

Law of the Republic of Azerbaijan On lawyers and legal practice

The present Law shall be adopted with the purpose of regulation of provision of rights of each person in the territory of the Republic of Azerbaijan to address at the court process, preliminary investigation and inquiry to the lawyer selected by him/her for exercise of his/her rights and legitimate interests from the moment of detention, arrest, accusation in commitment of crime, and of activity of lawyers rendering legal assistance on other issues.

The law sets out basic principles of legal practice for rendering high quality legal assistance to natural and legal persons, legal status of lawyers and fundamentals of their self-government in the Republic of Azerbaijan.

Article 1. Legal practice in the Republic of Azerbaijan

I. Legal practice in the Republic of Azerbaijan shall mean an independent legal institution which professionally exercises legal protection activity.

II. Legal practice shall exercise activity on the basis of principles of the Rule of Law, independence, democracy, humanism, fairness, publicity and confidentiality.

III. Fundamentals of legal practice shall include the following:

- compliance with the Constitution of the Republic of Azerbaijan, the present Law, procedural legislation of the Republic of Azerbaijan and other laws of the Republic of Azerbaijan;
- exclusion of interference with the professional activity of lawyers and their associations and influence on them by prosecutor's offices, court and other state institutions, public associations any enterprise, institutions, organization and official;
- equality of rights of lawyers;
- passage of independent decision for issues of self-government, lawyers and legal practice.

Article 2. Legislation of lawyers and legal practice

I. Legislation on lawyers and legal practice shall be composed of the Constitution of the Republic of Azerbaijan, the present Law and other legislative acts of the Republic of Azerbaijan as well as international agreements signed by the Republic of Azerbaijan.

II. Procedural rights and obligations of lawyers shall be regulated by the Criminal Procedural Code, Code of Administrative Offences, Code of Administrative Procedure and Civil Procedural Code of the Republic of Azerbaijan.

Article 3. Objectives of legal practice

Basic tasks of legal practice shall be the protection of rights, freedoms and legitimate interests of natural and legal persons protected by law and rendering high quality legal assistance to them.

Article 4. Activity of legal practice

I. Person who is admitted to the membership of the Bar Association, as provided, and took the lawyer's oath may practice legal practice.

II. Protection of persons accused or suspected of criminal offenses, representation of the person in the Supreme Court in civil cases and cases on administrative disputes, as well as representation of the applicant who filed the complaint related to breach of rights and freedoms in the Constitutional Court of the Republic of Azerbaijan shall be a part the exclusive scope of legal practice.

III. Lawyers shall participate in the following cases associated with the rendering of legal assistance:

- represent natural and legal persons in the state and non-state bodies and organizations, including foreign countries and international organizations;
- give oral and written consultations, explanations and references for legal matters;
- draw up applications, complaints and documents of legal nature;
- render required legal assistance to natural and legal persons to ensure legal provision of the activity;
- render legal assistance of other type.

Article 5. General rules of exercise of legal practice

I. Legal practice shall be carried out on the basis of priority of human and citizen's rights and freedoms, rule of law, independence of lawyers, voluntary relationships between them and persons applying to them for legal assistance irrespective of their race, nationality, religion, language, sex, origin, property status, service status, membership in political parties, trade unions and other public associations and with the observation of legal practice ethics.

II. Legal practice shall be carried out on the basis of entrusting of the protection of rights and interests of persons who have applied for legal assistance to the lawyer and in accordance with their instructions.

III. Participation of the lawyer in the court process shall be exercised exclusively on the basis of agreement concluded between the person who has applied for legal assistance and lawyer working individually or working with or being a member of the unit referred to in the part V of the present Article.

IV. Lawyer shall explain to the person, who has applied for legal assistance, all terms and conditions associated with the opportunity of execution of that instruction on the case on merits and in case the parties will come to an agreement, relevant agreement shall be drawn up in writing.

Addressing person may, on the basis of terms and conditions of the agreement, restrict or repeal instruction entrusted to the lawyer without preliminary notification.

As provided for in Article 20 of the present Law, addressing person may, at any time, refuse from appointed lawyer and conclude an agreement with selected or other lawyer.

V. Legal practice may be carried out on an individual basis or within lawyer's associations (legal consultation offices, bureaus of lawyers, law firms and others) established by the lawyer (lawyers) in accordance with the requirements of the legislation of the Republic of Azerbaijan. Lawyers shall voluntarily select organizational and legal form of legal practice.

