsion of the woman to marriage -

- it is punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term up to two years.

176-1.2. The same acts made concerning the person, not reached age of consent -

- are punished by the penalty at the rate from three thousand to four thousand manatov or imprisonment for the term up to four years.

Section IX. Crimes in the sphere of economy

Chapter twenty third. Property offenses

Article 177. Theft

177.1. Theft, that is secret plunder of alien property,

it is punished by the penalty at the rate from hundred to seven hundred manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or corrective works for the term up to two years, or imprisonment for the term up to two years.

177.2. Same act, perfect:

177.2.1. the group of persons on preliminary collusion;

177.2.2. repeatedly;

177.2.3. with illegal penetration into the dwelling, the placement, on the warehouse or other storage;

177.2.3-1. with use of electronic data carriers, or information technologies;

177.2.3-2. concerning oil pipelines, lines of natural gas, communication, electric, heat energy, water, the sewerage, rail lines of the state or social significance;

177.2.4. with causing of significant damage,

it is punished by the penalty at the rate from three thousand to five thousand manatov, or imprisonment for the term from three till seven years.

177.3. Same act, perfect:

177.3.1. the organized group;

177.3.2. with causing of major damage;

177.3.3. the person, earlier two or more times the offender for plunder or racketing,

it is punished by imprisonment for the term from six till twelve years.

Notes:

1. Responsibility, [the stipulated in Clause 177.1](#) presents of the Code, arises in cases of causing to the owner or other owner of property of the damage at the rate from thirty to one thousand manatov.

2. Under the amount is recognized [Articles 177-187, 189 and 189-1](#) of this Code at the rate from one thousand to seven thousand manatov, and under "large" - from seven thousand manatov "considerable".

3. The repeated crime execution, this Code provided [by Articles 177-185](#) if to it preceded making of one or more crimes provided by these Articles, and also [Articles 213-3, 217, 227, 232 and 235](#) of this Code is recognized numerous.

4. The person which is earlier judged for plunder or racketing, in Articles of this Chapter, and also the person having the criminal record for one or several crimes is recognized other Articles of this Code, provided [by Articles 177-183, 217, 227, 232 and 235](#) of this Code.

Article 178. Fraud

178.1. Fraud, that is occupancy by another's property or acquisition of right to alien property by deception or confidence abuse,

it is punished by the penalty at the rate from hundred to seven hundred manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or corrective works for the term up to two years, or imprisonment for the term up to two years.

178.2. Same act, perfect:

178.2.1. the group of persons on preliminary collusion;

178.2.2. repeatedly;

178.2.3. the person with use of the official position;

178.2.4. with causing of significant damage,

it is punished by the penalty at the rate from three to five thousand manatov or imprisonment for the term from three till seven years.

178.3. Same act, perfect:

178.3.1. the organized group;

178.3.2. with causing of major damage;

178.3.3. the person, earlier two or more times the offender for plunder or racketing,

it is punished by imprisonment for the term from seven till twelve years.

Article 179. Assignment or waste

179.1. Assignment or waste, that is plunder of alien property, entrusted guilty,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or imprisonment for the term up to two years.

179.2. Same acts, perfect:

179.2.1. the group of persons on preliminary collusion;

179.2.2. repeatedly;

179.2.3. the person with use of the official position;

179.2.4. with causing of significant damage,

are punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term from three till seven years.

179.3. The acts provided [by Articles 179.1 or 179.2](#) of this Code if they are made:

179.3.1. the organized group;

179.3.2. in the large size;

179.3.3. the person, earlier two or more times the offender for plunder or racketing,

are punished by imprisonment for the term from seven till twelve years.

Article 180. Robbery

180.1. Robbery, that is open plunder of alien property,

it is punished by corrective works for the term up to two years or imprisonment for the term up to three years.

180.2. Same act, perfect:

180.2.1. the group of persons on preliminary collusion;

180.2.2. repeatedly;

180.2.3. with illegal penetration into the dwelling, the placement, on the warehouse, or other storage;

180.2.4. using violence, not life-threatening or health;

180.2.5. with causing of significant damage to the victim,

it is punished by imprisonment for the term from four till eight years.

180.3. Same act, perfect:

180.3.1. the organized group;

180.3.2. with causing of major damage to the victim;

180.3.3. the person, earlier two or more times the offender for plunder or racketing,

it is punished by imprisonment for the term from seven till thirteen years.

Article 181. Robbery

181.1. Robbery, that is attack for the purpose of occupancy by another's property, made using violence, life-threatening or health of the person which has undergone to attack, or with threat of application of such violence,

it is punished by imprisonment for the term from three till eight years.

181.2. Same act, perfect:

181.2.1. the group of persons on preliminary collusion;

181.2.2. repeatedly;

181.2.3. with illegal penetration into the dwelling, the placement, on the warehouse, or other storage;

181.2.4. with causing of significant damage to the victim;

181.2.5. using the weapon or the subjects used as the weapon,

it is punished by imprisonment for the term from eight till twelve years.

181.3. Same act, perfect:

181.3.1. the organized group;

181.3.2. for the purpose of occupancy by property in the large size;

181.3.3. with causing of heavy harm to health of the victim;

181.3.4. the person, earlier two or more times the offender for plunder or racketing,

it is punished by imprisonment for the term from ten till fifteen years.

Article 182. Racketing

182.1. The racketing, that is the requirement of transfer of alien property or the right to property or making of other actions of property nature under the threat of application of violence, or distribution of the data dishonoring the victim or his close relatives, and is equal under the threat of destruction of property belonging to them,

it is punished by imprisonment for the term from three till five years.

182.2. Same act, perfect:

182.2.1. the group of persons on preliminary collusion;

182.2.2. repeatedly;

182.2.3. using violence;

182.2.4. for the purpose of occupancy by property in the considerable size,

it is punished by imprisonment for the term from five till ten years.

182.3. Same act, perfect:

182.3.1. organized group,

182.3.2. for the purpose of receipt of property in the large size;

182.3.3. with causing of heavy harm to health of the victim,

182.3.4. the person, earlier two or more times the offender for plunder or racketing,

it is punished by imprisonment for the term from ten till fifteen years.

Article 183. Plunder of the subjects having special value

183.1. Plunder of subjects or the documents having special historical, scientific, art or cultural value, irrespective of the method of plunder,

it is punished by imprisonment for the term from five till eight years.

183.2. Same act:

183.2.1. made by the group of persons on preliminary collusion or the organized group;

183.2.2. perfect repeatedly;

183.2.3. entailed destruction, spoil or destruction of subjects or the documents specified in [Article 183.1](#) of this Code,

it is punished by imprisonment for the term from eight till fifteen years.

Article 184. Causing of property damage by deception or confidence abuse

184.1. Causing of property damage to the owner or other owner of property by deception or confidence abuse in the absence of signs of plunder

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from hundred eighty till two hundred forty o'clock, or imprisonment for the term up to one year.

184.2. Same acts, perfect:

184.2.1. the group of persons on preliminary collusion;

184.2.2. repeatedly;

184.2.3. with causing of significant damage to the victim,

are punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term from one year till three years.

184.3. Same acts, perfect:

184.3.1. the organized group;

184.3.2. for the purpose of receipt of property in the large size;

184.3.3. the person, earlier two or more times the offender for plunder, racketing or causing of property damage by deception or confidence abuse,

are punished by imprisonment for the term from three till seven years.

Article 185. Wrongful occupancy by the car or other vehicle without the purpose of plunder

185.1. Wrongful occupancy by the car or other vehicle without the purpose plunders (stealing)

it is punished by corrective works for the term up to two years, or imprisonment for the term up to two years.

185.2. Same acts, perfect:

185.2.1. the group of persons on preliminary collusion;

185.2.2. repeatedly;

185.2.3. using violence, not life-threatening or health, or with threat of application of such violence,

185.2.4. with causing of significant damage to the victim,

are punished by imprisonment for the term from two till five years.

185.3. The acts provided [by Articles 185.1 or 185.2](#) of this Code, perfect:

185.3.1. the organized group;

185.3.2. with causing of major damage;

185.3.3. using violence, life-threatening or health, or with threat of application of such violence,

are punished by imprisonment for the term from five till ten years.

Article 186. Intentional destruction or damage of property

186.1. Intentional destruction or damage of alien property if these acts entailed causing of significant damage to the victim,

are punished by the penalty at the rate from hundred to five hundred manatov or imprisonment for the term up to two years.

186.2. Same acts, perfect:

186.2.1. with causing of major damage to the victim;

186.2.2. by the arson, explosion or other all-dangerous method or entailed heavy consequences, are punished by imprisonment for the term from three till seven years.

Article 187. Destruction or damage of property on imprudence

187.1. Destruction or damage on imprudence of the alien property, caused significant damage to the victim,

are punished by the penalty at the rate from five hundred to one thousand manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or corrective works for the term up to one year, or imprisonment for the term up to six months.

187.2. The same acts which made owing to careless handling of fire or other sources of enhanced danger or have caused major damage,

are punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term up to six months.

187.3. Acts, [the stipulated in Clause 187.1](#) presents of the Code which have entailed heavy consequences,

are punished by corrective works for the term up to two years or imprisonment for the same term.

Note: The person who for the first time has made act, provided [by Articles 187.1 - 187.2](#) presents of the Code and completely indemnified the loss caused as a result of crime execution, is exempted from criminal liability.

Article 188. Violation of the property right to the earth

Violation of the property right fixed by the law on the earth, that is autocratic capture, replacement or crops of the parcel of land,

are punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from two hundred forty till four hundred o'clock, or corrective works for the term up to one year.

Article 189. Implementation of telephone negotiations by illegal use of the telephone line

189.1. Implementation of telephone negotiations by illegal use of communication lines of the telephone number belonging to the subscriber if this act caused significant damage to the victim,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from two hundred forty till three hundred o'clock, or corrective works for the term up to one year.

189.2. The same acts, caused major damage to the victim,

are punished by the penalty at the rate from five hundred to one thousand manatov or corrective works for the term up to two years.

Article 189-1. Plunder of natural gas, water, electric or heat energy

189-1.1. Plunder of resources by illegal connection to the network of natural gas, water supply, power or thermal networks if these acts caused the damage in the considerable size,

it is punished by the penalty at the rate from one thousand to three thousand manatov or corrective works for the term up to two years;

189-1.2. The same acts made with damnification in the large size

are punished by the penalty at the rate from three to five thousand manatov or imprisonment for the term up to three years;

189-1.3. Not prevention of the acts provided [by Articles 189-1.1 - 189-1.2](#) presents of the Code, the plenipotentiary of the company for providing with natural gas, water, electric or heat energy, because of non-execution of the service duties or their improper execution owing to the unfair or negligent relation to work,

it is punished by the penalty at the rate from three thousand to four thousand manatov, or imprisonment for the term from two till four years;

189-1.4. Not prevention of acts, [stipulated in Clause 189-1.1 - 189-1.2](#) presents of the Code, the plenipotentiary of the company for providing with natural gas, water, electric or heat energy, because of self-interest or other private interests with abuse of the official position,

it is punished by the penalty at the rate from four thousand to five thousand manatov, or imprisonment for the term from four till six years.

Note:

The person who for the first time has made acts, provided [by Articles 189-1.1 and 189-1.2](#) of this Code, is exempted from criminal liability after the full recovery of the damage put as a result of the crime.

Chapter twenty fourth. Crimes in the sphere of economic activity

Article 190. Hindrance of legal business activity

190.1. Wrongful refusal in registration of the individual entrepreneur or the commercial organization or evasion from their registration, wrongful refusal in issue of special permission (license) for implementation of certain activities or evasion from its issue, restriction of the rights and legitimate interests of the individual entrepreneur or the commercial organization irrespective of the form of business or pattern of ownership, and is equal restriction of independence or other illegal intervention in activities of the individual entrepreneur or the commercial organization if these acts are made by the official with use of the official position,

are punished by the penalty at the rate to five hundred manatov or corrective works for the term up to one year.

190.2. The same acts made in defiance of the judgment which have entered legal force, and equally caused major damage,

are punished by the penalty at the rate from one thousand to three thousand manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or corrective works for the term up to two years.

Note: Under the amount is recognized [Articles 190, 192, 192-1, 193, 194-198, 200-2, 202-205, 205-2, 210-212](#) of this Code at the rate from one thousand to seven thousand manatov, and under "large" - from seven thousand manatov "considerable".

Article 191. Registration of illegal transactions with the earth

Registration of obviously illegal transactions with the earth, misstatement of accounting data of the State land cadastre, and equally intentional understating of the amount of payments for the earth if these acts are made from mercenary or other personal interest by the official with use of the official position,

are punished by the penalty at the rate to five hundred manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years, or corrective works for the term up to two years.

Article 192. Illegal entrepreneurship

192.1. Implementation of business activity without registration according to the procedure, established by the legislation of the Azerbaijani Republic, or without special permission (license) in cases when such permission (license) surely, or with violation of conditions of licensing, or using without special permission the subjects which civil turnover is limited if this act caused major damage to citizens, the organizations or the state, and also made with income acquisition in the considerable sizes

it is punished by the penalty in the double size of the damage caused as a result of the crime (the received income), or imprisonment for the term up to six months.

192.2. Same act:

192.2.1. damnification in the large size;

192.2.2. integrated to extraction of the income in the large size;

192.2.3. made by organized group,

it is punished by the penalty in the triple size of the damage caused as a result of the crime (the received income) or imprisonment for the term from one till five years.

Article 192-1. Illegal organization or carrying out lotteries and sports totalizers

192-1.1. The organization or carrying out lotteries (except for stimulating lotteries) not authorized persons if these acts caused major damage to citizens, to the organizations or the state, and also are made with income acquisition in the large size -

- are punished by the penalty in the double size of the damage caused as a result of the crime (the received income) or imprisonment for the term up to one year.

192-1.2. The organization or carrying out sports totalizers without accreditation in the procedure established by the law if such acts caused major damage to citizens, to the organizations or the state, and also are made with income acquisition in the large size -

- are punished by the penalty in the double size of the damage caused as a result of the crime (the received income) or imprisonment for the term up to one year.

192-1.3. The acts provided [by Articles 192-1.1 or 192-1.2](#) of this Code:

192-1.3.1. made repeatedly;

192-1.3.2. made with causing of major damage or income acquisition in the large size;

192-1.3.3. made by the organized group or criminal society (the criminal organization) -

- are punished by the penalty in the triple size of the damage caused as a result of the crime (the received income) or imprisonment for the term from one till five years.

Article 193. Pseudo-entrepreneurship

193.1. Pseudo-entrepreneurship, that is creation of the company or other legal entity without intention to perform the business activity, having for an object receipt of the credits, release from duties, or extraction of other property benefit or the cover of the forbidden activities which has caused significant damage, and also made with income acquisition in the considerable sizes —

it is punished by the penalty in the double size of the damage caused as a result of the crime (the received income), or imprisonment for the term up to six months.

193.2. Same acts:

193.2.1. caused the damage in the large size;

193.2.2. made with income acquisition in the large size;

193.2.3. made by the organized group.

are punished by the penalty in the triple size of the damage caused as a result of the crime (the received income) or imprisonment for the term from one year till five years.

Article 193-1. Legalization of money or other property extracted by the criminal way

193-1.1. Legalization of money or other property extracted by the criminal way, that is giving of the legal status to money or other property which has been obviously extracted by the criminal way, implementation of financial transactions or other transactions with use of such money or other property for the purpose of concealment of the valid source of their acquisition

are punished by the penalty at the rate from two thousand to five thousand manatov, or imprisonment for the term from two till five years, with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

193-1.2. Same acts:

193-1.2.1. made by the group of persons on preliminary collusion;

193-1.2.2. made repeatedly;

193-1.2.3. made by the person with use of the official position

are punished by imprisonment for the term from five till eight years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

193-1.3. The acts provided [by Articles 193-1.1 or 193-1.2](#) of this Code:

193-1.3.1. made by the organized group or the criminal organization (criminal society);

193-1.3.2. made in the large size

are punished by imprisonment for the term from seven till twelve years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Note: Under "the large size" the amount is recognized [Article 193-1.3.2](#) of this Code at the rate above forty five thousand manatov.

Article 194. Acquisition of money or other property which has been obviously received by the criminal way, ownership, using and the order them

194.1. In advance not promised acquisition in the considerable size of money or other property which has been obviously received by the criminal way, ownership or using by them or the order them without concealment of the valid source of their obtaining

are punished by the penalty at the rate from one to three thousand manatov, or imprisonment for the term up to four years.

194.2. Acts, [stipulated in Clause 194.1](#) presents of the Code, perfect:

194.2.1. the group of persons on preliminary collusion or the organized group;

194.2.2. the official with use of the official position;

194.2.3. the person which is earlier judged for this crime;

194.2.4. in the large size,

are punished by imprisonment for the term from three till seven years.

Article 195. Illegal receipt of the credit or its use not to destination

195.1. Obtaining by the head of the organization or the individual entrepreneur of the credit, the credit on favorable terms, or the purpose-oriented public credit by idea of obviously false data of the economic provision or the financial condition of the organization or the individual entrepreneur, and is equal use of the credit not to destination if this act caused significant damage,

the same term is punished by the penalty in the double size of the damage caused as a result of the crime, or imprisonment for the term up to two years.

