



Legal Newsletter (June 2023)

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

Administrative Procedure Code of Georgia

On the 13rd of June, 2023 "Chapter VII25 (administrative proceedings regarding receiving information from the service provider) was supplemented to the Administrative Procedure Code of Georgia."

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 030000000.05.001.020909

The Law will enter into force on the 190th day of its publication.

Law of Georgia on personal data protection

On the 14th of June, 2023 The Law of Georgia on personal data was formed with a new redaction. The old version of the Law is annulled since the 1st of March, 2024.



You can see the full version of the above Law at the link: <https://matsne.gov.ge>, with the registration code: 010100000.05.001.020936.

The Law, with the exception of Articles 1-87, paragraphs 2 and 3 of Article 88 and Article 89 of this Law, shall come into force upon their publication.

Articles 1-5 of the Law, sub-paragraphs "a"-"q" of the first paragraph, Article 6, paragraphs 2 and 3, articles 7-30, 32, 34-79, 81 and 83-87, paragraphs 2 and 3 of Article 88 and Article 89 will come into force from 1st of March 2024.

Articles 31, 33, 80 and 82 of the Law will come into force from the 1st of June, 2024.

Sub-paragraphs "r" and "s" of the first paragraph of Article 6 of the Law will come into force from the 1st of January, 2025.

Civil Code of Georgia

On the 15th of June, 2023 the first part of Article 802 of the Civil Code of Georgia was formed with the following redaction:

„1. The insurer is obliged to hand over physically or electronically signed document about the insurance contract to the insured (insurance certificate (policy)). In addition, the electronic document issued by the insurer must be certified with a qualified electronic signature and/or a qualified electronic stamp. It is permissible for the insurer to deliver the insurance certificate (policy) to the insured electronically, in accordance with the procedure established by the legislation of Georgia."

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 040000000.05.001.020911



The Law came into force upon its publication.

Law of Georgia "on Enforcement Proceedings"

On the 15th of June, 2023 paragraph 2, Article 54 of the Law of Georgia on Enforcement Proceedings" was formed with the following redaction:

„2. In the case of execution of monetary claims stipulated by several enforcement papers against one debtor by different executors the debtor's same property is sold by auction or in another way by the executor who first registered the sequestration of the weapon and auxiliary technical means of transport facility and agricultural machine determined by the first paragraph of Article 53 of the Law of Georgia "On Traffic" in the relevant body of the Ministry of Internal Affairs of Georgia, on civil aircraft - in the State Register of Civil Aircraft, on ultralight aircraft - in the Register of Ultralight Aircraft, on sea vessels - in the State Register of Georgian Ships, on securities - with the relevant person producing the securities register, and on other property - in the public register. The sequence of enforcement is determined by the time of registration of sequestration of the property (hourly and minutely)."

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

<https://matsne.gov.ge>, with the registration code: 070000000.05.001.020946

The Law came into force upon its publication.



Law of Georgia "on Insurance"

On the 16th of June, 2023 an amendment was made in the Law of Georgia "on Insurance" and Article 2 (basic concepts used in the law); Article 9 (Insurer), 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: 290000000.05.001.020919

The Law came into force upon its publication.

Civil Procedure Code of Georgia

On the 30th of June, 2023 Article 186 of the Civil Procedure Code of Georgia (refusal to accept a lawsuit); Article 187 (Judgment on refusal to accept a lawsuit), 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: 060000000.05.001.020935

The Law came into force upon its publication.

Order №996 of the Minister of Finance of Georgia

On the 5th of June, 2023 an amendment was made in order №996 of the Minister of Finance of Georgia made on the 31st of December, 2010 " by the Order №193 of the Minister



of Finance of Georgia on Administration of Taxes" and paragraph 2 of Article 40 (profit tax declaration); Parts I and III of Appendix № II-086, etc. were formed with a new edition.

You can see the full version of the amendment to the above appendix at the link: <https://matsne.gov.ge>, with the registration code:200090000.22.033.017695.

The Order came into force upon its publication.

In the same order, on the 7th of June, 2023, an amendment was made to the instruction approved by Order №195 of the Minister of Finance of Georgia, and the following sub-paragraph "p" was supplemented to paragraph 3 of Article 9:

"p) on the restriction of the use of tax invoice for a person (including suspension of subscription/issuance)."

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 200090000.22.033.017696

The Order came into force upon its publication.

In the same order, on the 7th of June, 2023, an amendment was made to the instruction approved by Order №196 of the Minister of Finance of Georgia:

1. "Part V" of "annual declaration of property tax of a natural person" (Appendix №V-03), etc. 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: 200090000.22.033.017697



The Order came into force upon its publication.

