



**STATE SOCIAL PROTECTION FUND OF
REPUBLIC OF AZERBAIJAN**

LAW-MAKING ACTIVITIES IN REPUBLIC OF AZERBAIJAN



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Subjects of law-making

People

State authorities

Local governments

Functions of law-making

Updating of legislation

Cancellation of old norms

Elimination of gaps in legislation

Acts included in legislation system of Republic of Azerbaijan

Constitution

Acts adopted by referendum

Laws

Decrees

Decisions of the Cabinet of Republic of Azerbaijan

Normative acts of central executive authorities

International agreements to which Republic of Azerbaijan
is a party

Normative legal act

With regard to issues the regulation of which is related to powers of state authority as per Constitution of Republic of Azerbaijan, laws or decrees, a normative legal act is an official document of certain form adopted by the government authority or by referendum that contains mandatory rules of conduct for all and that is provided for the community of indefinite subjects and for multiple application

Types of Normative legal acts

1. Normative legal acts of the Parliament of Republic of Azerbaijan shall be adopted as laws
2. Normative legal acts of the President of Republic of Azerbaijan shall be adopted as decrees
3. Cabinet of Republic of Azerbaijan shall adopt decisions as normative legal acts
4. Normative legal acts of the central executive authorities shall be adopted as decisions

Law-making activities and law-making process

Law-making activities – are activities for preparation, expertise, adoption of, changes in, interpretation, invalidation or cancellation of normative legal acts

Law-making process – is the Law-making activities for preparation, adoption and entry into force of normative legal acts of state authority

Principles of law-making activities

1. Hierarchy provided for in the Constitution of Republic of Azerbaijan and the constitutional law on normative legal acts and
2. Conformity with constitution and supremacy of laws
3. Conformity of acts of junior state authorities with the acts of senior state authorities
4. Predominance of the generally accepted principles and norms of the international law
5. Proportionality
6. Liability of government bodies to the citizens
7. Democracy and transparency of law-making activity
8. Normativ hüquqi aktların ziddiyyətsizliyi
9. Protection of human rights and freedoms, their lawful interests and social justice
10. Systemic character of legal regulation of public relations

Stages of law-making process

1. Planning of law-making process

2. Law-making initiative (drafting of normative legal act)

3. Adoption of normative legal act

4. Entry of normative legal act in the State Register of Legal acts of Republic of Azerbaijan

5. Publication of normative legal act

Planning of law-making process

1. State programs containing provisions on drafting of **normative legal act**;
2. Annual plans for drafting of laws and other plans for drafting of normative legal act;
3. Law-making bodies may compile and approve their plans with regard to drafting of normative legal acts based on state programs and annual plan of drafting of laws

Right of initiative in law-making activity

Legislative initiative right

Law-making initiative right

Legislative initiative right Subjects

Members of Parliament

President of Republic of Azerbaijan

Supreme Court of Republic of Azerbaijan

40 thousand voting citizens of Republic of Azerbaijan

Prosecutor's office of Republic of Azerbaijan

Supreme Court of Nakhchivan Autonomous Republic

Law-making initiative right subjects

As per article 48 of this Constitutional law, Subjects of law-making initiative are entitled to submit to lawmaking body, the proposal on the necessity to adopt draft normative legal act or any structural element thereof, to make changes in the act, to interpret the act, to invalidate it or to cancel it in accordance with the powers vested in them.

