

Law of the Republic of Azerbaijan "On Media"

(unofficial translation)

Pursuant to paragraphs 1, 10, and 13 of part 1 of Article 94 of the Constitution of the Republic of Azerbaijan, this Law defines the organizational, legal, and economic bases for activity in the field of media and sets the general rules for the acquisition, preparation, transmission, production and dissemination of mass information.

Chapter 1

General Provisions

Article 1. Basic concepts

Basic concepts used for the purposes of this Law are as follows:

1.1.1. **mass information** - the information published and/or disseminated by media entities for an unlimited range of persons and the acquisition, transmission, production, and dissemination of which is not limited by the laws of the Republic of Azerbaijan;

1.1.2. **media** - tools and means used for periodic or regular publication and/or dissemination of mass information, and the information environment established by them;

1.1.3. **media entity - natural or legal person** (except for journalists) whose main activity is the publication and/or dissemination of mass information;

1.1.4. **journalist** – a person operating for generating income in a media entity under an employment contract or individually under a civil law contract on the basis of copyright, whose main activity is the continuous collection, preparation, editing, production and transmission of information, and commenting on that information;

1.1.5. **audiovisual media** - media that provides the user with television and radio broadcasting, as well as with on-demand media services through various technical tools and means in audio and/or visual form;

1.1.6. **print media** - media that disseminate mass information in text or in visual form on a unique design paper and/or electronic medium with certain periodicity at scheduled times throughout the year or when relevant materials are collected;

1.1.7. **online media** - media that disseminate mass information in text, audio, visual, or other electronic (digital) form on a website, except for audiovisual and print media;

1.1.8. **information agency** - media that provides the acquisition, transmission, production, and dissemination of mass information, concludes agreements with other media entities on the provision (acquisition) of information, and ensures the regular delivery of the information received under those agreements;

1.1.9. **editorial office** - a department composed of the creative staff of websites, newspapers, and other periodicals, as well as television and radio channels, on-demand media services, and information agencies;

1.1.10. **managing editor** – a person who **implements the decision-making function** on the programs **within the program schedule in television and radio broadcasting** and the program catalogs of on-demand media services as well as on the content and selection of the material to be disseminated in print and online media;

1.1.11. **user** - natural or legal person who uses media to meet their own information needs for non-commercial purposes;

1.1.12. **media literacy** - awareness of the content, transmission, and consumption of mass information, and the ability to critically evaluate, use and analyze it in different contexts;

1.1.13. **logo (emblem)** - any combination of symbols (words, letters, numbers, graphic elements, etc.) allowing to distinguish the editorial office(s) of the media entity;

1.1.14. **audiovisual broadcaster** - natural or legal person who is responsible for the content of programs in television and radio broadcasting (including on-demand **media services**), and decides on the method of broadcasting;

1.1.15. **terrestrial broadcaster** - natural or legal person who is responsible for the content of television and radio programs and carries out broadcasting of these programs by means of terrestrial transmission;

1.1.16. **nationwide broadcaster** - terrestrial broadcaster with programs covering at least 70% of the population within the territory of the Republic of Azerbaijan;

1.1.17. **regional broadcaster** - terrestrial broadcaster with programs covering at least 70% of the population of at least 2 (two) administrative-territorial units of the Republic of Azerbaijan;

1.1.18. **platform broadcaster** – a natural or legal person who is responsible for the content of audiovisual programs and broadcasts those programs through a platform

and/or multiplex operator and/or body (institution) defined by the relevant executive authority, or directly via the Internet;

1.1.19. **infrastructure operator** – body (institution) defined by the relevant executive authority to ensure the retransmission of audiovisual programs on a single radio frequency and by combining a large number of audiovisual digital broadcasting signals in single or more signals using radio frequency resources via its base terrestrial broadcasting networks, as well as using separate radio frequency;

1.1.20. **multiplex operator** - a legal person retransmitting more than one television or radio channels using radio frequency resources;

1.1.21. **platform operator** - a natural or legal person retransmitting programs, including on-demand **media services** via cable, IPTV, OTT, mobile TV, and satellite by means of encoded broadcast signals;

1.1.22. **on-demand media service provider** – a natural or legal person responsible for the content of the program catalog and ensuring that the programs are watched and (or) listened at the time chosen by the users and at their individual request in accordance with the compiled program catalog;

1.1.23. **retransmission** - simultaneous receiving and transmission of television or radio channels, as well as programs or their parts at the time of broadcasting using any technology and without changing the content;

1.1.24. **thematic broadcast** - broadcast in which at least 75 (seventy-five) percent of the program schedule or catalog is devoted to a particular area (news, movies, documentaries, sports, music, children's entertainment, telecommerce, etc.);

1.1.25. **program** - set of information intended for informing, educating, and/or entertaining users, prepared on the basis of the requirements established by this Law, included in the program schedule or catalog, broadcast live or after recording via electronic memory devices;

1.1.26. **program schedule** – a schedule that reflects the time and sequence of programs in television and radio broadcasting;

1.1.27. **program catalog** – a set of programs available at the user's choice in on-demand **media service**;

1.1.28. **satellite broadcasting** - audiovisual broadcasting transmitted via satellite broadcasting infrastructure and directly received by users;

1.1.29. **cable broadcasting** - audiovisual broadcasting transmitted and received by users through various types of cable and/or hybrid infrastructure (OTA and cable, satellite and cable, etc.);

1.1.30. **IPTV broadcasting** – broadcasting in which the Internet service provider ensures the transmission and reception of audiovisual programs by users using its own Internet Protocol (IP);

1.1.31. **OTT broadcasting** – broadcasting (except for IPTV broadcasting) providing the transmission of audiovisual programs to the user's receiver via the Internet;

1.1.32. **mobile TV broadcasting** – broadcasting providing the transmission of audiovisual programs and their receipt by users through mobile telecommunication networks;

1.1.33. **prime time** – the time of day when audiovisual programs are most viewed or listened to, as determined by the decision of the Audiovisual Council of the Republic of Azerbaijan (hereinafter referred to as “the Council”);

1.1.34. **audience measuring organization** - a natural or legal person who carries out audience measuring of audiovisual media;

1.1.35. **significant event** – a public, political, social, and economic event which has great public importance and is intended to be published and (or) disseminated and (or) broadcast by media entities operating in the territory of the country.

1.2. Other terms used in this Law shall have the meanings assigned to them in the regulatory acts of the Republic of Azerbaijan.

Article 2. Media legislation

Media legislation of the Republic of Azerbaijan includes the Constitution of the Republic of Azerbaijan, this Law, the laws of the Republic of Azerbaijan “On Freedom of Information”, “On Personal Information”, “On Access to Information”, “On Information, Informatization and Protection of Information”, other normative legal acts regulating the field of media in the Republic of Azerbaijan, and international agreements to which the Republic of Azerbaijan is a party.

Article 3. Scope of this Law

3.1 This Law applies to media entities, editorial offices established in the territory of the Republic of Azerbaijan and to their products, as well as to all media entities and journalists who operate beyond the borders of the Republic of Azerbaijan and whose activities target the territory and population of the Republic of Azerbaijan. In

the case of media products created outside of the Republic of Azerbaijan, it applies to the parts of them that are distributed in the territory of the Republic of Azerbaijan.

3.2. The provisions of this Law do not apply to:

3.2.1. information disseminated by persons (except journalists) who are not considered media entities.

3.2.2. correspondence sent by users to each other using information technology, except for the dissemination of mass information.

3.3 Peculiarities of media activities related to pre-election and pre-referendum campaigning are regulated by the Election Code of the Republic of Azerbaijan.

Article 4. Duties of the state in the field of media

4.1 The main duties of the state in the field of media are:

4.1.1. ensuring diversity of opinion and freedom of activity in the field of media;

4.1.2. creating conditions for providing everyone in the Republic of Azerbaijan with information;

4.1.3. protecting users, especially children from the effects of harmful information.

4.1.4. promoting media development and implementing incentive measures;

4.1.5. stimulating the activities of media entities and journalists;

4.1.6. establishing a competitive environment in the field of media, creating equal opportunities for the activities of media entities and journalists.

4.1.7. ensuring the safety of the media space of the Republic of Azerbaijan;

4.1.8. creating conditions for ensuring public broadcasting.

Article 5. Freedom of media

5.1 Media is free in the Republic of Azerbaijan.

5.2 State censorship in the field of media, as well as establishing and financing of state bodies (institutions) or positions to this effect is prohibited.

5.3 Freedom of activity in the field of media is based on the state guarantee for everyone's right to lawfully seek, acquire, prepare, transfer, produce and disseminate information.

5.4 Media activities are based on creative and editorial independence.

5.5 Freedom of activity of media may be restricted only in cases and in accordance with the procedure established by this Law and other laws of the Republic of Azerbaijan regulating the field of media.

5.6 If a violation of the requirements of this Law is revealed in the activities of media entities located outside the Republic of Azerbaijan, the Council and the body (institution) defined by the relevant executive authority shall take measures foreseen by this Law and the international agreements to which the Republic of Azerbaijan is a party.

Article 6. Guarantees of journalistic activity

6.1. Journalists have the right to be independent, to associate in organizations representing their interests, and to have their integrity, honor, and dignity protected while performing their professional duties.

6.2. Unlawful interference in the professional activities of journalists is unacceptable.

6.3 Persecution and harassment of journalists for the collection, preparation, editing, production, and transmission of information intended for public use and not restricted by the legislation of the Republic of Azerbaijan, as well as for commenting on such information is unacceptable.

Article 7. Activity of media entities and journalists during military and emergency situations

Media activity during military and emergency situations is regulated by the "Martial law" and the law "On Emergency Situation" of the Republic of Azerbaijan, respectively.

Article 8. Informing the public on special operations to counter religious extremism

8.1. The activity of media personnel operating in the area of special operations to counter religious extremism is determined by the body performing the operation.

8.2. The public is informed about the special operation to counter religious extremism in the form and to the extent determined by the body performing the operation.

8.3 Dissemination of information specified in Article 9.3 of the Law of the Republic of Azerbaijan “On Countering Religious Extremism” is not allowed.

Article 9. Activity of media entities and journalists in anti-terrorist operation zones

The activity of media entities and journalists operating in the anti-terrorist operation zones are regulated by the Law of the Republic of Azerbaijan “On Countering Terrorism”.

Article 10. Media literacy

10.1. State measures are implemented by the body (institution) defined by the relevant executive authority in order to improve media literacy.

10.2. The body (institution) defined by the relevant executive authority cooperates with international organizations, relevant institutions of foreign countries, and exchanges experience in order to explore the possibility of applying the international practice in the field of media literacy.

10.3 The measures specified in Article 10.1 of this Law are financed from the state budget and other sources not prohibited by law.