195.2. The same acts which have caused major damage,

are punished by the penalty in the triple size of the damage caused as a result of the crime or imprisonment for the term from two till five years.

Article 195-1. Abuse of regulations of use of the public debt or the debt received under the state guarantee

195-1.1. Untimely idea by the main and repeated borrowers of data of use and return (does not extend on the user) the means involved by state loans or the state guarantee, data on the condition of the bank accounts in the procedure established by the legislation or representation of the distorted data if it caused to the state the damage in the considerable size,

it is punished by the penalty in the double size of the damage caused as a result of the crime, or imprisonment for the term up to six months.

195-1.2. Non-use to destination the means involved on state loans or the guaranteed state to obligations if it caused to the state the damage in the considerable size,

it is punished by the penalty in the triple size of the damage caused as a result of the crime or imprisonment for the term from one till two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

195-1.3. Provided [by Articles 195-1.1 and 195-1.2](#) of this Code the acts which have caused to the state the damage in the considerable size,

are punished by imprisonment for the term from two till three years or the penalty in the quadruple size of the damage caused as a result of the crime with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Article 196. Intentional evasion from repayment of accounts payable

196.1. Intentional evasion of the head of the organization or the citizen from repayment of accounts payable or from payment of securities after the introduction in legal force of the corresponding judgment, caused significant damage,

it is punished by deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years with payment by the penalty in the double size of the damage caused as a result of the crime or corrective works for the term up to one year.

196.2. The same acts which have caused major damage,

it is punished by the penalty in the triple size of the damage caused as a result of the crime or corrective works for the term up to two years or imprisonment for the term from three till five years, with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years or without that.

Article 197. Illegal use of the trademark

197.1. Illegal use of another's trademark or the service mark, the name of the place of the origin of the goods or designations similar to them for the homogeneous goods if this act is made repeatedly or caused significant damage,

it is punished by the penalty at the rate from one thousand to five thousand manatov, or corrective works for the term up to one year, or imprisonment for the term up to one year.

197.2. The same acts which have caused major damage,

are punished by corrective works for the term up to two South, or imprisonment for the term up to three years.

Article 198. Obviously false advertizing

198.1. Use in advertizing of obviously false information concerning the goods, works or services, and also their manufacturers (contractors, sellers), made from mercenary interest and caused significant damage,

it is punished by the penalty at the rate from one thousand to five thousand manatov or corrective works for the term up to one year.

198.2. The same acts which have caused major damage,

are punished by corrective works for the term up to two years, or imprisonment for the same term.

Article 199. Monopolistic actions and restriction of the competition

199.1. The monopolistic actions made by establishment of exclusively high or exclusively low prices, and also by market sharing, restriction of access on the market, elimination from it other subjects of economic activity, establishment or maintenance of uniform prices,

are punished by the penalty at the rate from hundred to five hundred manatov, or corrective works for the term up to one year.

199.2. The same acts made by the group of persons on preliminary collusion or organized group,

are punished by imprisonment for the term up to two years.

199.3. The acts provided [by Articles 199.1 or 199.2](#) of this Code, made using violence or with threat of its application, and it is equal with destruction or damage of alien property or with threat of its destruction or damage, in the absence of signs of racketing

are punished by imprisonment for the term from three till six years.

Article 200. Deception of consumers or production and sale of low-quality products

200.1. Deception of consumers, that is the obmerivaniye, the obveshivaniye, shortchanging, false representation of rather consumer properties or goods quality (service) in the organizations realizing the goods or rendering services to the population, and it is equal the citizens registered as individual entrepreneurs in the sphere of trade (services) if these acts are made in the considerable size —

are punished by the penalty at the rate from three thousand to five thousand manatov or social jobs for the term from three hundred sixty till four hundred eighty o'clock.

200.2. Same acts, perfect:

200.2.1. repeatedly;

200.2.2. the group of persons on preliminary collusion;

200.2.3. with causing of major damage —

are punished by the penalty at the rate from five thousand to seven thousand manatov or with imprisonment for the term up to six months with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

200.3. Production, release in sale or sale of obviously low-quality products, concealment of the nekachestvennost of products, done less heavy or heavy harm to health of the victim —

are punished by the penalty at the rate from seven thousand to nine thousand manatov or imprisonment for the term up to three years.

200.4. The same acts which have caused on imprudence death to the victim or other heavy consequences —

are punished by imprisonment for the term from three till seven years.

Note: Under the amount is recognized this Article at the rate from forty to five hundred manatov, and under "large" — over five hundred manatov "considerable".

Article 200-1. Illicit trafficking in medicines

200-1.1. Sale, storage with the sales objective or import of obviously low-quality medicines which are not meeting the requirements of normative and technical documents, with the unknown origin, expired, subject to the state registration under the law, but not passed the state registration, and also production, sale, storage with the sales objective or import of counterfeited medicines, when making these acts in the considerable size

it is punished by the penalty at the rate from three thousand to five thousand manatov with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without that or imprisonment for the term up to two years.

200-1.2. Same acts, perfect:

200-1.2.1. repeatedly;

200-1.2.2. the group of persons on preliminary collusion or the organized group;

200-1.2.3. in the large size

are punished by imprisonment for the term from two till three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

200-1.3. If sale, storage with the sales objective or import of obviously low-quality medicines which are not meeting the requirements of normative and technical documents, with the unknown origin, expired, subject to the state registration under the law, but not passed the state registration, and also production, sale, storage with the sales objective or import of counterfeited medicines resulted in less heavy or heavy harm to health of the injured person

it is punished by imprisonment for the term from three till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

200-1.4. The acts specified in [Article 200-1.3](#) of this Code, entailed death of the person on imprudence or other serious consequences

are punished by imprisonment for the term from five till ten years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Note:

Under words "the considerable size" is recognized [Article 200-1.1](#) of this Code the amount from one thousand to two thousand manatov, and under words "the large size" is recognized [Article 200-1.2.3](#) the amount over two thousand manatov.

Article 200-2. Illicit trafficking in genetically modified plants, or materials of the agricultural plants created by modern biotechnological methods and methods of genetic engineering, or the food made with use of genetic materials of genetically modified plants

200-2.1. Deliberate import or sale not provided for scientific researches, testing and demonstration at exhibitions of genetically modified plants, or materials of the agricultural plants created by modern biotechnological methods and methods of genetic engineering, or the food made with use of genetic materials of genetically modified plants if these acts are made in the considerable size —

- are punished by the penalty at the rate from three thousand to five thousand manatov or imprisonment for the term up to two years.

200-2.2. Production not provided for scientific researches, testing and demonstration at exhibitions of genetically modified plants, or materials of the agricultural plants created by modern biotechnological methods and methods of genetic engineering, or the food made with use of genetic materials of genetically modified plants —

- it is punished by the penalty at the rate from four thousand to six thousand manatov or imprisonment for the term up to three years.

200-2.3. The acts specified in Articles 200-2.1 and 200-2.2 of this Code, made in the considerable size —

- are punished by the penalty at the rate from seven thousand to eight thousand manatov or imprisonment for the term from two till five years.

Article 201. Coercion to transaction or to refusal of its making

201.1. Coercion to transaction or to refusal of its making under the threat of application of violence, destruction or damage of alien property, and equally in distribution of data which can do essential harm to interests of the victim or his close relatives, in the absence of signs of racketing,

it is punished by corrective works for the term up to two years, or imprisonment for the term up to two years.

201.2. Same acts, perfect:

201.2.1. repeatedly;

201.2.2. the group of persons on preliminary collusion,

are punished by imprisonment for the term from three till seven years.

Article 202. Illegal obtaining and disclosure of the data constituting the trade or bank secrecy

202.1. Collecting of the data constituting the trade or bank secrecy, by abduction of documents, bribery or threats, and is equal by other illegal method for the purpose of disclosure or illegal use of these data

it is punished by the penalty at the rate from hundred to five hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to two years.

202.2. Illegal use or disclosure of the data constituting the trade or bank secrecy, without the consent of their owner, made from mercenary or other personal interest and caused major damage,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to six months.

Article 202-1. The document distribution and data on export control

202-1.1. Disclosure or transfer to the third parties of documents and the data received from legal entities and physical persons, or their contents

it is punished by the penalty at the rate from hundred to five hundred manatov or corrective works within one year.

202-1.2. The same acts made with causing of significant damage

are punished by the penalty at the rate from five hundred to one thousand manatov or corrective works within two years or imprisonment for the same term.

Article 202-2. Illegal use of office information by the insider

202-2.1. Illegal use by the insider of the data intended for office use which entrusted it or have become to it known owing to its of service duties or work, or transfer to their third parties for the conclusion of the transactions, made from mercenary or other personal interest and integrated to causing of major damage or with extraction of the income in the large size

it is punished by the penalty at the rate from eight to ten thousand manatov with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years, or with imprisonment for the term up to six years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without the such.

202-2.2. Same acts, perfect:

202-2.2.1. repeatedly;

202-2.2.2. the group of persons on preliminary collusion or the organized group

it is punished by imprisonment for the term from four till eight years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without the such.

Note: In [Article 202-2.1](#) of this Code "insider" is understood as the persons provided by Articles 1078-46.2 and 1078-47 of the Civil Code of the Azerbaijani Republic.

Article 203. Abuse of regulations of issue of securities (issue)

203.1. Entering into the prospectus of issue of securities of obviously unreliable information, and is equal approval of the prospectus of the issue containing obviously unreliable information or approval of obviously doubtful results of issue if these acts entailed causing of significant damage,

are punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from three hundred till four hundred o'clock, or corrective works for the term up to one year.

203.2. The same acts which have caused major damage,

are punished by corrective works for the term up to two years, or imprisonment for the same term.

Article 203-1. The manipulation the prices in the security market

203-1.1. Artificial change by any method by in advance approved and intentional acts of market price of securities on security transactions members of the market valuable the papers, capable to bring to violation of stability in the security market, integrated to causing of major damage or with extraction of the income in the large size,

it is punished by the penalty at the rate from five to seven thousand manatov with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years, or with imprisonment for the term from two till six years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without the such.

203-1.2. Same acts, perfect:

203-1.2.1. repeatedly;

203-1.2.2. the organized group;

203-1.2.3. with use of mass media or information and telecommunication networks public

it is punished by the penalty at the rate from seven to ten thousand manatov with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or with imprisonment for the term from six till ten years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without the such.

Article 204. Production, acquisition or sale of counterfeit money or securities

204.1. Production for the purpose of sale, acquisition or sale of counterfeit money, government securities either foreign currency, or securities in foreign currency

are punished by imprisonment for the term from five till seven years.

204.2. The same acts made in the considerable size or the person, earlier judged for production, acquisition or sale of counterfeit money or securities,

are punished by imprisonment for the term from seven till ten years.

204.3. The acts provided [by Articles 204.1 or 204.2](#) of this Code if they are made:

204.3.1. the organized group;

204.3.2. in the large size,

are punished by imprisonment for the term from eight till twelve years.

Article 205. Production, acquisition or sale of counterfeit credit or settlement cards and other payment documents

205.1. Production for the purpose of sale, and also acquisition or sale of counterfeit credit or settlement cards, and also other payment documents which are not securities,

are punished by imprisonment for the term from two till five years with the penalty at the rate from five hundred to one thousand manatov.

205.2. Same acts, perfect:

205.2.1. repeatedly;

205.2.2. the group of persons on preliminary collusion or the organized group;

205.2.3. in the large size,

are punished by imprisonment for the term from four till seven years.

Article 205-1. Production, acquisition or sale of counterfeit tax stamps

Production of counterfeit tax stamps with the sales objective, and also their acquisition or sale

are punished by the penalty at the rate from one thousand to two thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to three years.

Article 205-2. Deliberate destruction, counterfeit, production by the illegal way, use and sale of control brands

205-2.1. Deliberate destruction, the counterfeit, production by the illegal way, use and sale of control brands if as a result of these acts significant damage is caused -

- are punished by the penalty in the amount of three thousand manatov or corrective works for the term from three hundred twenty till four hundred eighty o'clock.

205-2.2. Same acts, perfect:

205-2.2.1. repeatedly;

205-2.2.2. the group of persons on preliminary collusion or the organized group;

205-2.2.3. with damnification in the large size -

- are punished by the penalty in the amount of seven thousand manatov or imprisonment for the term from two till four years.

Article 206. Smuggling

206.1. Smuggling, that is moving in the large size through the customs border of the Azerbaijani Republic of the goods or other subjects, except for specified in [Article 206.2](#) of this Code, made in addition to or with concealment from customs control or with fraudulent use of documents or means of customs identification or integrated to the non declaration or doubtful declaring,

it is punished by imprisonment for the term up to five years.

206.2. Moving through the customs border of the Azerbaijani Republic of drugs, psychotropic, strong, poisonous, poisoning, radioactive, explosives and destructive devices, the military weapon and equipment (except for the smooth-bore hunting weapon and ammunition to it), firearms or ammunition, nuclear, chemical, biological and other types of weapon of mass destruction, materials and the equipment which can be used in case of creation of weapons of mass destruction and concerning which special rules of moving through the customs border of the Azerbaijani Republic, strategically important raw materials, the subjects representing cultural, historical or archaeological value concerning which the corresponding rules of moving through the customs border of the Azerbaijani Republic are established are established, if this act is made in addition to or with concealment from customs control or with fraudulent use of documents or means of customs identification or integrated to the non declaration or doubtful declaring,

it is punished by imprisonment for the term from three till seven years.

206.3. The acts provided [by Articles 206.1 or 206.2](#) of this Code if they are made:

206.3.1. repeatedly;

206.3.2. the group of persons on preliminary collusion;

206.3.3. the official with use of the official position;

206.3.4. using violence to the person exercising customs control,

are punished by imprisonment for the term from five till eight years.

206.4. The acts provided [by Articles 206.1-206.3](#) of this Code, made by organized group,

are punished by imprisonment for the term from seven till twelve years.

Note:

1. Under the cost of the moved illicit subjects exceeding four thousand manatov is recognized Article 206.1 of this Code "large".

2. In Article 206.2 of this Code "the subjects representing cultural, historical or archaeological value" are implied as the cultural values included in the State list of national cultural property of the Azerbaijani Republic.

Article 207. Not return to the territory of the Azerbaijani Republic of subjects of art, historical and archaeological property of the Azerbaijani Republic and foreign countries

Not return in due time on the territory of the Azerbaijani Republic of subjects of art, historical and archaeological property of the Azerbaijani Republic and the foreign countries exported out of its limits if such return is obligatory according to the legislation of the Azerbaijani Republic,

it is punished by imprisonment for the term from three till eight years.

Article 208. Not return from abroad means in foreign currency

208.1. Not return in the considerable size from abroad the head of the organization of means in the foreign currency, received as a result of implementation of foreign economic activity and subjects according to the legislation of the Azerbaijani Republic to obligatory transfer to accounts in authorized bank of the Azerbaijani Republic,

it is punished by imprisonment for the term up to three years.

208.2. Same acts, perfect:

208.2.1. in the large size;

208.2.2. the group of persons on preliminary collusion,

are punished by imprisonment for the term from three till five years.

Note: Under the amount of not returned means is recognized the foreign currency, exceeding twenty thousand manatov, and under "large" - thirty thousand manatov "considerable".

Article 209. Evasion from payment of customs payments

209.1. Evasion from payment of the customs payments, made in the considerable size,

it is punished by the penalty at the rate from one thousand to two thousand manatov or corrective works for the term up to one year.

209.2. Act, [the stipulated in Clause 209.1](#) presents of the Code if it is made:

209.2.1. repeatedly;

209.2.2. in the large size,

it is punished by the penalty at the rate from two thousand to five thousand manatov, or corrective works for the term up to two years, or imprisonment for the same term.

Notes:

1. Under the amount of not paid customs payments exceeding two thousand manatov is recognized this Article, and under "large" - four thousand manatov "considerable".

2. The person who for the first time has made acts, provided in [Articles 209.1 and 209.2.2](#) of this Code, is relieved from responsibility if it completely indemnified the loss caused by the crime.

Article 210. Wrongful acts in case of bankruptcy

210.1. Concealment of property or property obligations, data on property, on its size, the location or other information on property, cession of property in other ownership, alienation or destruction of property, and is equal concealment, destruction, falsification of the accounting and other accounting documents reflecting economic activity if these actions are made by the head or the owner of the organization debtor or the individual entrepreneur in case of bankruptcy or in the prediction of bankruptcy and caused significant damage,

are punished by the penalty in the double size of the damage caused as a result of the crime or corrective works for the term up to two years, or imprisonment for the term up to two years.

210.2. The wrongful satisfaction of property requirements of certain creditors the head or the owner of the organization debtor or the individual entrepreneur aware of the actual insolvency (bankruptcy), obviously to the detriment of other creditors, and is equal acceptance of such satisfaction by the creditor knowing about preference given to it by the poor debtor to the detriment of other creditors if these actions caused major damage,

are punished by the penalty in the triple size of the damage caused as a result of the crime or imprisonment for the term up to two years.

Article 211. Deliberate bankruptcy

211.1. Deliberate bankruptcy, that is intentional creation or the increase in insolvency made by the head or the owner of the commercial organization, and equally individual entrepreneur in private interests or interests of other persons, caused significant damage,

it is punished by corrective works for the term up to two years or imprisonment for the same term.

