



Legal Newsletter

(September 2022)

The present newsletter contains significant legislative amendments, made in various legislative and sub-legislative acts in September 2022.

The code of Administrative offences of Georgia

On 6th of September, 2022 amendments were made in the code of administrative offences of Georgia and part 5 of the article 177 was formed with the following addition:

„5. The person/organization to which an administrative fine was imposed for the committing of an administrative offense provided in the 3rd or 4th part of this article, repetition of the same action will result a fine from 2,000 GEL to 7,000 GEL.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 020000000.05.001.020598

The Law came into force upon its publication.

Law of Georgia "On Payment System and Payment Services"

On 9th of September, 2022 following articles of the Law of Georgia "On Payment System and Payment Services" were formed with new edition: Article 4 (important system); Article 5



(exception from registration as an operator and implementation of payment system); Article 5¹ (access to the payment system); Article 13 (concept of payment service); Article 13¹ (Activities permitted for payment service providers); Article 15 (Registration of a payment service provider and implementation of payment services); Article 20 (providing information to the user and/or concluding an agreement with him); Article 20¹ (Acceptance of payment instrument and co-bagging) etc.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 200020000.05.001.020607.

The law, except for the first paragraph of Article 20¹ of the Law provided in paragraph 13 of Article 1 of this Law, the first and fifth paragraphs of Article 22² of the Law provided in paragraph 15 and the first and fourth paragraphs of Article 22³, paragraphs 5 and 6 of the 41¹ Law provided in paragraph 27 and chapter VI² shall enter into force from November 1, 2022.

Paragraphs 1 and 5 of Article 22² of the Law provided by the paragraph 15 of Article 1 of the Law and paragraphs 1 and 4 of Article 22³ of the Law shall come into force on January 1, 2023.

Paragraphs 5 and 6 of Article 41¹ of the Law provided by the paragraph 27 of Article 1 of the Law and chapter VI² will come into force from August 1, 2023.

The first paragraph of the Article 20¹ of the Law provided by the paragraph 13 of the first Article of the Law shall come into force from January 1, 2025.



Law of Georgia "On Licenses and Permits"

On 9th of September, 2022 amendments were made to the Law of Georgia "on Licenses and Permits" and article 94 with the following content was supplemented to the law:

"1. In order to promote the stability and development of the financial sector, as well as based on the interests of the banking sector, among them, in order to use essentially new and innovative financial technologies in the local market and increase consumer access to financial services, the National Bank of Georgia is authorized to issue a conditional license to a legal entity for the licensing of a commercial bank by temporarily simplifying the requirements regarding the minimum capital established by the legislation of Georgia. When issuing a conditional license, the National Bank is authorized to define appropriate restrictions and/or individual/additional requirements, stages and deadlines for their full satisfaction, in order to reduce risks.

2. The rules and conditions for issuing a conditional license for banking activities are determined by the legal act of the National Bank of Georgia."

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 300310000.05.001.020616

The Law came into force upon its publication.

The Law of Georgia "on the Activities of Commercial Banks"

On 9th of September, 2022 Article 17 (Bank Secrecy) and Article 21¹ (Conducting Business Relations with Clients) of the Law of Georgia "on the Activities of Commercial Banks" were formed with a new edition.



You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 220020000.05.001.020615

The Law, except for paragraph 2 of the first article of the Law, will come into force from November 1, 2022.

Paragraph 2 of the first article of the law will come into force from August 1, 2023.

Law of Georgia "on Microfinance Organizations"

On 9th of September, 2022 Article 4 (Microfinance Activity) and Article 10 (Confidentiality of Information) of the Law of Georgia "on Microfinance Organizations" were formed with a new edition.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 220090000.05.001.020623.

The Law, except for paragraph 2 of article 10 of the Law provided by paragraph 2 of the first article of the Law, will come into force from November 1, 2022.

Paragraph 2 of Article 10 of the Law provided by the paragraph 2 of Article 1 of the Law shall come into force from August 1, 2023.

Organic Law of Georgia "On the National Bank of Georgia"

On 9th of September, 2022 in the Organic Law of Georgia "on the National Bank of Georgia" Article 2 (Definition of Terms), Article 9 (Powers of the Board of the National Bank), Article 48 (Supervisory Powers of the National Bank), Article 48² (Registration and supervision of payment system operator and payment service provider), Article 50² (Protection



of confidential information via the currency exchange office), Article 52² (Supervision of the activity of the lending entity), Article 64² (Commission for reviewing disputes in the field of payment system and payment services with the National Bank) and Article 66¹ (National Payments Council) were formed with a new edition.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 220010000.04.001.018032

The Law, except for paragraphs 2 and 7 of the first article of the law, will come into force from November 1, 2022.

Paragraphs 2 and 7 of the first article of the Law will come into force from August 1, 2023.

Law of Georgia "On Enforcement Proceedings"

On 9th of September, 2022 Article 2 (subordinate acts of enforcement) and Article 40 (seizure of movable property) of the Law of Georgia "on Enforcement Proceedings" were formed with a new edition.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 070000000.05.001.020614

The Law, except for paragraph 1 of the first article of the Law, will come into force from November 1, 2022.

