



Legal Newsletter

(December 2020)

The present newsletter contains significant legislative changes made in various legislative and sub-legislative acts in December 2020.

[Joint Order of the Minister of Finance of Georgia and the Minister of Internal Affairs of Georgia №299/166](#)

On 10th of December 2020, number of legislative changes were made in the joint order of the Minister of Finance of Georgia and the Minister of Internal Affairs of Georgia dated of December 14th, 2011 №611-№1013 „on the establishment of the rules for checking up the execution of the permit conditions by the holders of gambling and other gaming licenses”. Based on the mentioned changes, a sub-paragraph „L” of the second paragraph of article 5 , which was confirmed by the the previous order, was formed as follows:

„L) Whether the organizer has a confirming act issued by the legal entity of public law operating in the field of governance of the Ministry of Internal Affairs of Georgia - Public Security Management Center" 112 " to install the surveillance video systems.

2. A sub-paragraph „F” of the paragraph 2 of an article 8 was fomed as follows:



„F) Whether the permit holder has a confirming act issued by the legal entity of public law operating in the field of governance of the Ministry of Internal Affairs of Georgia - Public Security Management Center" 112 " to install the surveillance video systems.

You can see the above order in detail at the link: <https://matsne.gov.ge/> with the registration code: 190040000.22.033.017404

The order came into force on 11th of December 2020.

The order №17 of the Director of Maritime Transport Agency of the Ministry of Economy and Sustainable Development of Georgia

On 30th of December 2020, "the rule of working on the dock and execution of technical supervision of the dock intended for floating means" was approved on the basis of the order №17 of the Director of Maritime Transport Agency of the Ministry of Economy and Sustainable Development of Georgia. The rules of working on the dock approved on the basis of the above-mentioned order defines the rules of technical supervision, repair work and servicing of the dock intended to repair work of private or state-owned vessels in Georgia.

The rule of working on the dock, approved by the previous order, specifies inspection standard of floating dock, dry dock, slip and elling; minimal requirements of documents, provisions of control and technical exploitation of machinery devices, technical exploitation conditions of the floating dock; general prohibitions of vessels stopping in floating dock, working conditions in the dock, the rights and obligations of a dockmaster and other relevant terms related to proceeding works in the dock.

The rules approved on the basis of the above order you can see in detail at the link: <https://matsne.gov.ge/>, with the registration code: 310020000.55.067.016126



The order was published on the website of the Legislative Herald on 31st of December, 2020. The requirements established by the rule will apply on the floating dock in Georgia on the 90th day after its publication and in certain cases, in accordance with the deadlines specified in an article 21 of this rule.

The order of the Minister of Finance of Georgia №326

On 30th of December 2020, based on the order №326 of the Minister of Finance of Georgia a number of legislative changes were made in the instruction approved by the order №996 of the Minister of Finance of Georgia of 31st of December 2010 „on Tax Administration”.

The instruction has changed fundamentally, from which shall be mentioned several important legislative amendments and additions. The amendments were made to the article 46, which regulates the registration conditions of VAT payers. Also, to the article 47th, which regulates the conditions for cancellation of registration as a VAT payer, The chapter XVIII of the instruction which is related to the VAT counting off has changed drastically.

The article 47¹ was also added to the instruction, which regulates the rules of calculating VAT, payment to the budget and informing without the registration by a foreign taxable person. An important addition is an article 48², which defines the cases of certain taxable transactions, during which the content of the part 2 of the article 163 of the Tax Code of Georgia is not used.

Besides certain articles, the chapter XII¹ was added to the instruction as well, which strengthens the terms and conditions of the usage of part 7 of the article 160 of the Tax Code of Georgia, chapter XII² has also been added to regulate transactions by voucher. An important addition to the instruction is the chapter XVI¹, which determines the rules for VAT taxation



in certain cases and the payment of VAT to the budget, as well as chapter XVI², which regulates special schemes.

You can see the detailed information on the fundamental amendments made on the basis of the above order at the link: <https://matsne.gov.ge/> with the registration code: 200090000.22.033.017418

The order came into force on 1st of January 2020.

The order of the Minister of Finance of Georgia №325

On 30th of December 2020, a number of legislative changes were made in the instruction approved by the order №996 of 31st of December 2010 of the Finance Minister of Georgia „on Tax Administration". Among them, article 93 was amended to the order, to issue a permit to organize gambling and/or gaming, the delivery of gambling and/or gaming and it has been clarified that the issuance of permits for arranging gambling and winning games and delivering gambling and/or winning games is confirmed by the orders №VI-01, №VI-02, №VI-03, №VI-04, №VI-05, №VI-06 , №VI-061, №VI-062 by issuing the relevant permit form of annexes.

The amendments also affected the form of issuance of a license by the Revenue Service, clarification of what is meant by the gambling business fee payment mark and what it should contain, moreover, the paragraph 3¹ have been added to the instruction, which regulates the amount of the gambling business fee which should be paid by the incentive raffle organizer and the conditions of its payment.



You can see the detailed information on changes made on the basis of the above order at the link: <https://matsne.gov.ge/>, with the registration code: 200090000.22.033.017417

The order, with the exception of paragraph 6 of the article 1, entered into force on 1st of January 2021 and paragraph 6 of the article 1 of the order will enter into force on 1st of January 2022.