211.2. The same acts if they caused major damage or other heavy consequences,

are punished by imprisonment for the term from two till four years.

Article 212. Dummy bankruptcy

212.1. Dummy bankruptcy, that is obviously false announcement the head or the owner of the commercial organization, and equally individual entrepreneur about the insolvency for the purpose of false representation of creditors for receipt of delay or payment by installments of payments due to creditors or the discount from debts, and is equal for failure to pay of debts if this act caused significant damage,

it is punished by the penalty at the rate from two to four thousand manatov, or corrective works for the term up to one year, or imprisonment for the same term.

212.2. The same acts if they caused major damage or other heavy consequences,

are punished by imprisonment for the term up to three years.

Article 213. Tax avoidance

213.1. Tax avoidance or fees on compulsory national social insurance in the considerable size

it is punished by the penalty at the rate from one thousand to two thousand manatov or corrective works for the term up to two years, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or without that.

213.2. Same acts, perfect:

213.2.1. the organized group;

213.2.2. in the large size

are punished by imprisonment for the term from three till seven years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or without that.

Note:

1. In this Article "the considerable size" is meant as the amount at the rate from two thousand to fifty thousand manatov, and under "the large size" - the amount over fifty thousand manatov.

2. The person who for the first time has made acts, provided [by Articles 213.1 and 213.2](#) of this code, is exempted from criminal liability in case of the full recovery of the damage caused as a result of the crime.

Article 213-1. Sale, storage for the purpose of sale, export out of limits of the factory building or import of products (goods) which is subject to marking by the tax stamp, without such marking

213-1.1. Sale, storage for the purpose of sale, export out of limits of the factory building or import in the considerable sizes of products (goods) which is subject to marking by the tax stamp, without such marking

it is punished by the penalty at the rate from one thousand to three thousand manatov, or corrective works for the term up to one year, or imprisonment till two years.

213-1.2. Same acts, perfect:

213-1.2.1. in the large size;

213-1.2.2. repeatedly;

213-1.2.3. the group of persons on preliminary collusion

are punished with imprisonment for the term up to five years.

Note: in this Article "the considerable size" is meant as the amount at the rate from five hundred to two thousand manatov, and under "the large size" - the amount over two thousand manatov.

Article 213-2. Evasion from sale of precious metals and jewels to the state

Evasion of the subjects extracting, making precious metals and jewels, from initial sale to the state of the precious metals extracted from the subsoil and the jewels affined according to standards of precious metals, and also rekuperirovanny jewels in case of their sale in the sorted type if this act is made in the considerable size

it is punished by the penalty at the rate from one thousand to five thousand manatov or corrective works for the term up to two years, or with imprisonment for the term from one till three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Note: in this Article "the considerable size" is meant as the amount over seven thousand manatov.

Article 213-3. Counterfeit of the state assay brands

213-3.1. The counterfeit of the state assay brands from the persons who are engaged in production (production) of jeweler and other household products from precious metals and jewels

it is punished by the penalty at the rate from one thousand to five thousand manatov or corrective works for the term up to two years, or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

213-3.2. The same acts made repeatedly within one year

are punished by imprisonment for the term from one till three years.

Undressed H.Prestupleniya against public safety and the public order

Chapter twenty fifth. Crimes against public safety

Article 214. Terrorism

214.1. Terrorism, that is making of explosions, fires or other actions posing threat to death of people, drawings of the damage to their health, causings of significant property damage or other socially dangerous consequences, for the purpose of violation of public safety, light of the panic among the population or rendering of impact on decision making by public authorities or the international organizations, and also threat of making of similar actions with the same purpose

it is punished by imprisonment by term from ten to twelve years.

214.2. Same acts, perfect:

214.2.1. the group of persons on the preliminary collusion, the organized group or criminal consolidation (the criminal organization);

214.2.2. repeatedly;

214.2.3. using firearms and the subjects used as the weapon;

214.2.4. on imprudence led to death of people or to other serious consequences;

214.2.5. during carrying out the international action or in the venue of mass action -

are punished by imprisonment by term from fourteen to twenty years or the life imprisonment.

Note: the person which was taking part in preparation of terrorist act, is exempted from criminal liability if, having timely warned authorities, or in a different way will assist prevention of similar act on condition that in its acts there is no structure of other crime.

Article 214-1. Financing of terrorism

Intentional collection or transfer by the direct and indirect way of all or parts of money or other property irrespective of the source of its obtaining, knowing that they will be used for financing of preparation, the organization or making by the person or group (the gang, the organization) the acts provided [by Articles 102, 214, 214-2, 214-3, 215, 219, 219-1, 226, 227, 277, 278, 279, 280, 282 and 283-1](#) of this Code, or for providing the person for the purpose of making of the specified crimes or group created in these purposes (gangs, the organizations)

it is punished by imprisonment from ten to fourteen years.

Note:

1. Absence of the actual use of money or other property in making or attempt of making of acts of terrorism and communication with the specific act of terrorism does not eliminate criminal liability for act.

2. The person who has made act, [the stipulated in Clause 214-1](#) this Code, assisted in prevention of the corresponding terrorist act by the due notice of authorities or in a different way, is exempted from criminal liability in case of absence in its act of structure of other crime.

Article 214-2. Public appeals to terrorism

Public appeals to making of the acts provided [by Articles 102, 214, 214-3, 215, 219, 219-1, 226, 227, 277, 279 or 282](#) of this Code, and also distribution of materials of similar content -
are punished by imprisonment for the term up to five years.

Article 214-3. Carrying out doctrines for the purpose of terrorism

214-3.1. Receipt of training on methods of making of the acts provided [by Articles 102, 214, 215, 219, 219-1, 226, 227, 277 or 282](#) of this Code, use of firearms, explosives or devices, poisonous substances, other common dangerous methods or means for the purpose of making of these acts -

it is punished by imprisonment for the term from five till ten years.

214-3.2. The organization or carrying out doctrines, the stipulated in Clause 214-3.1 presents of the Code

-
are punished by imprisonment for the term from ten till twelve years.

Note: the person who has made act, the stipulated in Clause 214-3 presents of the Code, is exempted from criminal liability if it by the due notice of authorities or other method promoted prevention of criminal actions which were the purpose of carrying out similar doctrines, to identification participating in such doctrines which have organized such doctrines, persons financing them, and in its act there is no actus reus.

Article 215. Capture of the hostage

215.1. Capture or deduction of the person as the hostage, the states made for the purpose of compulsion, the organization or the citizen to make any action or to refrain from making of any action as conditions of release of the hostage,

are punished by imprisonment for the term from five till ten years.

215.2. Same acts, perfect:

215.2.1. the group of persons on preliminary collusion;

215.2.2. repeatedly;

215.2.3. using violence, life-threatening or health;

215.2.4. using the weapon or the subjects used as the weapon;

215.2.5. concerning the obviously minor;

215.2.6. concerning the woman, obviously for guilty the pregnancy which was in the condition;

215.2.7. concerning two or more persons;

215.2.8. from mercenary motives,

are punished by imprisonment for the term from ten till twelve years.

215.3. The acts provided [by Articles 215.1 or 215.2](#) of this Code if they are made by the organized group or entailed death of the victim or other heavy consequences on imprudence,

are punished by imprisonment for the term from twelve till fifteen years.

Note: The person who has made act, provided by this Article and voluntary or on request of the authorities exempted the hostage, is exempted from criminal liability if in its actions does not contain other actus reus.

Article 216. Obviously untrue report on the act of terrorism

Obviously untrue report on preparing explosion, arson or other actions creating danger of death of people, causings of significant property damage or approach of other socially dangerous consequences,

it is punished by imprisonment for the term from five till eight years.

Article 217. Gangsterism

217.1. Creation of the steady armed group (gang) for the purpose of attack on the organizations or citizens, and is equal the management of such group (gang)

are punished by imprisonment for the term from ten till fifteen years.

217.2. Participation in the steady armed group (gang) or in attacks made by it

it is punished by imprisonment for the term from seven till twelve years.

Article 218. Organization of criminal society (the criminal organization)

218.1. Creation of criminal society (the criminal organization) for making of heavy or especially serious crimes, and is equal the management of such community (organization) or structural divisions entering into it, and also creation of consolidation of organizers, heads or other representatives of the organized groups for the purpose of plan development and conditions for making of heavy or especially serious crimes

are punished by imprisonment for the term from eight till fifteen years.

218.2. Participation in criminal society (the criminal organization) or in consolidation of organizers, heads or other representatives of the organized groups

it is punished by imprisonment for the term from six till twelve years.

218.3. The acts provided [by Articles 218.1 or 218.2](#) this Code, made by the person with use of the official position,

are punished by imprisonment for the term from ten till fifteen years.

Article 219. Stealing of the vessel of the air or water transport or railway train

219.1. Stealing of the vessel of the air or water transport or the railway train, and equally capture of such vessel or the train for the purpose of stealing

are punished by imprisonment for the term from four till eight years.

219.2. Same acts, perfect:

219.2.1. the group of persons on preliminary collusion;

219.2.2. using violence, life-threatening or health, or with threat of application of such violence;

219.2.3. using the weapon or the subjects used as the weapon;

219.2.4. repeatedly,

are punished by imprisonment for the term from seven till twelve years.

219.3. The acts provided [by Articles 219.1 or 219.2](#) of this Code if they are made by the organized group or entailed death of the victim or other heavy consequences on imprudence,

are punished by imprisonment for the term from ten till fifteen years.

Article 219-1. Sea robbery

219-1.1. Sea robbery, that is attack on the ocean and river craft for the purpose of capture of alien property using force or threat of use of force

it is punished by imprisonment from five to ten years.

219-1.2. The same actions when making:

219-1.2.1. the group of persons, group of persons which have in advance entered into collusion;

219-1.2.2. using the weapon or the subjects used as the weapon.

are punished by imprisonment from eight to twelve years.

219-1.3. Same actions:

219-1.3.1. in case of repeated making;

219-1.3.2. when making by the organized group or criminal consolidation (organization);

219-1.3.3. entailed on imprudence death of the person or other serious consequences,
are punished by imprisonment from twelve to twenty years or lifelong imprisonment.

Article 220. Mass riots

220.1. The organization of the mass riots accompanied by violence, riots, arsons, destruction of property, application of firearms, explosives or destructive devices, and also rendering of armed resistance to the public agent, or participation in such conflicts

are punished by imprisonment for the term from four till twelve years.

220.2. Appeals to active non-obedience to legal requirements of public agents and to mass riots, and equally in appeals to violence over citizens

are punished by imprisonment for the term up to three years.

Article 221. Hooliganism

221.1. Hooliganism, that is the intentional actions which are roughly breaking the public order, expressing obvious disrespect for the society, the violence which were accompanied by application for citizens or threat of its application, and is equal destruction or damage of alien property,

are punished by social jobs for the term from three hundred twenty till four hundred o'clock, or corrective works for the term up to one year, or imprisonment for the term up to one year.

221.2. Same act:

221.2.1. made by the group of persons or repeatedly;

221.2.2. connected with resistance to authority or to other person, the acting as on protection of the public order or stopping violation of the public order,

it is punished by corrective works for the term up to two years or imprisonment for the term up to five years.

221.3. The hooliganism made using the weapon or subjects, used as the weapon,

it is punished by imprisonment for the term from three till seven years.

Article 222. Abuse of regulations of safety of carrying out construction, mountain or other works

222.1. Abuse of regulations of safety of work on planning of construction, the management of it, and also to demolition of construction object or reconstruction in this object, and equally mountain or other works if it creates real threat of life and to human health,

it is punished by corrective works for the term up to one year or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without that.

222.2. The same acts which have entailed on imprudence causing of the heavy or less heavy damage to health of the injured person

are punished by corrective works for the term up to two years or with imprisonment for the term from two till four years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

222.3. The same acts which have entailed on imprudence death of the injured person or other heavy consequences

are punished by imprisonment for the term from four till ten years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 222-1. Autocratic carrying out construction works

222-1.1. Autocratic construction of buildings and constructions, change of the design of existing constructions, and also their re-planning, implementation of works on reconstruction with change of the functional purpose of these constructions without receipt of permission of relevant organs of the executive authority in the procedure established by the legislation if it creates real threat of life and to human health,

it is punished by corrective works for the term up to two years or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without that.

222-1.2. The same acts which have entailed on imprudence causing of the heavy or less heavy damage to health of the injured person

are punished by imprisonment for the term from one till three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

222-1.3. The same acts which have entailed on imprudence death of the injured person or other heavy consequences

are punished by imprisonment for the term from three till six years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 222-2. Conducting construction or installation works in protected zones without the corresponding permission

222-2.1. Conducting construction or installation works in protected zones of bulk distribution lines, power supply networks tension more than 1000 volts, the underground, the railway installations, protected objects, technical installations of water supply systems and the sewerage, oil wells, highways or waters without receipt of the corresponding permission according to the procedure, established by the legislation of the Azerbaijani Republic,

it is punished by corrective works for the term up to two years or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

222-2.2. The same acts which have entailed on imprudence serious consequences,

are punished by imprisonment by term from three to six years.

Article 222-3. Intentional non-execution of decisions of state bodies about suspension of the construction works which are carried out with abuse of regulations, established by the legislation

Intentional non-execution of decisions of the relevant state bodies about suspension of works on construction, re-planning, reconstruction and modification of designs of the existing constructions which are carried out with abuse of regulations, established by the legislation,

it is punished by corrective works for the term up to two years or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 223. Abuse of regulations of safety on explosive objects

223.1. Abuse of regulations of safety on explosive objects or in explosive shops if it could entail death of the person or other heavy consequences,

it is punished by the penalty at the rate from hundred to five hundred manatov, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

223.2. The same act which has entailed on imprudence death of the person or other heavy consequences,

it is punished by imprisonment for the term from three till seven years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 224. Abuse of regulations of accounting, storage, transportation and use of explosive, inflammable substances and pyrotechnic products

Abuse of regulations of accounting, storage, transportation and use of explosive, inflammable substances and pyrotechnic products, and also illegal transfer of these substances and products by mail or luggage if these acts entailed heavy consequences on imprudence,

are punished by imprisonment for the term from three till five years.

Article 224-1. Abuse of regulations of use of the goods (works, services, results of intellectual activities) dual purpose

Non-use of the goods (works, services, results of intellectual activities) the dual purpose which can be used in case of creation and production of weapons of mass destruction, arms, military equipment and supplies, for the purpose of for the sake of which they were ordered, in case of damnification of the state homeland security and to interests

It is punished by imprisonment by term from three to six years.

Article 224-2. Violation of the export regime

Commodity export (works, services, results of intellectual activities), falling under export control, to the states and end users by whom export of these goods is prohibited or limited,

it is punished by corrective works term from one to two years or imprisonment by term from two to six years.

Article 225. Abuse of regulations of fire safety

225.1. The abuse of regulations of fire safety made by the person on which the obligation on their observance if it entailed on imprudence causing of less heavy or heavy harm to health of the victim lay,

it is punished by the penalty at the rate from hundred to five hundred manatov, corrective works for the term up to two years, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

225.2. The same act which has entailed on imprudence death of the victim or other heavy consequences,

it is punished by imprisonment for the term from three till seven years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 226. The illegal address with radioactive materials

226.1. Illegal acquisition, storage, use, sale, transfer or destruction of radioactive materials

are punished by corrective works for the term up to two years or imprisonment for the term up to three years.

226.2. The same acts which have entailed on imprudence death of the person or other heavy consequences,

are punished by imprisonment for the term from three till eight years.

Article 227. Plunder or racketing of radioactive materials

227.1. Plunder or racketing of radioactive materials

are punished by the penalty at the rate from one thousand to four thousand manatov or imprisonment for the term from three till five years.

227.2. Same acts, perfect:

227.2.1. the group of persons on preliminary collusion;

227.2.2. guilty with use of the official position,

227.2.3. using violence, not life-threatening or health, or with threat of application of such violence,

are punished by imprisonment for the term from five till seven years.

227.3. The acts provided [by Articles 227.1 or 227.2](#) of this Code if they are made:

227.3.1. organized group,

227.3.2. using violence, life-threatening or health, or with threat of application of such violence,

are punished by imprisonment for the term from five till ten years.

Article 228. Illegal acquisition, transfer, sale, storage, transportation or carrying of the weapon, accessories to it, ammunition, explosives and destructive devices

228.1. Illegal acquisition, transfer, sale, storage, transportation or carrying of firearms, accessories to it, ammunition (except the smooth-bore hunting weapon and ammunition to it), explosives or destructive devices

are punished by corrective works for the term up to two years or imprisonment for the term up to three years.

228.2. Same acts, perfect

228.2.1. the group of persons on preliminary collusion;

228.2.2. repeatedly,

are punished by imprisonment for the term from three till five years.

228.3. The acts provided [by Articles 228.1 or 228.2](#) of this Code, made by organized group,

are punished by imprisonment for the term from five till eight years.

228.4. Illegal acquisition, sale or carrying of the gas weapon, the cold weapon, including the cold throwing weapon, except for those districts where carrying of the cold weapon is accessory of the national suit or it is connected with hunting,

are punished by social jobs for the term from three hundred twenty till four hundred o'clock, or corrective works for the term up to two years, or imprisonment for the term up to one year.

