

# Resolution of the Supreme Soviet of the Georgian SSR

## On Putting into Effect the Administrative Offences Code of the Georgian SSR

In connection with the adoption of the Code of Administrative Offences of the Soviet Socialist Republic of Georgia, the Supreme Soviet of the Soviet Socialist Republic of Georgia hereby resolves that:

1. The Code of Administrative Offences of the Georgian SSR shall be put into effect from 1 June 1985.
2. The Presidium of the Supreme Soviet of the Georgian SSR shall be assigned to establish the procedure for putting into effect the Administrative Offences Code of the Georgian SSR and to bring the legislation of the Georgian SSR in line with this Code.

**P. Gilashvili, Chairman of the Presidium of the Supreme Soviet of the Georgian SSR**

**T. Lashkarashvili, Secretary of the Presidium of the Supreme Soviet of the Georgian SSR**

**Tbilisi**

**15 December 1984**

**No 161-X<sub>5</sub>**

### ADMINISTRATIVE OFFENCES CODE OF GEORGIA

#### Section I - General Provisions

#### Chapter 1 - General Provisions

##### **Article 1 - Objectives of the legislation of Georgia on administrative offences**

The objective of the legislation of Georgia on administrative offences is to protect the property, socioeconomic, political and personal rights and freedoms of citizens, also the rights and legitimate interests of enterprises, institutions and organisations, the established rule of governance, state and public order; to ensure the avoidance of offences; and to educate citizens in the spirit of exact and strict observance of the Constitution of Georgia, laws of Georgia, respect for the rights of other citizens, honour and dignity, the ways of social life and fulfilment of assigned duties.

To accomplish the objective, the Code of Georgia on Administrative Offences determines the actions or inaction that constitute an administrative offence, as well as administrative penalties, the procedure for their imposition and the administrative bodies (officials) authorised to impose administrative penalties on perpetrators.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

##### **Article 2 - Legislation of Georgia on administrative offences**

The legislation of Georgia on administrative offences consists of this Code of Administrative Offences and other legislative acts of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

##### **Article 3 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

##### **Article 4 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*



## **Article 5 - Jurisdiction of the Abkhazian ASSR and the Ajarian ASSR in the field of legislation on administrative offences**

Under the legislation of Georgia, Abkhazian ASSR and Ajarian ASSR in the field of legislation on administrative offences shall have authority to:

Determine administrative liability in matters related to protection of public order, unless these matters are regulated by this Code, as well as in matters relating to fighting natural disasters and epidemics.

Establish rules, the violation of which carries administrative liability under Articles 86, 102, 148 and 157 of this Code.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 6 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 7 - Avoiding administrative offences**

Public authorities, social organisations and collectives of workers shall develop and implement measures to avoid administrative offences, identify and prevent the causes and conditions contributing to their commission, and to educate citizens in the spirit of high consciousness and discipline, and strict observance of the laws.

State and local government bodies, which ensure the enforcement of laws under the Constitution of Georgia, as well as the protection of state and public order and the rights of citizens, shall coordinate within their jurisdictions the operation of all state and public bodies so as to avoid administrative offences, and supervise the activity of internal affairs bodies tasked with fighting administrative offences.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 8 - Ensuring the lawfulness of sanctioning for administrative offences**

No one may be sanctioned for administrative offences except on the basis of, and according to the procedure laid down by, the legislation.

Proceedings for administrative offences shall be conducted with strict observance of the law.

Authorised bodies and officials shall impose sanctions for administrative offences within their scope of authority, in strict compliance with the legislation.

A systematic control by superior bodies and officials, prosecutorial supervision, the right to appeal and other remedies determined by the legislation shall ensure observance of the requirements of the legislation in imposing sanctions for administrative offences.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 9 - Operation of the legislation concerning liability for administrative offences**

An administrative offender shall be held liable based on the legislation that is in force at the time and at the place where the offence is committed.

Normative acts reducing or abolishing penalties for administrative offences shall have retroactive force, i.e. they also apply to administrative offences committed before the issue of such acts. Acts introducing or increasing penalties for administrative offences shall have no retroactive force.

Proceedings for administrative offences shall be conducted based on the legislation that is in force at the time and at the place at which the hearing on the offence is held.

## **Section II - Administrative Offence and Administrative Liability**

### **I – General Part**

## **Chapter 2 - Administrative Offence and Administrative Liability**



## **Article 10 - Definition of an administrative offence**

An administrative offence (infraction) shall be an unlawful, culpable action or inaction (whether intentional or negligent) that violate the rules established to protect the State or public order, property, rights and freedoms of citizens, the established rule of governance, and for which the legislation prescribes an administrative liability.

Administrative liability for the offences provided for by this Code arises if because of their nature the offences do not incur criminal liability under the current legislation.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 11- Committing administrative offences intentionally**

An administrative offence shall be deemed to have been committed intentionally if the offender was aware of the unlawful character of his/her action or inaction, foresaw its harmful consequences and intended to cause or consciously permitted them to occur.

## **Article 12 - Committing administrative offences through negligence**

An administrative offence shall be deemed to have been committed negligently if the offender foresaw the possibility of the occurrence of harmful consequences of his/her act or omission but recklessly assumed their avoidance or did not foresee the possibility of the occurrence of such consequences, although he/she ought to have and could have foreseen them.

## **Article 13 –The age at which a person is subject to administrative liability**

Persons who have reached the age of sixteen by the time that an administrative offence is committed shall be subject to administrative liability.

## **Article 14 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 15 - Liability of officials**

Administrative liability shall be imposed on officials for administrative offences caused by non-compliance with rules of governance, rules protecting state and public order, nature, public health and with other rules, the ensuring of the observance of which is their official duty.

## **Article 16 - Administrative liability of military personnel and of other persons to whom disciplinary regulations apply**

1. Military personnel, persons called up for military refresher training and employees of the Ministry of Internal Affairs of Georgia shall incur liability for an administrative offence according to disciplinary regulations, and in the case of the violation of military service rules, traffic regulations, hunting, fishing and fish preserve maintenance rules provided for by this Code and for violating the rules defined by the Tax Code of Georgia for movement of goods across the customs border of Georgia, for buying or storing small quantities of narcotic drugs without an intent to sell them and/or for using narcotic drugs without a doctor's prescription, shall be subject to administrative liability on a general basis, except as provided for in paragraph 1<sup>1</sup> of this article. Corrective labour may not be imposed on these persons.

