



New Competition Code adopted

On 23 January 2023 the New Competition Code has been approved by the *Law On Approval, Entry into force of the Competition Code of the Republic of Azerbaijan and Corresponding Legal Regulation*, dated December 8, 2023, No. 1051-VIQ (the “**Law No. 1051-VIQ**”).

Simultaneously, Decree of the President of the Republic of Azerbaijan *On Implementation of Law No.1051-VIQ and Regulation of Corresponding Issues*, dated January 23, 2024 adopted. By means of this Decree, the scope of relevant competent state authorities and sub-legislative acts to be approved regarding the application of the New Competition Code is determined.

The new Competition Code incorporates the provisions of the laws regulating competition law relations, in particular the laws "On the Right to Unfair Competition", "On Natural Monopolies" and "On Antimonopoly Activities", which were repealed with the adoption of the new Code.

Considering the requirements of the contemporary period over the competition legislation, the New Code introduces several new regulations. The following matters, including but not limited to them, are included in the scope of the New Competition Code:

- Horizontal and vertical agreements, concerted practices restricting competition;
- Dominant position in the market and abuse of dominant position;
- Unfair competition cases;
- Economic concentrations;
- State regulation on the natural monopolies;
- State inspection and responsibility measures.

The New Competition Code will envisage the following amendments in relation to the regulations provided for under the current competition legislation:

- Expanding the scope of horizontal and vertical agreements;
- Envisioning new rules for determining the dominant position;
- Determination of new criteria for economic concentrations requiring permission;
- Significant increase in financial sanctions for infringement of competition legislation

The New Competition Code will enter into force on July 1, 2024.