Note: The person which has voluntary handed over subjects, specified in this Article, is exempted from criminal liability if in its actions does not contain other actus reus.

Article 229. Illegal manufacture of the weapon

229.1. Illegal manufacture of firearms, accessories to it, ammunition, explosives or destructive devices, and also repair of firearms,

are punished by imprisonment for the term up to three years.

229.2. Same acts, perfect:

229.2.1. the group of persons on preliminary collusion;

229.2.2. repeatedly,

are punished by imprisonment for the term from three till five years.

229.3. The acts provided [by Articles 229.1.](#) or [229.2.](#) this Code, made by organized group, are punished by imprisonment for the term from five till ten years.

229.4. Illegal manufacture of the gas weapon, cold weapon, including cold throwing weapon, it is punished by social jobs for the term from three hundred twenty till four hundred o'clock, or corrective works for the term up to two years, or imprisonment for the term up to two years.

Note: The person which has voluntary handed over subjects, specified in this Article, is exempted from criminal liability if in its actions does not contain other actus reus.

Article 230. Negligent custody of firearms

The negligent custody of the firearms which has created conditions for its use by other person if it entailed heavy consequences,

it is punished by corrective works for the term up to two years, or imprisonment for the term up to two years.

Article 231. Improper execution of obligations on protection of the weapon, ammunition, explosives and destructive devices

Improper execution of the obligations by the person to which protection of firearms was charged, ammunition, explosives or destructive devices if it entailed their plunder or destruction or approach of heavy consequences,

it is punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 232. Plunder or racketing of the weapon, ammunition, explosives and destructive devices

232.1. Plunder or racketing of firearms, accessories to it, ammunition, explosives or destructive devices are punished by imprisonment for the term from three till five years.

232.2. Same acts, perfect:

232.2.1. the group of persons on preliminary collusion;

232.2.2. repeatedly;

232.2.3. the person with use of the official position;

232.2.4. using violence, not life-threatening or health, or with threat of application of such violence,

are punished by imprisonment for the term from five till eight years.

232.3. The acts provided [by Articles 232.1 or 232.2](#) of this Code if they are made:

232.3.1. the organized group;

232.3.2. using violence, life-threatening or health, or with threat of application of such violence, are punished by imprisonment for the term from six till twelve years.

Article 233. The organization of the actions promoting violation of the public order or active participation in such actions

The organization of making by the group of persons of the actions roughly breaking the public order or connected with non-obedience to legal requirements of the public agent, or promoting violation of normal activities of transport, the company, organization and the organization, and equally active participation in such actions,

are punished by the penalty at the rate from five thousand to eight thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to three years.

Article 233-1. Illegal manufacture, acquisition, storage, transportation, carrying and transfer or sale to other person of the subjects, which inclusion in civil turnover is not allowed by the law (excluded of civil turnover)

233-1.1. Illegal manufacture, acquisition, storage, transportation, carrying and transfer or sale to other person of the subjects, which inclusion in civil turnover is not allowed by the law (excluded of civil turnover)

are punished by imprisonment for the term up to five years.

233-1.2. Same acts, perfect:

233-1.2.1. the group of persons, the group of persons on the preliminary collusion, the organized group or criminal consolidation;

233-1.2.2. repeatedly;

233-1.2.3. the entailed serious consequences

are punished by imprisonment by term from five to eight years.

Note: If other articles of this Code or [the Code](#) of the Azerbaijani Republic about administrative offenses provide responsibility for illegal manufacture, acquisition, storage, transportation, carrying and transfer or sale to other person any of the subjects, which inclusion in civil turnover is not allowed by the law (excluded from civil turnover), on this act action of this Article does not extend.

Article 233-2. The organization of sale of not certified means of communication

The organization of sale without certification of the means of communication which certification is stipulated by the legislation, when drawing significant damage by the protected law to interests of the state or the homeland security

it is punished by the penalty at the rate from one thousand to two thousand manatov or corrective works for the term up to two years, or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions for the term up to three years or to be engaged in certain activities or without that.

Article 233-3. Not providing from officials of organizations of communication of necessary conditions for carrying out operational search, prospecting and counterprospecting actions

Not providing from officials of organizations of communication of necessary conditions for carrying out operational search, prospecting and counterprospecting actions

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to one year, or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions for the term up to three years or to be engaged in certain activities or without that.

Chapter twenty sixth. The crimes connected with illicit trafficking in drugs and psychotropic substances

Article 234. Illegal production, production, acquisition, storage, transportation, transfer or sale of drugs, psychotropic substances or their precursors

234.1. Illegal acquisition or storage without the sales objective of drugs or psychotropic substances in the quantity exceeding necessary for private consumption,

are punished by imprisonment for the term up to three years.

234.2. Illegal acquisition or storage for the purpose of sale, production, production, conversion, transportation, transfer or sale of drugs or psychotropic substances

are punished by imprisonment for the term from three till seven years.

234.3. Production, acquisition, storage, transfer, transportation or sale of precursors for the purpose of illegal manufacture and conversion of drugs or psychotropic substances

are punished by imprisonment for the term up to three years.

234.4. The acts provided [by Articles 234.2 and 234.3](#) of this Code, perfect:

234.4.1. the group of persons on preliminary collusion or the organized group;

234.4.2. repeatedly;

234.4.3. in the large size,

are punished by imprisonment for the term from five till twelve years.

234.5. Abuse of regulations of production, production, conversion, storage, leave, sale, distribution, transfer, transportation, transfer, acquisition, use, import, export, transit transportation or destructions of raw materials, tools or the equipment, drugs used for production, psychotropic substances or their precursors and being under special control, and also drugs or psychotropic substances if this act is made by the person which obligations include observance of specified rules,

are punished by the penalty at the rate from two hundred to one thousand manatov or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to five years.

Notes:

1. The person which has voluntarily handed over drugs, psychotropic substances or their precursors and actively promoting disclosure or control of offenses, the drugs connected with illicit trafficking, psychotropic substances or their precursors, to exposure of persons, them made, to detection of the property extracted by the criminal way, is exempted from criminal liability for this crime.

2. The quantity exceeding necessary for private consumption and other amount of drugs or psychotropic substances, specified in this Chapter, is established by the relevant law.

Article 235. Plunder or racketing of drugs, psychotropic substances or their precursors

235.1. Plunder or racketing of drugs or psychotropic substances

it is punished by imprisonment for the term from three till seven years.

235.2. Plunder or racketing of precursors for the purpose of illegal manufacture and conversion of drugs or psychotropic substances,

it is punished by imprisonment for the term from two till five years.

235.3. The acts provided [by Articles 235.1 and 235.2](#) of this Code if they are made:

235.3.1. the group of persons on preliminary collusion;

235.3.2. repeatedly;

235.3.3. the person with use of the official position,

235.3.4. using violence, not life-threatening or health, or with threat of application of such violence,

are punished by imprisonment for the term from six till ten years.

235.4. The acts provided [by Articles 235.1-235.3](#) of this Code if they are made:

235.4.1. the organized group;

235.4.2. in the large size;

235.4.3. using violence, life-threatening or health, or with threat of application of such violence;

235.4.4. the person, two or more times the offender for plunder or racketing,

are punished by imprisonment for the term from eight till fifteen years.

Article 236. Inducement to consumption of drugs or psychotropic substances

236.1. Inducement to consumption of drugs or psychotropic substances

it is punished by imprisonment for the term from two till five years.

236.2. Same act, perfect:

236.2.1. the group of persons on preliminary collusion or the organized group;

236.2.2. repeatedly;

236.2.3. concerning obviously minor or two or more persons;

236.2.4. using violence or with threat of its application,

it is punished by imprisonment for the term from five till ten years.

236.3. The acts provided [by Articles 236.1 and 236.2](#) of this Code if they entailed death of the victim or other heavy consequences on imprudence,

are punished by imprisonment for the term from seven till twelve years.

Article 237. Illegal cultivation of the plants containing narcotic substances

237.1. Illegal crops, cultivation of the plants containing narcotic substances, and also collection of such plants (their parts), and cultivation of grades of hemp, poppy or other plants containing narcotic substances is equal,

are punished by the penalty at the rate from two hundred to one thousand manatov or imprisonment for the term up to three years.

237.2. Same acts, perfect:

237.2.1. the group of persons on preliminary collusion or the organized group;

237.2.2. repeatedly;

237.2.3. in the large size,

are punished by imprisonment for the term from three till eight years.

Article 238. The organization or content of brothels for consumption of drugs or psychotropic substances

238.1. The organization, content of brothels for consumption of drugs or psychotropic substances or provision of rooms in these purposes,

are punished by imprisonment for the term up to four years.

238.2. Same acts, perfect:

238.2.1. the group of persons on preliminary collusion or the organized group;

238.2.2. repeatedly,

are punished by imprisonment for the term from three till eight years.

Article 239. Illegal issue or the counterfeit of the recipes giving the right to drugs or psychotropic substances

Illegal issue or counterfeit of the recipes giving the right to drugs or psychotropic substances,

it is punished by imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 240. Illicit trafficking in strong or poisonous substances for the purpose of sale

240.1. Illegal production, conversion, acquisition, storage, transportation or transfer for the purpose of sale, and equally illegal sale of the strong or poisonous substances which are not drugs or psychotropic substances, or the equipment for their production or conversion,

are punished by imprisonment for the term up to three years.

240.2. Same acts, perfect:

240.2.1. the group of persons on preliminary collusion;

240.2.2. repeatedly,

are punished by imprisonment for the term from two till five years.

240.3. The acts provided [by Articles 240.1 and 240.2](#) of this Code, perfect:

240.3.1. the organized group;

240.3.2. in the large size,

are punished by imprisonment for the term from four till eight years.

240.4. Abuse of regulations of production, acquisition, accounting, storage, leave, transportation or transfer of strong or poisonous substances if it entailed their plunder or causing of other essential harm on imprudence,

it is punished by the penalty at the rate from two hundred to one thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years.

Article 241.

It is excluded.

Chapter twenty seventh. Crimes against public moral

Article 242. Illegal distribution of pornographic materials or subjects

Illegal production for the purpose of distribution or advertizing, distribution, advertizing of pornographic materials or subjects, and equally illegal trade in printing editions, cinema or video data, images or other subjects of pornographic nature

it is punished by the penalty at the rate from two thousand to four thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to three years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years or without that.

Article 243. Involvement in occupation by prostitution

243.1. Involvement in occupation by prostitution for the purpose of income acquisition or other benefit,

it is punished by the penalty at the rate from five hundred two thousand to five hundred three thousand manatov, or social jobs for the term from three hundred twenty till four hundred eighty o'clock, or imprisonment for the term from one year till three years.

243.2. Same act, perfect:

243.2.1. with use of the helpless condition, physical or mental face defects;

243.2.2. the organized group, - it is punished by imprisonment for the term from three till six years.

Article 244. Content of brothels

244.1. The organization, content of brothels for occupations by prostitution or provision of premises for this purpose

are punished by social jobs for the term from four hundred till four hundred eighty o'clock, or corrective works for the term up to two years, or imprisonment for the term up to three years.

244.2. Same acts, perfect:

244.2.1. repeatedly;

244.2.2. the group of persons on preliminary collusion or organized group,
are punished by imprisonment for the term from three till six years.

Article 244-1. Organization or content of the gambling institution

244-1.1. The organization or content of the gambling institution, that is the place for carrying out hazardous games -

- are punished by corrective works for the term up to two it is put or imprisonment for the term up to three years.

244-1.2. Same acts:

244-1.2.1. made repeatedly;

244-1.2.2. made by the group of persons on the preliminary collusion, the organized group or criminal society (the criminal organization) -

- are punished by imprisonment for the term from three till six years.

Note:

1. In [Article 244-1](#) of this Code "gambling" is meant as the game which is carried out concerning money, material and other values (prize) in which the prize depends on uncertainty or accident.

2. Action of this Article does not extend on lotteries and sports totalizators.

Article 245. Violation of the grave

Violation of the grave or corpse

it is punished by corrective works for the term up to two years or imprisonment for the term up to five years.

Article 246. Intentional destruction or damage of monuments of history and culture

Intentional destruction or damage of monuments of history and the culture, taken under protection of the state,

it is punished by the penalty at the rate from five hundred to two thousand manatov or imprisonment for the term up to two years.

Chapter twenty eighth. Ecological crimes

Article 247. Abuse of regulations of protection (protection) of environment in case of works

Abuse of regulations of environmental protection during the designing, placement, construction, commissioning and operation of industrial, agricultural, scientific and other facilities by the persons responsible for observance of these rules if it entailed essential change of the radioactive background, damnification to health of the person, mass death of animals or other heavy consequences,

it is punished by imprisonment for the term up to five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Article 248. Abuse of regulations of the address of ecologically dangerous substances and waste

248.1. Production of the forbidden types of the dangerous waste, transportation, storage, burial, use or other address radioactive, bacteriological, chemicals and the waste with violation of statutory rules if these acts created threat of causing of essential harm to health of the person or environment,

are punished by the penalty at the rate from two hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the same term.

248.2. The same acts which have entailed pollution, poisoning of environment, damnification to health of the person, or mass death of animals, and equally perfect in the zone of the dangerous ecological situation,

are punished by imprisonment for the term up to five years.

248.3. The acts provided [by Articles 248.1 or 248.2](#) of this Code, entailed on imprudence death of the person or the mass disease of people,

are punished by imprisonment for the term from three till eight years.

Article 249. Violation of veterinary rules and the rules established for fight against diseases and wreckers of plants

249.1. The violation of the veterinary rules which has entailed on imprudence distribution of the epizootiya or other heavy consequences,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

249.2. The abuse of regulations, established for fight against diseases and wreckers of the plants, entailed on imprudence heavy consequences,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to one year.

Article 250. Pollution of waters (sources of water)

250.1. Pollution, depletion of surface or underground water, sources of drinking water supply or other change of their natural properties if these acts entailed causing of essential harm to the animal go to flora, fish and other water bioresources, wood or agricultural industry,

are punished by the penalty at the rate from hundred to five hundred manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to five years, or corrective works for the term up to two years, or imprisonment for the term up to six months.

250.2. The same acts which have entailed damnification to health of the person go mass death of animals, and equally perfect on the territories of the reserve or in the zone of the dangerous or emergency ecological situation,

are punished by the penalty at the rate from five hundred to two thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

250.3. The same acts which have entailed on imprudence death of the victim,

are punished by imprisonment for the term from three till five years.

Article 251. Pollution of the atmosphere (air)

251.1. Abuse of regulations of emission in the atmosphere of polluting substances or abuse of regulations of operation of the equipment, constructions and other objects if these acts entailed pollution or other change of natural properties of air,

are punished by the penalty at the rate from five hundred to one thousand manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or corrective works for the term up to one year, or imprisonment for the term up to six months.

251.2. The same acts which have entailed on imprudence damnification to health of the person,

are punished by the penalty at the rate from one thousand to two thousand manatov or corrective works for the term up to two years, or imprisonment for the term up to two years.

251.3. The same acts which have entailed on imprudence death of the victim,

are punished by imprisonment for the term from three till five years.

Article 252. Marine pollution

252.1. Marine pollution from being on more chilly sources or owing to abuse of regulations of dumping or burial from vehicles or the artificial constructions of substances erected in the sea and materials, unhealthy the person and live resources of the sea or interfering lawful use of the marine environment,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or corrective works for the term up to one year.

252.2. The same acts which have done essential harm to health of the person, to the animal or flora, fish and other water bioresources, environment, rest areas or other protected law to interests,

are punished by the penalty at the rate from one thousand to two thousand manatov or corrective works for the term up to two years or imprisonment for the term up to two years.

252.3. The same acts which have entailed on imprudence death of the victim,

are punished by imprisonment for the term from three till five years.

Article 253. Violation of the legislation of the Azerbaijani Republic about the coastal shelf

253.1. Illegal construction of constructions or other installations on the coastal shelf of the Azerbaijani Republic, illegal creation round them of safety areas, and is equal abuse of regulations of construction, operation, protection or liquidation of the erected constructions and safety controls of sea navigation

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

253.2. Research, investigation, development of natural resources and implementation of other works on the continental shelf of the Azerbaijani Republic foreign legal entities or physical persons if carrying out these works is not provided by interstate agreements of the Azerbaijani Republic or in the special permission issued by the relevant state body of the Azerbaijani Republic,

are punished by imprisonment for the term from three till five years.

Article 254. Spoil of the earth

254.1. Poisoning, pollution or other spoil of the earth by harmful products of economic or other activities owing to abuse of regulations of the treatment of the fertilizers, dangerous chemical or biological substances in case of their storage, use or the transportation, entailed considerable damnification to human health or environment,

are punished by the penalty at the rate from hundred to one thousand manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or corrective works for the term up to one year.

254.2. The same acts made in the zone of the emergency or dangerous ecological situation,

are punished by corrective works for the term up to two years or imprisonment for the same term.

254.3. The same acts which have entailed on imprudence death of the victim,
are punished by imprisonment for the term from three till five years.