In the same order, on the 9th of June, 2023 an amendment was made to the instruction approved by Order №202 of the Minister of Finance of Georgia and paragraph 6 with the following content was supplemented after the paragraph 5 of Article 112:

„6. The tenant enterprise is entitled not to include in the "Register of Hired Persons" the information about the individual who is registered in the Register of Entrepreneurs and Non-Entrepreneurial (Non-Commercial) in the Unified Register of Tax Accounting and is granted the authority to lead/represent this person and/or is a member of the governing body of the said person.

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

<https://matsne.gov.ge>, with the registration code: 200090000.22.033.017698

The Order came into force upon its publication.

Order №56/m of the Minister of Education and Science of Georgia

On the 12th of June, 2023 an amendment was made to the Order №56/m of the Minister of Education and Science of Georgia made on May 23, 2014 "on approval of forms of unified state educational documents and certificates" by the order of the Minister of Education and Science of Georgia №44/m and the appendices of the above order were formed with a new edition.

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

<https://matsne.gov.ge>, with the registration code:430210000.22.022.018299.



The Order is effective from the 1st of July, 2023.

Order №258/№73 of the Minister of Finance of Georgia and the Minister of Internal Affairs of Georgia

On the 22nd of June, 2023 by the joint order №222-№38 of the Minister of Finance of Georgia and the Minister of Internal Affairs of Georgia paragraph 5 of Article 4 of the rule approved in the joint order №258/№73 of the Minister of Finance of Georgia and the Minister of Internal Affairs of Georgia made on August 29, 2019 "about the implementation of relevant markings in travel documents when crossing the state border of Georgia and the approval of the rules for representing information in the automated data base of the Ministry of Internal Affairs of Georgia" was formed with the following redaction:

„5. Further processing of the photograph is allowed for the purpose of prevention and response to crime, crime prevention, investigation, criminal prosecution, execution of punishment, as well as protection of state and public security.

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 010040000.22.033.017702

The Order came into force upon its publication.

In the same order, on the 26th of June, 2023 paragraph 2 of Article 16 of the rule approved by the joint order №229/№39 of the Minister of Finance of Georgia and the Minister of Internal Affairs of Georgia was formed with the following redaction:



„2. The obligation specified in the first paragraph of this article does not apply to goods needed during natural disasters, accidents and disasters, for the official use of diplomatic and equivalent representations, goods intended for the personal use of diplomatic and administrative-technical personnel of these missions (including family members living with them), diplomatic mail and consular valise, the goods provided in Table A of Chapter 3.2 of the European Agreement (ADR) "on the international carriage of dangerous goods by road", oversized cargo, a cargo vehicle transporting goods moved within the framework of the North Atlantic Treaty Organization (NATO) operation, a specialized vehicle intended for the transportation of medical oxygen or perishable liquid (except for those moved in transit).

You can see the full version of the amendment to the above document at the link: <https://matsne.gov.ge>, with the registration code: 010040000.22.033.017704

The Order came into force upon its publication.

Order №48/m of the Minister of Education and Science of Georgia

On the 23rd of June, 2023 the symbols of state significance legal entity of the public law – educational institution's mandator service were approved:

- a) Form of individual administrative-legal act, in accordance with appendix №1 of this Order;
- b) Form of official correspondence/letter, in accordance with appendix №2 of this Order;

You can see the full version of the amendment to the above symbols at the link: <https://matsne.gov.ge>, with the registration code: 430210000.22.022.018303.

The order came into force from the 1st of July, 2023.



Order №25/m of the head of LEPL Deposit Insurance Agency

On the 23rd of June, 2023 the attached "instructions for issuing compensation in the event of an insurance and selecting a commercial bank and/or microbank for this purpose" was approved.

You can see the full version of the amendment to the above instruction at the link: <https://matsne.gov.ge>, with the registration code: 220090000.66.078.016027.

The order came into force from the 1st of July, 2023

Order №49/m of the Minister of Education and Science of Georgia

On the 23rd of June, 2023 symbols of state significance of the legal entity under public law – Education Management Information System were approved:

- a) Official correspondence/letter form (Georgian version) in accordance with Appendix №1 of this order;
- b) Official correspondence/letter form (Georgian version) in accordance with Appendix №2 of this order;
- c) Form of individual administrative-legal act in accordance with Appendix №3 of this order.

You can see the full version of the above symbols at the link: <https://matsne.gov.ge>, with the registration code: 430210000.22.022.018304.

The Order came into force from the 1st of July, 2023.



Order №2/m of the head of the Deposit Insurance Agency

On the 23rd of June, 2023 by the order №24/m of the LEPL - Head of the Deposit Insurance Agency an amendment was made to the instruction approved in the Order №2/m of the Head of the LEPL - Deposit Insurance Agency made on the 28th of December, 2017 "on the approval of the instructions for providing information on deposit insurance to current and potential customers by commercial banks" and the title of the instruction, several articles and appendices were formed with the following redaction.