Article 11. Activities of the representatives of foreign media within the territory of the Republic of Azerbaijan

11.1 The legal status and professional activities of foreign journalists and other representatives of foreign media accredited in the Republic of Azerbaijan are regulated by the normative-legal acts of the Republic of Azerbaijan and international agreements to which the Republic of Azerbaijan is a party.

11.2. Branches and representative offices of foreign media entities may be opened in the Republic of Azerbaijan in cases specified by international agreements to which the Republic of Azerbaijan is a party.

11.3. Foreign journalists are accredited in the Republic of Azerbaijan by the (body) institution defined by the relevant executive authority.

11.4. If other states impose special restrictions on the professional activities of journalists included in the Media Register, the same restrictions may be imposed on journalists of those states in the Republic of Azerbaijan.

Article 12. Logo (emblem)

12.1. The editorial office of a media entity shall have a logo (emblem). The editorial office of a media entity can use only one logo (emblem).

12.2. The logo (emblem) is included in the Media Register maintained by the body (institution) defined by the relevant executive authority.

12.3. The use of immoral symbols and/or combinations of symbols (words, letters, numbers, graphic elements, etc.) that promote racial, religious, origin-based, gender, ethnic and other discrimination, terrorism, violence, and cruelty in the editorial logo (emblem) of a media entity and the use of a logo (emblem) that matches or is similar to another media entity's editorial logo (emblem) is prohibited.

12.4. The editorial office of a media entity has the right to change its logo (emblem) in the course of its activity. In this case, it can use the new logo (emblem) after the change is made in the Media Register.

12.5. The logo (emblem) of the editorial office of an audiovisual media entity can only be changed with the consent of the Council, subject to the requirements specified in Article 12.3 of this Law. The Council shall submit the information about these changes to the body (institution) defined by the relevant executive authority.

12.6. The logo (emblem) of the editorial office of print and online media included in the Media Register can be changed with the consent of the body (institution) defined by the relevant executive authority, subject to the requirements specified in Article 12.3 of this Law.

12.7. In television broadcasting, the logo (emblem) of the editorial office of the audiovisual media entity shall be displayed on the screen continuously, except for advertising spots.

12.8. Disputes related to the logo (emblem) of the editorial office of a media entity are regulated by the laws of the Republic of Azerbaijan “On Trademarks and Geographical Indications” and “Copyright and Related Rights”.

Article 13. Use of information

13.1. A media entity may use the information and programs of another media entity by subscription or contract.

13.2. In the lack of a subscription or contract, a media entity may use the information of another media entity by reference and without exceeding one-third of each piece of information.

13.3. Articles 13.1 and 13.2 of this Law (except for the reference requirement) do not apply to official information (press releases) disseminated by public institutions and to the use of information from information agencies.

13.4. In the cases specified in Article 77.2 of this Law, media entities are not liable for the accuracy of information.

13.5. The use of audiovisual programs is regulated under Article 38 of this Law.

13.6. In the event of violation of Articles 38.2 and 38.3 of this Law, the audiovisual broadcaster that has acquired the exclusive right to broadcast the program may apply to the Council.

Article 14. Requirements for information published and/or disseminated in the media

14.1. Information published and/or disseminated in the media shall comply with the following requirements:

14.1.1. calls for the dismantlement of statehood of the Republic of Azerbaijan, violation of its territorial integrity, forcible seizure or retention of power, and mass disorder are prohibited.

14.1.2. disrespect to the state symbols of the Republic of Azerbaijan is not allowed;

14.1.3. the norms of the state language shall be respected;

14.1.4. racial, religious, origin-based, sexual, ethnic, and other discrimination shall not be promoted, and appeals shall not be made to arouse ethnic, racial, or religious hostility;

14.1.5. terrorism, religious extremism, violence, and cruelty shall not be promoted, information aimed at financing terrorism, organizing, or conducting training for terrorist purposes shall not be disseminated and open calls for terrorism shall not be made;

14.1.6. words and expressions and gestures with indecent lexical (swearing) meaning shall not be used;

14.1.7. humiliating honor and dignity, tarnishing business reputation shall not be allowed;

14.1.8. dissemination of sensitive information about a person's family and private life shall not be allowed;

14.1.9. slander, insult, and hate speech shall not be allowed;

14.1.10. actions contradicting with the protection of health and the environment shall not be promoted;

14.1.11. facts and events shall be presented impartially and objectively, and no bias shall be allowed;

14.1.12. promoting parapsychology (psychics, mediums, etc.), or other superstitions shall not be allowed;

14.1.13. publication (dissemination) of pornographic materials shall not be allowed.

14.1.14. information about the guilt of a person without an effective court decision shall not be disseminated.

14.1.15. The requirements stipulated in the Law of the Republic of Azerbaijan “On Protection of Children from Harmful Information” shall be complied with;

14.1.16. Other information specified in Article 13-2.3 of the Law of the Republic of Azerbaijan “On Information, Informatization, and Protection of Information” shall not be disseminated.

14.2. In addition to the requirements specified in Article 14.1 of this Law, a terrestrial broadcaster shall ensure the use of the state language in its programs.

14.3. a terrestrial broadcaster may use other languages in its programs only with the consent of the Council.

Article 15. Cases where dissemination of information and disclosure of the source of information is not allowed

15.1 Media entities and journalists shall not:

15.1.1. disseminate the information provided by a person on the terms of confidentiality in the programs and materials;

15.1.2. disclose the identity of the person who provided the information without consent;

15.1.3. disseminate preliminary investigation information without the permission of the court or the investigator, interrogator, and prosecutor carrying out the procedural management of the preliminary investigation;

15.1.4. disseminate copies of criminal proceedings materials prepared in accordance with the Criminal Procedure Code of the Republic of Azerbaijan and deemed to be information documented in accordance with the Law of the Republic of Azerbaijan “On Access to Information”;

15.1.5. disclose any information about the identity of a juvenile suspect, the accused person, or victim without the consent of these persons and their legal representatives;

15.1.6. disseminate the information specified in Article 9.3 of the Law of the Republic of Azerbaijan “On Countering Religious Extremism”;

15.1.7. engage in cases of abuse specified in Article 388 of the Code of Administrative Offenses of the Republic of Azerbaijan.

15.2. Managing editors and/or journalists may not be compelled to disclose the source of information in connection with a case under investigation or the court proceeding except for the cases specified in Article 15.3 of this Law.

15.3. In the following cases managing editors or journalists shall disclose their source of information by a court decision for:

15.3.1. the protection of human life;

15.3.2. preventing grave and especially grave crimes;

15.3.3. the defense of a person accused of committing a grave and especially grave crime.

15.4. The requirements of Article 15.1.3 of this Law do not limit the right of a journalist to perform an independent investigation.

Article 16. Dissemination of information acquired from external sources

16.1. Citizens and legal persons of the Republic of Azerbaijan have the right to receive information directly from foreign sources, including foreign media entities.

16.2. Broadcasting of foreign television and radio programs in the Republic of Azerbaijan using radio frequencies intended for terrestrial broadcasting is allowed

in cases specified by international agreements to which the Republic of Azerbaijan is a party.

16.3. Products of foreign print media, the permanent location of the editorial office of which is outside the territory of the Republic of Azerbaijan can be distributed in the territory of the Republic of Azerbaijan in cases specified by international agreements to which the Azerbaijan Republic is a party. If these agreements do not envisage the distribution of foreign print media products, these issues are decided upon by the body (institution) defined by the relevant executive authority.

Article 17. Right to receive information

17.1. Media entities and journalists have the right to receive accurate information about the public, political, social, and economic situation in society, the activities of state bodies (institutions), municipalities, enterprises and organizations, non-governmental organizations, political parties, and officials. This right may not be restricted except as provided by law.

17.2. State bodies (institutions), municipalities, enterprises and organizations, non-governmental organizations, political parties, officials provide information on their activities upon written and verbal inquiries of media entities and journalists, as well as through press conferences or briefings or in other forms.

17.3. A written request for access to information is reviewed in accordance with the procedure and within the time period prescribed by the Law of the Republic of Azerbaijan “On Access to Information”. If this information becomes irrelevant within the period prescribed by this Law the request is answered promptly, and if that is not possible, no later than twenty-four (24) hours.

17.4. In accordance with the law, media entities and journalists have the right to appeal against state bodies (institutions), municipalities, enterprises and organizations, non-governmental organizations, political parties, or officials who refuse to provide information.

17.5. The Council and the body (institution) defined by the relevant executive authority shall annually publish a list of significant events of the following year and post the list on its official websites and ensure its regular updating.

Article 18. The right to refute, correct and respond

18.1 In case of dissemination of defamatory or insulting information, as well as the information discrediting the honor and dignity of a natural person or the business reputation of a natural or legal person, distortion of opinion, the natural person or

his/her representative, the head or an authorized representative of the legal person have the right to respond and demand from the media entity to refute, correct untruthful information and apologize for it in the same media entity within 1 (one) month or appeal directly to court.

18.2. If the activity (broadcasting) of the media entity is suspended or it is reorganized at the time of the submittal of the request referred to in Article 18.1 of this Law or when the court makes a decision, the refutation, response, or correction may be published (broadcast) in one of the media entities requested by the plaintiff at the expense of the media entity or its legal successor.

18.3. If a media entity provides untruthful or distorted information on the content and results of criminal proceedings, the body which carries out the criminal process shall have the right to apply to that media entity with a request to refute or correct the information.

Article 19. Procedure of refutation, response, and correction

19.1. The refutation specifies which information is not true and when and how it was published by that print media entity. In print media, the refutation is printed in the same font and on the same page as the information or material was presented under the heading “Refutation”. Daily, triweekly, weekly and monthly newspapers shall publish a refutation, response, or correction in the issue following the date of receipt of the request for refutation, response, or correction, and other periodicals in the issue prepared or scheduled for the coming days.

19.2. The refutation, response, or correction shall be broadcast by the audiovisual broadcaster in the following relevant program after the day of receipt of the request. The right of the natural person or his/her representative, the head of the legal person, or its authorized representative to respond in the program shall be secured.

19.3. Refutation or response is presented without any changes in the text. The text of the refutation or response shall not violate the requirements set forth in Article 14.1 of this Law.

19.4. The text of the refutation or response shall not exceed the length of the refuted or responded information more than twice.

19.5. Commenting or refuting the response in the issue (program) in which the response itself was published (disseminated) is not allowed. Response to the response can be given in the next issue (program).

19.6. If a refutation, response, or correction is rejected, the requesting person shall be provided with reasonable information in this respect within 3 (three) days.

19.7. Grounds for rejecting to publish (disseminate) the text of the refutation or response are:

19.7.1. the information required to be refuted is confirmed by an effective court decision;

19.7.2. the information or material required to be refuted has already been refuted by the media entity at the complainant's request;

19.7.3. the text of the refutation or response violates the requirements set forth in Article 14.1 of this Law.

19.7.4. the text of the refutation or response exceeds the length of the refuted or responded information more than twice.