Article 255. Abuse of regulations of protection and use of the subsoil

Abuse of regulations of protection and use of the subsoil during the designing, placement, construction, commissioning and operation of the mining companies or the underground constructions which have not been connected with mining, and equally autocratic building of the areas of the zaleganiye of minerals if these acts entailed causing of significant damage,

are punished by the penalty at the rate from hundred to one thousand manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or corrective works for the term up to one year.

Article 256. Illegal production of fish and other water bioresources

256.1. Illegal production of fish and other water bioresources if this act entailed causing of significant damage

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs from two to three hours, or corrective works for the term up to one year.

256.2. Same acts, perfect:

256.2.1. with causing of major damage;

256.2.2. using self-propelled transport floating means or explosive and chemicals, or means of mass destruction of fish and other water bioresources.

256.2.3. in the territory of the reserve, or in the zone of the emergency or dangerous ecological situation,
are punished by the penalty at the rate from hundred to one thousand manatov, or corrective works for the term up to one year, or imprisonment for the term up to two years.

256.3. The acts provided [by Articles 256.1 or 256.2](#) of this Code, made by the person with use of the official position or the group of persons on preliminary collusion or organized group,

are punished by the penalty at the rate from one thousand to two thousand manatov or with imprisonment for the term from two till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Note: Under in [Article 256.1](#) of this Code the amount at the rate from four hundred to one thousand manatov, and under "large" is recognized [Article 256.2.2](#) - from one thousand manatov "considerable".

Article 257. Abuse of regulations of protection of fish and other water bioresources

Construction of bridges, dams, implementation of explosive and other works, and equally operation of water intaking constructions with abuse of regulations of protection of fish and other water bioresources if these acts entailed mass death of fish and other water bioresources,

are punished by the penalty at the rate from hundred to five hundred manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or corrective works for the term up to one year.

Article 258. Illegal hunting

258.1. The hunting which has been carried out without proper permission or in prohibited areas, or during forbidden time or the forbidden tools and methods if this act entailed causing of significant damage,

it is punished by the penalty at the rate from hundred to five hundred manatov, or social jobs for the term from two hundred forty till three hundred twenty o'clock, or corrective works for the term up to one year.

258.2. Same acts, perfect:

258.2.1. with causing of major damage;
258.2.2. using explosives or different ways of mass destruction of birds and animals;
258.2.3. concerning birds and animals hunting on which is completely prohibited;
258.2.4. in the territory of the reserve or in the zone of ecological disaster or in the zone of the emergency ecological situation,
are punished by the penalty at the rate from hundred to one thousand manatov, or corrective works for the term up to one year, or imprisonment for the term up to two years.

258.3. Acts, [stipulated in Clause 258.1](#) presents of the Code, perfect:

258.3.1. the official with use of the official position;

258.3.2. the group of persons on preliminary collusion or organized group,

are punished by the penalty at the rate from six hundred to one thousand manatov, or with imprisonment for the term from two till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Note: Under in [Article 258.1](#) of this Code the amount at the rate from four hundred to one thousand manatov, and under "large" is recognized [Article 258.2.1](#) - from one thousand manatov "considerable".

Article 259. Illegal felling of trees

259.1. Illegal felling of trees or bushes in the woods or reserves, national or natural parks, and also trees or the bushes which have not been carried to wood fund, in the considerable sizes

it is punished by the penalty at the rate from five hundred two thousand to five hundred three thousand manat, or imprisonment for the term up to two years.

259.2. Same acts, perfect:

259.2.1. repeatedly;

259.2.2. the group of persons on preliminary collusion;

259.2.3. the person with use of the official position;

259.2.4. with damnification in the large size

are punished by the penalty at the rate from five hundred three thousand to five thousand manat, or imprisonment for the term from two till five years.

Note: in [Article 259.1](#) of this Code "the considerable size" it is necessary to understand the amount as words at the rate from three hundred to one thousand manatov, in [Article 259.2.4](#) "the large size" it is necessary to understand the amount as words at the rate from one thousand manatov.

Article 260. Destruction or damage of the woods

260.1. Destruction or damage of the woods, and equally in the plantings which are not entering into wood fund, as a result of careless handling of fire or other sources of enhanced danger

are punished by the penalty at the rate from hundred to five hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to one year.

260.2. Destruction or damage of the woods, and equally in the plantings which are not entering into wood fund, by the arson or other all-dangerous method or as a result of pollution by hazardous substances, the waste,

are punished by imprisonment for the term from two till seven years.

Article 261. Violation of the mode of especially protected natural territories and natural objects

Violation of the mode of reserves, national parks, nature sanctuaries and other natural territories especially protected by the state, the entailed causing of essential harm,

it is punished by the penalty at the rate from hundred to five hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

Note: in [Article 261](#) of this Code "the essential damage" it is necessary to understand the amount exceeding two hundred manatov as words.

Chapter twenty ninth. Crimes against safety rules of movement and operation of vehicles

Article 262. Abuse of regulations of traffic safety and service regulations of railway, water or air transport

262.1. Abuse of regulations of traffic safety and operation of railway, water or air transport by the person, owing to carried-out work or the post obliged to observe these rules if this act entailed on imprudence causing of less heavy harm to health of the victim,

it is punished by corrective works for the term up to two years or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

262.1-1. The same acts which have entailed on imprudence heavy harm to health of the injured person -
- are punished by imprisonment for the term up to three years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

262.2. Acts, [the stipulated in Clause 262.1](#) presents of the Law, entailed on imprudence death of the victim,

it is punished by imprisonment for the term from two till five years.

262.3. Act, [the stipulated in Clause 262.1](#) presents of the Code, entailed on imprudence death of two or more persons,

it is punished by imprisonment for the term from five till ten years.

Article 263. Road traffic offense and operation of vehicles

263.1. Violation by the person, the managing car, tram or other mechanical transport vehicle, traffic regulations or operation of the vehicles, the causing which has entailed on imprudence of less heavy harm to health of the victim,

it is punished by the penalty at the rate from five thousand to seven thousand manatov or corrective works for the term up to two years, or imprisonment for the term up to two years with deprivation of the right to management of vehicles for the term up to two years.

263.1-1. The same acts which have entailed on imprudence heavy harm to health of the injured person -
- are punished by imprisonment for the term up to three years with deprivation of the right to management of vehicles for the term up to three years.

263.2. Acts, [the stipulated in Clause 263.1](#) presents of the Code, entailed on imprudence death of the victim,

it is punished by imprisonment for the term from two till six years with deprivation of the right to manage the vehicle for the term up to three years.

263.3. Act, [the stipulated in Clause 263.1](#) presents of the Code, entailed on imprudence death of two or more persons,

it is punished by imprisonment for the term from five till ten years with deprivation of the right to manage the vehicle for the term up to five years.

Note: Other mechanical transport vehicles in this Article are understood as trolleybuses, tractors, motorcycles both other self-propelled machines and mechanisms.

Article 263-1. Road traffic offense or operation of vehicles by the person which is in the state of intoxication or not having the rights to management of vehicles

263-1.1. Making of acts, [the stipulated in Clause 263.1](#) presents of the Code, the person being in the state of intoxication as a result of acceptance of alcoholic beverages, uses of drugs, psychotropic and other strong substances or not having the right to the management of the vehicles which has entailed on imprudence causing of less heavy harm to health of the victim -

it is punished by the penalty at the rate from six thousand to eight thousand manatov with deprivation of the right to management of vehicles for the term up to three years or imprisonment for the term up to three years with deprivation of the right to management of vehicles for the term up to three years.

263-1.2. The same acts which have entailed on imprudence causing of heavy harm to health of the victim, -

are punished by imprisonment for the term up to four years with deprivation of the right to management of vehicles for the term up to four years.

263-1.3. The same acts which have entailed on imprudence death of the victim -

are punished by imprisonment for the term from five till eight years with deprivation of the right to management of vehicles for the term up to five years.

263-1.4. The same acts which have entailed on imprudence death of two and more persons -

are punished by imprisonment for the term from seven till twelve years with deprivation of the right to management of vehicles for the term up to five years.

Article 264. Leaving of the place of the road accident

Leaving of the place of the road accident by the person which managing the vehicle and has broken traffic regulations or operation of vehicles, in case of approach of the consequences provided in [Articles 263 or 263-1](#) of this Code,

it is punished by imprisonment for the term up to two years with deprivation of the right to manage the vehicle for the term up to three years.

Note: The person which has left the place of the road accident in connection with assistance to the victim, is exempted from criminal prosecution under this Article.

Article 265. Substandard repair of vehicles and their release in operation with technical defects

265.1. Substandard repair of vehicles or the transport equipment, and equally release in operation technically defective vehicles the person responsible for the technical condition of vehicles if these acts entailed on imprudence causing of less heavy or heavy harm to health of the victim,

are punished by the penalty at the rate from hundred to one thousand manatov, or restriction by corrective works for the term up to two years, or imprisonment for the term up to one year.

265.2. The same acts which have entailed on imprudence death of the victim,

are punished by imprisonment for the term up to five years.

265.3. Acts, [the stipulated in Clause 265.1](#) presents of the Code which have entailed on imprudence death of two or more persons,

are punished by imprisonment for the term from three till eight years.

Article 266. Reduction in worthlessness of vehicles or means of communication

266.1. Destruction, damage or reduction by different way in unusable for operation the condition of means of communication, vehicles or the transport equipment, the network these acts entailed on imprudence causing of less heavy or heavy harm to health of the victim or causing of major damage,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

266.2. The same acts which have entailed on imprudence death of the victim,

are punished by imprisonment for the term from two till five years.

266.3. Acts, [the stipulated in Clause 266.1](#) presents of the Code which have entailed on imprudence death of two or more persons,

are punished by imprisonment for the term from three till eight years.

Article 267. The abuse of regulations, vehicles providing safe work

267.1. Violation by the passenger, the pedestrian or other participant of movement (except the persons specified in [Articles 263-264](#) of this Code) of safety rules of movement or operation of vehicles if this act entailed on imprudence causing of less heavy or heavy harm to health of the victim,

it is punished by the penalty at the rate from one thousand to two thousand manatov or corrective works for the term up to two years, or imprisonment for the term up to six months.

267.2. The same act which has entailed on imprudence death of the victim,

it is punished by imprisonment for the term up to three years.

267.3. Act, [the stipulated in Clause 267.1](#) presents of the Code, entailed on imprudence death of two or more persons,

it is punished by imprisonment for the term from three till six years.

Article 268. Abuse of regulations of safety in case of construction, operation or repair of bulk distribution lines

268.1. Abuse of regulations of safety in case of construction, operation or repair of bulk distribution lines if this act entailed on imprudence causing of less heavy or heavy harm to health of the victim or causing of major damage,

it is punished by the penalty at the rate from two thousand to five thousand manatov, or imprisonment for the term up to two years.

268.2. The same act which has entailed on imprudence death of the victim,

it is punished by imprisonment for the term up to five years.

268.3. Act, [the stipulated in Clause 268.1](#) presents of the Code, entailed on imprudence death of two or more persons,

it is punished by imprisonment for the term from three till eight years.

Article 269. Non-rendering by the ship master of the help suffering disaster

Non-rendering by the ship master of the help to the people suffering disaster on the sea or on other waterway if this help could be rendered without serious danger to the vessel, its crew and passengers,

it is punished by corrective works for the term up to two years, or imprisonment for the same term.

Article 270. Abuse of regulations of the international flights

Non-compliance with the routes specified in permission, places of landing, air gate, height of flight or other abuse of regulations of the international flights

are punished by the penalty at the rate from five hundred to two thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to one year with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Chapter thirtieth. Cybercrimes

Article 271. Wrongful access to computer system

271.1. The deliberate entrance in computer system or its any part without right of access in this system or its any part with violation of measures of protection, or for the purpose of occupancy by the computer information which was stored in it or with other personal purpose

- it is punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

271.2. Same acts, perfect:

271.2.1. repeatedly;

271.2.2. the group of persons on the preliminary collusion, the organized group or criminal society (organization);

271.2.3. the official with use of the official position

- are punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term from two till four years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

271.3. Acts, [the stipulated in Clause 271.1](#) or [271.2](#) presents of the Code made concerning computer system of infrastructure object of the social significance or its any part

- are punished by imprisonment for the term from four till six years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Note:

1. In [Articles 271-273-2](#) of this Code "the computer system" is meant as any device or group of the devices connected to each other which make the automated data processing according to appropriate programs.

2. In [Articles 271-273-2](#) of this Code "computer information" is meant as any information (the facts, data, programs and concepts), suitable for work, processing in computer system.

3. In [Articles 271-273](#) of this Code "the infrastructure object of the social significance" is implied as public institutions, the companies, the organizations, non-governmental organizations (public associations and funds), the credit organizations, insurance companies, investment funds which represent the big importance for the state and society.

Article 272. Wrongful occupancy by computer information

272.1. Deliberate occupancy with use of means by the computer information which has not been provided for public, reported computer system, from computer system or in this system, including electromagnetic radiation from the computer systems being the carrier of such computer information, the person which does not have the rights to it,

- it is punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

272.2. Same acts, perfect:

272.2.1. repeatedly;

272.2.2. the group of persons on the preliminary collusion, the organized group or criminal society (organization);

272.2.3. the official with use of the official position

- are punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term from two till four years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

272.3. Acts, [the stipulated in Clause 272.1](#) or [272.2](#) presents of the Code made concerning computer system of infrastructure object of the social significance or its any part

- are punished by imprisonment for the term from four till six years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Article 273. Wrongful intervention in computer system or computer information

273.1. Deliberate damage, destruction, spoil, change or the blocking of computer information made by the person, not having the right to it, with causing of significant damage

- it is punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

273.2. Serious preventing to work of computer system by introduction, transfer, damage, destruction, spoil, change or blocking of computer information from the person which does not have the right to it,

- it is punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

273.3. Acts, [stipulated in Clause 273.1](#) or [273.2](#) presents of the Code, perfect:

273.3.1. repeatedly;

273.3.2. the group of persons on the preliminary collusion, the organized group or criminal society (organization);

273.3.3. the official with use of the official position

- are punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term from two till four years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

273.4. The acts provided [by Articles 273.1-273.3](#) of this Code, made concerning computer system of infrastructure object of the social significance or its any part

- are punished by imprisonment for the term from four till six years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Note:

1. In Articles of this Chapter "significant damage" is meant as causing as a result of socially dangerous act of the damage on the amount over one thousand manatov or causing of other essential damage by the protected law to interests of the state, society or individuals.

2. In [Article 273.2](#) of this Code such violation of normal action of computer system in case of which there is the essential restriction of possibility of the owner or the user of computer system is meant "serious preventing to work of computer system" to use this system or to carry out exchange of information with other computer systems.

Article 273-1. Turnover of the means made for making of cybercrimes

273-1.1. Production of devices or computer programs, the main objective of production or which adaptation is making of the crimes provided [by Articles 271-273](#) of this Code, their import for the purpose of

making of these crimes, acquisition for use, sale, distribution and creation of other conditions for their acquisition if it caused significant damage

- are punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

273-1.2. Creation, storage or acquisition for use of passwords from computers, codes of access or other similar data, allowing to get unauthorized access to computer system or its any part, for the purpose of making of the crimes provided [by Articles 271-273](#) of this Code if it caused significant damage,

- are punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

273-1.3. Sale, distribution or creation of other conditions for acquisition of passwords from computers, codes of access or other similar data, allowing to get unauthorized access to computer system or its any part, for the purpose of making of the crimes provided [by Articles 271-273](#) of this Code

- are punished by the penalty at the rate from two thousand to three thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

273-1.4. The acts provided [by Articles 273-1.1-273-1.3](#), perfect:

273-1.4.1. repeatedly;

273-1.4.2. the group of persons on the preliminary collusion, the organized group or criminal society (organization);

273-1.4.3. the official with use of the official position

- are punished by the penalty at the rate from three thousand to four thousand manatov or imprisonment for the term from two till four years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Article 273-2. Falsification of computer data

Unauthorized, deliberate introduction, change, destruction or blocking of computer data with the purpose to issue counterfeited computer data for authentic (valid) computer data or to use them if these acts entailed violation of authenticity (validity) of primary computer data

- are punished by the penalty at the rate from one thousand to three thousand manatov or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

Section XI. Crimes against the government

Chapter thirty first. Crimes against bases of the constitutional system and safety of the state

Article 274. High treason

High treason, that is the act which has been intentionally made by the citizen of the Azerbaijani Republic to the detriment of the sovereignty, territorial integrity, state security or defense capacity of the Azerbaijani Republic, transition to the party of the enemy, espionage, issue of the state secret to the foreign state, assistance to the foreign state, the foreign organization or their representatives in carrying out hostile activities against the Azerbaijani Republic

it is punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Note: The person enlisted by bodies of intelligence services of foreign states for crime execution, provided by this Article, and also [Article 276](#) of this Code, is exempted from criminal liability if it in response to

the received criminal task did not make any actions both the voluntary and timely message to authorities or otherwise promoted prevention of the damage to interests of the Azerbaijani Republic and if in its actions does not contain other actus reus.

Article 275. Use of Armed forces of the Azerbaijani Republic and other paramilitary groups, stipulated by the legislation the Azerbaijani Republic, against the Azerbaijani people or the constitutional state bodies

275.1. Use of Armed forces of the Azerbaijani Republic and other paramilitary groups, stipulated by the legislation the Azerbaijani Republic, against the Azerbaijani people or the constitutional state bodies

it is punished by imprisonment for the term from seven till twelve years.