VI. Performance of legal practice shall commence upon state registration of the structure selected for such activity under organizational and legal form. Only lawyers may be founders of such structure.

Article 6. Symbols of legal practice

I. Symbols of legal practice in the Republic of Azerbaijan shall be composed of the State flag, State emblem of the Republic of Azerbaijan and official emblem of legal practice.

II. Lawyers of the Republic of Azerbaijan shall attend court sessions in specific form of clothes.

III. Description of official emblem of legal practice and specific form of clothes of lawyers shall be approved at the general meeting of the Bar Association.

Article 7. Provision of legal practice

I. Institutions, enterprises and organizations, irrespective of their organizational form, shall be obliged to render assistance to lawyers in the course of performance of professional duties by them.

II. Mediation of employees of judicial, investigation bodies, inquiry bodies and other state bodies associated with the rendering legal assistance between the lawyer and the person, who is being provided with the legal assistance, shall not be permitted.

III. Interrogation of the lawyer about the facts, which are known to him/her in connection with the performance of professional duties by him/her, shall be prohibited.

Documents and other evidences, lawyer's proceedings (records) collected by lawyers in connection with the performance of professional duties shall not be demanded and seized by investigation and judicial bodies.

In the course of detention of the lawyer or adoption of the decision on bringing him/her to criminal liability, the information thereof shall be immediately submitted to the Prosecutor General of the Republic of Azerbaijan and the Bar Association.

IV. All applications to lawyers and their organizations shall remain confidential. Detained, arrested and convicted persons shall be provided with conditions required for meetings and consultations with the lawyer in private and confidentiality.

V. Protection and provision of safety of lawyers shall be carried out in accordance with the provisions of the Law of the Republic of Azerbaijan «On state protection and provision of safety of persons participating in criminal proceedings».

Article 8. Lawyer

I. On the condition of non-contradiction with part II of the present Article, lawyer may be a person with high legal education, having work experience not less than three years or performing the activity not less than three years in the field of law in scientific and pedagogical, educational institutions, who has successfully passed qualification examination at Qualification Commission composed of oral interview and written test for identification of professional fitness and who has successfully passed compulsory training courses in training-scientific institution of the relevant body of executive power. Persons who used to work as lawyers (except for persons activity of which was suspended due to disciplinary proceedings) or judges may be lawyers upon oral interview without passage of written test and undergoing compulsory training courses. Persons having scientific degree as well as persons who used to work in the position of judges of the Constitutional Court of the Republic of Azerbaijan, chairmen of courts of appeal and cassation instances may become lawyers without passage of written test and undergoing compulsory training courses..

II. Lawyers may not be persons with double dual citizenship, who have obligations before other states, persons who were recognized as incapable or limitedly capable in accordance with the law, incapable to perform lawyer duties due to mental or insufficiencies on the basis of medical opinion received in accordance with legislation, persons whose verdict for committing minor, serious or specifically serious crimes was not effected or was vacated; persons towards in respect of whom court decision on application of forced medical measures was taken.

III. Lawyers shall be permitted to proceedings performed in all court instances and Constitutional Court of the Republic of Azerbaijan.

IV. Persons who are in state service may deal with legal practice only upon their release from the occupied position and obtaining of lawyer status as provided for in the present Law. In case of recruitment of the lawyer to the state service his/her legal practice shall be suspended until the date of his/her dismissal from the occupied position.

V. Illegal use of name of the lawyer by the person who has failed to obtain lawyer status as provided for in the present Law, shall be a reason of the liability provided for in the legislation of the Republic of Azerbaijan.

Article 8-1. Assistance of the lawyer

I. Assistant of the lawyer may be a citizen of the Republic of Azerbaijan with high legal education.

II. Assistant of the lawyer shall carry out the activity on the basis of labor agreement concluded with lawyer associations established in accordance with the requirements of the Republic of Azerbaijan by the lawyer (lawyers) with the purpose of performance of legal practice and, in case of private performance of legal practice with the lawyer in the form and as provided by the Presidium of the Bar Association. Salary of the assistant of the lawyer shall be issued at the expense of lawyer association or lawyer who has concluded that agreement.

III. Assistant of the lawyer shall carry put his/her activity under the management of the lawyer through the performance of his/her instructions. Assistant of the lawyer may not independently carry out legal practice.

IV. Assistant of the lawyer shall be obliged to keep secrets of the legal practice as well as follow the rules of conduct of lawyers.

Article 9. Bar Association

I. There shall be Bar Association, which is a non-state, independent, self-governing institution uniting all lawyers and acting in the Republic of Azerbaijan. Persons who are not members of the Bar Association may not deal with legal practice.