1<sup>1</sup>. For committing the administrative offences specified in Articles 45, 116, 166 and 173 of this Code, employees of the Ministry of Internal Affairs of Georgia shall be subject to administrative liability on a general basis as well as according to the disciplinary regulations.

[1. A military servant, a person called up for military refresher training, an employee of the Ministry of Internal Affairs of Georgia and an employee of the State Security Service of Georgia shall incur liability for an administrative offence according to disciplinary regulations, and in the case of the violation of military service rules, traffic regulations, hunting, fishing and fish preserve maintenance rules provided for by this Code and for violating the rules defined by the Tax Code of Georgia for movement of goods across the customs border of Georgia, for buying or storing small quantities of narcotic drugs without an intent to sell them and/or for using narcotic drugs without a doctor's prescription, shall be subject to administrative liability on a general basis, except as provided for in paragraph 1<sup>1</sup> of this article. Corrective labour may not be imposed on these persons.

1<sup>1</sup>. For committing administrative offences specified in Articles 45, 116, 166 and 173 of this Code, an employee of the Ministry of Internal Affairs of Georgia and an employee of the State Security Service of Georgia shall be subject to administrative liability on a general basis as well as according to the disciplinary regulations. *(Shall become effective from 1 July 2017)*

2. Persons, other than those referred to in paragraph 1 of this article, to whom disciplinary regulations or special disciplinary provisions apply, shall be subject to disciplinary liability for committing administrative offences in the cases directly provided for by such regulations or provisions, and in the rest



of the cases administrative liability shall be imposed on them on a general basis.

3. In the cases set out in paragraph 1 of this article, the bodies (officials) who are authorised to impose administrative penalties, may instead forward the materials regarding offences to the relevant bodies for the imposition of disciplinary liability on the offenders.

*Law of Georgia No 1857 of 1 July 2005 – LHG I, No 38, 15.7.2005, Art. 257*

*Law of Georgia No 4322 of 29 December 2006 – LHG I, No 4, 12.1.2007, Art. 62*

*Law of Georgia No 1142 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 36*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 5953 of 27 March 2012 – website, 12.4.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

### **Article 17 - Liability of aliens and stateless persons**

1. Aliens and stateless persons in the territory of Georgia shall bear administrative liability equally with Georgian citizens, on a general basis, unless otherwise determined by this Code.

2. The question of liability for an administrative offence committed by an alien in the territory of Georgia who, under the treaties and international agreements of Georgia, enjoys immunity from the administrative jurisdiction of Georgia shall be resolved by diplomatic means.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

### **Article 18 - Extreme necessity**

No administrative penalty shall be imposed on a person who, when committing an act provided for by this Code and by other normative acts prescribing administrative liability for administrative offences, was acting in a state of extreme necessity, i.e. to ward off a danger threatening state or public order, property, rights and freedoms of citizens, the established rule of governance if under the given circumstances the danger could not have been averted by other means or if the harm done is less serious than the averted danger.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 19 –Necessary defence**

No administrative liability shall be imposed on a person who, when committing an offence provided for by this Code and by other normative acts prescribing administrative liability for administrative offences, was acting in a state of necessary defence, i.e. inflicting harm on a wrongdoer when averting an unlawful breach of state or public order, property, rights and freedoms of citizens, the established rule of governance, provided the limits of necessary defence were not exceeded.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 20 - Insanity**

No administrative penalty shall be imposed on a person who at the moment of committing a culpable action or inaction was in a state of insanity, i.e. was unable to appreciate the wrongfulness of his/her actions or to control such actions due to chronic mental illness, temporary disruption of mental condition, feeble-mindedness or some other pathological condition.

### **Article 21- Forwarding administrative offence materials for hearing by a comrades' court, social organisation or a collective of workers**

An administrative offender shall be released from administrative liability and the materials shall be forwarded for hearing to a comrades' court, social organisation or a collective of workers if, taking into account the nature of the offence committed and the person of the offender, it is appropriate to impose social sanctions on him/her.

A comrades' court or public organisation set up in an enterprise, institution, organisation Or in their structural units shall be obligated to notify, within



ten days, the body (official) that forwarded the materials of the social sanctions imposed on the perpetrators of the administrative offences provided for in Articles 50, 119, 122, 126, 155, 159, 161, 170 and 171 of this Code.

*Edict No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 22 - Possibility of granting relief from administrative liability for petty offences**

If a petty administrative offence is committed, the body (official) authorised to decide the case, may release the offender from administrative liability with only a verbal warning.

## **Chapter 3 - Administrative Penalty**

### **Article 23 - Purpose of an administrative penalty**

An administrative penalty is a measure of liability and is applied to educate an administrative perpetrator in the spirit of respect for the rule of law, the ways of social life as well as to avoid the commission of new offences, either by the offender or other persons.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 24 - Types of administrative penalties**

1. The following administrative penalties may apply for committing administrative offences:

a) a warning;

b) a fine;

c) the compensated seizure of an item that was an instrument or material object of an administrative offence or an object of violation of the rules for movement of goods across the customs border of Georgia defined by the Tax Code of Georgia, or the means of transportation and delivery of goods;

d) confiscation of an item that was an instrument or material object of an administrative offence or an object of violation of the rules for movement of goods across the customs border of Georgia defined by the Tax Code of Georgia, or the means of transportation and delivery of goods;

e) suspension of the right to drive a motor vehicle granted to a citizen;

e<sup>1</sup>) deprivation of the right to carry arms;

f) corrective labour;

c) administrative detention.

2. The laws of Georgia may prescribe an administrative removal from Georgia for administrative offences committed by aliens and stateless persons who grossly violate law and order.

3. Deprivation of the right to carry arms shall mean depriving the right to carry service weapons, short-barrel defence firearms and/or short-barrel rifled sports guns. This type of administrative penalty shall apply to persons specified in Article 9 of the Law of Georgia on Arms if they commit offences defined by the Special Part of this Code. The decision to deprive a person of the right to carry arms shall enter into force from the day following the date of issue of the relevant administrative-legal act.