275.2. The same acts which have entailed heavy consequences,

are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 276. Espionage

Transfer, and abduction, collecting or storage for the purpose of transfer to the foreign state, the foreign organization or their representatives of the data constituting the state secret, and also transfer, abduction for the purpose of transfer or collecting on the instructions of bodies of intelligence services of foreign states of other data for their use to the detriment of external safety of the Azerbaijani Republic if these acts are made by the foreign citizen or the stateless person is equal,

are punished by imprisonment for the term from ten till fifteen years with confiscation of property or without that.

Article 277. Infringement of life state or public figure (act of terrorism)

Infringement of life of the state or public figure, and also the representative of the foreign state, made for the purpose of the termination its office or political activities or from revenge for such activities (act of terrorism),

it is punished by imprisonment for the term from fourteen till twenty years or lifelong imprisonment.

Article 278. Violent capture of the power or violent deduction of the power

The actions directed on violent capture of the power or violent deduction of the power in defiance of [the Constitution](#) of the Azerbaijani Republic, and equally directed on violent change of the constitutional system of the state,

are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Note: The person who has committed crimes provided by this Article, is exempted from criminal liability if it the voluntary and timely message to public authorities or otherwise promoted prevention of the damage to interests of the Azerbaijani Republic, and also the perfect crime did not cause essential harm and if in its actions does not contain other actus reus.

Article 279. Creation not stipulated by the legislation paramilitary groups or groups

279.1. Creation not stipulated by the legislation Azerbaijani Republic of paramilitary groups or groups, and also participation in their creation and activities, supply by their weapon, ammunition, explosives, military equipment or military equipment

are punished by imprisonment for the term from three till eight years.

279.2. Attack on the companies, organizations, the organizations or on individuals as a part of [the stipulated in Clause 279.1](#) presents of the Code of forming or groups

it is punished by imprisonment for the term from seven till twelve years.

279.3. Acts, [the stipulated in Clause 279.2](#) presents of the Code which have entailed death of people or other heavy consequences,
are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 280. Armed rebellion

The organization of armed rebellion or active participation in it for the purpose of violent change of the constitutional system of the Azerbaijani Republic or violation of territorial integrity of the Azerbaijani Republic
are punished by imprisonment for the term from twelve till twenty years or lifelong imprisonment.

Article 281. The public appeals directed against the state

281.1. Public appeals to violent capture of the power, violent deduction of the power or violent change of the constitutional system or violation of territorial integrity of the Azerbaijani Republic, and distribution of materials of such content is equal

are punished by imprisonment for the term up to five years.

281.2. The same acts made repeatedly or the group of persons,
are punished by imprisonment for the term from five till eight years.

281.3. The acts provided [by Articles 281.1 and 281.2](#) of this Code, made on the instructions of the foreign organizations or their representatives,

are punished by imprisonment for the term from seven till twelve years.

Article 282. Diversion

282.1. Making of explosion, the arson or other actions directed on destruction or damage of the companies, constructions, means of communication, intermedia and communication, objects of life support of the population for the purpose of undermining defense capacity and economic safety of the Azerbaijani Republic, and equally mass poisoning or distribution among people and the animal infectious diseases, made in the same purposes,

are punished by imprisonment for the term from eight till fifteen years.

282.2. The same acts made by organized group,
are punished by imprisonment for the term from twelve till twenty years.

Article 283. Excitement of national, racial, social or religious hatred and hostility

283.1. The actions directed on excitement of national, racial, social or religious hatred and hostility, humiliation of national advantage, and equally the actions directed on restriction of the rights of citizens, or establishment of superiority of citizens on the basis of their national, including racial, social accessory, the relation to religion if these acts are made publicly or with use of mass media,

are punished by the penalty at the rate from one thousand to two thousand manatov, or corrective works for the term up to two years, or imprisonment for the term from two till four years.

283.2. Same acts, perfect:

283.2.1. using violence or with threat of its application;

283.2.2. the person with use of the official position,

283.2.3. organized group,

are punished by imprisonment for the term from three till five years.

Article 283-1. Creation of steady group for the purpose of participation in armed conflicts outside the limits of the Azerbaijani Republic

283-1.1. Involvement of citizens of the Azerbaijani Republic or the stateless persons which are permanently living in the Azerbaijani Republic, to armed conflicts outside the limits of the Azerbaijani Republic for the purpose of distribution of religious doctrines, under the pretext of execution of religious practices, or because of religious hatred, or carrying out military doctrines for this purpose, or creation of steady group operating for this purpose or the management of such group -

are punished by imprisonment for the term from nine till twelve years.

283-1.2. The same acts made with involvement of the minor person, -
are punished by imprisonment for the term from twelve till fifteen years.

283-1.3. Participation in specified in Article 283-1.1 of this Code groups, doctrines or armed conflicts -
it is punished by imprisonment for the term from seven till eleven years.

283-1.4. Public appeals to making of the actions provided by Articles 283-1.1 - 283-1.3 presents of the Code, and also distribution of materials of similar content -

are punished by imprisonment for the term up to five years.

Note: the person who has made act, provided by Articles 283-1.1 - 283-1.3 presents of the Code, is exempted from criminal liability if it by the due notice of authorities or other method promoted prevention of the acts provided by these Articles, and in its act there is no actus reus.

Article 284. Disclosure of the state secret

284.1. Disclosure of the data constituting the state secret, for the person to whom it was entrusted or it became known on service or work, in the absence of signs of high treason,

it is punished by imprisonment for the term from three till six years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

284.2. The same act which has entailed heavy consequences,

it is punished by imprisonment for the term from four till eight years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to five years.

Article 284-1. Illegal occupancy by information constituting the state information

Illegal occupancy by the data constituting the state secret, the documents containing the state secret, and also subjects data about which constitute the state secret, by means of threat of application of violence or using violence, threat or other means of coercion, plunder, deception, or use of the special or other means provided for secret occupancy by confidential information, in the absence of signs of change to the state or espionage —

- it is punished by imprisonment for the term from two till five years.

Article 285. Loss of the documents containing the state secret

Violation by the person having access to documents, containing the state secret, and also to subjects data about which constitute the state secret, established by the legislation of the Azerbaijani Republic of rules of the address with these documents and the subjects, entailed on imprudence their loss and approach of heavy consequences,

it is punished by imprisonment for the term up to five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Chapter thirty second. Crimes against justice

Article 286. Hindrance to implementation of justice and production of preliminary inquiry

286.1. Intervention in any form in activities of court for the purpose of hindrance to implementation of justice

it is punished by the penalty at the rate from two hundred to five hundred manatov or imprisonment for the term up to two years.

286.2. Intervention in any form in activities of the prosecutor, the inspector or the person making inquiry, for the purpose of hindrance to the objective, complete and all-round legal investigation

it is punished by the penalty at the rate from two hundred to five hundred manatov, or social jobs for the term from three hundred till four hundred eighty o'clock, or imprisonment for the term up to six months.

286.3. The acts provided [by Articles 286.1 and 286.2](#) of this Code, made by the person with use of the official position,

are punished by the penalty at the rate from five hundred to eight hundred manatov or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 287. Infringement of life of the person performing justice or preliminary inquiry

Infringement of life of the judge, and also the prosecutor, the inspector, the person making inquiry, the defender, the expert, the executive official, and equally in their close relatives in connection with hearing of cases or the corresponding materials in court, either production preliminary investigations or execution of the sentence or other court resolution, made for the purpose of hindrance of legal activities of the specified persons or from revenge for such activities,

it is punished by imprisonment for the term from fourteen till twenty years.

Article 288. Threat or violent acts in connection with implementation of justice or production of preliminary inquiry

288.1. Threat by murder, damnification to health, destruction or damage of property concerning the judge, and also his close relatives in connection with hearing of cases or the corresponding materials in court

it is punished by the penalty at the rate from one thousand to three thousand manatov or imprisonment for the term from two till five years.

288.2. The same act made concerning the prosecutor, the inspector, the person making inquiry, the defender, the expert, the judicial executive officer, and equally in their close relatives in connection with hearing of cases or the corresponding materials in court, either production of preliminary inquiry or execution of the sentence or other court resolutions,

it is punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term up to three years.

288.3. The acts provided [by Articles 288.1 or 288.2](#) of this Code, made using violence, not life-threatening or health,

are punished by imprisonment for the term from three till five years.

288.4. The acts provided [by Articles 288.1 or 288.2](#) of this Code, made using violence, life-threatening or health,

are punished by imprisonment for the term from five till ten years.

Article 289. Disrespect for court

289.1. Disrespect for the court, expressed in the insult of participants of legal proceeding,

it is punished by the penalty at the rate to three hundred manatov or social jobs for the term from three hundred twenty till four hundred o'clock, or imprisonment for the term up to six months.

289.2. The same act made concerning the judge,

it is punished by the penalty at the rate from three hundred to five hundred manatov, or corrective works for the term up to two years, or imprisonment for the term up to six months.

Article 290. Attraction obviously innocent to criminal liability

290.1. Attraction obviously innocent to criminal liability

it is punished by imprisonment for the term up to three years.

290.2. The same act connected to accusation of the person in making of heavy or especially serious crime,

it is punished by imprisonment for the term from three till seven years.

Article 291. Illegal release from criminal liability

Illegal release from criminal liability of the person, the suspect or the person accused in crime execution, the prosecutor, the inspector or the person making inquiry,

it is punished by imprisonment for the term from two till five years.

Article 292. Illegal detention, imprisonment or content in the detention center

292.1. Obviously illegal arrest

it is punished by imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

292.2. Obviously illegal imprisonment

are punished by imprisonment for the term up to four years.

292.2-1. Obviously illegal content in the detention center -

it is punished by imprisonment for the term up to four years.

292.3. The acts provided of 292.1, 292.2 or 292.2-1 this Code, entailed heavy the consequence,

are punished by imprisonment for the term from four till eight years.

Article 293. Torture, not considered as torture cruel, brutal either degrading treatment or punishment

293.1. Cruel, brutal either the degrading treatment or punishment concerning the person, made by the official of state body in connection with accomplishment of the service duties or other person acting in this quality, or from its instigation or the consent, or other persons in case of his awareness if in this act there are no signs of torture, [the stipulated in Clause 293.2](#) presents of the Code -

- are punished by the penalty at the rate from three thousand to four thousand manatov, or imprisonment for the term up to two years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years.

293.2. The tortures made by the official of state body in connection with accomplishment of the service duties, or the person acting in this quality, or from its instigation or the consent, or other persons in case of his awareness -

- are punished by imprisonment for the term from three till eight years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years.

293.3. The same acts made with causing of heavy or less heavy harm to health, -

- are punished by imprisonment for the term from six till eleven years. Note: In this Article, and also other Articles of this Code "tortures" are meant as causing of severe physical pain or mental sufferings for the purpose of receipt of information or recognition from the person or other person, or its intimidation or other person, punishment for act which is made by it or other person or in which making it or other person are

suspected, compulsions to making of any act against the will or for any reason which is based on discrimination.

Article 294. Falsification of proofs

294.1. Falsification of proofs on the civil case the person participating in case, or his representative
it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term from one year till two years, or imprisonment for the term up to six months.

294.2. Falsification of proofs on criminal case by the person making inquiry, the inspector, the prosecutor or the defender

it is punished by imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

294.3. Falsification of proofs on criminal case about heavy or especially serious crimes, and equally in falsification of proofs on another matters if it entailed heavy consequences,

it is punished by imprisonment for the term from five till seven years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 295. Removal obviously miscarriage of justice, decision, determination or resolution

295.1. Removal by judges obviously miscarriage of justice, decision, determination or resolution
it is punished by the penalty at the rate from five hundred to one thousand manatov or imprisonment for the term up to three years.

295.2. The same act which connected with removal of the illegal sentence of court to imprisonment or has entailed other heavy consequences,

it is punished by imprisonment for the term from five till eight years.

Article 296. Obviously false denunciation

296.1. Obviously false denunciation about crime execution
it is punished by the penalty at the rate from three hundred to one thousand manatov, or social jobs for the term from three hundred twenty till four hundred o'clock, or corrective works for the term from one year till two years, or imprisonment for the term up to three years.

296.2. The same act connected to accusation of the person in making of heavy or especially serious crime or with artificial creation of proofs of accusation,

it is punished by imprisonment for the term from three till eight years.

Article 297. Obviously false indication, expert opinion or incorrect translation

297.1. Obviously false the indication of the witness, the victim or the expert opinion, and equally obviously incorrect translation in court or in case of production of preliminary inquiry

are punished by the penalty at the rate from five hundred to one thousand manatov, or social jobs for the term from three hundred twenty till four hundred o'clock, or corrective works for the term from one year till two years, or imprisonment for the term up to six months.

297.2. The same acts connected to accusation of the person in making of heavy or especially serious crime,

are punished by imprisonment for the term from two till six years.

Notes:

1. The persons specified in [Article 297.1](#) of this Code, are exempted from criminal liability if they voluntary during inquiry, pretrial investigation or legal proceeding before adjudgement or the judgment, and also resolutions of the Constitutional court of the Azerbaijani Republic declared the lozhnost of the indications this by them, the conclusions or obviously incorrect translation.

2. The person which was this obviously false evidence against, the wife (husband), children, parents and other close relatives which circle is determined by the legislation if it was forced to give evidences against the specified persons is not subject to criminal liability.

Article 298. Refusal of the witness or the victim of evidence

Refusal of the witness or the victim of evidence

it is punished by the penalty at the rate from three hundred to five hundred manatov, or social jobs for the term from two hundred forty till three hundred sixty o'clock, or corrective works for the term from one year till two years, or imprisonment for the term up to six months.

Note: The person is not subject to criminal liability for standing mute against itself, the wife (husband), children, parents and other close relatives which circle is determined by the legislation.

Article 299. Bribery or coercion to evasion from evidence, to perjury or the conclusions or to incorrect translation

299.1. Bribery of the witness who was injured for the purpose of giving by them of false evidences or the expert for the purpose of giving by him of the false conclusion or false evidences, and equally in the translator for the purpose of implementation of incorrect translation by it

it is punished by the penalty at the rate from five hundred to one thousand manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or corrective works for the term up to two years, or imprisonment for the term up to six months.

299.2. Compulsion of the witness who was injured to perjury, the expert to making the false conclusion or the translator to implementation of incorrect translation, and is equal compulsion of the specified persons to evasion from the evidence, connected to blackmail, threat by murder, damnification to health, destruction or damage of property of these persons or their close relatives,

are punished by the penalty at the rate from one thousand to three thousand manatov or imprisonment for the term up to three years.

299.3. Act, [the stipulated in Clause 299.2](#) presents of the Code, made using violence, not life-threatening or health of specified persons,

it is punished by imprisonment for the term from two till five years.

299.4. The acts provided [by Articles 299.1 or 299.2](#) of this Code, made by the organized group or using violence, life-threatening or health of specified persons,

are punished by imprisonment for the term from three till seven years.

Article 300. Disclosure of data of inquiry or preliminary inquiry

Disclosure of data of inquiry or preliminary inquiry by the person warned in the procedure established by the law about inadmissibility of their disclosure, the entailed causing of moral or material harm to the interested person if it is made without the consent of the person making inquiry, the inspector, the prosecutor or the judge performing functions of judicial supervision,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to six months.

Article 301. Disclosure of data on the security measures applied concerning employees of court and law enforcement agencies

301.1. Disclosure of data on the security measures applied concerning judges, the executive official, prosecutors, inspectors, the persons making inquiry, the persons performing operational search activities, the customs case, providing protection of the public order and the homeland security, and also investigating bodies performing resolution or prosecutors, and is equal in the relation of their close relatives if this act is made by the person to whom these data were entrusted or became known in connection with its office activities,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

301.2. The same act which has entailed heavy consequences,

it is punished by imprisonment for the term from one year till five years.

Article 302. Violation of the legislation on operational search activities

302.1. Implementation of operational search actions by the persons not authorized on that, and also implementation of these actions by authorized persons, but without legal causes if it entailed fundamental breach of the rights and interests protected by the law of persons,

it is punished by the penalty at the rate from five hundred to one thousand manatov or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

302.2. The same acts made with use of intended for secret receipt of information,

are punished by the penalty at the rate from one thousand to two thousand manatov or with imprisonment for the term from two till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

302.3. Illegal production, sale or acquisition for sale of the means provided for secret receipt of information,

- it is punished by the penalty at the rate from one thousand to five thousand manatov, or imprisonment for the term up to three years.

Article 303. Illegal actions concerning the property subjected to the inventory or arrest, or the subject of confiscation

303.1. Waste, alienation, concealment, and also substitution of the property subjected to the inventory or arrest, made by the person to whom this property is entrusted, and implementation by the representative of banking or other credit organization of banking activities with money (deposits) which it is seized is equal,

are punished by the penalty at the rate from five hundred to one thousand manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or imprisonment for the term up to two years.

303.2. Concealment or assignment of the property which is subject to confiscation on the sentence of court, and is equal other evasion from execution of the sentence which has entered legal force of court about purpose of confiscation of property

are punished by the penalty at the rate from one thousand to three thousand manatov or imprisonment for the term up to three years with the penalty at the rate to five hundred manatov or without that.