II. Bar Association shall a legal person.

III. Organization and activity of the Bar Association shall be defined by law and Charter of the Bar Association to be adopted in accordance with that law.

IV. General meeting (conference) and Presidium of the Bar Association shall be the supreme bodies of the Bar Association.

V. Bar Association shall carry out the following obligations:

- settle the matters of admission to the membership of the Association in accordance with the requirements of the present Law;
- carry out disciplinary supervision in accordance with the requirements of the present Law;

- issue opinion on matters associated with the legal practice on the basis of the demand of law enforcement bodies and courts;
- carry out the functions of the body of supervision over legalization of monetary funds and other property obtained through the crime and financing terrorism within its powers as provided;
- settle other matters in accordance with the requirements of the present Law.

VI. Bar Association of Autonomous Republic of Nakhchivan may be established by the Law of Autonomous Republic of Nakhchivan. Bar Association of Autonomous Republic of Nakhchivan shall be a part of Bar Association of the Republic of Azerbaijan.

Article 10. General meeting (conference) of members of the Bar Association

I. Adoption of the Charter of the Bar Association, Statute of Qualification and Disciplinary Commissions and statute on legal practice ethics their amendment, election of the chairman of Presidium of the Bar Association, deputy chairmen and other members, chairman and members of the Disciplinary Commission, approval of the official emblem of the lawyer and description of the special form of clothes of lawyers, determination of the budget of the Bar Association and amount of membership due shall be an exclusive power of the General meeting (conference) of the Bar Association. If number of members of the Bar is more than five hundred, powers of the general meeting of members of the Bar Association may be carried out by the Conference of members of the Bar Association.

III. General meeting of the Bar Association shall be convoked not less than once within the period of three years. In case of necessity, upon the demand of one third of members of the Bar Association, extraordinary General meeting of the Bar Association may be called, but not more than once within the period of two years. In case of convocation of the General meeting of the Bar Association, Presidium of the Bar Association shall ensure its organization and holding within the period of two months.

IV. Conference of the Bar Association shall be held on the basis of norms of representation and powers referred to in part I of the present Article. Convocation and holding of the Conference of the Bar Association shall be defined by the Charter of the Bar Association.

Article 11. Presidium of the Bar Association

I. Persons who have worked as lawyers not less than three years, having an authority among the members of the Commission of Lawyers and not having disciplinary sanctions prior to the day of election may be elected as chairman, deputy chairmen and other members of the Presidium of the Bar Association.

II. Chairman, deputy chairmen and other members of the Presidium of the Bar Association shall be elected at the General meeting of the Bar Association for the period of five years. Chairman of the Presidium of the Bar Association and his/her deputies shall be, at the same time, chairman of the Bar Association and his/her deputies. No one may be elected repeatedly elected to the position of chairman of the Presidium of the Bar Association more than twice.

III. Presidium of the Bar Association shall:

- convoke General meeting and arrange enforcement of its decisions;
- settle matters of admission to the membership of the Bar Association, carry out powers on suspension of legal practice as provided for in Article 23 of the present Law, run the register of lawyers;
- draw up the duty list of lawyers rendering legal assistance at the expense of the state and submit it the places of temporary storage;
- appoint members of the Qualification Commission;
- set out rules of qualification examination and periodicity of its implementation;
- elaborate methodical recommendations on matters of legal practice;
- institute disciplinary proceedings in respect of lawyers;
- arrange exercise of informational work among lawyers in the field of legislation and case law;
- approve structure, staff list, expenditures of the staff of Presidium and salaries of employees and settle other matters provided for in the present Law.

IV. Sessions of the Presidium shall be effective in presence of two thirds of its members. Decisions of the Presidium shall be adopted by simple majority of votes.

Article 12. Powers of the chairman of the Presidium of the Bar Association

Chairman of the Presidium of the Bar Association shall:

- represent the Bar Association;
- arrange the work of the Presidium and manage activity of its staff;
- elaborate matters on admission to the Association and exclusion of lawyers from the Association and submit them to the sessions of the Presidium for consideration in cases and form defined by the present Law;
- preside at the sessions of the Presidium;
- exercise recruitment and dismissal of employees of the Presidium;
- supervise compliance of employees with labor and execution discipline;
- arrange analysis of statistical registration;
- receive citizens, organize the work of the Presidium for their reception, consideration of their applications and complaints;
- dispose of financial assets within the framework of approved budget.