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 5953 of 27 March 2012 – website, 12.4.2012*



### **Article 25 - Main and additional administrative penalties**

1. The compensated seizure of an item, confiscation of an item, warning, fine, suspension of a driving licence and corrective labour may be applied both as main and additional administrative penalties. Administrative detention may be applied only as a main administrative penalty. Deprivation of the right to carry arms may be applied only as an additional administrative penalty.

2. A main administrative penalty, or main and additional administrative penalties, may be imposed for one administrative offence.

*Law of Georgia No 432 of 28 June 2000 – LHG I, No 24, 30.6.2000, Art. 66*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

### **Article 26 - Warning**

Warning as a measure of administrative penalty shall be issued in writing. Where so provided for by law, a warning may be executed in another established way.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

### **Article 27 - Fine**

A fine imposed on citizens and officials for administrative offences may not be less than one hundredth of the minimum wage.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Ordinance No 1842 of the Presidium of the Supreme Soviet the Georgian SSR of 15 August 1988 – Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*

*Law of the Republic of Georgia of 28 June 1991 - Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

### **Article 28 - Compensated seizure of the item that was an instrument or a material object of an administrative offence**

1. The compensated seizure of an item that was an instrument or a material object of an administrative offence or an object of violation of the rules for movement of goods across the customs border of Georgia as defined by the Tax Code of Georgia, a means of transportation or delivery of goods, shall mean its forced dispossession and subsequent sale, where the proceeds of the sale are given to the owner, net of expenses related to the sale of the dispossessed item.

2. A person for whom hunting is the main source of subsistence may not be dispossessed of a firearm and ammunition.

3. The procedure for imposing a compensated seizure and the types of items subject to confiscation shall be determined under the legislation of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 5953 of 27 March 2012 – website, 12.4.2012*

### **Article 29 - Confiscation of an item that was an instrument or a material object of an administrative offence**



1. The confiscation of an item that was an instrument, a material object of an administrative offence or an object of violation of the rules for movement of goods across the customs border of Georgia as defined by the Tax Code of Georgia, a means of transportation and delivery of goods (other than the item of an administrative offence provided for in Article 153<sup>6</sup> of this Code) shall mean forced, gratuitous transfer of such item to the State. Unless otherwise provided for by the legislative acts of Georgia, only those items that are privately owned by the offender shall be subject to confiscation.

2. Confiscation of a firearm and ammunition or other hunting weapons may not be applied to a person for whom hunting is the main source of subsistence.

3. Confiscation of the item (goods) that was the object of the administrative offence provided for in Article 153<sup>6</sup> of this Code shall be subject to a forced, gratuitous transfer to a self-governing unit of Tbilisi.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 5953 of 27 March 2012 – website, 12.4.2012*

### **Article 30 - Deprivation of a driving licence granted to a citizen**

1. A driving licence granted to a citizen shall be suspended for up to three years for a gross or systematic violation of the rules for using the licence. The licence suspension period shall not be less than 15 days, unless otherwise provided for by the legislative acts of Georgia.

2. The driving licence of a person using the vehicle due to his/her disability status shall not be suspended unless he/she drives in a state of alcoholic, narcotic or psychotropic intoxication.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

### **Article 31 - Corrective labour**

Corrective labour shall be applied for a period of up to six months and the administrative offender shall serve the corrective labour sentence at his/her permanent workplace. In addition, up to 20 per cent shall be deducted from the salary of the offender for the benefit of the State. A corrective labour sentence shall be imposed on a person by a district (city) court judge, or an administrative judge. The period of corrective labour may not be less than 15 days, unless otherwise provided for by the legislative acts of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 32 - Administrative detention**

1. Administrative detention for up to 15 days shall be imposed and applied only in exceptional cases, for violation of certain types of military service rules and for administrative offences. Administrative detention shall be imposed on a person by the relevant district (city) court judge.

2. If a military personnel violates a military service rule or commits the administrative offences provided for in Articles 45 and 166 of this Code, a court shall hear a case for imposition of administrative detention based on the application of the relevant authorised person of the Military Police Department of the Ministry of Defence of Georgia or of the authorised person of the Ministry of Internal Affairs of Georgia. In all the other cases, the relevant authorised person of the Ministry of Internal Affairs of Georgia shall apply to the court for imposition of administrative detention.

3. Administrative detention may not be imposed on pregnant women or on women who have children less than twelve years of age, to persons who have not attained 18 years of age, or on the first and second categories of disabled persons.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1857 of 1 July 2005 – LHG I, No 38, 15.7.2005, Art. 257*

*Law of Georgia No 4326 of 29 December 2006 – LHG I, No 4, 12.1.2007, Art. 63*

*Law of Georgia No 1142 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 36*



## Chapter 4 - Imposition of Administrative Penalties

### Article 33 - General rules for imposing penalties for administrative offences

A penalty for an administrative offence shall be imposed to the extent defined by the normative act that prescribes liability in strict compliance with this Code of Administrative Offences and other acts on administrative offences.

When imposing a penalty, due regard shall be had for the nature of the offence, the person of the offender, the gravity of his/her fault, his/her material status, and extenuating and aggravating circumstances.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### Article 34 - Circumstances mitigating liability for administrative offences

The following shall be deemed to be extenuating circumstances for imposing liability for administrative offences:

- 1) sincere repentance by the offender;
- 2) aversion of the adverse consequences of the offence, voluntary compensation of damages or remediation of the harm by the offender;
- 3) commission of an offence in the heat of passion or due to the concurrence of grave personal or family circumstances;
- 4) commission of an offence by a minor;
- 5) commission of an offence by a pregnant woman or by a woman who has a child under one year of age.

The legislation of Georgia may also provide for other mitigating circumstances for administrative offences. A body (official) who is authorised to decide a case of an administrative offence may deem as extenuating other circumstances that are not specified in the legislation.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### Article 35 - Circumstances aggravating liability for administrative offences

The following shall be deemed to be circumstances aggravating liability for administrative offences:

- 1) continuation of an unlawful conduct heedless of the demand of authorised persons to cease;
- 2) repeated commission of a similar offence during a year, for which the person has already been subjected to administrative liability; commission of an offence by a person who has previously committed a crime;
- 3) involvement of a minor into an offence;
- 4) commission of an offence by a group of persons;
- 5) commission of an offence during natural disasters or in other extraordinary circumstances;
- 6) commission of an offence in a state of alcoholic intoxication; the body (official) authorised to impose an administrative penalty has the right not find this circumstance to be aggravating.