19.7.5. failure to apply without a valid reason within one month after the publication (dissemination) of the information or material by the media entity.

19.8. No fee is charged for refutation, response, or correction.

19.9. Unfair, inaccurate, and hidden advertising is refuted in accordance with the Law of the Republic of Azerbaijan “On Advertising”.

19.10. The text of the refutation or response shall be disseminated in the online media using the same method of dissemination as the material giving rise to the right to refute or respond (in the same volume, at the same time, on the same website, web page or section of the website, etc.). The refutation specifies which information is not true and when and how it was disseminated in that online media entity.

19.11. If it is not possible to post the text of the refutation or response on the same web page or section of the website as the original publication, the online media entity shall ensure that hyperlinks are created between the relevant materials (posts) and a notice of refutation and response is displayed near the original material (post).

Article 20. Use of the materials subject to copyright and related rights and readers' letters

20.1. Materials subject to copyright and related rights in the media may be used in accordance with the requirements of the Law of the Republic of Azerbaijan “On Copyright and Related Rights”.

20.2. When publishing (broadcasting) readers' (listeners, spectators) letters, it is allowed to abbreviate and edit them without distorting their content. An editorial office is not obliged to respond to readers' (listeners, spectators) letters, except in

cases stipulated by the Law of the Republic of Azerbaijan “On Access to Information”.

20.3. Unless otherwise provided by this Law, a media entity cannot be forced to publish (disseminate) a material that it has rejected to publish (disseminate).

Article 21. Secret audio and/or visual information

21.1 Secret audio and video recordings, and photos may be used or disseminated only in the following cases:

21.1.1. if the person about whom secret audio or video recording or photo was made gives written consent to the use or dissemination of these materials, and necessary measures are taken to protect other persons’ rights and freedoms established by the Constitution of the Republic of Azerbaijan;

21.1.2. if it is demonstrated a by court decision.

21.2 Using and disseminating secret audio-video recordings, movies, and photos in violation of the requirements of Article 21.1 of this Law is prohibited.

Article 22. Storage of materials broadcast by media entities

22.1 Audiovisual broadcasters shall keep their programs for 3 (three) months.

22.2 Audio and/or video recordings of audiovisual programs related to pre-election and pre-referendum campaigning shall be made and stored by the relevant audiovisual broadcaster for a period of 12 (twelve) months from the date of broadcasting of these recordings. The audiovisual broadcaster shall keep the reports on the allocation of paid and free-of-charge airtime for a period of five (5) years from the day of voting.

Article 23. Dissemination of advertising

Advertising in media is prepared and disseminated in accordance with the Law of the Republic of Azerbaijan “On Advertising”.

Article 24. International cooperation

24.1. International cooperation in the field of media is based on international agreements to which the Republic of Azerbaijan is a party.

24.2. Media entities of the Republic of Azerbaijan, professional journalism organizations may take part in international cooperation with foreigners and stateless persons, and foreign organizations and conclude agreements for this purpose in accordance with their areas of activity.

Chapter 2

Media entities

Article 25. Media entities

25.1. Media entities are:

25.1.1. audiovisual media entities;

25.1.2. print media entities;

25.1.3. online media entities;

25.1.4. information agencies.

Article 26. Requirements for media entities

26.1. Requirements for media entities are:

26.1.1. if the founder is a natural person - to be a citizen of the Republic of Azerbaijan permanently residing in the Republic of Azerbaijan;

26.1.2. if the founder is a legal person, the major share (75 percent) of its authorized capital must belong to a citizen(s) of the Republic of Azerbaijan permanently residing in the Republic of Azerbaijan and/or a legal person(s) registered in the Republic of Azerbaijan;

26.1.3. if the media entity is a natural person, s/he shall be a citizen of the Republic of Azerbaijan permanently residing in the Republic of Azerbaijan and comply with the requirements of Article 26.3 of this Law;

26.2. Requirements set forth in Articles 26.1.1 and 26.1.2 of this Law also apply to participants of the persons who are direct and indirect participants of the legal person that is the founder of the media entity.

26.3. The following persons cannot be a founder (participant in ownership) of a media entity:

26.3.1. persons previously convicted of grave or especially grave crimes, and crimes against public morals;

26.3.2. persons whose conviction is not expunged or struck;

26.3.3. persons recognized by court as not having legal capacity or having limited legal capacity.

26.4. Political parties and faith-based organizations can only be founders (participants in ownership) of print media.

26.5. A media entity cannot be financed by natural or legal persons of foreign countries that are not its founders (participants in ownership), their branches and representative offices, legal persons established by these persons in the Republic of Azerbaijan, and state agencies of foreign countries.

26.6. The Council shall be notified 1 (one) month in advance of any changes in the composition of the participants in ownership of an audiovisual media entity. The Council shall issue a reasonable opinion on the compliance of the change with the requirements of this Law within 1 (one) month. Documents confirming the change in the composition of the participants in ownership of the audiovisual media entity shall be submitted to the Council within 1 (one) month on the basis of the issued favorable opinion.

26.7. Audiovisual media entity shall submit information on its founders and participants in ownership, and the head of the management body to the Council, and other media entities to the body (institution) defined by the relevant executive authority by December 30 of each year.

26.8. The head of the management body of a media entity shall have a higher education, and comply with the requirements of Articles 26.1.1 and 26.3 of this Law.

Chapter 3

Audiovisual media

Article 27. Audiovisual media entities

27.1. Audiovisual media entities are:

27.1.1. terrestrial broadcaster:

27.1.1.1. nationwide terrestrial television broadcaster;

27.1.1.2. regional terrestrial television broadcaster;

27.1.1.3. nationwide terrestrial radio broadcaster;

27.1.1.4. regional terrestrial radio broadcaster;

27.1.2. platform broadcaster:

27.1.2.1. platform broadcaster performing satellite broadcasting;

27.1.2.2. platform broadcaster not performing satellite broadcasting

27.1.3. platform operator:

27.1.3.1. simple platform operator;

27.1.3.2. universal platform operator;

27.1.4. multiplex operator;

27.1.5. infrastructure operator;

27.1.6. on-demand media service provider.

Article 28. Bases of the activities of audiovisual media entities

28.1. Terrestrial broadcaster cannot operate as an infrastructure and multiplex operator, and the infrastructure and multiplex operator cannot operate as a terrestrial broadcaster.

28.2. Platform operators and multiplex operators shall also obtain a license for operating as a platform broadcaster.

Article 29. Terrestrial broadcaster

29.1. With the exception of public broadcasters, terrestrial broadcasters receive licenses on the basis of competition.

29.2. The programs of a nationwide terrestrial broadcaster are retransmitted across the country, while the programs of a regional terrestrial broadcaster are retransmitted in the same region by infrastructure and platform operators.

29.3. A terrestrial broadcaster shall submit its programs to infrastructure and platform operators for retransmission. A terrestrial broadcaster cannot demand payment in return from platform operators.

29.4. Nationwide terrestrial broadcaster concludes a contract with an infrastructure operator to provide terrestrial broadcasting across the country and a regional terrestrial broadcaster to provide the broadcasting in the relevant region and pay a service fee to the infrastructure operator in the amount determined by the body (institution) defined by the relevant executive authority.

29.5. A nationwide terrestrial broadcaster does not need a license for satellite broadcasting. A nationwide terrestrial broadcaster can also perform satellite broadcasting by concluding contracts with satellite operators.

29.6. A terrestrial broadcaster can broadcast its programs on its Internet information resource (website) and other video sharing platforms without changing their content.

Article 30. Platform broadcaster

30.1. Except for bodies (institutions) the list of which is determined by the body (institution) defined by the relevant executive authority, the audiovisual broadcasters with the function of public broadcasting financed by state bodies (institutions) and state-owned legal persons, reflecting the scope of activities of that body (institution) can only operate as platform broadcasters.

30.2. A platform broadcaster (except for Article 30.8 of this Law) operates on the basis of a license.

30.3. The license for the platform broadcaster performing satellite broadcasting is issued only to legal persons on the basis of competition.

30.4. A platform broadcaster can conduct advertising activities having fully ensured the use of the state language in prime-time programs.

30.5. A platform broadcaster can broadcast its programs on its website and other video-sharing platforms without changing their content.

30.6. The editorial office of a platform broadcaster shall operate in the territory of the Republic of Azerbaijan and broadcast at least 6 hours a day.

30.7. In addition to the requirements set forth in Article 30.6 of this Law, platform broadcasters broadcasting directly over the Internet shall have a website and a certain program schedule, and broadcast from their own website.

30.8. Persons broadcasting audiovisual programs directly over the Internet can obtain a platform broadcaster license only on the basis of their own application. In this case, the above-stated persons shall meet the requirements of Articles 30.2-30.7 of this Law.

Article 31. On-demand media service provider

31.1. An on-demand media service provider operates under a license.

31.2. An on-demand media service provider presents its program catalogs through the transmission methods of a platform operator or directly via the Internet, including mobile apps.

31.3. An on-demand media service provider shall provide the Council with the information on all programs included in the program catalog and agreements on the broadcasting rights obtained for broadcasting these programs.

31.4. All programs included in the program catalog of an on-demand media service provider shall be categorized by age in line with the Law of the Republic of Azerbaijan “On Protection of Children from Harmful Information”.

Article 32. Platform operator

32.1. A platform operator operates under a license.

32.2. A simple platform operator can perform retransmission through only one method, while a universal platform operator can perform retransmission through 2 (two) or more methods simultaneously.

32.3. A platform operator sells audiovisual programs to users on a contract basis.

32.4. A platform operator shall submit to the Council a copy of the agreement concluded between it and a foreign audiovisual broadcaster or a person authorized to conclude a contract on its behalf for retransmission of the programs of foreign audiovisual broadcasters.

32.5. A platform operator shall include the programs of nationwide terrestrial broadcaster in its broadcasting packages for retransmitting across the country and of the regional terrestrial broadcaster for retransmitting in the region. A platform operator cannot demand payment in return from terrestrial broadcaster.

32.6. A platform operator may retransmit the programs of platform broadcasters on a contract basis.

32.7. For the monitoring of the activities of a platform operator by the Council, the operator shall secure the Council's right of free use.

32.8. A platform operator shall submit the list of the audiovisual broadcasters it retransmits to the Council in the first week of each subsequent month.

Article 33. Infrastructure operator

33.1. An Infrastructure operator uses the radio frequency (radio frequencies) allocated by the decision of the Council.

33.2. An infrastructure operator shall ensure the retransmission of the programs of terrestrial broadcaster.

33.3. An infrastructure operator shall conclude a contract with a terrestrial broadcaster to ensure terrestrial broadcasting of the nationwide terrestrial broadcaster across the country and the regional terrestrial broadcaster within the relevant region and receive a service fee in the amount prescribed by Article 29.4 of this Law.