Article 13. Qualification Commission of lawyers

I. Qualification Commission shall be established for determination of the compliance with the requirements referred to in the present Law and professional training of candidates to lawyer positions.

II. Qualification Commission shall exercise its activity in the composition of eleven members including five lawyers, three judges and three law scientists.

III. Lawyers - members of the Qualification Commission shall be appointed by the Presidium of the Bar Association, judges - members of that Commission shall be appointed by the Presidium of the Supreme Court of the Republic of Azerbaijan, members of Qualification Commission who are law scientists shall be appointed by the relevant body of executive power.

IV. Qualification Commission shall take compulsory examination from candidates to lawyer positions on qualification with the purpose of identification of professional fitness and, if necessary, it shall request from the state bodies, other legal and natural persons to submit relevant documents and information on the matters considered.

V. In the course of determination of professional fitness of the candidates to lawyer positions, Qualification Commission shall submit respective opinion to the Presidium of the Bar Association.

VI. Meeting of the Qualification Commission shall be valid in presence of two thirds of its members and its decisions shall be taken by the simple majority of votes.

VII. Candidate to lawyer position may, within the period of 20 days from the day of receipt of the decision on refusal to admit him/her to the membership of the Bar Association, appeal against that decision to the court with regard to correctness of application of the legislation and qualification examination regulations.

VIII. Person who has failed to pass qualification examination may be admitted to the repeated examination not earlier than a year, on the basis of opinion of the Qualification Commission.

IX. Regulations of qualification examination shall be defined by the Presidium of the Bar Association.

X. Qualification Commission shall carry out its activity in accordance with the statute adopted by the General meeting of the Bar Association.

Article 14. Oath of lawyer

I. Person admitted to the membership of the Bar Association shall take the following oath at the session of the Presidium of the Association in front of the State Flag of the Republic of Azerbaijan:

«I do solemnly swear to comply with the Constitution and laws of the Republic of Azerbaijan, to perform, being independent, my lawyer duties with honor and honesty, to be fair and principle, bravely and consistently protect human rights and freedoms, maintain professional confidentiality».

II. Terms of office of lawyers shall commence from the moment of taking the oath and lawyers shall be deemed to be included into the lawyer register.

III. Lawyers shall sign text of the oath and that document shall be stored in personal records of lawyers.

Article 15. Rights of the lawyer

I. Lawyers shall be independent and follow the requirements of law only.

II. Lawyers shall be entitled to:

- to defend natural and legal persons who and which have applied for legal assistance, represent their interests in questioning, investigation, court and other state bodies and organizations, non-governmental organizations, foreign countries and international organizations;
- use all methods and tools in their activities that are not prohibited by the legislation and not contradicting to lawyer ethics;
- perform independent investigation, collect documents in connection with exercise of professional activity, demand notes and other documents required for rendering legal assistance from institutions, organizations and enterprises, get acquainted with them and make copies of those documents, submit a reasonable written inquiries in connection with obtaining information from the state register of real estate in accordance with the Law of Republic of Azerbaijan "On state registration of real estate";
- receive opinions of experts for investigation of matters requiring specific expertise;
- use technical means in accordance with the legislation;
- meet freely and communicate in private with a defendant or a person represented in accordance with the legislation.

Article 16. Obligations of the lawyer

I. In the course of exercise of professional activity, the lawyer shall be obliged to:

- comply with the requirements of the law, use all methods provided for in the legislation for protection of interests of the defended person or the person rights of whom are represented;
- keep the lawyer confidentiality, comply with the oath of lawyer and lawyer ethics;
- comply exclusively with requirements of the law
- refrain from commitment of any actions that would contradict to interests and impede performance of the person who applied for rendering legal assistance, from confirming, in contradiction to interests of the defendant, his/her relationship with the crime committed and fault in commitment of crime, from announcing his/her reconciliation with the sufferer and from acceptance of the civil claim instituted against the defendant, from withdrawal of claim directed at his/her protection;
- refrain from spreading of documents and facts known to the lawyer due to rendering legal assistance without the consent of represented or defended person, as well as information which may cause a damage to morality, public order in democratic society or state security, as well as in case when it is required for the interests of underage persons or protection of personal and family life of the parties;
- refrain from use of lawyer secret for personal interests or interests of another person;
- refrain from refusal of obligation assumed by him/her under the protection;
- comply with the requirements arising from the Law of the Republic of Azerbaijan «On fight against legalization of monetary funds or other property obtained by means of crime and financing of terrorism».