### Article 36 - Imposing administrative liability for several administrative offences

If a person has committed two or more administrative offences, an administrative penalty shall be imposed separately for each offence.

If a person has committed several administrative offences, which are concurrently heard by the same body (official), a penalty shall be imposed to the extent of the sanction that is prescribed for more serious violations. In that case, one of the additional penalties stipulated by the articles prescribing punishment for any of the committed offence may be added to the main penalty.

### Article 36<sup>1</sup> - Administrative liability for violation of licence or permit conditions





1. Failure of a licence or permit holder to fulfil licence or permit conditions within the period fixed after the imposition of an administrative penalty shall result in tripling the imposed fine according to the rule laid down by the Law of Georgia on Licences and Permits.

2. If a licence or permit holder fails to fulfil the licence or permit conditions after the expiry of the period fixed after the imposition of a tripled fine, the imposed fine shall be tripled according to the rule laid down by the Law of Georgia on Licences and Permits.

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

### **Article 37 - Calculating the term of administrative penalties**

The term of an administrative detention shall be calculated in days, the period of corrective labour in months or days, and the period of suspension of special rights in years or months.

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

### **Article 38 - Period for imposing administrative penalties**

1. An administrative penalty may be imposed no later than two months after the day that an offence is committed, but if the offence is continuing, no later than two months after the day that it is detected.

2. If an administrative offence falls within the jurisdiction of a district (city) court, the time limit for imposing an administrative penalty provided for in paragraph 1 of this article shall not exceed four months, except as provided for in Articles 159<sup>5</sup>-159<sup>9</sup> of this Code.

2<sup>1</sup>. Where so provided for in Articles 159<sup>5</sup>-159<sup>9</sup> of this Code, if an administrative offence falls within the jurisdiction of a district (city) court the period for imposing an administrative penalty provided for in paragraph 1 of this article shall not exceed six months after the day the offence is detected.

3. If a criminal prosecution or investigation is terminated but there are elements of an administrative offence in the offender's actions, an administrative penalty may be imposed no later than one month after the day the decision on the termination of the criminal prosecution or investigation is made.

3<sup>1</sup>. If an administrative offence report is appealed to a district (city) court, the period for imposing an administrative liability provided for in paragraph 1 of this article shall be suspended until the court delivers a final decision on the case.

4. The time limits set out in this article shall not apply to the imposition of confiscation of items of smuggling under the Tax Code or of the sanction prescribed by Article 190<sup>1</sup> of this Code.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 984 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 83*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 1350 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 122*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 4069 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 459*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

### **Article 39 - The period after the expiry of which a person is deemed not to have been subjected to an administrative penalty**

If a person who is subjected to an administrative penalty has not committed a new administrative offence during one year after having served the penalty, he/she shall be deemed not to have been subjected to an administrative penalty.

**Note:** where a fine is imposed as a penalty, a person shall be deemed not to have been subjected to an administrative penalty if he/she does not commit a new administrative offence within one year after the day on which the fine is imposed.

*Law of Georgia No 1142 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 36*

### **Article 40 - Imposing an obligation to compensate the inflicted material damage**

1. If an administrative offence inflicts material damage on a citizen, enterprise, institution, organisation or the State, then in deciding the imposition of a penalty for the administrative offence, the judge shall be obligated to concurrently impose upon the offender the obligation to compensate for the material damage done.



1<sup>1</sup>. Where so expressly provided for by this Code, a person may be released from the obligation to pay damages.

2. In the cases provided for in Articles 116(7), 119(8), 120(4), 121(3) and 125(5),(10), where a vehicle has been damaged, the offender has been identified and the relevant fine has been issued, based on the application filed by the victim (owner/holder of the vehicle) and on the damaged vehicle examination report issued by an authorised expert institution, an authorised person of the Patrol Police Department of the Ministry of Internal Affairs of Georgia shall adopt a relevant resolution and based on it issue a writ of execution imposing upon the offender the obligation to restore the damaged vehicle to the victim (owner/holder of the vehicle) or, if the vehicle cannot be restored, pay the costs required to replace it.

[2. In the cases provided for in Articles 116(7), 119(8), 120(4), 121(3) and 125(5, 10 and 11) of this Code, where a vehicle has been damaged, the offender has been identified and the relevant fine has been issued, based on the application filed by the victim (owner/holder of the vehicle) and on the damaged vehicle examination report issued by an authorised expert institution, an authorised person of the Patrol Police Department of the Ministry of Internal Affairs of Georgia shall adopt a relevant resolution and based on it issue a writ of execution imposing upon the offender the obligation to restore the damaged vehicle to the victim (owner/holder of the vehicle) or, if the vehicle cannot be restored, pay the costs required to replace it. **(Shall become effective from 1 July 2017)**]

3. In the case referred to in paragraph 2 of this article, an authorised person of the Patrol Police Department of the Ministry of Internal Affairs of Georgia shall consider an application requesting the adoption of a relevant resolution and the issuance of a writ of execution if the application and the examination report indicated in the same paragraph have been submitted not later than ten calendar days after the relevant fine was issued.

3<sup>1</sup>. A writ of execution shall be issued based on the resolution on the payment of material damages specified in paragraph 1 of this article no later than five days after the expiry of the 10-day period fixed by Article 273 of this Code for appealing a fine (a resolution on the imposition of an administrative penalty). A writ of execution shall be issued based on the resolution on the compensation of material damages defined in paragraph 1 of this article regardless of whether or not the fine (the resolution on the imposition of an administrative penalty) is appealed.

4. The resolution specified in paragraph 2 of this article shall be adopted and the writ of execution shall be issued not later than five days after the expiry of the 10-day period fixed by Article 273 of this Code for appealing a fine (a resolution), provided that the fine has not been appealed. If the receipt has been appealed, the resolution specified in paragraph 2 of this article shall be adopted and a writ of execution shall be issued after the superior body has rejected the appeal or, if the resolution has been appealed by a court, the resolution shall be adopted and a writ of execution shall be issued after the court of first instance delivers a judgement.

