

PwC Azerbaijan Times

Issue №14

Overview of this Issue:

- **Amendments to Civil Procedural Code of the Republic of Azerbaijan**
- **Amendments to the Law on Notarial activities**



For any questions related to the information included herein, please contact:

Arif Guliyev, Managing Director, Tax & Legal Services Leader

arif.guliyev@pwc.com

Elchin Mammadov, Director, Head of Legal Practice

elchin.mammadov@pwc.com

Aysel Suleymanova, Marketing & Communications Leader

aysel.suleymanova@pwc.com

PwC Azerbaijan

The Landmark Office Plaza III | 12th Floor
90A Nizami Street
AZ1010 Baku | Azerbaijan

Tel: +994 12 497 2515
Fax: +994 12 497 7411

www.pwc.com/az



© 2018 PwC. The material contained in this alert is provided for general information purposes only and does not contain a comprehensive analysis of each item described. No representation/warranty is given as to the accuracy or completeness of the information in the publication. Before taking (or not taking) any action, readers should seek professional advice specific to their situation. No liability is accepted for acts or omissions taken in reliance upon the contents of this alert.

Amendments to Civil Procedural Code of the Republic of Azerbaijan

According to the amendments, rules of order proceeding will not be implemented on the following claims:

- contracts on rendering licensed telecommunication services;
- credit contracts concluded with credit organizations;
- payment of consuming household natural gas, water, electricity or heating.

Amendments will enter into force from the date of 1 January 2019.

Amendments to the Law on Notarial activities

According to the amendments, notary in place of a debtor should give a notice of execution on the documents defining the debt in order to collect money or seize property from the debtor.

Notice of execution shall be performed if the debt is indisputably proven by

the documents provided and respective period of claim under the Article 373 of the Civil Code has been met, unless other periods have been defined under the law.

State bodies, legal and natural persons could apply for giving a notice of execution in an electronic way by using e-signature. Natural persons could also apply to notary in written.

Claimant should send the debtor a demand letter by certified mail at least 20 days before the date of applying to notary, which shows that notice of execution will be given in case of non-performing obligations. Rules on sending a notice of foreclosure of mortgage subject and the period for giving a notice of execution by notary after providing that notice are regulated under the Law on Mortgage.

Notary shall give a notice of execution in the period of one business day after receipt of written application from natural persons or via the e-notary information system of the Ministry of Justice and will send e-execution information system of the Ministry of Justice for execution.

PwC Azerbaijan Times

Issue № 14

The debtor may challenge the claim which a notice of execution is given on, before the court,.

Amendments will enter into force from the date of 1 January 2019.