



Legal Newsletter

(May 2023)

The present newsletter contains significant legislative amendments made in various legislative and sub-legislative acts in May 2023.

Law of Georgia "on General Education"

On the 3rd of May, 2023 paragraph 6 of Article 6 of the Law of Georgia "on General Education" was implemented and formed with the following redaction:

„6. The starting age of education at the primary level of general education is 6 years, which is completed for a person including the date of the beginning of the academic year specified in the first paragraph of Article 7¹ of this law. In addition, a person who turns 6 years old from the day after the start of the school year to November 1, is entitled to start studying voluntarily at the primary level of general education by the parent's decision.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code:430050000.05.001.020848.

The Law came into force upon its publication.



Law of Georgia "on the promotion of prevention of money laundering and financing of terrorism"

On the 16th of May, 2023, Article 2 of the Law of Georgia "on the promotion of prevention of money laundering and financing of terrorism" (definition of terms); Article 8 (Assessment and management of money laundering and terrorist financing risks by an accountable person), etc. were formed with a new edition.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 080090020.05.001.020861.

The Law came into force upon its publication

Civil Procedure Code of Georgia

On the 16th of May, 2023 in the Article 363²⁵ of the Civil Procedure Code of Georgia:

a) sub-paragraph "a" was formed with the following redaction:

„a) The object of intellectual property – a trademark, service mark or collective mark, a registered design, an invention protected by a patent or a registered useful model, an object protected by copyright or related rights protected in accordance with the legislation of Georgia;"

b) Sub-paragraph „b.c” was formed with the following redaction:

„b.c) In relation to an invention protected by a patent or a registered useful model - a device or substance produced in violation of a special right arising from a patent or registration, the production of which, bringing into the territory of Georgia, storage, engaging in civil



circulation or storage/warehouse for this purpose (temporary storage) or other use causes violation of the special right of the patent or certificate holder;

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 060000000.05.001.020866.

The Law came into force upon its publication.

On the 16th of May, 2023 the same code was amended and Article 1100 of the Civil Code of Georgia (protection of rights to inventions, useful models and industrial designs) was formed with a new edition.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 040000000.05.001.020865.

The Law came into force upon its publication.

Law of Georgia "on Border Measures Related to Intellectual Property"

On the 16th of May, 2023 Article 1 (scope of Law regulation) and Article 2 (Definition of terms used in the law) of the Law of Georgia "on Border Measures Related to Intellectual Property" were formed with a new edition.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 050030010.05.001.020867.



The Order came into force upon its publication.

Order №29/04 of the President of the National Bank of Georgia

On the 1st of May, 2023 Order №29/04 of the President of the National Bank of Georgia "on approval of the rules for registration and regulation of payment service providers" made on the 28th of February, 2017 was declared invalid and the rules for registration and regulation of payment service providers were approved by Order №77/04, along with the attached annexes.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 200090000.18.011.016687.

Order, except for Article 5, paragraphs 2 and 3 of Article 10, paragraph 1 of Article 12, paragraph 4 of Article 13, paragraphs 4 and 5 of Article 14, of the rule approved by this order, came into force immediately after publication.

2. Article 5, paragraphs 2 and 3 of Article 10, paragraph 1 of Article 12, paragraph 4 of Article 13, and paragraphs 4 and 5 of Article 14, of the rule approved by this order, will come into force from the 1st of January, 2024.

Order №M-3 of the Head of the Accounting, Reporting and Audit Supervision Service

On the 2nd of May, 2023 "the procedure for the electronic production of the state register of accountants providing professional services and the state register of accounting firms, their structure and form, the list of information including in them and the identification of users" was approved according to the annex.



You can see the full version of the amendment to the above document at the link:

<https://matsne.gov.ge>, with the registration code: 260000000.64.076.016119.

The order came into force immediately after its publication and extended to legal relationships arising from the 13th of March, 2023.

