



**DECREE**  
**OF THE PRESIDENT OF THE REPUBLIC OF AZERBAIJAN**

**On amendments to some Decrees of the President of the Republic of Azerbaijan with regard to the application of the Law of the Republic of Azerbaijan «On amendments to individual legislative acts of the Republic of Azerbaijan to enhance the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism»**

Pursuant to the Decree # 241 of the President of the Republic of Azerbaijan dated 17 March 2010 «On application of the Law of the Republic of Azerbaijan «On amendments to individual legislative acts of the Republic of Azerbaijan to enhance the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism», **I hereby order the following:**

1. To add the paragraph 3.69 with below content to the Decree # 389 of the President of the Republic of Azerbaijan dated 29 August 2000 «On application of the Law of the Republic of Azerbaijan «On approval and coming into effect of the Code of Administrative Infringements of the Republic of Azerbaijan and related legal regulation issues»:

«**3.69.** the cases envisaged in the Article 348–3 of the mentioned Code shall be examined by the Central Bank of the Republic of Azerbaijan (in relation to credit institutions, as well as credit institutions that provide leasing services), State Committee for Securities of the Republic of Azerbaijan (in relation to brokers who professionally participate in the securities market and those who are engaged in the professional management of securities, lottery organizers and investment funds), Ministry of Finance of the Republic of Azerbaijan (in relation to insurers, reinsurers, insurance intermediaries, natural or legal persons dealing with

purchase and sale of precious metals and stones or items made from them and other items), Ministry of Communication and Information Technologies (in relation to institutions and other organizations providing post services that are engaged in transfers of the funds), Ministry of Justice of the Republic of Azerbaijan (in relation to non-governmental organizations parts of activities of which consist of receiving, collecting, delivering or transferring the funds), State Committee for Work with Religious Organizations (in relation to religious organizations parts of activities of which consist of receiving, collecting, delivering or transferring the funds) and the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan (in relation to pawnshops and natural or legal persons providing intermediary services on the buying and selling of real estate).».

**2.** To make below amendments to the «Statute on the rules of state registration of normative legal acts and normative acts in the Republic of Azerbaijan» approved by the Decree #410 of the President of the Republic of Azerbaijan, dated 21 October 2000:

**2.1.** in the second paragraph of the item 1.1, the words “pursuant to the Law of the Republic of Azerbaijan “On normative legal acts” be removed and after the words “of the Central Bank,” the words “the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan,” be added;

**2.2.** in the second paragraph of item 2.3 and second paragraph of item 3.1 after the words “from the Central Bank” the words “from The Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan,” be added.

**3.** To make below amendments to the «The List of officials authorized to examine the cases on administrative infringements» approved by the Decree # 634 of the President of the Republic of Azerbaijan, dated 28 September 2007:

**3.1.** in item 8.1 “and in Article 247-2” be replaced by the words “, in Article 247-2 and Article 348-3 (in relation to credit institutions, as well as credit institutions that provide leasing services)”;

**3.2.** in item 10.1 after the words “(in relation to non-commercial legal persons)” the words “and in Article 348-3 (in relation to non-governmental organizations parts of activities of which consist of receiving, collecting, delivering or transferring the funds)” be added;

**3.3.** item 16 with the following content be added:

“**16.** On behalf of the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan:

**16.1.** the cases on administrative infringements envisaged in Article 348-3 (in relations to pawnshops and natural or legal persons providing intermediary services on the buying and selling of real estate) – Director and Deputy Director of the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan.”.

**4.** Paragraph 4.7 of the Decree # 66 of the President of the Republic of Azerbaijan, dated 23 February 2009 «On application of the Law of the Republic of Azerbaijan «On the Prevention of the Legalization of Criminally Obtained Funds or Other Property and the Financing of Terrorism» be set forth as follows:

“**4.7.** In relation to the notaries the Ministry of Justice of the Republic of Azerbaijan and in relation to other persons providing legal services the Ministry of Taxes of the Republic of Azerbaijan carries out the authorities of the «relevant executive authority» envisaged in the article 6.1.6 of the Law;”.

**5.** To make below amendments to the «Statute of the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan» approved by Decree # 122 of the President of the Republic of Azerbaijan, dated 16 July 2009:

**5.1.** paragraphs 10.1–1, 10.4–1, 10.4–2, 10.4–3, 10.6–1 and 10.10–1 with the following content be added:

“**10.1–1.** within the scope of its competence implements normative regulation in the relevant sphere;

**10.4–1.** determines simplified due diligence measures pursuant to the Law of The Republic of Azerbaijan «On the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism»;

**10.4–2.** determines the designated threshold and list of transactions with funds or other property to be reported to the Financial Monitoring Service by monitoring entities pursuant to the Law of The Republic of Azerbaijan «On the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism»;

**10.4–3.** pursuant to relevant United Nations Security Council Resolutions as well as the legislation of the Republic of Azerbaijan and international agreements the Republic of Azerbaijan is a party to, confirms and publishes the list of persons in the manner identified by the Cabinet of Ministers of the Republic

of Azerbaijan, as well as submits those lists directly or via supervision authorities to monitoring entities and other persons involved in monitoring;

**10.6–1.** determines the regulation on supervising the observance of requirements of the Law of the Republic of Azerbaijan «On the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism» by pawnshops and natural or legal persons providing intermediary services on purchase and sale of real estate;

**10.10–1.** within the scope of its competence examines the relevant administrative infringement cases envisaged in the legislation;”;

**5.2.** in item 10.5 the word “determines” be replaced by words “determines and publishes in the manner identified by the Cabinet of Ministers of the Republic of Azerbaijan, as well as submits directly or via supervision authorities to monitoring entities and other persons involved in monitoring”;

**5.3.** in item 10.7 the words “monitoring entities and other persons involved in monitoring, when a supervision authority is not envisaged for any of them” be replaced by “pawnshops and natural or legal persons providing intermediary services on purchase and sale of real estate”;

**5.4.** in item 14.5 after the words “Financial Monitoring Service” the words “, as well as approves (signs) by–laws, organizes their implementation and carries out the supervision” be added.

**Ilham ALIYEV**

**President of the Republic of Azerbaijan**

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