

# LEGAL NEWSLETTER

(October, 2018)

The foregoing directory applies to the significant legislative amendments implemented in October, 2018.

## Resolution of the Government of Georgia №603

On October 28, 2018, the amendment was adopted to the Resolution No.603 of the Government of Georgia on 29 December 2017 on "Approval of the State Program for 2018 of Labor Conditions Inspection" and the sub-paragraph "g 1" was added below the subparagraph "g" to the first paragraph of Article 3 of the "State Program of Inspection of Labor Conditions 2018" approved by the resolution of the following content:

„g<sup>1</sup>) In case of necessity, in order to study the technical condition and to keep the labor safety norms in local enterprises / institutions by international / local expert organizations (experts), to carry out procurement for conducting expertise,” The amendment also referred to Article 6, namely, paragraph 3 was added to it with the following contents:

„3. The procurement of the service envisaged by Subparagraph "g<sup>1</sup>" of Paragraph 1 of Article 3 of this program shall be carried out in accordance with the sub-paragraph "d" of article 101 of the Law of Georgia on “State Procurement”.

The order was enacted immediately after publishing, on October 28, 2018.

### Order № 290 of the Minister of Finance of Georgia

On October 18, 2018, the amendment was done to the Order No. 290 of the Minister of Finance of Georgia adopted on July 26, 2012 on "Approval of the Instruction on Displacement and Signing of Goods on the Customs Territory of Georgia", namely, Article 52 of the instruction approved by the Order was formulated as follows: "The category of goods imported on targeted destination in Georgia, concerning which there are determined the concessions determined by tax legislation on the import payments, concludes: the goods referred in subparagraph "b", "c" and "d" of the first part of article 168 of the Tax Code of Georgia; Raw materials and substances, indicated in the sub-paragraph "j" of the same part, defined by the 28<sup>th</sup> and 29<sup>th</sup> sections of the national goods nomenclature of the Foreign Economic Activities belonged for the medicines (pharmaceutical) purposes in accordance with the list regulated by the joint order of the Minister of Finance of Georgia and of the Minister of internally displaced persons from the occupied territories, Labor, Health and Social Affairs of Georgia; Goods referred to in subparagraphs "a", "c", "d", "h", "i", "j" of the 3<sup>rd</sup> part and paragraph "e" of the 4<sup>th</sup> part of the same Article; Goods referred to in subparagraphs "e", "f" and "k" of the 5<sup>th</sup> part of article 194 and goods referred to in subparagraphs "a", "b", "c", "f", "g" and "h" of the article 199." The amendments also referred to the 2<sup>nd</sup> paragraph of Article 23.

The order was enacted immediately after publishing, on October 18, 2018.

### Order 58/04 of the President of the National Bank of Georgia

On October 10, 2018, amendments were implemented to the Order No. 58/04 of the President of the National Bank of Georgia adopted on April 5, 2018 about "Approval of the Rules and Conditions for Registration of Microfinance Organization at the National Bank of Georgia". Namely, Article 7 of the instruction stipulated by the order was formulated as follows: The Microfinance Organization is obliged to provide video surveillance system on the outer perimeter, which should meet the characteristics and parameters of the video surveillance system provided by the order №1143 of the Minister of Internal Affairs of Georgia adopted on August 29, 2007 on "Approving the rules of video surveillance systems and their installation and operation on the outer perimeters and at the places of "Gambling and other lucrative games (except for promotional games). In case, if it is impossible to install an external perimeter of the video surveillance system according to the requirements set forth in this

Rule, then the entrepreneurial entity in order to register the microfinance organization is obliged to submit a reference from the Ministry of Internal Affairs of Georgia about installation an external perimeter of the video surveillance system according to the requirements different from this rule. The changes also referred to the Articles 3 and 8.

The order was enacted immediately after publishing, on October 10, 2018.

### **Resolution of the Government of Georgia №476**

On October 1, 2018, on the basis of the 2<sup>nd</sup> part of the article 58 of the code of the product safety and free circulation, "Technical Regulations on Construction Products" were approved. According to the resolution, it is identified that the legal entity of public law - the Revenue Service while importing to the customs territory of Georgia is obliged to stop and not to allow importing of the construction products on the Georgian market, on which the document certifying the compliance to the requirements of the standards considered by the article 2 of the same resolution was not submitted and about this to inform the Ministry of Economy and Sustainable Development of Georgia LEPL - Technical and Construction Supervision Agency (hereinafter - the Agency). The Agency was obliged to oversee market supervision over the products considered under the technical regulations. The technical regulation establishes the terms for placing the construction products on the market by determining their main features and developing the rules of marking.

The resolution will come into effect from November 15, 2018.