5. If a writ of execution specified in this article and a relevant application are submitted, the enforcement bureau shall be obligated to implement measures necessary for the enforcement of the writ of execution, inter alia, attach on a priority basis and/or sell a motor vehicle with which any of the administrative offences indicated in paragraph 2 of this article have been committed.

6. Before:

a) a resolution specified in this article is adopted and a writ of execution defined in this article is issued and/or enforced, the victim and the offender may suspend or terminate enforcement at any time by written agreement;

b) if a resolution and a writ of execution defined in this article are appealed, the dispute shall be heard by a court according to the procedure laid down by the legislation of Georgia.

7. A victim who does not resort to the provisions of paragraphs 2-6 of this article may litigate with the offender according to the procedure laid down by the civil legislation of Georgia.

8. The Minister of Internal Affairs of Georgia shall determine the form of the writ of execution defined in this article and the procedure for issuing it.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

*Law of Georgia No 5628 of 27 December 2011 – website, 9.1.2012*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

#### **Article 40<sup>1</sup> - Procedure for compensation of material damages inflicted on the State and/or on a local self-governing unit as a result of an administrative offence**

1. If an administrative offence inflicts material damage on the State and/or on a local self-governing unit, after having determined the extent of the damage, the interested body/official shall issue an administrative-legal act for the compensation of the damage (except as provided for in Article 40 of this Code) and forward it to the offender. The period fixed by the interested body/official for the compensation of damages shall not exceed 30 days.

2. If necessary, the interested body/official may call the offender in to give a statement.

3. The administrative-legal act indicated in paragraph 1 of this article shall be appealed according to the procedure laid down by the legislation of Georgia.

4. If the offender does not pay the damages within the period defined by the administrative act indicated in paragraph 1 of this article, the administrative-legal act on the compensation of damages shall be enforceable according to the Law of Georgia on Enforcement Proceedings.



**Note:** for the purposes of this article, the interested body/official shall be a state body/official and/or a self-governing unit body/official or a legal entity under public law that owns or uses the state and/or self-governing unit's property that has been damaged as a result of the administrative offence or that is entitled under the legislation of Georgia to claim the damages.

*Law of Georgia No 4072 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 502*

#### **Article 41 - Performance of the duty for the non-performance of which an administrative penalty has been imposed**

In the resolution imposing an administrative penalty the judge shall affirm the obligation of a person to perform the duty for the non-performance of which the administrative penalty has been imposed, and shall determine measures to be implemented to remedy the violation; such measures shall be implemented according to the procedure laid down by law.

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

### **II - Special Part**

#### **Chapter 5 - Administrative Offences in the Areas of Labour, Health and Social Protection**

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

#### **Article 42 - Violation of labour legislation and labour protection rules**

Violation of the labour legislation and labour protection rules by an official of an enterprise, institution, organisation (regardless of its ownership and organisational-legal form) –

shall carry a fine of up to the amount of 100 times the minimum wage.

The same act committed within one year after the imposition of the administrative penalty –

shall carry a fine of up to the amount of 200 times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1025 of 31 October 1997 – The Parliament Gazette, No 45, 21.11.1997, p. 45*

#### **Article 42<sup>1</sup> - Evading participation in collective labour dispute resolution procedures**

Failure of an employer's representatives to participate in the procedures demanded by workers for resolution of social-labour issues, or refusal to allocate an appropriate space for holding a meeting (conference) or interference with its holding –

shall carry a fine from GEL 200 to GEL 400.

*Law of Georgia No 1682 of 30 October 1998 – LHG I, No 4, 20.11.1998, Art. 39*

#### **Article 42<sup>2</sup> - Non-fulfilment of the agreement reached in a collective labour dispute**

Failure of an employer's representatives to fulfil an agreement reached in a collective labour dispute –

shall carry a fine from GEL 200 to 400.

*Law of Georgia No 1682 of 30 October 1998 – LHG I, No 4, 20.11.1998, Art. 39*

#### **Article 42<sup>3</sup> - Operation of private employment agencies without a mandatory notification**

Operation of private employment agencies without the mandatory notification provided for in paragraph 1 of Article 32 of the Employment Law of Georgia –

shall carry a fine of 20 times the minimum wage.



The same act committed within one year after the imposition of an administrative penalty –

shall carry a fine of 50 times the minimum wage.

*Law of Georgia No 1090 of 28 September 2001 – LHG I, No 29, 17.10.2001, Art. 118*

*Law of Georgia No 961 of 29 December 2004 – LHG I, No 3, 14.1.2005, Art. 12*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

#### **Article 42<sup>4</sup> - Violation of a minor's labour rights**

Violation by employers of minors' labour rights provided for by the labour legislation of Georgia –

shall carry a fine of up to 200 times the minimum wage.

*Law of Georgia No 2437 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 147*

#### **Article 42<sup>5</sup> - (Deleted)**

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

#### **Article 42<sup>6</sup> - (Deleted)**

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

#### **Article 42<sup>7</sup> - (Deleted)**

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

#### **Article 42<sup>8</sup> - (Deleted)**

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

#### **Article 42<sup>9</sup> - (Deleted)**

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

#### **Article 43 - Violation of sanitary-hygienic and sanitary anti-epidemic rules and standards**

Violation of sanitary-hygienic and sanitary anti-epidemic rules and standards –

shall carry a fine of GEL 50 for natural persons and GEL 100 for legal persons and institutions.

The same act committed repeatedly within one year –

shall carry a fine of GEL 200 for natural persons and GEL 500 for legal persons and institutions.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*



**Article 43<sup>1</sup> – Non-observance of technical regulations on sanitary norms of infection prevention and control in carrying out aesthetic and cosmetic procedures in public places**

1. Non-observance of technical regulations on sanitary norms of infection prevention and control in carrying out aesthetic and cosmetic procedures in public places -

shall carry a fine of GEL 50 for natural persons/persons with small business status and GEL 100 for legal persons.

2. The same act committed repeatedly –

shall carry a fine of GEL 200 for natural persons/persons with small business status and GEL 500 for legal persons.