33.4. An Infrastructure operator cannot provide users with paid retransmission services.

33.5. An infrastructure operator performs transmission of signals to multiplex and platform operators, and satellite operator, by charging a service fee in the amount specified by the body (institution) defined by the relevant executive authority.

Article 34. Multiplex operator

34.1. A radio frequency (radio frequencies) for a multiplex operator is allocated for its use on the basis of a competition held by the Council in accordance with Chapter 5 of this Law. The winner of the competition at the same time receives the multiplex operator license.

34.2. A multiplex operator wishing to obtain next radio frequency (radio frequencies) shall take part in the competition for the allocation of radio frequency (radio frequencies). The winning multiplex operator is not re-licensed.

34.3. A multiplex operator sells audiovisual programs to users on a contract basis.

34.4. A multiplex operator may retransmit the programs of platform broadcasters on a contract basis.

34.5. A multiplex operator shall submit to the Council a copy of the agreement concluded between the operator and a foreign audiovisual broadcaster or a person authorized to conclude a contract on its behalf for retransmission of the programs of foreign audiovisual broadcasters.

34.6. For the monitoring of the activities of a multiplex operator by the Council, the operator shall secure the Council's right of free use.

34.7. A multiplex operator shall submit the list of the audiovisual broadcasters it retransmits to the Council in the first week of each subsequent month.

Article 35. Radio frequency planning for terrestrial broadcasting

35.1. The list of radio frequencies for terrestrial broadcasting is compiled by the body (institution) defined by the relevant executive authority and information on radio frequencies suitable for terrestrial broadcasting is submitted to the Council once every six months. This information shall also be provided at the request of the Council.

35.2. The body (institution) defined by the relevant executive authority and the infrastructure operator shall inform the Council on broadcasting capacities every six months. This information is also provided at the request of the Council.

35.3. The Council organizes the use of radio frequencies suitable for nationwide and regional terrestrial broadcasting and broadcasting facilities.

Article 36. Certification of audiovisual broadcasting equipment

Terrestrial broadcasting transmitters, satellite terrestrial radio transmitters, terrestrial radio-relay intermediate and final stations, and cable broadcasting stations and distributing network equipment providing the transmission and broadcasting of audiovisual programs are certified by accredited compliance assessment bodies in accordance with the Law of the Republic of Azerbaijan "On Accreditation in the Field of Compliance Assessment".

Article 37. Audiovisual broadcasting in state bodies (institutions), in facilities belonging to legal and natural persons, and in their premises

Broadcasting of informational audiovisual programs in state bodies (institutions), facilities belonging to legal and natural persons, and their premises performed by themselves reflecting the activities of these institutions, and the retransmission of the programs of only terrestrial broadcasters performed by these institutions are not licensed.

Article 38. Right to broadcast

38.1. An author of a program may grant the right to broadcast the program to several or exclusively one audiovisual broadcaster on the basis of an agreement specifying the method and terms of broadcasting. The audiovisual broadcaster shall submit the copies of these agreements to the Council.

38.2. Audiovisual broadcasters other than the audiovisual broadcaster who has acquired the exclusive broadcasting right of the program are prohibited from broadcasting the program.

38.3. A significant event broadcast with the exclusive right may be broadcast by other audiovisual broadcasters free of charge for no more than 60 (sixty) seconds, provided that the source of the material is indicated.

38.4. The body (institution) defined by the relevant executive authority shall apply to the Council for permission to broadcast the programs of a foreign audiovisual broadcaster.

Article 39. Duties of an audiovisual broadcaster and requirements for audiovisual broadcasters

39.1. Duties of an audiovisual broadcaster are:

39.1.1. to play the National Anthem of the Republic of Azerbaijan every morning at the beginning of the broadcasting in accordance with Article 6.2 of the Law of the Republic of Azerbaijan “On the Regulations of Using the National Anthem of the Republic of Azerbaijan”, except for on-demand media services;

39.1.2. to provide a special warning about the harmful effects of tobacco use on health and the environment in programs where the tobacco use process is demonstrated;

39.1.3. to comply with the requirements stipulated in Articles 14.1 and 14.2 of this Law;

39.1.4. to perform advertising and sponsorship activities in accordance with the requirements of the Law of the Republic of Azerbaijan “On Advertising”;

39.1.5. to implement the decisions of the Council.

39.1.6. to perform other duties defined by this Law.

39.2. Requirements for audio and visual quality of audio-visual broadcasting are established by the Council.

39.3. On the Day of National Mourning, on the Day of Remembrance, and on mourning days, audiovisual broadcasting shall be as follows:

39.3.1. comedies and erotic movies, TV, and radio quizzes, humorous, entertaining, and other programs that do not correspond to the essence of the Day of National Mourning, the Day of Remembrance, and on mourning days shall not be broadcast;

39.3.2. advertising shall not be broadcast (except for the Day of Remembrance);

39.3.3. information on the Day of National Mourning, on the Day of Remembrance, and on mourning days shall be broadcast at least once every two hours;

39.3.4. one minute's silence shall be declared at 12.00 p.m.

Article 40. Thematic broadcasting

It is mandatory to carry out broadcasting by audiovisual media entities specified in Articles 50.1 and 50.2 of this Law in the genre specified in the license.

Article 41. Suspension of broadcasting

41.1. Broadcasting is suspended for a period of 24 (twenty-four) hours by the decision of the Council in the following cases:

41.1.1. Violation of the requirements of Articles 14.1.4 (related to the promotion of racial, religious, origin-based, sexual, ethnic and other discrimination), 14.1.5 (related to violence and cruelty), 14.1.6, 14.1.12, 14.1.13, 38, 39.1.1, 39.1.2, 39.1.4 and 39.3 of this Law;

41.1.2. in case of non-compliance with the category of territory specified in the broadcasting license.

41.2. Broadcasting is suspended from 1 (one) day to 1 (one) month by the decision of the Council in the following cases:

41.2.1. in case of violation of the requirements of Articles 7, 8, 9, 14.1.2 and 14.1.5 (related to the promotion of terrorism and religious extremism) of this Law;

41.2.2. In case of open calls for dismantlement of statehood of the Republic of Azerbaijan, violation of its territorial integrity, forcible seizure or retention of power and mass disorder, appeals to arouse ethnic, racial, or religious hostility, and dissemination of information aimed at financing terrorism, organizing or conducting training for terrorist purposes.

41.3. The Council decides to immediately suspend broadcasting in the case stipulated in Article 41.2.2 of this Law and files a claim to court in order to revoke the broadcaster's license subject to Article 58.4 of this Law. The court examines the claim in accordance with Article 128 of the Administrative Procedure Code of the Republic of Azerbaijan.

41.4. A copy of the Council's decision to suspend broadcasting shall be immediately sent to the audiovisual broadcaster for information, the infrastructure operator for execution, the body (institution) defined by the relevant executive authority and platform operators.

41.5. Audiovisual broadcaster violating the requirements of this Law shall broadcast the information on the content of the relevant measure imposed on it under Articles 41.1 and 41.2 of the Law on its television and/or radio channel during the period of suspension.

41.6. The broadcaster subject to the decision on suspension of broadcasting or other administrative sanctions shall remove the audiovisual program that caused it from its website and video-sharing platforms on which the program is broadcast.

Article 42. Research of the audience size of audiovisual programs

42.1. A research on audience of audiovisual broadcasters and programs broadcast by them through special devices is carried out by an audience measuring organization that meets the requirements of the Council in order to ensure the sustainable development of audiovisual broadcasting and stimulate investment and advertising in this field. If determined by the institution defined by the relevant executive authority, the funding for the purposes of this article may be provided at the expense of the state budget.

42.2. Audiovisual broadcasters financed from the state budget (except for on-demand media services) shall ensure that - their audience is determined by an audience measuring organization that meets the requirements of the Council.

42.3. Audiovisual media entities and advertising agencies cannot be founders (participants in ownership) of an audience measuring organization.

42.4. An audience measuring organization conducts the research on the audience of audiovisual programs based on the following principles:

42.4.1. completeness and regularity of the research;

42.4.2. ensuring the compliance of collection, processing, storage, and dissemination of the information acquired as a result of the research with international standards;

42.4.3. ensuring the objectivity of the research;

42.4.4. protecting the confidentiality of the sources of information acquired in the course of the research;

42.4.5. Compliance with the requirements of the Law of the Republic of Azerbaijan "On Personal Information".

42.5. Broadcasters shall submit the reports on the results of the research carried out by the audience measuring organization to the Council at the request of the latter.

Chapter 4

Institution regulating the field of audiovisual media

Article 43. Status of the institution regulating the field of audiovisual media

43.1. The field of audiovisual media in the Republic of Azerbaijan is regulated by the Council.

43.2. The activities of the Council are financed from the state budget and other sources not prohibited by law.

43.3. The Council has an independent balance sheet and in accordance with the Law of the Republic of Azerbaijan "On the Use of the State Emblem of the Republic of Azerbaijan" a seal bearing the description of the State Emblem of the Republic of Azerbaijan and its name, and relevant stamps, forms, and bank accounts.

Article 44. Operating principles of the Council

The activity of the Council is based on the principles of legality, independence, collegiality, impartiality, objectivity, and professionalism.

Article 45. Independence of the Council

45.1. The Council has organizational and functional independence and unlawful interference in its activities is inadmissible.

45.2. The structure of the Council and the number of its staff is determined by the body (institution) defined by the relevant executive authority.

Article 46. Areas of activity of the Council

46.1. Areas of activity of the Council are as follows:

46.1.1. regulating the field of audiovisual media and monitoring the compliance with effective normative legal acts;

46.1.2. participating in the development of state policy in the field of audiovisual media and ensuring the implementation of this policy.

46.1.3. operating in other areas determined by this Law.

