

Documents required for state registration of a branch or representative office of a foreign commercial legal entity in the Republic of Azerbaijan

The following documents, required for registration of a branch or representative office of a foreign commercial legal entity in the Republic of Azerbaijan, must be submitted by an authorized person to the Department of State Registration of Legal Entities of the Main Department of National Incomes of the State Tax Service under the Ministry of Economy:

- 1) decision of the authorized body of a foreign commercial legal entity on the establishment of a branch or representative office, approval of its statute and appointment of its head;
- 2) the original or a notarized copy of the power of attorney issued to the head of a branch (representative office) by the authorized body of a foreign commercial legal entity to implement current activities;
- 3) a statute approved by a foreign commercial legal entity that has established a branch or representative office, or its authorized representative;
- 4) documents confirming the registration of the founder - a foreign commercial legal entity - registration certificate, extract from the trade register, charter, etc.;
- 5) a document confirming the payment of the state due (the amount of the state due for registering a branch or representative office is 300 manats);
- 6) a copy of the identity document of the head of a branch or representative office;
- 7) application;
- 8) when submitting the above documents by third parties, the power of attorney of the founder - a foreign commercial legal entity and the person appointed as a head of a branch or representative office must also be submitted.

In accordance with Article 7-1 of the Law of the Republic of Azerbaijan "On State Registration and State Register of Legal Entities", branches and representative offices of foreign commercial legal entities in the Republic of Azerbaijan are registered within 2 days.

Documents compiled in a foreign country and required to be certified by a notary shall be legalized in the manner provided in the law by the diplomatic representation of the Republic of Azerbaijan in the country where the legal entity is located or by the diplomatic representation of another country representing the interests of the Republic of Azerbaijan in that country (in the absence of such, by the Ministry of Foreign Affairs of the Republic of Azerbaijan, as an exceptional case).

In accordance with the law of the Republic of Azerbaijan "On accession to the Convention Abolishing the Requirement of Legalization for Foreign Public Documents" Nr. 595-IIQ from March 5, 2004, the Republic of Azerbaijan joined the "Convention Abolishing the Requirement of Legalization for Foreign Public Documents ", signed in the Hague dated October 5, 1961.

Pursuant to Articles 2 and 3 of this Law, each state joining the Convention exempts the documents to be submitted in the territory of the Convention from legalization. The only formality that may be required to confirm the authenticity of the signature, the function of the person who signed the document, and, if necessary, the authenticity of the seal or stamp on a document, is to attach the certificate ("Apostille" certificate) provided in Article 4 by the Competent Authority of the state where that document was submitted.

The "Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters" was ratified at the meeting of the Council of Heads of Government of the Commonwealth of Independent States in Chisinau dated October 7, 2002, with a special opinion of the Republic of Azerbaijan.

The Convention Nr. 581-IIQ was ratified by the law of the Republic of Azerbaijan "On approval of the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters", dated January 13, 2004.

Pursuant to Article 12 of the Convention, documents issued or certified by the official seal in the territory of one of the contracting parties by an authorized entity, or a person with special authority, in the manner prescribed by it, should be accepted in the territory of all other Contracting Parties without any approval. Documents recognized as an official document in the territory of one of the Contracting Parties possess valid force of an official document in the territory of the other Contracting Parties.