*Law of Georgia No 5573 of 24 June 2016 – website, 13.7.2016*

**Article 43<sup>2</sup> – Carrying out aesthetic and cosmetic procedures in public places without having registered the activity**

1. Carrying out aesthetic and cosmetic procedures in public places without having registered the activity in the registry of economic activities, or failure to include in the registry of economic activities any change in the registered data related to this activity -

shall carry a fine of GEL 500.

2. The same act committed repeatedly –

shall carry a fine of GEL 1 000.

*Law of Georgia No 5573 of 24 June 2016 – website, 13.7.2016*

**Article 44 - Operation of a facility and production and sale of goods without a hygienic certificate and/or a permit of state sanitary supervision bodies**

Operation of a facility and production and sale of goods without a hygienic certificate and/or permit of state sanitary supervision bodies –

shall carry a fine from GEL 1 000 to GEL 1 500.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

**Article 44<sup>1</sup> - Violation of the rules for production and sale of artificial baby food products, baby bottles and dummies**

Violation of the rules for production and sale of artificial baby food products, baby bottles and dummies –

shall carry a fine from GEL 500 to GEL 1 000.

The same act committed repeatedly within one year –

shall carry a fine from GEL 1 000 to GEL 1 500.

*Law of Georgia No 2382 of 9 September 1999 – LHG I, No 43(50), 21.9.1999, Art. 221*

**Article 44<sup>2</sup> - Unlawful medical practice**

1. Medical activities conducted without a permit –

shall carry a fine of not more than GEL 10 000.

2. Medical care activities conducted without a licence –



shall carry a fine of not more than GEL 5 000.

3. Medical practice without a state certificate –

shall carry a fine of not more than GEL 1 000.

4. An act indicated in paragraph 1 or 2 of this article committed repeatedly –

shall carry a fine double the amount of the fine imposed for the administrative offence committed for the first time.

*Law of Georgia No 1193 of 8 December 2001 – LHG I, No 36, 31.12.2001, Art. 141*

*Law of Georgia No 1316 of 1 March 2002 – LHG I, No 5, 21.3.2002, Art. 31*

*Law of Georgia No 2023 of 6 November 2009 – LHG I, No 35, 19.11.2009, Art. 269*

*Law of Georgia No 3554 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 280*

*Law of Georgia No 5719 of 28 February 2012 – website, 9.3.2012*

### **Article 44<sup>3</sup> - Intentional damage of a seal affixed by state sanitary supervision bodies**

Intentional damage of a seal affixed by state sanitary supervision bodies to suspend the operation of a facility, suspend or prohibit the production and sale of goods (raw material) –

shall carry a fine from GEL 1 500 to GEL 2 500.

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

### **Article 44<sup>4</sup> - Sale of non-iodised salt, import and sale of expired iodised salt, or import of other counterfeit fortified food products**

Sale of non-iodised salt (except in the cases provided for in Article 5(1) and (3) of the Law of Georgia on Prevention of Diseases Caused by the Deficiency of Iodine, Other Microelements and Vitamins), import and sale of expired iodised salt, or import of other counterfeit fortified food products –

shall carry a fine from GEL 500 to GEL 2 000.

*Law of Georgia No 1056 of 25 February 2005 – LHG I, No 9, 17.3.2005, Art. 61*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

### **Article 44<sup>5</sup> - Non-compliance with a medical care licence and permit conditions**

1. Non-fulfilment of medical care licence conditions –

shall carry a fine according to the violation of the licence conditions, but not more than GEL 5 000.

2. Non-fulfilment of medical care permit conditions –

shall carry a fine according to the violation of the permit conditions, but not more than GEL 10 000.

*Law of Georgia No 3835 of 7 December 2006 – LHG I, No 48, 22.12.2006, Art. 316*

*Law of Georgia No 3554 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 280*

*Law of Georgia No 5719 of 28 February 2012 – website, 9.3.2012*

### **Article 44<sup>6</sup> - (Deleted)**

*Law of Georgia No 4305 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 413*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

### **Article 44<sup>7</sup> – Breach of technical regulations of high-risk medical care activities**

1. Breach of technical regulations of high-risk medical care activities –



shall carry a fine from GEL 200 to 500.

2. The same act committed repeatedly –

shall carry a fine of GEL 1 000.

*Law of Georgia No 3554 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 280*

**Article 44<sup>8</sup> – Performance of high-risk medical care activities without mandatory notification**

High-risk medical practice without mandatory notification of the Ministry of Labour, Health and Social Affairs of Georgia –

shall carry a fine of GEL 1 000.

*Law of Georgia No 3554 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 280*

**Article 44<sup>9</sup>-Breach by medical care/practice/service providers of rules for maintaining medical documents (unless required by the relevant licence/permit/regulation)**

1. Breach by medical care/practice/service providers of the rules for maintaining medical documents (unless required by the relevant licence/permit/regulation) –

shall carry a fine from GEL 300 to GEL 500.

2. The same act committed repeatedly –

shall carry a fine from GEL 500 to GEL 1 000.

3. The act specified in paragraph 1 of this article committed by legal persons–

shall carry a fine from GEL 500 to GEL 1 000.

4. The same act committed repeatedly –

shall carry a fine from GEL 1 500 to GEL 2 000.

*Law of Georgia No 3554 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 280*

**Article 44<sup>10</sup> - Violation of conflict of interest rules by a medical institution and/or by healthcare personnel**

1. Violation of conflict of interest rules prescribed by the Law of Georgia on Health Care by a medical institution and/or by healthcare personnel in discharging their professional duty –

shall carry a fine of GEL 1 000 for a medical institution and/or for healthcare personnel.

2. The same act committed repeatedly –

shall carry a fine of GEL 2 000 for the medical institution and/or for healthcare personnel.

*Law of Georgia No 4133 of 17 December 2010 – LHG I, No 76, 29.12.2010, Art. 509*

**Article 44<sup>11</sup> - Violation of the rules established for prescribing, writing prescriptions for and for the form of a prescription for pharmaceutical products falling within Group I under the Law of Georgia on Pharmaceuticals and Pharmacy**

1. Violation of the rules for prescribing pharmaceutical products falling within Group I under the Law of Georgia on Pharmaceuticals and Pharmacy –

shall carry a fine of GEL 500.