Article 47. Duties and rights of the Council

47.1. Duties of the Council are as follows:

47.1.1. participating in the development and implementation of normative legal acts, development concepts, and target programs in the field of audiovisual media;

47.1.2. adopting acts of a normative character in the field of audiovisual media;

47.1.3. determining sound and image quality indicators of audiovisual broadcasting;

47.1.4. issuing licenses for audiovisual media entities;

47.1.5. carrying out inspections in the field of audiovisual media in accordance with the Law of the Republic of Azerbaijan “On Regulation of Inspections in the Field of

Entrepreneurship and Protection of Interests of Entrepreneurs” in order to monitor the compliance with the requirements of this Law;

47.1.6. in accordance with the areas of activity defined by this Law, adopting decisions that are binding on audiovisual media entities;

47.1.7. organizing nomination of candidates to the Broadcasting Council from the organizations specified in Article 17.2 of the Law of the Republic of Azerbaijan “On Public Television and Radio Broadcasting”;

47.1.8. implementing radio frequency planning of terrestrial broadcasting together with the body (institution) defined by the relevant executive authority;

47.1.9. giving consent to the broadcasting of the programs of a foreign audiovisual broadcaster by using the services of the body (institution) defined by the relevant executive authority;

47.1.10. ensuring the fulfillment of the obligations of the Republic of Azerbaijan on issues regulated by international agreements to which the Republic of Azerbaijan is a party and falling within the competence of the Council;

47.1.11. taking measures in accordance with the Code of Administrative Offenses of the Republic of Azerbaijan in case of the detection of signs of administrative offense in the field of audiovisual media, and informing relevant authorities in case of the signs of crime;

47.1.12. ensuring the efficient use of budgetary funds, loans, grants, and other financial resources allocated to the Council for the intended purpose;

47.1.13. taking measures to protect state and commercial secrets and the non-disclosure agreements;

47.1.14. ensuring that the public is informed about its activities, creating a website, posting the public information that it has and is subject to disclosure in accordance with the list defined by the Law of the Republic of Azerbaijan “On Access to Information” on its website and constantly updating this information;

47.1.15. taking measures within the scope of its competence in order to improve the structure and activities of the Council;

47.1.16. reviewing the applications received in connection with the activity of the Council in accordance with the laws of the Republic of Azerbaijan “On Citizen Appeals”, “On Administrative Proceedings” and “On Access to Information” and taking measures in accordance with the law;

47.1.17. performing other duties arising from this Law.

47.2. the Council has the following rights in order to perform its duties:

47.2.1. exercising the rights arising from norm-setting activity in the field of audiovisual media;

47.2.2. taking initiatives for the accession of the Republic of Azerbaijan to international agreements in the field of audiovisual media;

47.2.3. sending inquiries for necessary information (documents) and receiving this information (documents) from state bodies (institutions), local self-government bodies, natural and legal persons in the field of audiovisual media;

47.2.4. co-operating with central and local executive authorities of the Republic of Azerbaijan, local self-government bodies, relevant state bodies (institutions) of foreign countries, international and non-governmental organizations, other legal and natural persons in order to study the relevant experience of foreign countries;

47.2.5. giving opinions in accordance with the areas of activity, making analyses and generalizations, preparing analytical materials, conducting researches in the relevant field, and making proposals;

47.2.6. involving independent experts and specialists in its activities;

47.2.7. exercising other rights arising from this Law.

Article 48. Management of the work of the Council

48.1. The Council is composed of 7 (seven) members, including the Chair.

48.2. Members of the Council are appointed and dismissed by the body (institution) defined by the relevant executive authority.

48.3. The term of office of the members is 5 (five) years. The same person cannot be a member of the Council more than twice in a row.

48.4. The following persons cannot be members of the Council:

48.4.1. persons without higher education;

48.4.2. persons who have dual citizenship or obligations to other states;

48.4.3. persons holding paid, elective or appointive positions in state bodies (institutions), engaged in other paid activities, except for scientific, pedagogic, and creative activities;

48.4.5. religious figures;

48.4.6. persons whose incapacity or partial incapacity is approved by an effective court decisions;

48.4.7. persons whose conviction for grave and especially grave crimes is not expunged or struck;

48.4.8. media entities and their founders (participants in ownership).

48.5. Members of the Council are dismissed before the expiration of their term of office only in the following cases:

48.5.1. if he/she submits a relevant letter of resignation at his/her own request;

48.5.2. upon the termination of the citizenship of the Republic of Azerbaijan or acquisition of the citizenship of another state;

48.5.3. in case of holding paid, elective or appointive positions in state bodies (institutions), being engaged in other paid activities, except for scientific, pedagogic, and creative activities;

48.5.4. if he/she becomes a religious figure;

48.5.5. if his/her incapacity or partial incapacity is approved by an effective court decision;

48.5.6. if he/she commits a grave and especially grave crime and there is an effective guilty verdict or a court decision on the application of compulsory medical measures;

48.5.7. if he/she becomes a media entity and/or its founder (participant in ownership).

48.6. Members of the Council elect the Chair of the Council from among themselves by a simple majority of votes.

48.7. The Council approves the structure of the Council office within the cost estimate.

48.8. Chair of the Council:

48.8.1. organizes and leads the work of the Council;

48.8.2. approves the statutes of the structural units of the Council office;

48.8.3. appoints and dismisses the employees of the Council;

48.8.4. issues compulsory internal orders, instructions, and directions within its authority;

48.8.5. exercises other powers arising from this Law.

Article 49. Provision of members of the Council

49.1. The monthly salary of the Chair of the Council is equal to the monthly salary of a head of the central executive body, and the monthly salary of other members of the Council is equal to the monthly salary of a deputy head of the central executive body.

49.2. Members of the Council are given an additional monetary compensation in the amount of 25 percent of their salaries to cover representation expenses related to the performance of their duties.

Chapter 5

Licensing in the field of audiovisual media

Article 50. Licenses issued for audiovisual media entities

50.1. The following licenses are issued to terrestrial broadcasters:

50.1.1. the license of nationwide terrestrial television broadcaster;

50.1.2. the license of regional terrestrial television broadcaster;

50.1.3. the license of nationwide terrestrial radio broadcaster;

50.1.4. the license of regional terrestrial radio broadcaster;

50.2. The following licenses are issued to platform broadcasters:

50.2.1. the license of a platform broadcaster performing satellite broadcasting;

50.2.2. the license of a platform broadcaster not performing satellite broadcasting;

50.3. On-demand media service providers are issued the license of on-demand media service provider.

50.4. Platform operators are issued the following licenses:

50.4.1. the license of simple platform operator;

50.4.2. the license of universal platform operator.

50.5. Multiplex operators are issued the license of a multiplex operator.

Article 51. Issuance of licenses based on competition

51.1. The competition for the licenses specified in Articles 50.1.1-50.1.4, 50.2.1, and 50.5 of this Law is announced by the decision of the Council based on the information stipulated by Articles 35.1 or 35.2 of this Law and this announcement is published on its website and in at least 2 (two) official newspapers.

51.2. The announcement shall contain the following information:

51.2.1. type of broadcasting (television and/or radio) for licenses specified in Articles 50.1.1-50.1.4 and 50.2.1 of this Law;

51.2.2. territorial category and genre of broadcasting for the licenses provided for in Articles 50.1.1-50.1.4 of this Law;

51.2.3. the genre of broadcasting for the license provided for in Article 50.2.1 of this Law;

51.2.4. territorial category of broadcasting for the license provided for in Article 50.5 of this Law;

51.2.5. the amount of participation fee, the term, and order of payment;

51.2.6. the list of documents provided for in Article 52.2 of this Law and the address and procedure for submission of these documents.

51.3. The participation fee is set at the rate of 2 (two) percent of the state fee determined for the corresponding license. The participation fee of the persons who do not win the competition is not refunded.

Article 52. Acceptance of documents for the competition

52.1. Documents are accepted within 30 (thirty) working days from the date of publication of the announcement for the competition.

52.2. To participate in the competition, the following documents shall be submitted in hard copy or in electronic format:

52.2.1. application for participation in the competition, the form and content of which is determined by the Council and signed by a natural person or an authorized representative of a legal person;

52.2.2. a copy of the identity document of the natural person and of the document confirming the authority of the authorized representative;

52.2.3. notarized copy of the extract from state register and the charter of legal persons;

52.2.4. a copy of the taxpayer's registration certificate;

52.2.5. if the founder (participant in ownership) is a natural person - his/her (their) name, as well as the director's name, surname, patronymic, place of residence, the number and date of issue of his/her identity document; if the founder (participant in ownership) is a legal person - its (their) name, legal address;

52.2.6. if the founder (participant in ownership) is a natural person - his/her criminal record certificate;

52.2.7. information on technical capabilities for broadcasting in the form determined by the Council;

52.2.8. name of the broadcaster or operator;

52.2.9. information on the logo (emblem) of the editorial office of the media entity;

52.2.10. economic feasibility;

52.3. The Council uses the electronic information resources (databases, information retrieval systems, registers, and other information resources) of state bodies (institutions) in order to obtain the documents (including electronic documents) specified in Article 52.2 of this Law within the established limits. If this is not possible, the documents are requested from the relevant institution with the consent of the applicant or are provided by the applicant.

52.4. The submitted documents are reviewed within ten (10) working days from the deadline for submission of documents.

52.5. Issues related to deficiencies of the submitted documents that can be eliminated and do not lead to the rejection to issue a license are considered in accordance with Articles 19.1-19.4 of the Law of the Republic of Azerbaijan "On Licenses and Permissions".

Article 53. Holding the competition

53.1. In the following cases, the Council adopts a reasonable decision on refusal to admit the applicant to the competition, and this decision is presented to the applicant within 3 (three) working days or sent by registered mail:

53.1.1. if the application is submitted by a person who does not have the right to;

53.1.2. if another media entity operates under the same name;

53.1.3. if false or distorted information is detected in the submitted documents (except for the case provided for in Article 52.5 of this Law);

53.1.4. if less than 3 (three) years have passed since the withdrawal of the license obtained by the applicant on the grounds provided for in Articles 53.1.4, 58.1.2, 58.1.4, 58.1.6, 58.1.9-58.1.11 of this Law;

53.1.5. If the founder or one of the founders is a natural or legal person whose license was withdrawn on the grounds provided for in Articles 58.1.2, 58.1.4, 58.1.6, 58.1.9-58.1.11 of this Law less than 3 (three) years ago;

53.1.6. if the applicant does not meet the requirements provided for in Articles 26.1-26.5 and 26.8 of this Law.

53.2. If the submitted documents do not reveal a ground for refusal, the Council adopts a decision on admission of applicants within the period specified in Article 52.4 of this Law, and the decision is presented to the applicant or sent by registered mail.

53.3. The competition is held within thirty (30) working days from the date of expiry of the term, specified in Article 53.2 of this Law, the results of the competition shall be announced within this period.

53.4. The competition is considered void in the following cases:

53.4.1. if less than two applicants apply for the competition;

53.4.2. in the absence of participants;

53.4.3. if the winner of the competition refuses to receive a license as a result of the competition.

53.5. If the competition is considered void, the Council adopts a relevant decision, which is published on its website and in at least 2 (two) official newspapers. The re-competition is held in accordance with Articles 51-53 of this Law.

53.6. If the competition is considered void due to the circumstances provided in Article 53.4.1 of this Law, the winner of the re-competition shall be the applicant

who applied to the competition that was considered void, in case it is the only applicant in the announced re-competition.

53.7. An applicant who had applied to the competition that was considered void is exempted from paying the re-participation fee when applying to the re-competition.

Article 54. Evaluation of applications and the results of the competition

54.1. The following is taken into account when evaluating applications for the competition:

54.1.1. applicant's technical capabilities and economic rationale;

54.1.2. compliance of the applicant's activity related to the license to be obtained as a result of the competition with the requirements arising from the Antitrust Law of the Republic of Azerbaijan at the time of the issuance of the licenses to existing media entities.