Article 304. Escape from the place of imprisonment or the conclusion, or from under guards

304.1. Escape from the place of imprisonment or the conclusion, or from under the guards, made by the person which is serving time, the taken into custody or detained person —

it is punished by imprisonment for the term up to two years.

304.2. Same acts, perfect:

304.2.1. the group of persons on preliminary collusion;

304.2.2. using violence, life-threatening or health, or with threat of application of such violence;

304.2.3. using the weapon or the subjects used as the weapon,
are punished by imprisonment for the term from two till six years.

Article 305. Evasion from serving of custodial sanction

Not return of the person to which short-term departure out of limits of the place of imprisonment, after term of departure is resolved

it is punished by imprisonment for the term up to one year.

Article 306. Non-execution of the sentence, court order or other court resolution

306.1. Malicious non-execution of the decision, the sentence, determination, the resolution or the order of the court, entered legal force, and is equal hindrance to their execution

it is punished by the penalty at the rate from one to three thousand manatov, or social jobs for the term from three hundred twenty till four hundred eighty o'clock, or corrective works for the term up to two years, or imprisonment for the term up to three years.

306.2. The same acts made by the official,

are punished by the penalty at the rate from four to six thousand manatov, or corrective works for the term up to two years, or imprisonment for the term from three till five years, with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to three years or without that.

Article 307. Failure to report about crimes and in advance not promised concealment of crimes

307.1. Failure to report about the known preparing or made heavy or especially serious crimes

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to two years.

307.2. In advance not promised concealment of serious crime

it is punished by the penalty at the rate from two thousand to five thousand manatov or imprisonment for the term up to three years.

307.3. In advance not promised concealment of especially serious crime

it is punished by imprisonment for the term from two till five years.

Note: To criminal liability, [the stipulated in Clause 307.1](#) presents of the Code, the person which has not informed on the crime, prepared or made by his wife (husband), children, parents and the close relatives which circle is established by the legislation cannot be involved.

Chapter thirty third. Corruption crimes and other crimes against interests of service

To Article 308. Abuse of ex-officio full powers

308.1. Abuse of ex-officio full powers, that is intentional, contrary to interests of service, use or not use in the case when it is required by interests of service, the official of the office powers for the purpose of acquisition in connection with execution of service duties of the illegal benefit to or the third parties if it entailed causing of essential harm to the rights and legitimate interests physical or legal entities or the protected law to interests of society or the state

it is punished by the penalty at the rate from one thousand to two thousand manatov, or with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years, or imprisonment for the term up to three years with corrective works for the term up to two.

308.2. Acts, [the stipulated in Clause 308.1](#) presents of the Code which have entailed heavy consequences, or it is made for the purpose of impact on election results (referendum)

are punished by imprisonment for term, from three to eight years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Note:

In Articles of this Chapter "official" is implied as the following persons:

1. public agents, including the persons chosen or appointed in state bodies according to the procedure, established [by the Constitution](#) and the laws of the Azerbaijani Republic, either representing state bodies or local government bodies based on special powers, the military personnel being officers, ensigns or warrant officers, government employees (including the persons serving in the special type of public service), members of municipalities and local government officers;

2. the persons which candidate on elective offices in state bodies is registered in the procedure established by the law;

3. heads and employees of the state and municipal companies, organizations and organizations, other commercial and non-profit organizations;

4. the persons which are carrying out organizational and administrative or administrative functions on special powers in the state and municipal companies, organizations and the organizations, other commercial and non-profit organizations;

5. persons who are engaged in business activity without education of the legal entity;

6. officials of state bodies of foreign states, members of elected state bodies of foreign states, officials and other employees of the international organizations, members of the international parliamentary organizations;

7. judges and other officials of international courts, foreign or local arbitrators of arbitration, foreign jury members.

Article 309. Excess of ex-officio full powers

309.1. Making by the official of the actions which are obviously falling outside the limits it powers if it entailed causing of essential harm to the rights and legitimate interests of physical persons or legal entities or the protected law to interests of society or the state,

it is punished by the penalty at the rate from one thousand to two thousand manatov, or corrective works for the term up to two years, or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

309.2. Acts, [the stipulated in Clause 309.1](#) presents of the Code made using violence or with threat of its application, or using the weapon or other special means, or entailed heavy consequences,

are punished by imprisonment for the term from three till seven years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 310. Assignment of powers of the official

Making of the actions which connected with autocratic representation of as the official or assignment of powers of the official and have entailed fundamental breach of the rights and legitimate interests of physical persons or legal entities,

are punished by the penalty at the rate from five hundred to one thousand manatov, or social jobs for the term from two hundred forty till four hundred o'clock, or corrective works for the term up to two years, or imprisonment for the term up to three years.

Article 311. Receipt of the bribe (passive bribery)

311.1. Receipt of the bribe, that is the direct or indirect requirement or obtaining, or adoption of the offer or assurance about it personally or through the intermediary, for itself or the third parties of material and other benefits, privileges or privileges for any actions (failure to act), connected with execution of the service duty (powers) of the official, is equal for general protection or connivance on service

it is punished by imprisonment for the term from four till eight years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

311.2. Obtaining by the official of the bribe for illegal actions (failure to act)

it is punished by imprisonment for the term from five till ten years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

311.3. The acts provided [by Articles 311.1 or 311.2](#) of this Code, perfect:

311.3.1. the group of persons on preliminary collusion or the organized group;

311.3.2. repeatedly;

311.3.3. in the large size;

311.3.4. using threats,

are punished by imprisonment for the term from eight till twelve years.

Note: Under "the large size" the amount is recognized [Article 311.3.3](#) of This Code at the rate above five thousand manatov.

Article 312. Bribery (active bribery)

312.1. Bribery, that is transfer to the official directly or indirectly, personally or through the intermediary, to him or the third parties of material and other benefits, privileges the offer, assurance or privileges for making of any action or refusal in making of such action connected with execution of the service duty (powers)

it is punished by the penalty at the rate from five thousand to eight thousand manats, restriction of liberty for the term from three to five years or imprisonment for the term from two till five years.

312.2. Bribery to the official for making of obviously illegal actions (failure to act) by it or repeatedly

it is punished by the penalty at the rate from eight to twelve thousand manats or imprisonment for the term from four till eight years.

Note: The person which has bribed, is exempted from criminal liability if bribery took place owing to threats from the official or if the person voluntary reported to the relevant state body about bribery

Article 312-1. Illegal impact on the decision of the official (trade in authority)

312-1.1. The requirement or obtaining, or adoption of the offer or assurance about it the person of material and other benefits, privileges or privileges for itself or the third parties directly or indirectly, personally or through the intermediary for the purpose of rendering of illegal impact on the decision of the official with use of the real or expected possibility of impact

it is punished by the penalty at the rate from three to five thousand manatov or imprisonment for the term from three till seven years.

312-1.2. Giving to the person of material and other benefits, privileges the offer, assurance or privileges on purpose personally to it or the third parties directly or indirectly, personally or through the intermediary of rendering of illegal impact on the decision of the official with use of its real or expected possibility of impact

it is punished by the penalty at the rate from one thousand to two thousand manatov or imprisonment for the term from two till five years.

Article 313. Office forgery

Office forgery, that is entering by the official, into official documents or information resources of obviously false data, and entering into the specified documents or into information resources of the corrections distorting their valid content if these acts are made from mercenary or other personal interest is equal,

are punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term from one year till two years, or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years.

Article 314. Negligence

314.1. Negligence, that is non-execution or improper execution by the official of the obligations owing to the unfair or negligent relation to service if it entailed causing of essential harm to the rights and legitimate interests of physical persons or legal entities or the protected law to interests of the state or society,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or social jobs for the term from two hundred forty till four hundred sixty o'clock, or corrective works for the term up to two years, or imprisonment for the term up to six months.

314.2. The same acts which have entailed on imprudence death of the victim or other heavy consequences,

are punished by imprisonment till five years.

Article 314-1. Acceptance of the illegal decision on the parcels of land which are in exclusive state-owned property and which alienation is forbidden

Acceptance by the official of the decision on transfer of the parcels of land which are in exclusive state-owned property and which alienation is forbidden, in the property, using of municipalities, physical persons and legal entities or transfer to it in lease

it is punished by imprisonment for the term from two till five years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 314-2. Allocation of the parcels of land, issue of permission to carrying out construction or installation works with the abuse of regulations, established by the law

314-2.1. Issue by the official of permission, or not expression of the note in connection with structures to which notifying production on carrying out construction or installation works with violation of detailed plans in connection with zoning of the territories, the type and the scale of construction and the main conditions of maintaining construction on the sites adjacent to settlements is applied

it is punished by corrective works for the term up to one year or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

314-2.2. Allocation by the official of the parcels of land, issue of permission by it, or not expression of the note in connection with structures to which notifying production on carrying out construction or installation works in protective zones of bulk distribution lines, power networks with tension over 1000 volts, the underground, railway constructions, defensive objects, water supply systems and the sewerage, technical constructions, oil wells, highways or waters with violation of detailed plans in connection with zoning of the territories, the type and the scale of construction and the main conditions of maintaining construction on the sites adjacent to settlements is applied

it is punished by corrective works for the term up to two years or with imprisonment for the term from two till four years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

314-2.3. The acts provided [by Articles 314-2.1 and 314-2.2](#) of this Code, the entailed heavy consequences

are punished by imprisonment for the term from four till eight years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 314-3. Not prevention of the construction works which are carried out with abuse of regulations, established by the legislation

314-3.1. Not prevention of the acts provided [by Articles 222.1, 222-1.1 and 222-2.1](#) of this Code, the official of the relevant state body as a result of its neglect of the duties

it is punished by corrective works for the term up to one year or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to two years or without that.

314-3.2. The same acts which have entailed on imprudence causing of the heavy and less heavy damage to health of the injured person

are punished by imprisonment for the term from two till four years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

314-3.3. The same acts which have entailed on imprudence death of the injured person or other heavy consequences,

are punished by imprisonment for the term from four till six years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without that.

Chapter thirty fourth. Crimes against the procedure for management

Article 315. Resistance or application of violence concerning the public agent

315.1. Application of violence, resistance using violence concerning the public agent in connection with execution the of job responsibilities by it or application concerning his close relatives of violence, not life-threatening or health, and equally in threat of application of such violence

it is punished by imprisonment for the term up to three years.

315.2. Application of violence, life-threatening or health, concerning the persons specified in [Article 315.1](#) of this Code,

it is punished by imprisonment for the term from three till seven years.

Article 316. Disclosure of data on the security measures applied concerning persons, participating in criminal procedure

316.1. Disclosure of data on the security measures applied concerning persons, informing relevant organs about the crime, or participating in detection, suppression or disclosure of the crime, concerning the victim, his representative, the suspect, the person accused, their defenders and representatives, civil claimants, civil respondents in criminal case, their representatives, witnesses, experts, specialists, the translators understood, and also their close relatives if this act is made by the person to whom these data were entrusted or became known on service,

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

316.2. The same acts which have entailed heavy consequences,

are punished by imprisonment for the term from one year till five years.

Article 316-1. Distribution of confidential information about the person, affected by human trafficking

316-1.1. Illegal collection or intentional distribution of confidential information about the person, affected by human trafficking

it is punished by the penalty at the rate from hundred to five hundred manatov either social jobs from two to four hours or corrective works till one year.

316-1.2. The same acts made by the guilty person with use of the official position are punished by the penalty at the rate from five hundred to one thousand manatov or corrective works within one year or imprisonment within six months.

316-1.3. The same acts which have entailed heavy consequences

Are punished by imprisonment for the term from one year till five years.

Note:

In this Article "confidential data" are understood as any data which distribution creates danger to life and health of the person, affected by human trafficking, his close relatives, and also the persons assisting in fight against human trafficking.

Article 316-2. Distribution of data on the actions which are carried out against legalization of money or other property, received by the criminal way, or financings of terrorism

316-2.1. Distribution of data on the actions which are carried out against legalization of money or other property, received for the criminal way, the person to which they were entrusted or became known on service, except for the cases provided by the law

it is punished by the penalty from one thousand to three thousand manatov or with imprisonment for the term up to one year with deprivation of the right to occupy operedelenny positions or to be engaged in certain activities for the term up to three years or without it.

316-2.2. Distribution of data on the actions which are carried out against financing of terrorism, the person to whom they were entrusted or became izvesty on service, except for the cases provided by the law

it is punished by the penalty from two to four thousand manatov or with imprisonment for the term up to two years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years or without it.

Article 317. Violation of normal activities of criminal and executive organizations and pre-trial detention centers

317.1. Threat of application of violence concerning the staff of criminal and executive organizations or pre-trial detention centers, and also concerning condemned on purpose to prevent its correction or from revenge for execution of the public duty by it

it is punished by imprisonment for the term up to five years.

317.2. Application of violence, not life-threatening or health, to the persons specified in [Article 317.1](#) of this Code,

it is punished by imprisonment for the term from five till seven years.

317.3. The acts provided [by Articles 317.1 or 317.2](#) of this Code, made by the organized group or using violence, life-threatening or health,

are punished by imprisonment for the term from seven till twelve years.

Article 317-1. Transfer or departure of the forbidden subjects to the persons containing in criminal and executive organizations or pre-trial detention centers

317-1.1. Transfer or departure it is reserved from check or any other method of the forbidden subjects to the persons containing in organizations of criminal executive system, pre-trial detention centers

attracts imposing of the penalty at the rate from one thousand to two thousand manatov or it is punished corrective by works till two years or imprisonment for the term up to two years.

317-1.2. The same acts made by the person with use of the official position

are punished by the penalty at the rate from three thousand to five thousand manatov or with imprisonment for the term up to three years with deprivation of the right to occupy certain positions or to be engaged in certain activities for the term up to three years.

Article 317-2. Production, storage, concealment, carrying or use of the forbidden subjects by the persons containing in criminal and executive organizations or pre-trial detention centers

317-2.1. Production, storage, concealment, carrying or use of the forbidden subjects by the persons containing in criminal and executive organizations or pre-trial detention centers

it is punished by imprisonment for the term up to six months.

317-2.2. The same acts made repeatedly

it is punished by imprisonment for the term up to two years.

Article 318. Illegal crossing of frontier of the Azerbaijani Republic

318.1. Crossing of protected frontier of the Azerbaijani Republic without the established documents or out of check-point of frontier

it is punished by the penalty at the rate from two hundred to five hundred manatov or imprisonment for the term up to two years.

318.2. Acts, [the stipulated in Clause 318.1](#) presents of the Code, perfect or the group of persons on preliminary collusion or the organized group either using violence or with threat of its application,

are punished by imprisonment for the term up to five years.

Note: Action of provisions of this Article does not extend on foreigners and the stateless persons which have arrived to the Azerbaijani Republic with abuse of regulations of crossing of protected frontier of the Azerbaijani Republic for the purpose of use of the right of the political asylum, fixed [by the Constitution](#) of the Azerbaijani Republic if in actions of these persons does not contain other actus reus.

Article 318-1. Organization of illegal migration

318-1.1. The organization of illegal arrival of the foreigner or the stateless person to the Azerbaijani Republic, illegal stay of the foreigner or the stateless person in the territory of the Azerbaijani Republic, illegal transit passing of the foreigner or the stateless person through the territory of the Azerbaijani Republic or illegal departure of any person from the Azerbaijani Republic -

it is punished by the penalty at the rate from two thousand to five thousand manatov, or corrective works for the term up to two years, or imprisonment for the term up to three years.

318-1.2. Same acts, perfect:

318-1.2.1. the organized group;

318-1.2.2. the official with use of the official position;

318-1.2.3. repeatedly;

318-1.2.4. life-threatening people by method -

are punished by imprisonment for the term from two till five years with deprivation of the right to hold the certain position or to be engaged in certain activities for the term up to two years or without that.

Article 318-2. Non-presentation by the citizen of the Azerbaijani Republic of information on receipt of nationality of the foreign state

Non-presentation by the citizen of the Azerbaijani Republic of written information on receipt of nationality of the foreign state to relevant organ of the executive authority within one month —

it is punished by the penalty at the rate from three thousand to five thousand manatov or social jobs from three to four hours.

Article 319. Illegal change of frontier of the Azerbaijani Republic

319.1. Withdrawal, moving or destruction of border markers for the purpose of illegal change of frontier of the Azerbaijani Republic

it is punished by imprisonment for the term up to two years

319.2. The same acts which made repeatedly or have entailed heavy consequences, are punished by imprisonment for the term up to four years.

Article 320. Counterfeit, illegal manufacture or sale of official documents, state awards, seals, stamps, forms or use of forgery documents

320.1. The counterfeit or illegal manufacture of the certificate, or other official document providing the rights or exempting from obligations, for the purpose of its use or sale of such document, and production is equal in the same purposes or sale of counterfeit state awards of the Azerbaijani Republic, stamps, seals, forms

are punished by the penalty at the rate from one thousand to three thousand manatov or corrective works for the term up to two years or imprisonment for the term up to two years.

320.2. Use of obviously forgery documents specified in [Article 320.1](#) of this Code,

it is punished by the penalty at the rate from two hundred to five hundred manatov, or social jobs for the term from two hundred forty till three hundred o'clock, or corrective works for the term up to one year, or imprisonment for the same term.