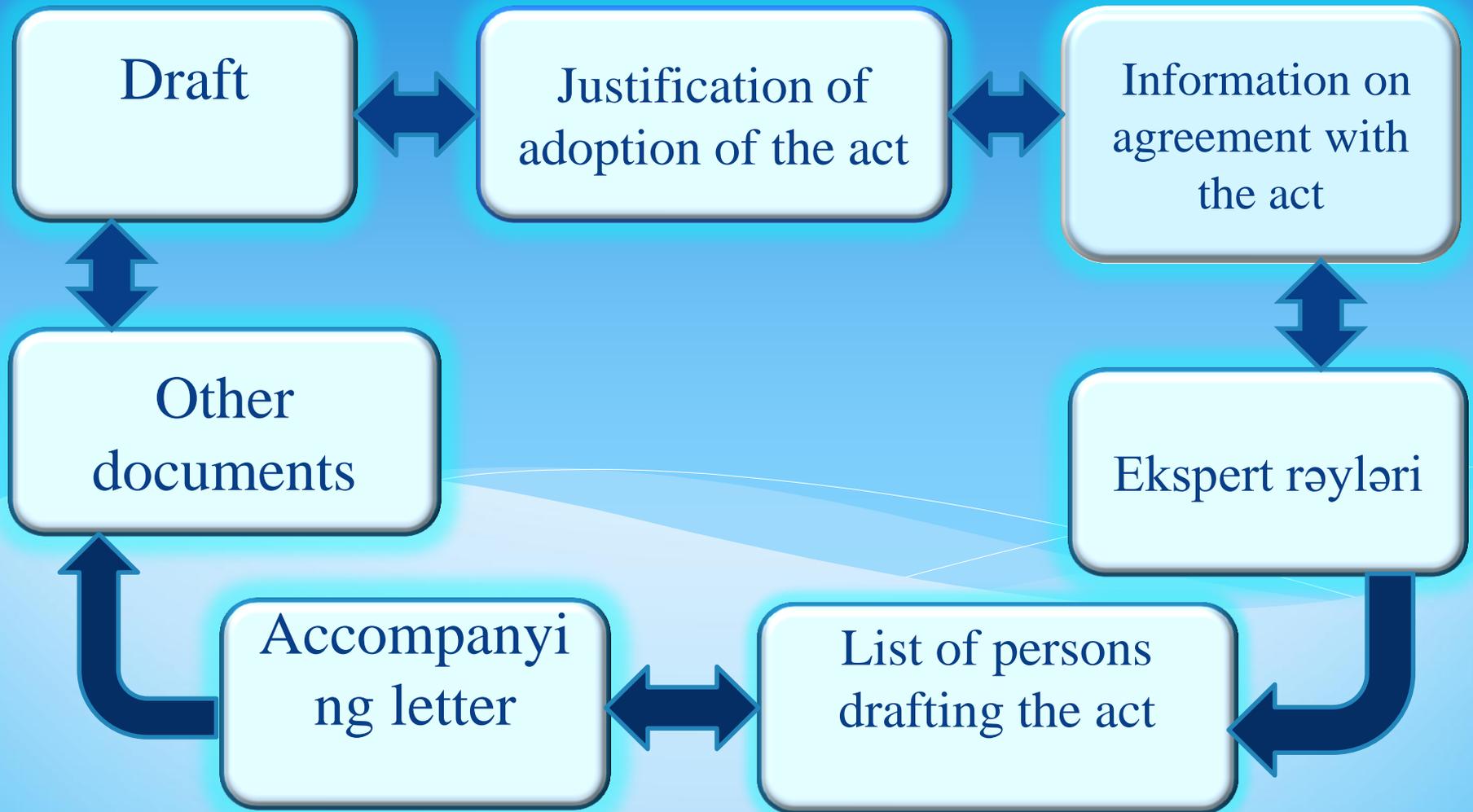
Rules for drafting of normative legal acts

1. Consideration of law-making initiative and adoption of decision for drafting
2. Organizational-technical and financial provision of drafting
3. Collection of necessary materials and information
4. Preparation of the concept of draft
5. Compilation of the text of the draft
6. Agreement with draft
7. Conduct of legal, linguistic, financial and other necessary expertise

Mandatory legal expertise

1. Draft laws - by the authorized structural division of the organization performing organizational support to the affairs of the Parliament of AR;
2. Draft normative legal acts submitted to the president of AR and laws presented for signature – by the authorized structural division of Presidential Administration of AR ;
3. Draft decisions of Cabinet of Ministers of AR - by the authorized structural division of the organization performing organizational support to the affairs of the cabinet of AR ;
4. Draft normative legal acts of central executive authorities of AR – are carried out by the legal services of those authorities

Submission of draft to law-making body



Consideration of draft normative legal act

Consideration of draft normative legal act submitted properly should be carried out by law – making body

Draft laws shall be considered in three readings in Parliament of Republic of Azerbaijan

Results of consideration of draft

1. Approval and adoption of draft normative legal act

2. rejection of draft by showing the reasons and grounds

3. Postponing adoption of draft normative legal act to a certain period

4. İrad və təkliflər göstərilməklə layihənin yenidən işlənilmək üçün qaytarılması. Return of draft for re-processing by showing remarks and suggestions

Signature of draft normative legal act

Laws and decrees shall be signed by – **President of Republic of Azerbaijan** ;

Decisions of Cabinet of **Republic of Azerbaijan** – by prime minister of **Republic of Azerbaijan** ;

Other normative legal acts – by the head of the body adopting the act

Publication of normative legal act

1. Laws and decrees should be officially published within 72 hours from signature by the President of AR
2. Decisions of Cabinet of Ministers of AR should be officially published within 72 hours from adoption
3. Other normative legal acts should be definitely and officially published following their inclusion in the state register of legal acts
4. Normative legal acts received by the official publishing authorities from authorized state bodies should be published not later than 5 days from their receipt (except publication of state register of legal acts))

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