54.2. The Council adopts the decision to issue a license to the winner of the competition, and this decision is presented to the applicant or sent by registered mail. The Council informs the winner of the competition verbally or by letter about the obligation to pay the state fee for the issuance of the license. The applicant shall pay the state fee within 5 (five) working days from the date of receiving this information.

54.3. After the document confirming the fact of payment of the state fee is submitted to the Council, the license is presented to the applicant no later than two (2) working days or sent by registered mail. If a document confirming the fact of payment of the state fee is not submitted to the Council, the decision to issue a license is revoked by the Council, and information about this is presented to the applicant or sent by registered mail within 2 (two) working days.

54.4. In accordance with the results of the competition, the winning terrestrial broadcaster concludes an agreement with the infrastructure operator. The infrastructure operator cannot refuse to conclude this agreement.

54.5. In accordance with the results of the competition, the winning platform broadcaster performing satellite broadcasting concludes an agreement with the body (institution) defined by the relevant executive authority. The body (institution) defined by the relevant executive authority may not refuse to conclude this agreement.

54.6. In accordance with the results of the competition, the winning multiplex operator concludes an agreement with the body (institution) defined by the relevant

executive authority. The institution defined by the relevant executive authority may not refuse to conclude this agreement.

54.7. Within 3 (three) working days from the date of issuance of the license, the Council submits information on the audiovisual media entity to the body (institution) defined by the relevant executive authority for inclusion in the Media Register.

Article 55. Regulations for licensing platform broadcasters that do not perform satellite broadcasting, platform operators, and on-demand media service providers

55.1. In order to obtain the licenses provided for in Articles 50.2.2, 50.3, and 50.4 of this Law, the documents specified in Article 52.2 of this Law are submitted to the Council in hard copy or in electronic format.

55.2. The Council reviews the submitted documents within 10 (ten) working days from their date of registration and adopts a decision on the issuance or refusal to issue a license, and this decision is presented to the applicant or sent by registered mail.

55.3. Issues related to deficiencies of the submitted documents that can be eliminated and do not lead to the rejection to issue a license are considered in accordance with Article 52.5 of this Law.

55.4. If there are grounds stipulated in Articles 53.1 and 54.1 of this Law, the Council adopts a grounded decision to refuse to issue a license, and this decision is presented to the applicant or sent by registered mail within 3 (three) working days.

55.5. In the lack of grounds for refusal to issue a license the Council adopts a decision to issue a license and this decision is presented to the applicant or sent by registered mail within 3 (three) working days.

55.6. The applicant is informed verbally or by letter about the obligation to pay the state fee for the issuance of the license. The applicant shall pay the state fee within 5 (five) working days from the date of receipt of this information.

55.7. After the document confirming the fact of payment of the state fee is submitted to the Council, the license is presented to the applicant no later than two (2) working days or sent by registered mail. If a document confirming the fact of payment of the state fee is not submitted to the Council, the decision to issue a license is revoked by the Council, and information about this is presented to the applicant or sent by registered mail within 2 (two) working days.

55.8. Within 3 (three) working days from the date of issuance of the license, the Council submits information on the audiovisual media entity to the body (institution) defined by the relevant executive authority for inclusion in the Media Register.

Article 56. Content of the license

56.1. A license indicates the following:

56.1.1. date of issue and registration number of the license;

56.1.2. name and address of the licensing authority;

56.1.3. information on the license holder (name and legal address of the legal person, surname, name, patronymic and business address of the natural person, and TIN of the natural or legal person);

56.1.4. type of the licensed activity (broadcasting method, territorial category);

56.1.5. name of the editorial office (if any);

56.1.6. genre (if any).

Article 57. Suspension of the license

57.1. A license is suspended in the following cases:

57.1.1. when a relevant application is submitted by the license holder;

57.1.2. if the license holder fails to comply with the Council's directions to eliminate violations of the terms of this Law and the decisions of the Council;

57.1.3. if the infrastructure operator applies to the Council due to the non-payment of the service fee specified in Article 29.4 of this Law for 6 (six) months.

57.2. The license is suspended under the decision of the Council. The decision shall indicate the circumstances giving rise to the suspension of the license and the period for which the license is suspended. The decision to suspend a license on the grounds specified in Article 57.1.2 of this Law shall also specify the measures to be taken to eliminate the circumstances which served as a basis for suspension and the consequences of failure to eliminate these circumstances during the period of suspension of a license.

57.3. The license holder shall eliminate the circumstances specified in Articles 57.1.2 and 57.1.3 of this Law by the expiration of the term of suspension of the license and notify the Council in writing about the result within 3 (three) working days.

57.4. The license suspended on a ground specified in Article 57.1.1 of this Law is revalidated based on the relevant application of the license holder, and in cases specified in Articles 57.1.2 and 57.1.3 of this Law, under the decision of the Council on the basis of written information provided by the license holder on the elimination of non-compliance.

57.5. The decision to suspend or revalidate a license shall be presented to the license holder or sent by registered mail within 2 (two) working days from the date of the adoption of the decision.

57.6. Within 3 (three) working days from the date of adoption of the decision to suspend and revalidate the license, the Council notifies the body (institution) defined by the relevant executive authority for the inclusion of this information in the Media Register.

57.7. The Council sends a copy of the decision to suspend or revalidate the license of an audiovisual media entity that is a radio frequency user to the body (institution) defined by the relevant executive authority and infrastructure operator within 3 (three) working days from the date of the adoption of the decision.

Article 58. Revocation, and renewal of licenses and issuance of duplicates

58.1. A license is revoked in the following cases:

58.1.1. when a relevant application is submitted by the license holder;

58.1.2. in case of non-compliance with the requirements of Article 26 of this Law;

58.1.3. in case of termination of the activity of the natural person holding the license as a sole proprietor, and liquidation of the legal person;

58.1.4. if there is a relevant court decision;

58.1.5. if the bankruptcy of the license holder is confirmed by an effective court decision;

58.1.6. if false information is revealed later on in the documents submitted for obtaining a license;

58.1.7. if the circumstances specified in Articles 57.1.2 and 57.1.3 of this Law are not eliminated in accordance with Article 57.3 of this Law;

58.1.8. if the type of activity specified in the license is excluded from the list of activities for which a license is required;

58.1.9. if broadcasting is not carried out within six months after obtaining a license;

58.1.10. in case of non-compliance with the territorial category of the licensed type of activity;

58.1.11. in cases specified in Article 41.2 of this Law, if broadcasting is not carried out for 30 (thirty) consecutive days or 60 (sixty) days in a year, except the cases when broadcasting is suspended by the decision of the Council;

58.1.12. if the license holder is held administratively liable in the field of audiovisual broadcasting at least five times during a year.

58.2. License is revoked by the decision of the Council with reference to the cases specified in Article 58.1 of this Law (except for Article 58.1.4 of this Law). This decision is presented to the license holder or sent by registered mail within 2 (two) working days from the date of the adoption of the decision.

58.3. Within 3 (three) working days from the date of the adoption of the decision to revoke the license, the Council notifies the body (institution) defined by the relevant executive authority for the inclusion of this information in the Media Register.

58.4. If a licensed broadcaster defends open calls for dismantlement of statehood of the Republic of Azerbaijan, violation of its territorial integrity, forcible seizure or retention of power and mass disorder, appeals to arouse ethnic, racial, or religious hostility, and dissemination of information aimed at financing terrorism, organizing or conducting training for terrorist purposes and deliberately creates the circumstances for these calls, the license is revoked by a court decision based on the claim filed by the Council.

58.5. Licenses are renewed and duplicates are issued in accordance with Articles 23 and 24 of the Law of the Republic of Azerbaijan “On Licenses and Permits”.

58.6. In case of issuance, renewal, revocation, and issuance of a duplicate of license to an audiovisual media entity that is a radio frequency user, the Council notifies the body (institution) defined by the relevant executive authority and infrastructure operator within 3 (three) working days.

Print media, online media, and information agencies

Article 59. Print media entity

59.1. Print media entities can be natural or legal persons.

59.2. With the exception of the bodies (institutions) the list of which is determined by the body (institution) defined by the relevant executive authority, Milli Majlis of the Republic of Azerbaijan, the Constitutional Court of the Republic of Azerbaijan, and the Supreme Court of the Republic of Azerbaijan, state bodies (institutions) may not be the founders of a print media entity.

59.3. Newspapers published consistently at least 1 (one) time in a month with a one-time circulation of more than 100 (one hundred) copies, published at least 12 (twelve) times a year, and magazines, collections, bulletins, and other publications published at least 2 (two) times a year are periodical publications.

59.4. Newspapers are published with the following periodicity:

59.4.1. weekly newspaper - at least 1 (one) time a week;

59.4.2. triweekly newspaper - at least 3 (three) times a week;

59.4.3. daily newspaper - at least 5 (five) times a week;

59.5. Newspapers are grouped by their content as follows:

59.5.1. socio-political newspaper - a newspaper at least 75 (seventy-five) percent of the content of which deals with news in general, as well as with highlights, analysis and commentary on public, political, social, and economic issues;

59.5.2. thematic newspaper - a newspaper at least 75 (seventy-five) percent of the content of which deals with the highlights, commentary and analysis of only one area.

59.6. Newspapers are grouped by area category as follows:

59.6.1. nationwide - a newspaper published under the same name by one media entity and distributed in at least 70% of the territory of the Republic of Azerbaijan;

59.6.2. regional - a newspaper published under the same name by 1 (one) media entity and distributed to at least 70 (seventy) percent of the territory of at least 1 (one) administrative-territorial unit.

59.7. the following newspapers are considered consistent publications:

59.7.1. daily newspapers published with the right to take a break for up to 12 (twelve) issues within 1 (one) year;

59.7.2. triweekly newspapers published with the right to take a break for up to 9 (nine) issues within 1 (one) year;

59.7.3. weekly newspapers published with the right to take a break for up to 6 (nine) issues within 1 (one) year;

59.8. Magazines, collections, bulletins, and other publications published at least 2 (two) times a year are considered consistent periodical publications.

Article 60. Online media entity

60.1. Online media entities can be natural or legal persons.

60.2. Online media entities shall provide the following information on their websites:

60.2.1. name;

60.2.2. TIN;

60.2.3. name of the domain owner;

60.2.4. surname, name, and patronymic name of the managing editor;

60.2.5. the business address and contact information of the online media entity.

60.3. The information specified in Article 60.2 of this Law shall be displayed in the online media under the heading “contact us” and be accessible directly from the home page.

60.4. The date of the first publication of the material is indicated in the online media and does not change.

60.5. The activity of an online media entity (its editorial office) publishing at least 20 (twenty) mass information (except for the information specified in Article 13.3 of this Law) per day for 20 (twenty) days per month in compliance with the requirements of Articles 13.1 and 13.2 of this Law is considered consistent.