Order №42/M of the Minister of Education and Science of Georgia

On the 8th of May, 2023 an amendment was made in the order №42/N of the Minister of Education and Science of Georgia made on the 21st March 2022 by the Order №31/m of the Minister of Education and Science of Georgia on the approval of the rules for conducting subject and professional skills exams" and Article 33 (Peculiarities of subject examination organized in 2023) was supplemented to the "rule for conducting subject and professional skills examinations".

You can see the full version of the amendment to the above rule at the link:

<https://matsne.gov.ge>, with the registration code:430210000.22.022.018286

The Order came into force upon its publication.

Order №163/M of the Minister of Education and Science of Georgia

On the 8th of May, 2023 amendments were made in the Order №163/m of the Minister of Education and Science of Georgia made on the 18th of December, 2015 by the Order №32/m



of the Minister of Education and Science of Georgia "on the approval of the rule of allocating additional funding to public schools every month for the purpose of providing the status supplements determined by the teacher's professional development and career advancement scheme, as well as other supplements provided by the Georgian legislation" and in the approved rule:

a) paragraph 3 of Article 2 was formed with the following addition:

„3. Public schools, in addition to the funding established by paragraphs 1 and 2 of this article, will be monthly allocated additional funding for the pension contribution provided in subparagraph "a" of paragraph 6, article 3 of the Law of Georgia "on cumulative pension", in the amount of 2 percent of the employee's taxable salary and also, public school teacher's paid leave due to pregnancy and childbirth and paid leave due to child care, as well as paid leave due to the adoption of a newborn and due to temporary incapacity for work, as additional compensation, official benefits and allowances determined by the legislation of Georgia.";

b) Paragraph 5 with the following content was supplemented after the paragraph 4 of Article 3:

„5. The data stipulated in the first and fourth paragraphs of this article take into account the information displayed by the public school in the general education management information system about the public school teacher's paid leave due to pregnancy and childbirth and paid leave due to child care, as well as paid leave due to the adoption of a newborn and information on temporary incapacity for work. ".

Prior to the entry into force of this order, in the event of paid leave due to pregnancy and childbirth of a public school teacher and paid leave due to child care, as well as paid leave due to the adoption of a newborn, the public school is obliged to inform the Ministry about this,



which will ensure the allocation of appropriate additional funding for the period from January 1, 2023 until the entry into force of this order.

You can see the full version of the amendment to the above rule at the link: <https://matsne.gov.ge>, with the registration code: 430110000.22.022.018287

The Order came into force upon its publication.

Order №09/M of the Director of the Legal entity under public law - Land Transport Agency

On the 15th of May, 2023 an amendment was made by the order №24/m of the director of the legal entity under the public law - Land Transport Agency, in the order №09/M of the director of the legal entity under public law - Land Transport Agency made on the 15th of September 15, 2022 and the first paragraph of Article 6 of the "rule of granting initial qualifications to persons involved in the transportation of dangerous goods by means of transport and/or international transport-transportation" was formed with the following redaction:

„1. An interested person will obtain the qualification of a driver transporting dangerous goods on the basis of passing theoretical training at an agency (Specialized course for the transportation of substances and goods of the first class and specialized course for the transportation of radioactive material of the 7th class) or a training center (basic training course and specialized training course for tank transportation) successfully passing a theoretical test at the agency and issuing a training certificate for a driver of a vehicle transporting dangerous goods by the agency.



You can see the full version of the amendment to the above document at the link:

<https://matsne.gov.ge>, with the registration code: 310150000.77.090.016024.

The Order came into force from the 17th of May, 2023.

Order №257 of the Minister of Finance of Georgia

On the 16th of May, 2023 amendments were made in the Order №257 of the Minister of Finance of Georgia made on the 29th of August, 2019 "on approving instructions on the movement and clearance of goods in the customs territory of Georgia" by the Order №160 Minister of Finance of Georgia and appendix №2 of the instruction on customs control; Appendix №3 of the instruction "on customs supervision", etc. were formed with a new edition.

You can see the full version of the amendment to the above instruction at the link:

<https://matsne.gov.ge>, with the registration code: 230210000.22.033.017688.