2. Violation of the rules for writing a prescription and for the form of a prescription for pharmaceutical products falling within Group I under the Law of Georgia on Pharmaceuticals and Pharmacy –

shall carry a fine of GEL 200.

*Law of Georgia No 6246 of 22 May 2012 – website, 8.6.2012*

**Article 44<sup>12</sup> - Non- compliance with reporting requirements in the area of legal circulation of pharmaceutical products falling within Group I under the**



Failure to provide information in the area of legal circulation of specially controlled pharmaceutical products in Georgia as required by the legislation of Georgia–

shall carry a fine of GEL 500.

*Law of Georgia No 6246 of 22 May 2012 – website, 8.6.2012*

**Article 45 – Illegal purchase or storage of a small quantity of narcotic drugs without intent to sell and/or use of narcotic drugs without a doctor’s prescription**

Illegal purchase or storage of a small quantity of narcotic drugs without the intent to sell and/or use of narcotic drugs without a doctor’s prescription –

shall carry a fine of GEL 500 or, in exceptional cases, if the application of this measure is considered insufficient after taking into account the circumstances of the case and the person of the offender – administrative detention for up to 15 days. *(The normative content, under which administrative detention may be imposed as an administrative penalty for the illegal purchase and/or storage of narcotic drug Marijuana for personal consumption, and/or use of the same narcotic drug, defined in horizontal row 92 of Annex 2 of the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, shall be invalidated)* – Ruling No 1/16/770 of the Plenary Session of the Constitutional Court of Georgia of 22 December 2016 – website 27.12.2016

**Note:**

1. A person who voluntarily turns in narcotic drugs that he/she has in a small quantity and that he/she has bought or stored without an intent to sell, also a person who voluntarily applies to a medical institution to seek medical assistance for the use of narcotic drugs without a doctor’s prescription, shall be released from the administrative penalty prescribed for the acts provided for in this article.

2. A police officer shall present a person reasonably suspected of having used narcotic drugs without a doctor’s prescription for examination to the person designated by the Minister of Internal Affairs of Georgia.

3. An authorised employee of the General Inspectorate of the Ministry of Corrections of Georgia shall present for examination to a competent body those officers within the Ministry of Corrections system, who are present on the premises of the Ministry of Corrections of Georgia, penitentiary institutions within its system, the Legal Entities under Public Law within the same Ministry – the National Agency of Execution of Non-custodial Sentences and Probation (including the territorial bodies of the National Agency of Execution of Non-custodial Sentences and Probation) and the Penitentiary and Probation Training Centre, and who are reasonably suspected of having used narcotic drugs without doctor’s prescription.

4. The procedure for determining whether an authorised person has used narcotic drugs shall be defined by a joint order of the Minister of Internal Affairs of Georgia and of the Minister of Labour, Health and Social Affairs of Georgia.

5. For committing the offences provided for in this article, a person shall be deprived of the right to carry arms for up to three years.

*Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4191 of 27 December 2006 – LHG I, No 49, 29.12.2006, Art. 359*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 1895 of 27 December 2013 – website, 30.12.2013*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

*Law of Georgia No 3538 of 1 May 2015 – website, 18.5.2015*

*Ruling No 1/16/770 of the Plenary Session of the Constitutional Court of Georgia of 22 December 2016 – website 27.12.2016*

**Article 46 - Concealing a source of a sexually transmitted disease or contacts with people presenting the risk of contraction**

Concealment of a source of a sexually transmitted disease by persons suffering from a sexually transmitted disease, also concealment of the persons with whom they had such kind of contact that presents the risk of contracting a sexually transmitted disease –

shall carry a fine of up to three times the minimum wage.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*





**Article 46<sup>1</sup> - Violation of the rules for obtaining and using human organs, organ parts or tissues**

Violation of the rules laid down by the legislation of Georgia for obtaining and using human organs, organ parts or tissues – shall carry a fine of 50 times the remuneration of labour; for officials’ – 100 times the remuneration of labour.

*Law of Georgia No 1708 of 6 November 2002 – LHG I, No 30, 27.11.2002, Art. 133*

**Article 46<sup>2</sup> – Illegal educational activities**

Educational activities without a licence for carrying out educational activities under the Law of Georgia on Licencing Educational Activities or educational activities carried out by a branch under the same law without complying with the procedures under the Law of Georgia on Licencing Educational Activities –

shall carry a fine of GEL 3000.

*Law of Georgia No 5362 of 8 June 2016 – website, 17.6.2016*

**Article 46<sup>3</sup> – Non-compliance with the provisions of the licence for carrying out educational activities**

1. Non-compliance with the provisions of the licence for carrying out educational activities –

shall carry a fine of GEL 300.

*Law of Georgia No 5362 of 8 June 2016 – website, 17.6.2016*

**Article 46<sup>4</sup> - Non-compliance with the requirements of the Ministry of Labour, Health and Social Affairs of Georgia in the field of supervision of educational activities**

1. Non-compliance by a person carrying out educational activities with the requirements of the relevant service of the Ministry of Labour, Health and Social Affairs of Georgia in the field of supervision of educational activities -

shall carry a warning.

2. The same act committed repeatedly –

shall carry a fine of GEL 500.

*Law of Georgia No 5362 of 8 June 2016 – website, 17.6.2016*

**Chapter 6 - Administrative Offences Encroaching upon Property**

**Article 47 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 478 of 12 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

**Article 48 - Unauthorised occupation of a water body**

Unauthorised occupation of a water body–

shall carry a fine of GEL 200.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of*



*Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 49 - Unauthorised occupation of a state forest reserve**

1. Unauthorised occupation of a state forest reserve –

shall carry a fine of GEL 200.