II. If a damage is caused to the property of defended or represented person as a result of offence committed by the lawyer, the lawyer shall bear material liability thereof. In order to give liability insurance before defended and represented persons, safety bank accounts of lawyers shall be opened. Each lawyer shall transfer 2% of his/her monthly income to his/her own safety bank account. In case of lack of means of the lawyer to reimburse the damage on the basis of the court decision, funds from the safety account of the lawyer shall be used. In such cases, as provided for in the Civil Code of the Republic of Azerbaijan, Presidium of the Bar Association shall be obliged to demand funds paid from the safety bank account from the lawyer who has caused damage.

III. Circumstances excluding lawyers from participation in civil and criminal proceedings respectively in the capacity of defender and representative shall be defined by the Criminal Procedure Code, Civil Procedure Code of the Republic of Azerbaijan, in administrative offence cases shall be defined by the Administrative Offence Code of the Republic of Azerbaijan.

IV. Receiving or obtaining of property and rights, which are a subject of the claim and owned by natural and legal persons, who and which have applied for rendering legal assistance to his/her own name or names of other persons shall be prohibited.

Article 16-1. Professional development and vocational training increase of lawyers

Lawyers shall be permanently involved in professional development and vocational training in training-scientific institution of the relevant body of executive power.

Article 17. Lawyer's secret

- I. Obtaining of information by the lawyer, provision of advices and issuance of references in connection with exercise of professional obligations shall constitute the lawyer's secret.
- II. Distribution by the lawyer of known information constituting the secret of preliminary investigation shall be permitted exclusively with the consent of the prosecutor or investigator only.
- III. Lawyers guilty in distribution of information constituting the secret of preliminary investigation shall bear liability as provided for in the legislation of the Republic of Azerbaijan.
- IV. The lawyer may not be summoned and questioned as a witness on facts made known to him/her in connection with rendering legal assistance to the person who applied for it. The lawyer shall not provide explanations on indicated facts and distribute information made known to him by the defendant.
- V. Information constituting the lawyer secret may not be deemed to be an evidence in criminal, civil and administrative cases, under which the lawyer renders legal assistance, as well as in court proceedings with participation of that lawyer.
- VI. Other material provisions apart from those referred to in parts IV and V of the present Article shall be defined by the criminal procedural legislation of the Republic of Azerbaijan.

Article 18. Lawyer ethics

In the course of exercise of professional activity, the lawyer shall, as provided for in the present Law, perform his/her obligations without fault, refrain from use of lawyer secret for personal interests or interests of other persons, refrain from commitment of any actions incompatible with defense of human rights, calls for performance of illegal actions, rough, insulting actions and words, humiliating honor and dignity of the person, refrain from interruption of the judge during court hearing, refrain from interruption of persons having speech during the hearing, refrain from the breach of working order of the hearing and comply with other regulations of lawyer ethics referred to in the Statute on lawyers' code of conduct adopted by the General meeting of the Bar Association.

Article 19. Payment of the cost of legal assistance rendered by the lawyer

- I. Payment of the cost of legal assistance rendered by the lawyer shall be carried out on the basis of agreement to be concluded between the parties with due regard to performance of lawyer activity on an individual basis or as a member of the lawyer associations established by the lawyer (lawyers) in accordance with the requirements of the legislation of the Republic of Azerbaijan.
- II. Amount of the fee of the lawyer who is an employee of the structure established for dealing with lawyer activity or practicing the law on an individual basis shall be paid on the basis of agreement to be concluded between the person enjoying the assistance of the lawyer and the structure providing him/her with the lawyer or lawyer performing his/her activity on an individual basis, as well as reflecting the amount and terms and conditions of the legal assistance and fees.
- III. Limitations of the amount defined for rendering legal assistance by lawyer structures or lawyers performing their activity on an individual basis shall be prohibited. Determination of the amount of payment for rendering legal assistance shall be an exclusive right of the party rendering such assistance and shall be regulated by the consent of the parties only. The procedure of payment and amount of remuneration paid by the state for legal assistance rendered to families which do not have sufficient means for payment of lawyer services shall be determined by the legislation of the Republic of Azerbaijan.

Article 20. Rendering legal assistance at the expense of the state

- I. As provided for in the legislation of the Republic of Azerbaijan, legal assistance rendered by the lawyer suspected or accused persons and persons who do not have sufficient means for payment of lawyer services, in the course of administrative and criminal proceedings in court, shall be carried out at the expense of the state without any restrictions. Amount and procedure of payment and the amount of legal assistance rendered at the expense of the state shall be defined by the relevant body of executive power.
- II. Detained person shall invite an lawyer from lawyer structures located in the territory at the place of temporary detention and from the number of lawyers performing their activity on an individual basis in that territory in accordance with the duty list drawn up by the Presidium of the Bar Association, as provided, and agreement shall be concluded on the basis of mutual consent.