The Order came into force from the 15th day of its publication

In the same order, on the 18th of May, 2023, an amendment was made by Order №164 of the Minister of Finance of Georgia and "approving instructions on the movement and clearance of goods in the customs territory of Georgia", Appendix №3 of the instruction "on customs supervision"; Appendix №8 of the instruction "on declaration and registration of goods in the customs procedure or re-export" etc. were formed with new editions.



You can see the full version of the amendment to the above instruction at the link:

<https://matsne.gov.ge>, with the registration code: 230210000.22.033.017689.

The Order came into force upon its publication and its effect was extended to the legal relationships arising from the 19th of April, 2023.

Order №254 of the Minister of Finance of Georgia

On the 19th of May, 2023 an amendment was made in the Order №254 of the Minister of Finance of Georgia made on the 27th of August, 2019 "on the approval of the procedure for proceeding with a customs offense case, the measures to ensure the enforcement of the customs sanction and the procedure for their implementation" by Order №167 of the Minister of Finance of Georgia and Appendix №1 of the "Customs Offense Procedure Rule"; Appendix №2 of "measures for ensuring the enforcement of customs sanctions and the manner of their implementation" were formed with a new edition.

You can see the full version of the amendment to the above instruction at the link:

<https://matsne.gov.ge>, with the registration code: 230210000.22.033.017690

The Order came into force upon its publication and its effect was extended to legal relationships arising from the 19th of April, 2023.

Order №09/m of the Director of the Legal Entity under Public Law- Land Transport Agency



On the 15th of May, 2023 an amendment was made in the Order №09/M of the Director of the legal entity under public law- Land Transport Agency made on the 15th of September, 2022 by the order №24/M of the Director of the legal entity under public law - Land Transport Agency and the first paragraph of Article 6 of the "rule of granting initial qualifications to persons involved in the transportation of dangerous goods by means of transport and/or international transport-transportation" was formed with the following redaction:

„1. An interested person will obtain the qualification of a driver transporting dangerous goods on the basis of passing theoretical training at an agency (Specialized course for the transportation of substances and goods of the first class and specialized course for the transportation of radioactive material of the 7th class) or a training center (basic training course and specialized training course for tank transportation) successfully passing a theoretical test at the agency and issuing a training certificate for a driver of a vehicle transporting dangerous goods by the agency.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 310150000.77.090.016024.

The Order Came into force from the 17th of May, 2023.

Order №04/M of the Minister of Education and Science of Georgia

On the 31st of May, 2023 an amendment was made to the Order №04/M of the Minister of Education and Science of Georgia made on the 11th of January, 2017 "on the approval of the rule for enrolling a student in a general educational institution and suspending the status of a student" by Order №04/M of the Minister of Education and Science of Georgia and paragraph



5¹, Article 3 of the „Rule on Suspension of Student Status" was formed with the following redaction:

„5¹. Registration at the stages established by this article is possible for the student who, at the beginning of studies at the primary level of general education, meets the requirements established by the Law of Georgia "on General Education" regarding the age of starting studies and his age does not exceed 10 years.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 430050000.22.022.018293.

The Order came into force upon its publication.

Resolution №7 of the Government of the Autonomous Republic of Adjara

On the 30th of May, 2023 an amendment was made to Resolution №7 of the Government of the Autonomous Republic of Adjara made on the 31st of July, 2020 "regarding the determination of the rule of release from Penalty For non-fulfilment of obligations under the contract and granting of an additional term for the fulfillment of obligations" by the Resolution №5 of the Government of the Autonomous Republic of Adjara and paragraph 3¹ was supplemented after paragraph 3 of Article 4 of the Rule approved by the Resolution with the following content:

„3¹. The effect of the rule, except for Article 7, does not apply to cases where the ministry is the initiative of making amendments in the obligation to be performed in favor of the state, autonomous republic and/or municipality in the protocol and/or contract signed with the



ministry, on the basis of a written request of the executive authorities of the state, the autonomous republic and/or the executive authority of the municipality."

You can see the full version of the Appendix at the link: <https://matsne.gov.ge>, with the registration code: 040090000.32.057.016376.

The Resolution came into force upon its publication.