

<b>AZERBAIJAN*</b>			
<b>COMPETITION FRAMEWORK</b>			
Competition Law	The Competition Law was enacted in June 1995.		
Competition Authority	State Service for Antimonopoly Policy and Consumer Rights' Protection Website: <a href="http://www.consumer.gov.az/">http://www.consumer.gov.az/</a>		
<b>STATUS OF THE COMPETITION AUTHORITY</b>			
<b>Accountability</b>			
Does the Competition Authority have obligations before the executive?	Yes	√	Obligations to report to the executive on on-going investigations upon request.
		√	The decisions of the Competition Authority may be vetoed by a ministry or by the executive branch.
		√	The Competition Authority has to report on an annual basis to the executive.
Does the Competition Authority have obligations before the legislature?	No	X	Obligation to publish an annual report on its activities.
		X	Obligation to stand before parliament and to respond to congressmen on an annual basis.
		X	Its activities are monitored by an independent auditor or by oversight committees.
Does the Competition Authority have obligations before the judiciary?	No	X	Decisions of the Competition Authority are subject to judicial review.
<b>Independence</b>			
Are the criteria for appointment and removal of the head/board members clear and transparent?	No	Nothing is outlined in the Competition Law.	
Does the executive have powers to decide on specific cases based on public interest?	Yes	The executive retains all of the power.	
Does the executive retain decision-making powers over the Competition Authority?	Yes		
Is the Competition Authority obliged to publish its reasoned decisions to ensure transparency?	No	Nothing is outlined in the Competition Law.	
Is there a provision of the national budget allocated by law to the Competition Authority to ensure its proper functioning?	No	Nothing is outlined in the Competition Law.	
Can the Competition Authority be financed by its own means (notification fees, fines, etc.)?	No	Nothing is outlined in the Competition Law.	
<b>GOVERNANCE OF THE COMPETITION AUTHORITY</b>			
Is the Competition Authority governed by a single chairman or by a collegiate body?	N/A	Nothing is outlined in the Competition Law.	
Are the heads appointed by a minister?	N/A	Nothing is outlined in the Competition Law.	
Are the heads appointed by representatives of more than one government branch?	N/A	Nothing is outlined in the Competition Law.	
Is there a fixed period during which removal is prohibited?	N/A	Nothing is outlined in the Competition Law.	
Is the tenure of the heads renewable?	N/A	Nothing is outlined in the Competition Law.	
Are the heads required to have certain minimum qualifications (degree in law or economics, age, experience)?	N/A	Nothing is outlined in the Competition Law.	
<b>ARCHITECTURE</b>			
Is the Competition Authority a stand-alone agency with an independent physical location or is it part of a bigger entity such as a minister?	It is part of the executive body.		
<b>POLICY-MAKING AGENTS -DIVERSIFICATION-</b>			
How many agencies are responsible for competition enforcement?	One agency.		
Do sector regulators have competition policy enforcement mandate?	Yes, on patent, financial, natural, and local regions, Section II of the Competition Law.		
Have the Competition Authority and other agencies signed protocols or memoranda of understanding?	Yes, many memoranda have been signed through the executive branch.		
<b>POLICY DUTIES</b>			
Does the Competition Authority have exclusive	Multiple mandates	√	Concurrent consumer protection mandate.

mandate on competition or multiple mandates?		√	Concurrent IP mandate.
		<b>Other mandates:</b> Non.	
<b>PORTFOLIO INSTRUMENTS</b>			
<b>Law Enforcement</b>			
Does the Competition Authority have powers to investigate cartels?	N/A	Nothing is outlined in the Competition Law.	
Does the Competition Authority have powers to conduct dawn raids at premises?	N/A	Nothing is outlined in the Competition Law.	
Can the Competition Authority investigate <i>ex officio</i> cases?	N/A	Nothing is outlined in the Competition Law.	
Does the Competition Authority have powers to accept leniency applications?	N/A	Nothing is outlined in the Competition Law.	
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<b>Advocacy</b>			
Can the Competition Authority issue opinions on draft legislation?	N/A	Nothing is outlined in the Competition Law.	
Is the executive and/or the legislature obliged to request the opinion of the Competition Authority when drafting legislation that may impact competition?	N/A	Nothing is outlined in the Competition Law.	
<b>Rulemaking</b>			
Can the Competition Authority issue guidelines or other type of secondary legislation?	No	X	Guidelines on the calculation of fines.
		X	Guidelines on merger control.
		X	Guidelines on the economic analysis of abuse of dominance cases.
<b>Research &amp; Reporting</b>			
Can the Competition Authority carry out market studies?	N/A	Nothing is outlined in the Competition Law.	
Can the Competition Authority report to the legislature on the results of market studies?	N/A	Nothing is outlined in the Competition Law.	
<b>DECISION-MAKING FUNCTIONS</b>			
<b>Aggregated Functions</b>			
Does the Competition Authority make the decision to investigate and to prosecute cases?	Yes		
Does the Competition Authority make guilty findings?	Yes		
Does the Competition Authority impose punishments?	Yes		
Is there a single body that carries out the investigation and the guilty findings within the Competition Authority?	No		
Can the Competition Authority's decisions be appealed to a court?	Yes		
<b>Disaggregated Functions—Prosecutorial Model</b>			
Are there different authorities that make the decision to investigate and to prosecute cases?	No		
Are disputes presented for decision to a separate entity/tribunal?	No		
* Data based on public sources.			