You can see the full version of the above appendix at the link: <https://matsne.gov.ge>, with the registration code: 220050000.66.078.016024

The Order came into force from the 1st of July, 2023.

Order № 51/m of the Minister of Education and Science of Georgia

On the 26th of June, 2023 "the rule of displaying the emblem of the executive power, some public institutions" was approved according to paragraph 1, Article 3 of the Law of Georgia "on Symbols of State Significance", Resolution №572 of the Government of Georgia made on the 14th of December, 2022.

You can see the full version of the above Rule at the link: <https://matsne.gov.ge>, with the registration code: 010020000.22.022.018306.

The Order came into force from the 1st of July, 2023.



Order №99/04 of the President of the National Bank of Georgia

On the 27th of June, 2023 by order №144/04 of the President of the National Bank of Georgia an amendment was made to the Order №99/04 of the President of the National Bank of Georgia made on the 4th of July, 2017 "on the approval of payment service reporting forms and instructions for their filling" and

1. Article 2, paragraph one,

a) subparagraph "n" was formed with the following redaction:

„n) Resident provider - a bank licensed by the National Bank, a payment service provider registered in the National Bank, as well as a microfinance organization registered in the National Bank, if it provides payment services;"

b) After the sub-paragraph "o", sub-paragraph "p" was supplemented with the following content:

„p) Bank - commercial bank and micro bank."

2. Paragraph 5 of Article 3 was formed with the following redaction:

„5. In case of using a new currency when filling out the reports to be submitted before the 5th and 15th of each month, the provider is obliged to contact the responsible supervisor of the Payment Systems Department of the National Bank of Georgia 5 calendar days before and send a message to psps@nbg.gov.ge.

You can see the full version of the document at the link: <https://matsne.gov.ge>, with the registration code: 200090000.18.011.016723.

The Order came into force from the 1st of July, 2023.



Order №287/04 of the President of the National Bank of Georgia

On the 27th of June, 2023 by the Order №150/04 of the President of the National Bank of Georgia an amendment was made to the rule approved in the order №287/04 of the President of the National Bank of Georgia made on the 28th of December, 2018 "on the approval of the Liquidation Rule of the Payment Service Provider" and paragraph 4 of Article 2 (features of the liquidation process); Article 3 (Liquidator's rights), etc. were formed with a new edition.

You can see the full version of the document at the link: <https://matsne.gov.ge>, with the registration code: 200090000.18.011.016729.

The Order came into force from the 1st of July, 2023.

Order №33/04 of the President of the National Bank of Georgia

On the 27th of June, 2023 by the order №148/04 of the President of the National Bank of Georgia, the following amendment was made in the approved order №33/04 of the President of the National Bank of Georgia made on the 31st of March, 2022 "on the approval of the limitation rule of operations by payment service providers with gaming business companies":

1. The first paragraph of the first article was formed with the following redaction:

„1. The rule for limiting operations by payment service providers with gaming business companies (hereinafter - the rule) applies to commercial banks and microbanks licensed by the National Bank of Georgia, payment service providers and microfinance organizations registered by the National Bank of Georgia (hereinafter - the "Provider").



2. The paragraph 2 of the article 3 was formed with the following redaction:

„2. The provider (acquirer/sub-acquirer) is authorized to provide acquiring services to a foreign company implementing gaming business, if the provider (acquirer/sub-acquirer) ensures the restriction of payment operations in favor of foreign companies implementing this gaming business with card instruments issued by commercial banks and microbanks, registered payment service providers and microfinance organizations licensed by the National Bank of Georgia."

3. The sub-paragraph „a” of paragraph 3, article 4 was formed with the following redaction:

„a) In case of transfers via SWIFT: name of the recipient, account number of the recipient, name of the commercial bank/microbank serving the recipient and BIC;

You can see the full version of the above Rule at the link: <https://matsne.gov.ge>, with the registration code: 220010000.18.011.016727.

The order came into force from the 1st of July, 2023.

Resolution of the Government of Georgia №241

On the 12th of June, 2023 by the Resolution №221 of the Government of Georgia an amendment was made to the Resolution №241 of the Government of Georgia made on the 23rd of May, 2019 "on the approval of the Teacher's Professional Development and Career Advancement Scheme" and Article 10 (submission of a proposal for the evaluation of the teacher's practical part) and Article 41 (conditions for career advancement of practicing teachers of non-Georgian-speaking schools/sectors) of the "Teacher's Professional



Development and Career Advancement Scheme" approved by the resolution were formed with a new edition.

You can see the full version of the above net at the link: <https://matsne.gov.ge>, with the registration code: 430050000.10.003.024054.

The Resolution came into force from the 15th of June, 2023.