

## **LAW ON ADVERTISEMENT**

On 15 May 2015, the new Law of the Republic of Azerbaijan “On Advertisement” was adopted. With the Law coming into effect as of 17 July 2015, Law No 376-IQ, dated 3 October 1997, “On Advertisement” is repealed. The 2015 Law includes regulation of a number of matters that the 1997 Law was not regulating.

The Law addresses the issues, such as the cases where broadcasting of commercials during television and radio programs (broadcasts) can be restricted and, if not restricted, the length of commercial broadcasts as well as incorporates new rules of placing sponsorship commercials, protection of minors during advertisement, advertising of substitute baby food, and of some others. As in the past, advertising tobacco products remains restricted.

### **Breaking for Commercials**

Under Section 20 of the Law, advertisement during television and radio programs (broadcasts), sports programs, events and presentations, broadcasting of which breaks, can be made only between separate parts of the broadcast and during the breaks with an interval between commercials not being shorter than 15 minutes. Commercials during feature film and documentary shows can be made after the 45<sup>th</sup> minute of the show. During film shows, a break for the second advertising block is allowed if films run longer than 65 minutes.

News programs, religious programs, programs for children, as well as TV series, entertainment shows, political programs, and documentaries shorter than 30 minutes cannot be interrupted for commercials. As an exception, these broadcasts can be interrupted in a manner required by law by one or several commercials if they run longer than 30 minutes.

### **Time Periods When Advertisement Is Restricted**

The Law establishes time periods, during which advertisement is restricted. Advertising, including by way of crawls, is restricted on days of mourning and during the broadcasts of sittings of the Milli Maclis of the Republic of Azerbaijan, official state events, and addresses by the President, Prime Minister, and Chairmen of the Milli Maclis and Supreme Court of the Republic of Azerbaijan.

### **Sponsor Advertisement**

Another feature introduced by the Law is related to sponsor advertisement. Under the Law, a sponsor is a person who voluntarily allocates, or ensures allocation of, funds and (or) other material means for organising and (or) conduct of sports, cultural, and other mass events, creation and (or) broadcast of programs in electronic information means as well as for use of other results of intellectual activity. Sponsor advertisement during the relevant television and radio program cannot be longer than two minutes. Another restriction in relation to sponsor advertisement is that persons engaged in production and (or) sale of alcoholic drinks can be shown as sponsors only if the relevant advertisement runs between 23:00 and 7:00.

### **Protection of Minors**

The Law incorporates restrictions for the protection of minors. For instance, advertisements must not discredit parents, guardians, mentors and other persons before children or promote rudeness, hatred,

violence, and bad habits. Demonstration in advertisements of acts dangerous to life and health is among the restrictions. Placement near kindergartens and schools of advertisements that mentally and physically adversely affect minors is prohibited.

### **Advertisements at Means of Transportation**

The Law also regulates advertising at means of transportation. In order to advertise at means of transportation, consent from the Ministry of Internal Affairs of the Republic of Azerbaijan must be obtained. Advertisement at means of transportation must be placed considering creativity, design, and quality of printing criteria based on the yet-to-be-determined standards within technical limitations of non-interference with visibility. In order to ensure safety at means of transportation, advertisement on windshields and rear windows is restricted.

### **Open Air Advertisement**

A permit must be obtained before an open air advertisement can be placed. Open air advertisement can be placed at land plots of highways as well as on advertisement carriers in city, village, and other settlements. Placement of advertisement over pavement, on road signs, their poles, or other traffic regulation means, as well as on traffic facilities is restricted.

The Cabinet of Ministers of the Republic of Azerbaijan shall determine the distance from kindergartens and schools of advertisements that, as discussed above, may adversely affect minors as well as the technical limitations of advertisement on means of transportation.

Open air placement of advertisements of substitute baby food products, medical services of induced termination of pregnancy and artificial insemination, and of alcoholic drinks is prohibited.

**PLEASE CONTACT US FOR ANY QUESTIONS AND FURTHER  
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