The first paragraph of the first article of this Law will come into force from August 1, 2023.



Order №487 of the Minister of Justice of Georgia

On 23rd of September, 2022 Articles, about approval of the instruction "on the public register", 10 (notice on public-legal restriction), 11 (issuing information from the technical accounting archive) and 58 (general rules for verifying the authenticity of the signature) were formed with a new edition.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 040150000.22.027.017350.

The order will be effective from September 1, 2022 to January 1, 2025.

Order №174/m of the Minister of Education and Science of Georgia

On 22nd of September, 2022 paragraph 2¹ with the following content was supplemented to the 2nd paragraph of the first article of the "Rules for starting and terminating the activity of a teacher" approved by the first article of the Order N174/m of the Minister of Education, Science, Culture and Sports of Georgia made on August 20, 2019 "on approval of the rules for starting and terminating a teacher's activity"

„2¹. Mentioned rule does not apply to persons who desire to be employed in the Ukrainian sector at a school. The mentioned persons will be selected according to the rules established by the school.”

You can see the full version of the amendment to the document at the link: <https://matsne.gov.ge>, with the registration code: 430030000.22.022.018214

The Order came into force upon its publication and extended to the legal relationships that arose from April 11, 2022.



Order №996 of the Minister of Finance of Georgia

On 23rd of September, 2022 an amendment was made to the instruction approved by Order №996 of the Minister of Finance of Georgia made on December 31, 2010 "on Administration of Taxes" and sub-paragraph "g", paragraph 2, Article 81² was formed with the following redaction:

„g) to ensure to take out only the labeled/marked products for sale according to the rules established by this order. In addition, even the product on which it is not possible to fully or partially read/recognize the non-material form stamp applied by the selected person is considered as labeled/marked.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 200090000.22.033.017622.

The Order came into force upon its publication.

Order of the Minister of Education and Science of Georgia №20/m

On 26th of September, 2022 "instructions for filling out the protocol of administrative offenses" (Appendix №2) approved by the order №20/m of the Minister of Education, Science, Culture and Sports of Georgia made on February 5, 2020, "on the approval of the form of the protocol of administrative offenses to be used by the Ministry of Education and Science of Georgia, the instructions for filling out the protocol of administrative offenses and the rules for the use, recording and issuing of the protocol of administrative offenses" was formed with a new edition.



You can see the full version of the amendment to the document at the link: <https://matsne.gov.ge>, with the registration code: 020080160.22.022.018217.

The Order came into force upon its publication.

Resolution №99 of the Government of Georgia

On 16th of September, 2022 in accordance with the paragraph 4, Article 20 of the Organic Law of Georgia "on Normative Acts", an amendment was made to the Resolution №99 made on February 10, 2020 of the Government of Georgia "on approval of the rules and conditions of entry and checking (inspection) at objects subject to inspection" and Article 2 (definition of terms), Article 6 (types and directions of inspection), Article 10 (other measures to be implemented at the site), Article 11 (scheduled and unscheduled inspection), Article 12 (implementation of inspection and its legal bases), Article 23 (Protocol and Reference on Administrative Offenses) and Article 26 (Rule of Carrying out Repeated and Subsequent Inspection(s)) of "rules and conditions of entry and checking (inspection) of facilities subject to inspection" approved by resolution were formed with a new edition.

You can see the full version of the amendment to the document at the link: <https://matsne.gov.ge>, with the registration code: 270000000.10.003.023674.

The Resolution came into force upon its publication.

Resolution №96 of the Government of Georgia

On 16th of September, 2022 in accordance with paragraph 4, Article 20 of the Organic Law of Georgia "on Normative Acts", an amendment was made to Resolution №96 made on March 30, 2010 of the Government of Georgia "on approval of fees and rates for the provision of



services by the legal entity under Public Law - Revenue Service" and "fees and their rates for the provision of services by LEPL- the State Revenue Service" was established.

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 040030000.10.003.023673.

The Resolution came into force from 19 September 2022.

Resolution №322 of the Government of Georgia

On 27th of September, 2022 in accordance with paragraph 4, Article 20 of the Organic Law of Georgia "on Normative Acts", an amendment was made to Resolution №322 made on May 23, 2020 of the Government of Georgia "on approval of isolation and quarantine rules" and in Article 11 of the "Isolation and Quarantine Rules" approved by the resolution:

1. Paragraph 4 was formed with the following redaction:

„4. People who were in contact with a person with COVID-19 are not subject to isolation, in addition, it is strongly recommended to use a mask for the next 10 calendar days after the cessation of high-risk contact (including when entering a low-risk environment, in places of public gathering, in public transport, at home, avoiding such places where it is impossible to use a mask (eg: in food establishments, etc.)).”

You can see the full version of the amendment document at the link: <https://matsne.gov.ge>, with the registration code: 470230000.10.003.023677.

The Resolution came into force upon its publication.