Article 61. Information agency

Provisions of this Law related to the activities of other media entities apply to information agencies in accordance with their method of publication and/or dissemination of mass information.

Article 62. Establishment of a print and online media entity

62.1. Permission of state bodies (institutions) is not required for establishing a print and online media entity.

62.2. In order to operate as a print and online media entity, a legal or natural person shall officially apply to the body (institution) defined by the relevant executive authority 7 (seven) days before the release of the print media product and dissemination of the material, respectively.

62.3. The application specified in Article 62.2 of this Law is filed following the procedure established by Article 73.5 of this Law.

62.4. The application for the establishment of a print and online media of religious content is filed together with the review of the body (institution) defined by the relevant executive authority.

62.5. Using the names of state bodies (institutions) of the Republic of Azerbaijan, international organizations, non-governmental organizations, local self-government bodies (except for media entities established by them), and the names of prominent figures (their close relatives or heirs) of Azerbaijan in the names of print and online media entities is not allowed.

Article 63. Information to be indicated in a print media product

63.1. The following information shall be indicated in each issue of a print media product:

63.1.1. name;

63.1.2. TIN;

63.1.3. surname, name, and patronymic name of the managing editor;

63.1.4. row number, date of publication, imprimatur (scheduled and actual time);

63.1.5. postal code;

63.1.6. circulation;

63.1.7. price, "Flexible price" or "Free-of-charge" notes;

63.1.8. name, address, and contact details of the print media entity, and the printing house where print media product is produced.

63.2. The production and distribution of printed media products without indicating the information specified in Article 63.1 of this Law, and deliberate falsification of this information is prohibited.

Article 64. Print media product and its distribution

64.1. Print media products may be distributed directly by the editorial office, publishers, communication enterprises, and other natural and legal persons on a contract basis.

64.2. Print media products can be produced and distributed for commercial and non-commercial purposes. Products intended for non-commercial distribution are marked as "Free".

64.3. Suspension of the distribution of print media products, confiscation of its circulation or part of it is allowed only by a court decision.

Article 65. Suspension of the activities of print and online media entities, distribution of media products, and termination of the activities of these entities

65.1. The activities of print and online media entities and the distribution of media products are suspended in cases provided for in Article 65.2 of this Law, and terminated in cases provided for in Article 65.4 of this Law by a court decision.

65.2. The body (institution) defined by the relevant executive authority files a claim in court to suspend the activities of print and online media entities for a period of 2 (two) months in the following cases:

65.2.1. if a foreigner, stateless person, or a person without higher education is appointed to the position of the head of the management body;

65.2.2. if a person who was issued an administrative penalty for abuse of freedom of activity in the field of media and journalistic rights repeats the same offense within one year from the date of entry into force of the reprimand;

65.2.3. if print and online media entities commit the same violations after being warned 3 (three) times within a year by the body (institution) defined by the relevant

executive authority for violating Article 13.1, 13.2 of this Law, and in case of print media entities also for violating the requirements of Article 14.1 of this Law;

65.2.4. If it is revealed that a print or online media entity is financed by natural or legal persons of foreign countries that are not their founders (participants in ownership), their branches and representative offices, legal persons established by these persons in the Republic of Azerbaijan, and government agencies of foreign countries.

65.2.5. in case of the reveal of a violation of Article 63.2 of this Law.

65.3. In the event of suspension of the activity of an online media entity and distribution of media products on the grounds specified in Article 65.2 of this Law, information about it shall be posted on the website of that media entity.

65.4. The body (institution) defined by the relevant executive authority files a claim in court to terminate the activities of print and online media entities in the following cases:

65.4.1. in case of failure to eliminate the violation specified in Article 65.2.1 of this Law;

65.4.2. if media entities the activity of which is suspended on the grounds provided for in Article 65.2 of this Law repeatedly violates the requirements of Articles 65.2.2-65.2.5 of this Law within 2 (two) years;

65.4.3. in case of violation of the requirements of Articles 26.1-26.4 of this Law;

65.4.4. if an official application was not submitted to the body (institution) defined by the relevant executive authority in accordance with Article 62.2 of this Law, or if the information specified in that application is found to be false;

65.4.5. if media entities fail to eliminate violations within 1 (one) month from the date of their removal from the Media Register for violation of the requirements of Article 75.1.7 of this Law, and within 2 (two) months from the date of removal from the Media Register for violation of the requirements of Article 75.1.6 of this Law.

65.5. In case of violation of the requirements of Article 14.1 of this Law by an online media entity, measures are taken in accordance with the Law of the Republic of Azerbaijan “On Information, Informatization and Protection of Information”.

Article 66. Prohibition of the import and distribution of foreign print media products

66.1. Import and distribution of foreign print media products containing information that does not comply with Articles 14.1.1, 14.1.2, 14.1.4, 14.1.5, 14.1.7, 14.1.9, 14.1.10, 14.1.13, and 14.1.14 of this Law in the territory of the Republic of Azerbaijan may be prohibited by a court decision.

66.2. The court may order the withdrawal from sale of already distributed products of foreign print media that contradict the requirements of Article 66.1 of this Law.

Article 67. Storage of editorial materials

67.1. A print and online media entity keep editorial materials (manuscripts, letters, tape recordings, etc.) for 1 (one) year.

67.2. The procedure for storing materials is determined by print and online media entities.

Article 68. Mandatory copies

As soon as the first issue of the circulation is ready, free mandatory copies of print media products are sent by the publishing house to the founder, the state archive, the relevant libraries in accordance with Article 15 of the Law of the Republic of Azerbaijan “On Library Work”.

Article 69. Sponsorship in print and online media

69.1. The activities of print and online media entities and the distribution of media products may be financed with the sponsorship of citizens of the Republic of Azerbaijan and legal persons of the Republic of Azerbaijan. Persons dealing with the production and/or sale of goods the advertising of which is prohibited by the Law of the Republic of Azerbaijan “On Advertising” cannot be sponsors.

69.2. Natural and legal persons of foreign countries may sponsor only up to 25 (twenty-five) percent of each product of print and online media entities.

69.3. Sponsorship of print and online media entities cannot affect a journalist's independence.

69.4. Periodical press publications prepared with the financial support of a sponsor shall contain information about it.

69.5. Sponsor advertising is broadcast as provided by the Law of the Republic of Azerbaijan “On Advertising”.

Chapter 7

Activities of journalists

Article 70. Press card

70.1. Journalists included in the Media Register are issued a press card by the body (institution) defined by the relevant executive authority. The form of the press card, the amount of payment for its issuance or replacement, and the procedure for using these funds are determined by the body (institution) defined by the relevant executive authority.

70.2. Article 70.1 of this Law does not apply to foreign journalists operating in the territory of the Republic of Azerbaijan. In order to operate in the territory of the Republic of Azerbaijan, foreign journalists shall apply in advance to the body (institution) defined by the relevant executive authority. They may operate upon the consent of the body (institution) defined by the relevant executive authority.

70.3. Term of validity of a press card is 3 (three) years. A journalist has the right to re-apply for a press card by handing over the expired press card to the body (institution) defined by the relevant executive authority no later than 3 (three) working days from the date of expiry of the card.

70.4. If the information indicated in the press card changes or the card becomes unusable or the information in the card is found to be incorrect, the journalist shall apply for replacing the press card.

70.5. A journalist whose employment contract is terminated shall hand over his/her card to the employer (media entity) on the last working day, and the media entity shall submit the card to the body (institution) defined by the relevant executive authority for destruction no later than 3 (three) working days.

70.6. Journalists operating individually on the basis of copyright shall submit their press card to the body (institution) defined by the relevant executive authority for destruction no later than 3 (three) working days from the date of their removal from the Media Register.

Article 71. Privileges of the press card holders

71.1. Press card holders enjoy the following privileges:

71.1.1. free access to state and municipal museums, galleries, and facilities where cultural and social events are held in connection with the implementation of journalistic activities;

71.1.2. accreditation by state bodies (institutions), enterprises and organizations, and non-governmental organizations;

71.1.3. accessing the venues where such events are held for the purpose of seeking, acquiring, transmitting, producing, and disseminating mass information on a significant event if accredited in accordance with Article 72 of this Law;

71.1.4. enjoying the concessions and privileges provided for in Articles 76.1.2-76.1.5 of this Law.

Article 72. Accreditation of journalists

72.1. Media entities may have their journalists included in the Media Register accredited in the state bodies (institutions), enterprises and organizations, and non-governmental organizations upon the consent of these institutions and in accordance with the accreditation rules established by them.

72.2. Journalists operating individually on the basis of copyright and included in the Media Register may get accredited in the state bodies (institutions), enterprises and organizations, and non-governmental organizations upon the consent of these institutions and in accordance with the accreditation rules established by them.

72.3. Journalists accredited upon the consent and by the state bodies (institutions), enterprises and organizations, non-governmental organizations and in accordance with the accreditation rules established by them are informed in advance about meetings, consultations, and other events (except for closed events) and provided with the opportunity to familiarize themselves with transcripts, minutes and other documents.

72.4. Accrediting institution may deprive a journalist of accreditation if the media entity and the journalist disseminate information that discredits the business reputation of the accrediting institution, or false information and it is confirmed by an effective court decision, or violate accreditation rules.

72.5. Non-journalist employees of a media entity are accredited by state bodies (institutions), enterprises, organizations, non-governmental organizations in accordance with the accreditation rules established by them.

72.6. Only media entities and journalists included in the Media Register and foreign journalists who have received consent in accordance with Article 70.2 may seek,

acquire, transmit, produce and disseminate mass information in the territory (territories) where military situation and state of emergency is applied, in the zones of special operation countering religious extremism and in zones of counter-terrorism operations.

Chapter 8

Media Register

Article 73. Media Register

73.1. The Media Register is established in the Republic of Azerbaijan in order to systematize information on media entities, including their editorial offices, and journalists.

73.2. The Media Register is an electronic information resource managed by the body (institution) defined by the relevant executive authority and is maintained at the expense of the state budget of the Republic of Azerbaijan.

73.3. The Media Register consists of the following sections:

73.3.1. audiovisual media entities;

73.3.2. print media entities;

73.3.3. online media entities;

73.3.4. information agencies.

73.3.5. journalists.

73.4. In cases provided for in Articles 54.7, 55.8, 57.6, and 58.3 of this Law, the Council submits information about an audiovisual media entity to the body (institution) defined by the relevant executive authority.

73.5. Print or online media entities, information agencies, and journalists apply to the body (institution) defined by the relevant executive authority for inclusion in the Media Register.

73.6. The rules for maintaining the Media Register are determined by the body (institution) defined by the relevant executive authority.