Article 321. Evasion from passing of military service

321.1. Evasion without legal causes from the next appeal on military service or from the appeal on mobilization, for the purpose of evasion from passing of military service

it is punished by imprisonment for the term up to two years.

321.2. The same acts made in the wartime, are punished by imprisonment for the term from three till six years.

Article 322. Arbitrariness

322.1. Arbitrariness, that is autocratic, contrary to established by the law or other regulatory legal act to the procedure making of any actions, which legitimacy is challenged by the citizen or the organization if such actions do essential harm,

it is punished by the penalty at the rate to five hundred manatov, or social jobs for the term from three hundred sixty till four hundred eighty o'clock, or corrective works for the term up to one year, or imprisonment for the term up to six months.

322.2. The same act made using violence or with threat of its application,

it is punished by the penalty at the rate from one thousand to three thousand manatov or corrective works for the term from one year till two years or imprisonment for the term up to two years.

Article 323. Slander or humiliation of honor and advantage of the head of the Azerbaijani state - the President of the Azerbaijani Republic

323.1. Slander or humiliation of honor and advantage of the head of the Azerbaijani state - the President of the Azerbaijani Republic in the public statement, publicly being shown work or mass media

it is punished by the penalty at the rate from five hundred to one thousand manatov, or corrective works for the term up to two years, or imprisonment for the same term.

323.2. The same acts integrated to accusation in making of heavy or especially serious crime, are punished by imprisonment from two to five years.

Note: Action of this Article does not extend on the public statements containing criticism of activities of the head of the Azerbaijani state - the President of the Azerbaijani Republic, and also the policy performed under its management.

Article 324. Violation of National flag or State Emblem of the Azerbaijani Republic

Violation of National flag or State Emblem of the Azerbaijani Republic

it is punished by imprisonment for the term up to one year.

Article 325. Acquisition or sale of the state awards and official documents

Illegal acquisition or sale of the official documents providing the rights or exempting from obligations, and also the state awards of the Azerbaijani Republic

are punished by the penalty at the rate to three hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

Article 326. Abduction or destruction of official documents, stamps, seals

326.1. Abduction, destruction, damage or concealment of official documents, stamps or the seals, made from mercenary or other personal interest,

are punished by the penalty at the rate to five hundred manatov, or corrective works for the term up to one year, or imprisonment for the term up to six months.

326.2. Abduction at the citizen of the identity certificate of the seaman, the identity certificate of the citizen, the passport or other important personal paper

it is punished by the penalty at the rate to three hundred manatov, or corrective works for the term up to one year, or imprisonment for the same term.

Section XII. Crimes against military service

Chapter thirty fifth. Crimes against military service

Article 327. Concept of crimes against military service

327.1. Crimes against military service the crimes provided by these Chapter against the established procedure of passing of the military service, made by the military personnel passable the military service or on the contract in Armed forces of the Azerbaijani Republic, other armies and military forming of the Azerbaijani Republic, other persons having on legal causes the status of the military personnel, and also the persons liable for call-up involved on educational or testing charges are recognized.

327.2. Partnership of the persons which have not been mentioned in this Article, in crimes against military service attracts responsibility under the relevant Articles of this Chapter.

Article 328. Non-execution of the order

328.1. Obvious refusal of execution by the subordinate of the order of the chief given in legally established procedure, and equally intentional failure to carry out of the order in other form, done essential harm to interests of military service,

it is punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to two years.

328.2. Same acts:

328.2.1. made by the group of persons, the group of persons on preliminary collusion or the organized group;

328.2.2. entailed heavy consequences,

are punished by imprisonment for the term up to five years.

328.3. Non-execution of the order owing to the unfair or negligent relation to the military service, entailed heavy consequences,

it is punished by content in disciplinary military unit for the term up to two years or imprisonment for the term up to two years.

328.4. The acts provided [by Articles 328.1-328.3](#) of this Code, made in the wartime or in the fighting situation,

are punished by imprisonment for the term from five till ten years.

Notes:

1. "Wartime" in the relevant Articles of this Chapter is understood as stay of the Azerbaijani Republic in the state of war with the foreign state.

2. The beginning of war day and hour of declaration of war or the actual start of carrying out military transactions, and the end of war - day and hour of the actual termination of military transactions is recognized.

3. "The fighting situation" is understood as direct opposition to the enemy or the actual carrying out fighting transactions by military unit or military division.

Article 329. Resistance to the chief or coercion it to violation of service duties

329.1. Resistance to the chief, and is equal to other person fulfilling obligations assigned to it of military service, or coercion it to violation of these obligations, integrated to violence or with threat of its application,

are punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to three years.

329.2. Same acts, perfect:

329.2.1. the group of persons, the group of persons on preliminary collusion or the organized group;

329.2.2. using the weapon;

329.2.3. with causing of heavy or less heavy harm to health, and equally entailed other heavy consequences,

are punished by imprisonment for the term from three till eight years.

329.3. The acts provided [by Articles 329.1 and 329.2](#) of this Code, made in the wartime or in the fighting situation,

are punished by imprisonment for the term from five till ten years.

Article 330. Violent acts concerning the chief

330.1. Causing of the little harm to health of the chief or drawing to it the beating in connection with execution of obligations by it on military service,

it is punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to two years.

330.2. Same acts, perfect:

330.2.1. group of persons;

330.2.2. using the weapon;

330.2.3. with causing of heavy or less heavy harm to health of the victim, and equally entailed other heavy consequences,

are punished by imprisonment for the term from three till five years.

330.3. Acts, [the stipulated in Clause 330.2](#) presents of the Code made in the wartime or in the fighting situation,

are punished by imprisonment for the term from five till ten years.

Article 331. Insult, drawing of the beating or torture of the serviceman

331.1. The insult one serviceman of another during execution or in connection with fulfillment of duties of military service

it is punished by restriction on military service for the term up to six months or content in disciplinary military unit for the same term.

331.2. The insult the chief of the subordinate, and is equal to subordinates of the chief during execution or in connection with fulfillment of duties of military service

it is punished by restriction on military service for the term up to one year or content in disciplinary military unit for the term up to one year.

331.3. Drawing of the beating or torture by the chief of the subordinate during execution or in connection with fulfillment of duties on military service

it is punished by imprisonment for the term from three till seven years.

Article 332. Violation of authorized rules of relations between the military personnel in the absence of the relations of subordination between them

332.1. Violation of authorized rules of relations between the military personnel in the absence of the relations of subordination between them, connected with humiliation of honor and advantage of the victim or using violence against it,

it is punished by content in disciplinary military unit for the term up to two years or imprisonment for the term up to one year.

332.2. Same act, perfect:

332.2.1. repeatedly;

332.2.2. concerning two or more persons;

332.2.3. the group of persons, the group of persons on preliminary collusion or the organized group;

332.2.4. using the weapon;

332.2.5. with causing of less heavy harm to health of the victim,

it is punished by imprisonment for the term from three till five years.

332.3. The acts provided [by Articles 332.1 or 332.2](#) of this Code, entailed heavy consequences,

are punished by imprisonment for the term from five till ten years.

Article 333. Autocratic leaving of military unit or duty station

333.1. Autocratic leaving of military unit or the duty station, and equally absence in time without valid excuse on service lasting over three days, but no more than ten days, or though less than three days, but repeatedly within six months, made by the serviceman passable the military service,

are punished by content in disciplinary military unit for the term up to one year.

333.2. Autocratic absence from military unit, and equally in absence in time without valid excuse on service lasting over ten days, but no more than one month, made by the serviceman passable the military service or on the contract,

are punished by content in disciplinary military unit for the term up to two years.

333.3. Autocratic leaving of the part or the duty station the person of officers, the ensign, the warrant officer or the serviceman of extra urgent service, or the person passable military service on the contract, and equally in its absence in time on service without valid excuse lasting over ten days, but no more than a month, or though less than ten days, but more than three days made repeatedly within the year,

it is punished by restriction on military service for the term up to two years or imprisonment for the term up to two years.

333.4. The acts provided [by Articles 333.2 and 333.3](#) of this Code, duration over one month, but no more than three months

are punished by imprisonment for the term from two till five years.

333.5. The autocratic absence made by the serviceman, serving time in disciplinary military unit,

it is punished by imprisonment for the term from one year till three years.

333.6. The acts provided, [Articles 333.1-333.4](#) of this Code, made in the wartime or in the fighting situation,

are punished by imprisonment for the term from three till eight years.

Note: The person who for the first time has made acts, provided [by Articles 333.1 - 333.4](#) presents of the Code, can be exempted from criminal liability if making of these acts was a consequence of confluence of difficult circumstances.

Article 334. Desertion

334.1. Desertion, that is autocratic absence of the serviceman from military unit or the duty station, or not return (absence) to the duty station lasting over three months, and equally autocratic absence from military unit or the duty station, or not return (absence) to the duty station for the purpose of evasion from passing of military service, irrespective of duration,

are punished by imprisonment for the term from three till seven years.

334.2. Desertion with the weapon, ammunition or the explosives entrusted on service, without the purpose of their plunder, and is equal the desertion made by the group of persons,

are punished by imprisonment for the term from five till eight years.

334.3. The acts provided [by Articles 334.1 and 334.2](#) of this Code, made in the wartime or in the fighting situation,

are punished by imprisonment for the term from five till ten years.

Note: The person who for the first time has made acts, [the stipulated in Clause 334.1](#) presents of the Code, can be exempted from criminal liability if making of these acts was a consequence of confluence of difficult circumstances.

Article 335. Evasion from military service by damnification to the health or otherwise

335.1. Evasion of the serviceman from military service by causing of any harm to the health or malingering, forgery of documents, or other deception, and equally in refusal of execution of obligations of military service

it is punished by restriction on military service for the term up to one year or content in disciplinary military unit for the term up to two years.

335.2. The same acts made in the wartime or in the fighting situation,

are punished by imprisonment for the term from three till five years.

Article 336. Violation of authorized rules of guard duty

Violation of authorized rules of guard (log) duty by the person which is a part of guard (watch), entailed heavy consequences,

it is punished by imprisonment for the term from two till five years.

Article 337. Violation of authorized rules of execution of internal or patrol service

Violation of authorized rules of internal service by the person entering into daily details of military unit (except guard and watch), and is equal violation of authorized rules of patrol service by the person which is a part of the patrol force if these acts entailed heavy consequences,

are punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to two years.

Article 338. Abuse of regulations of execution of fighting watch

338.1. Abuse of regulations of execution of fighting watch (active service) on timely detection and reflection of sudden attack on the Azerbaijani Republic or on ensuring its safety if this act could entail damnification to interests of safety of the state,

it is punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the same term, or imprisonment for the term up to three years.

338.2. The same act which harmed interests of safety of the state or has entailed other heavy consequences,

it is punished by imprisonment for the term from three till six years.

Article 339. Abuse of regulations of execution of the border service

339.1. Abuse of regulations of execution of the border service by the person a part of the border duty or fulfilling other obligations of the border service if this act could entail damnification to interests of safety of the state,

it is punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the same term.

339.2. The same act which harmed interests of safety of the state or has entailed other heavy consequences,

it is punished by imprisonment for the term from two till five years.

Article 340. Abuse of regulations of service on protection of the public order and ensuring public safety

340.1. Abuse of regulations of service by the person which is a part of the army job specification on protection of the public order and ensuring of public safety if this act harmed the rights and legitimate interests of citizens,

it is punished by restriction on military service for the term up to one year or content in disciplinary military unit for the term up to one year.

340.2. The same act which has entailed heavy consequences, and equally perfect in the wartime or in the fighting situation,

it is punished by imprisonment for the term up to three years.

Article 341. Authority misuse, excess or administrative dereliction

341.1. Abuse of the chief or the official the power or official position, excess of the power or office powers, intentional administrative dereliction if these acts were made systematically or from mercenary motives or other personal interest, and is equal if they did essential harm,

are punished by restriction on military service for the term up to two years or imprisonment for the term up to three years.

341.2. Same acts:

341.2.1. made by the group of persons;

341.2.2. made using the weapon;

341.2.3. entailed heavy consequences,

are punished by imprisonment for the term from three till seven years.

341.3. The acts provided [by Articles 341.1 and 341.2](#) of this Code, made in the wartime or in the fighting situation,

are punished by imprisonment for the term from five till ten years.

Article 342. Negligent attitude to service

342.1. Negligent attitude of the chief or the official to the service, done essential harm,

it is punished by restriction on military service for the term up to two years or imprisonment for the term up to two years.

342.2. The same acts which have entailed heavy consequences, and equally perfect in the wartime or in the fighting situation,

are punished by imprisonment for the term from three till seven years.

Article 343. Leaving to the opponent of means of warfare

Leaving by the chief in the field of battle of military equipment and other means of warfare, not being caused by the fighting situation if the specified action is made not for the purpose of contribution to the enemy,

it is punished by imprisonment for the term from three till ten years.

Article 344. Leaving of the perishing military ship

344.1. Leaving of the perishing military ship by the commander who has not fulfilled up to the end the service duties, and is equal the person from the line-up of the ship without the order of the commander ought on that

it is punished by restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term from three till seven years.

344.2. The same act made in the wartime or in the fighting situation,

it is punished by imprisonment for the term from five till ten years.

Article 345. Autocratic leaving of the field of battle or refusal to use weapon

345.1. Autocratic leaving of the field of battle during fight or refusal of the use of weapons

are punished by imprisonment for the term from five till ten years.

345.2. The same acts which made by the group of persons or have entailed heavy consequences,

are punished by imprisonment for the term from ten till fifteen years.

Article 346. Criminal acts of the serviceman being in captivity

346.1. Violence over other prisoners of war or ill treatment of them from the serviceman being in captivity,

it is punished by imprisonment for the term from three till seven years.

346.2. The same acts which have entailed death of the victim on imprudence or other heavy consequences,

are punished by imprisonment for the term from seven till twelve years.

Article 347. Loss of military property

Abuse of regulations of the saving entrusted to the military personnel for office using of the weapon, ammunition, vehicles, subjects of technical supply or other military property if it entailed their loss,

it is punished by the penalty at the rate to two hundred manatov, or restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to three years.

Article 348. Damage, spoil or destruction of military property on imprudence

348.1. Damage or destruction on imprudence of the weapon, ammunition, military equipment or other military property, entailed heavy consequences,

are punished by the penalty at the rate to five hundred manatov, or restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to three years.

348.2. The same act made in the wartime or in the fighting situation,

it is punished by imprisonment for the term up to five years.

Article 349. Intentional destruction or damage of military property

349.1. Intentional destruction or damage of the weapon, ammunition, military equipment or other military property, in the absence of signs of other crime,

are punished by the penalty at the rate to five hundred manatov, or restriction on military service for the term up to two years, or content in disciplinary military unit for the term up to two years, or imprisonment for the term up to four years.

349.2. Acts, [stipulated in Clause 349.1](#) presents of the Code:

349.2.1. made repeatedly;

349.2.2. made by the group of persons;

349.2.3. the entailed heavy consequences;

349.2.4. made in the wartime or in the fighting situation,

are punished by imprisonment for the term from three till seven years.

Article 350. Abuse of regulations of weapon handling and the subjects representing increased danger to people around

350.1. Abuse of regulations of weapon handling, ammunition, radioactive materials, explosive or other substances and the subjects representing increased danger to people around if it entailed on imprudence damnification to health of the victim, destruction of military equipment or other heavy consequences,

it is punished by restriction on military service for the term up to two years or content in disciplinary military unit for the same term.

350.2. The same act which has entailed on imprudence death of the person,

it is punished by imprisonment for the term from two till five years.

350.3. Act, [the stipulated in Clause 350.1](#) this Code, entailed on imprudence death of two or more persons,

it is punished by imprisonment for the term from three till eight years.

Article 351. Abuse of regulations of driving or operation of machines

351.1. Abuse of regulations of driving or operation of the fighting, special or transport vehicle, the causing which has entailed on imprudence of less heavy or heavy harm to health of the victim,

it is punished by restriction on military service for the term up to two years or content in disciplinary military unit for the same term, or imprisonment for the term up to three years with deprivation of the right to manage the vehicle for the same term or without that.

351.2. The same act which has entailed on imprudence death of the victim,

it is punished by imprisonment for the term from two till five years with deprivation of the right to manage the vehicle for the term up to three years.

351.3. Act, [the stipulated in Clause 351.1](#) presents of the Code, entailed on imprudence death of two or more persons,

it is punished by imprisonment for the term from five till ten years with deprivation of the right to manage the vehicle for the term up to five years.

Article 352. Abuse of regulations of flights or preparation for them

352.1. Abuse of regulations of flights or preparation for them or other service regulations of the military aircraft, entailed heavy consequences, or on imprudence death of the victim,

it is punished by imprisonment for the term from two till five years.

352.2. The same acts which have entailed on imprudence death of two or more persons,

are punished by imprisonment for the term from five till ten years.

Article 353. Abuse of regulations of the korablevozhdeniye

353.1. Abuse of regulations of driving or operation of the military ships, entailed heavy consequences, or on imprudence death of the victim,

it is punished by imprisonment for the term from two till five years.

353.2. The same acts which have entailed on imprudence death of two or more persons,

are punished by imprisonment for the term from five till ten years.

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