The lawyer on duty, rendering legal assistance at the expense of the state expense to the detained person whose financial status does not allow him/her to hire an lawyer at his/her own expense, shall not be entitled to refuse from performance of his/her duties.

Article 21. Disciplinary Commission of lawyers

I. Disciplinary Commission of lawyers shall be established under the Bar Association for consideration of complaints and applications on disciplinary offences committed by lawyers in connection with exercise of professional obligations and settlement of issues associated with their bringing to disciplinary liability.

II. Disciplinary Commission of lawyers shall carry out its activity in connection with the present Law and statute adopted on its basis by the General meeting of the Bar Association.

Article 22. Disciplinary liability of lawyers

I. Lawyer shall be brought to disciplinary liability in case of detection of breach of provisions of the present Law and other legislative acts, Statute on lawyers' code of conduct as well as of cases of breach of norms of lawyer ethics in the course of exercise of professional duties.

II. Lawyer shall be brought to disciplinary liability exclusively by the Presidium of the Bar Association on the basis of reference of the Disciplinary Commission of lawyers.

III. Disciplinary sanction may be applied to the lawyer within the period of six months from the day of detection of disciplinary offence and within the period of one year from the day of its commitment.

IV. Disciplinary proceedings in respect of the lawyer shall commence at the Presidium of the Bar Association of lawyers.

V. Disciplinary Commission, within the period of one month from the day of commencement, shall institute investigation, as a rule, in presence of the lawyer and shall submit respective opinion to the Presidium.

VI. Presidium of the Bar Association, on the basis of reference of the Disciplinary Commission, may apply the following disciplinary measures in respect of the lawyer:

- remark;
- reprimand;
- prohibition to deal with legal practice for the period from three months to one year;

Disciplinary proceedings shall be terminated in case of absence of offence in actions of the lawyer or expiry of the term of beginning of the proceedings.

VII. Person, in respect of whom decision on suspension of his/her legal practice is taken, may not be elected to the position at elected bodies of the Bar Association. Decision on suspension of legal practice for the period from three months to one year may be appealed to the court.

VIII. In case of existence of grounds for exclusion from the Bar Association, Presidium of the Bar Association, addressing to the court for settlement of the issue on the basis of reference of the Disciplinary Commission, may suspend the activity of the lawyer until the entry of the court decision on that issue into force.

Article 23. Termination of the activity of the lawyer

I. Activity of the lawyer shall be terminated:

- in case of submission of written application for termination of activity by own will;
- in case of existence of conviction of the court, which has entered into force, or court decision on application of compulsory medical measures;
- in case of incapability or limited capability of the lawyer established by the court;
- in case of death;
- in case the court recognizes the lawyer as deceased or missing;
- in case of exclusion from the membership of the Bar Association;
- in case of detection of failure to comply with the requirements defined by the present Law for candidates to lawyer positions;
- in case of failure to pay membership dues without good reason for the period of more than six months.

II. Legal practice shall be terminated on the basis of the decision of the Presidium of the Bar Association. Termination of the legal practice in cases provided for in indents 7 and 9 of part 1 of the present Article may be carried out only on the basis of entry into force of the decision of the court on exclusion of the lawyer from the Association.

Article 24. Funds of the Bar Association

I. Funds of the Bar Association shall be formed from the membership dues.

II. Amount and procedure of spending of funds received by the Bar Association shall be defined in accordance with its charter.

Article 25. Pension provision of lawyers

Pension provisions of lawyers shall be exercised as provided for in the legislation of the Republic of Azerbaijan.

Article 26. Rendering legal assistance by foreigners

I. In accordance with the requirements of the present Law, rendering legal assistance by lawyers-foreigners in the territory of the Republic of Azerbaijan shall be restricted exclusively to the provision of advice and opinions on application of laws of the state of birth of the foreigner or international law norms.

II. Lawyers-foreigners shall be allowed to the territory of the Republic of Azerbaijan to court proceedings on civil cases, criminal cases, cases on administrative and economic disputes, cases on administrative offences on the basis of mutual relations in accordance with international agreements to which the Republic of Azerbaijan is a Party to.

Heydar Aliyev

President of the Republic of Azerbaijan

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