73.7. The following information is included in the Media Register:

73.7.1. name, logo (emblem), legal and actual address of the media entity and/or its editorial office(s);

73.7.2. information provided for by this Law on a media entity that is a natural person, the founder (participant in ownership) of a media entity that is a legal person, persons who are direct and indirect participants in ownership of the legal person that is the founder of a media entity;

73.7.3. TIN of the media entity;

73.7.4. name, surname, patronymic, place of residence, the number, and date of issuance of identity document, contact information of the head of the management body of the media entity;

73.7.5. name, surname, patronymic, place of residence, the number, and date of issuance of identity document, contact information of the managing editor;

73.7.6. list of the journalists employed by the media entity (name, surname, patronymic, place of residence, the number, and date of issuance of identity document, contact information);

73.7.7. information on the periodicity, one-time circulation, and content of the print media entity;

73.7.8. information about the owner of the domain name of the online media entity;

73.7.9. territorial category of the media entity and/or its editorial office(s);

73.7.10. genre, method, and type of broadcasting of audiovisual media entities and/or their editorial office(s);

73.7.11. information on the license of the audiovisual media entities;

73.7.12. information on agreements concluded by information agencies with other media entities for the provision (acquisition) of information;

73.7.13. name, surname, patronymic, place of residence, the number, and date of issuance of identity document, contact information of the journalist;

73.7.14. information on the issued (including previously issued, if any) press card;

73.7.15. general information on the employment or civil law contract and labor activity of the journalist;

73.7.16. TIN of the journalist working individually under a civil law contract on the basis of copyright;

73.7.17. information on the higher education of the head of the management body of the media entity and the journalist;

73.7.18. information on the criminal record of the founder(s) (participant in ownership) (for natural persons), the head of the management body of the media entity and the journalist.

73.8. Media entities included in the Media Register are issued a certificate of the Media Register, the form of which is approved by the body (institution) defined by the relevant executive authority.

73.9. Except for the list of media entities and journalists, information included in the Media Register is not publicly available.

Article 74. Requirements for inclusion in the Media Register

74.1. Persons applying for inclusion in the Media Register as a media entity shall meet the following requirements:

74.1.1. meet the requirements specified in Articles 26.1-26.5 and 26.8 of this Law (taking Article 69.2 of this Law into account);

74.1.2. have continuous activity (except for the media entities who did not operate in the field of media before the date of application);

74.1.3. perform activity in line with the requirements of Articles 13.1 and 13.2 of this Law;

74.1.4. for legal persons – having been registered in the state register of legal persons;

74.1.5. for natural persons – having been registered for tax purposes as a sole proprietor;

74.1.6. logos (emblems) of the media entity (or its editorial office) shall not be the same as or similar to the logos (emblems) of the editorial offices of other media entities included in the Media Register.

74.2. Journalists applying for inclusion in the Media Register shall meet the following requirements:

74.2.1. have a higher education;

74.2.2. have a legal capacity to act;

74.2.3. have no record of being convicted of grave or especially grave crimes, and crimes against public morals;

74.2.4. have his/her convictions expunged or struck;

74.2.5. have an employment contract with a media entity (journalists operating individually on the basis of copyright shall have a civil law contract with at least one media entity);

74.2.6. the employing media entity must be included in the Media Register;

74.2.7. the employing media entity shall be in continuous operation (except for media entities that did not operate before the date of application);

74.2.8. the activities of journalists shall be in line with the requirements of Articles 13.1 and 13.2 of this Law;

74.2.9. the interruption in the activity of the print media entity where s/he is employed shall not exceed the period specified in Article 59.7 of this Law;

74.2.10. shall have at least 3 (three) years of work experience as a journalist or in scientific and pedagogical educational institutions in the field of journalism;

74.2.11. must have followed the rules of professional ethics (ethical conduct) during his/her activity as a journalist;

74.2.12. a journalist working individually under a civil law contract must have tax registration as a sole proprietor.

74.3. If the persons applying for inclusion in the Media Register do not meet the requirements of Article 74.1 of this Law, and journalists do not meet the requirements of Article 74.2 of this Law, the body (institution) defined by the relevant executive authority refuses to include them in the Media Register.

74.4. Audiovisual media entities are directly included in the Media Register based on the information submitted in accordance with Articles 54.7 and 55.8 of this Law.

Article 75. Removal from the Media Register

75.1. Media entities included in the Media Register are removed from the Register in the following cases:

75.1.1. upon the request of the media entity;

75.1.2. in case of liquidation of a media entity that is a legal person;

- 75.1.3. in case of termination of the activity of the media entity by a court decision;
- 75.1.4. death of a media entity who is a natural person or his/her being declared dead or missing by an effective court decision;
- 75.1.5. in the reveal of non-compliance with the requirements of Articles 26.1-26.5 (taking Article 69.2 of this Law into account) and Articles 74.1.5 of this Law;
- 75.1.6. violation by print media entity of the requirements of Article 59.7, and by online media entity (its editorial offices) of Article 60.5 of this Law;
- 75.1.7. In case of a change to the register details of the print or online media entity included in the Media Register, failure to submit this information to the body (institution) defined by the relevant executive authority together with relevant supporting documents within 14 (fourteen) working days from the date of the change;
- 75.1.8. if the license of the audiovisual media entity is revoked.
- 75.2. When a media entity is removed from the Media Register, information on this is posted on the website of the body (institution) defined by the relevant executive authority.
- 75.3. Journalists included in the Media Register are removed from the Register in the following cases:
- 75.3.1. upon the request of the journalist;
- 75.3.2. in the reveal of non-compliance with the requirements of Article 74.2 of this Law;
- 75.3.3. if hold liable for grave and especially grave crimes;
- 75.3.4. death or being declared dead or missing by an effective court decision;
- 75.3.5. in the reveal of non-compliance of the disseminated information with the requirements of Article 14 of this Law 3 (three) times within a year;
- 75.3.6. if the media entity where s/he is employed, or the only media entity where s/he works individually based on copyright is removed from the Media Register;
- 75.3.7. if the journalist working individually under a civil law contract on the basis of copyright is removed from the tax register or his/her entrepreneurial activity is terminated.

75.4. When a journalist is removed from the Media Register, his/her press card is canceled by the body (institution) defined by the relevant executive authority, and information on this is posted on its website.

75.5. Audiovisual media entities are directly removed from the Media Register based on the information submitted in accordance with Articles 58.3 of this Law.

Article 76. Concessions and privileges for persons working in the field of media

76.1. The following concessions and privileges may be determined for the persons included in the Media Register:

76.1.1. orders of official announcements and social advertisements by state bodies (institutions) to media entities;

76.1.2. participation of the employees of media entities and journalists in trainings organized by the body (institution) defined by the relevant executive authority on a free or discounted basis;

76.1.3. taking part in projects on issues of state and public importance organized by the body (institution) defined by the relevant executive authority;

76.1.4. benefiting from financial discounts and privileges (including preferential loans);

76.1.5. benefiting from concessions related to the strengthening of social protection and the enhancement of financial security.

Chapter 9

Final Provisions

Article 77. Liability for the violation of this Law

77.1. Persons guilty of violating this Law are liable in cases specified by the Civil Code, Administrative Offenses Code, and the Criminal Code of the Republic of Azerbaijan.

77.2. An editorial office and a journalist is not liable for disseminating false information in the media in the following cases:

77.2.1. if the information was officially disseminated by the officials of state bodies (institutions) or their press services;

77.2.2. if the information was disseminated by information agencies or the press services of institutions, enterprises, organizations, political parties, and non-governmental organizations;

77.2.3. if the information is repeated as it was in the official speeches of the deputies of Milli Majlis of the Republic of Azerbaijan, representatives of state bodies (institutions), municipalities, administrations, institutions, organizations and non-governmental organizations, and officials;

77.2.4. if this information was heard in speeches broadcast live.

Article 78. Transitional provisions

78.1. The following licenses are issued to license holders operating in the field of television and radio broadcasting free-of-charge within 6 (six) months from the date of entry into force of this Law after the submittal of the documents specified in Article 52.2 of this Law in hard copy or in electronic format:

78.1.1. to nationwide television and radio broadcasters - the license of nationwide terrestrial television broadcaster and the license of nationwide terrestrial radio broadcaster;

78.1.2. to regional television and radio broadcasters - the license of regional terrestrial television broadcaster and the license of regional terrestrial radio broadcaster;

78.1.3. depending on the broadcasting methods used by cable broadcasters (cable, IPTV, OTT, mobile TV, and satellite-encoded broadcast signals) - the license of simple platform operator and the license of universal platform operator;

78.1.4. to cable broadcasters operating using radio frequencies – the license of multiplex operator;

78.1.5. to satellite broadcasters - the license of platform broadcaster performing satellite broadcasting.

78.2. Nationwide and regional radio broadcasters operating in the Republic of Azerbaijan until the full transition to digital radio broadcasting may perform the retransmission function of the infrastructure or multiplex operator.

78.3. Print media and online media entities operating before the entry into force of this Law shall apply to the body (institution) defined by the relevant executive authority in accordance with Article 73.6 of this Law within 6 (six) months from the date of establishment of the Media Register.

78.4. Article 48.3 of this Law applies to the members of the Council appointed after the entry into force of this Law.

78.5. Articles 26.3.1 and 74.2.3 of this Law apply to the circumstances arising after the entry into force of this Law.

78.6. From the date of entry into force of this Law, the Law of the Republic of Azerbaijan “On Mass Media” (Collection of Legislation of the Republic of Azerbaijan, 2000, no. 2, Article 82; 2001, no. 12, Article 736; 2002, no. 3, Article 116, no. 5, Article 245; 2004, no. 2, Articles 57, 58; 2005, no. 4, Article 278; 2007, no. 8, Article 752, no. 11, Article 1079; 2009, no. 4, Article 212, no. 8, Article 611; 2010, no. 3, Article 172; 2015, no. 2, Article 82, no. 11, Articles 1258, 1292; 2016, no. 1, Article 40, no. 5, Article 837, no. 12, Article 1986; 2017, no. 12 (Book 1), Article 2254; 2018, no. 1, Article 16, no. 5, Article 891, no. 6, Article 1166; 2019, no. 3, Article 376, no. 12, Article 1882; Law no. 93-VIQD, dated May 8, 2020 of the Republic of Azerbaijan) and the Law of the Republic of Azerbaijan “On Television and Radio Broadcasting” (Collection of Legislation of the Republic of Azerbaijan, 2002, no. 10, Article 583; 2004, no. 1, Article 10; 2005, no. 4, Article 278, no. 6, Article 469; 2006, no. 11, Article 932, no. 12, Article 1005; 2007, no. 6, Article 560, no. 8, Article 749, no. 11, Article 1053; 2009, no. 6, Article 394; 2010, no. 7, Article 600; 2011, no. 2, Article 70; 2015, no. 4, Article 354; 2016, no. 12, Article 1987; 2018, no. 2, Article 153, no. 6, Article 1167, № 12 (Book 1), Article 2477; 2019, no. 12, Article 1882; 2020, no. 6, Articles 671, 673) are declared null and void.