2. Unauthorised occupation of land within the boundaries of a protected area –

shall carry a fine of GEL 400.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 49<sup>1</sup> - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 50 - (Deleted)**

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 5185 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 282*

#### **Article 50<sup>1</sup> – Evading the payment of compensation for material damage criminally inflicted on enterprises, institutions and organisations**

Evading the payment of material damages criminally inflicted on enterprises, institutions and organisations by a person who is bound by a court judgement or decision to pay such damages –

shall carry a warning or a fine up to two times the minimum wage or corrective labour for up to six months, with 20% deduction from the offender's salary.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*



*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette No 33, 31.7.1997, p. 3*

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 3535 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 305*

**Article 51 - Non-compliance with land protection requirements**

Failure to carry out duties involving stripping and stockpiling topsoil of agricultural land and land improvement activities, also non-performance by the land user of re-cultivation, anti-wind and anti-water erosion measures and other mandatory measures to avert soil deteriorating processes–

shall carry a fine from GEL 500 to GEL 1 000.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997–The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

**Article 51<sup>1</sup> - Misuse of the lands of protected areas and of their territorial-functional zones**

1. Use by persons directly responsible for managing and protecting the protected areas, the lands of the protected areas and their territorial-functional zones for purposes other than those for which they have been allocated –

shall carry a fine from GEL 150 to GEL 200.

2. The same act committed within the established boundaries of the state reserves, strict nature zones of national parks, natural monuments, biosphere reserve's nucleus (strict nature) zones, world heritage sites and wetlands of international importance –

shall carry a fine from GEL 300 to GEL 500.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

**Article 51<sup>2</sup> - Topsoil stripping**

Topsoil stripping and relocation not related to duly permitted activities–

shall carry a fine from GEL 1 500 to GEL 2 000.

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

**Article 51<sup>3</sup> - Failure to complete in the established manner documents confirming the use of state non-agricultural land**

Failure to complete in the established manner documents that confirm the use of state non-agricultural land –

shall carry a fine from GEL 800 to GEL 1 000.

The same act committed repeatedly –

shall carry a fine from GEL 3 000 to GEL 3 500.

*Law of Georgia No 1981 of 28 May 1999 – LHG I, No 19(26), 4.6.1999, Art. 77*

**Article 51<sup>4</sup>- Rendering soil and water unfit for use when using mineral resources in high-mountainous regions**

Rendering soil and water unfit for use when using mineral resources in high-mountainous regions –

shall carry a fine from 30 to 50 times the minimum wage.



**Article 51<sup>5</sup> - Harvesting of alpine and subalpine plants in high-mountainous regions the use of which for fuel or any other purpose is prohibited**

Harvesting those alpine and subalpine plants in high-mountainous regions the use of which for fuel or any other purpose is prohibited – shall carry a fine from GEL 30 to 50.

*Law of Georgia No 1753 of 19 November 2002 – LHG I, No 31, 10.12.2002, Art. 139*

**Article 52 - Contaminating or degrading land or otherwise rendering it unfit for use**

Contaminating or degrading land or otherwise rendering it unfit for use – shall carry a fine from GEL 500 to GEL 800.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

*Law of Georgia No 3500 of 24 July 2006 – LHG I, No 35, 3.8.2006, Art. 256*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

**Article 53 - Failure to timely return temporarily occupied land or non-performance of the duty to bring it into a usable condition**

Failure to timely return temporarily occupied land or non-performance of the duty to bring it into a usable condition shall carry a fine from GEL 400 to GEL 500.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

**Article 53<sup>1</sup> - Failure to timely return temporarily occupied land falling within the established boundaries of protected areas and of their territorial-functional zones**

1. Failure to timely return temporarily occupied land falling within the established boundaries of protected areas– shall carry a fine from GEL 200 to GEL 300.

2. The same act committed within the established boundaries of state reserves, strict nature zones of national parks, natural monuments, biosphere reserve's nucleus (strict nature) zones, world heritage sites and wetlands of international importance -

shall carry a fine from GEL 300 to GEL 400.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

**Article 53<sup>2</sup> - Misuse of plots of land**

Misuse of plots of land –

shall carry a fine from GEL 500 to GEL 1 000.

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*



**Article 53<sup>3</sup> - Transfer by a land user of state-owned land (or any part of it) to another land user in violation of the existing rules**

Transfer by a land user of state-owned land (or any part of it) to another land user in violation of the existing rules –

shall carry a fine from GEL 600 to GEL 700.

The same action committed repeatedly –

shall carry a fine from GEL 2 000 to GEL 2 500.

*Law of Georgia No 1981 of 28 May 1999 – LHG I, No 19(26), 4.6.1999, Art. 77*

**Article 54 - Deviating from a land use and protection project without a relevant permit**

Deviating from a land use and protection project without a relevant permit –

shall carry a fine from GEL 300 to GEL 500.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

**Article 54<sup>1</sup> – Non-compliance with warnings issued in the established manner for administrative violations of land legislation**

Non-compliance with a warning issued in the established manner for administrative violations of land legislation –

shall carry a fine from GEL 600 to GEL 700.

The same action committed repeatedly –

shall carry a fine from GEL 2 000 to GEL 2 500.

*Law of Georgia No 1981 of 28 May 1999 – LHG I, No 19(26), 4.6.1999, Art. 77*

**Article 55 - Destruction or damage of boundary marks or arbitrary alteration of boundary lines**

Destruction or damage of land use boundary marks or arbitrary alteration of boundary lines –

shall carry a fine from GEL 300 to GEL 700 or administrative detention for ten days, including bringing the boundary back into its original condition.

The same act committed repeatedly –

shall carry a fine from GEL 1 500 to GEL 2 000.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

**Article 55<sup>1</sup> - Construction of facilities adversely affecting the condition of the land**

Construction of facilities adversely affecting the condition of the land –

shall carry a fine from GEL 1 000 to GEL 2 000.

*Law of the Republic of Georgia No 436 of 17 March 1994 - Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*



## **Article 55 - Occupying state-owned land without authorisation and/or using them without the right of land use**

Occupying state-owned land without authorisation and/or using them without the right of land use–

shall carry a fine from GEL 1 000 to GEL 2 000.

The same act committed repeatedly –

shall carry a fine from GEL 3 000 to GEL 3 500.

*Law of the Republic of Georgia No 436 of 17 March 1994 –The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

*Law of Georgia No 1981 of 28 May 1999 – LHG I, No 19(26), 4.6.1999, Art. 77*

## **Article 55<sup>3</sup> – Providing incorrect information on land resources, land condition and use, violation of the time limits for consideration of land allocation applications, petitions and complaints**

Providing incorrect information on land resources, land condition and use, violation of the time limits for consideration of land allocation applications, petitions and complaints–

shall carry a fine for the official concerned from one to two times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

## **Article 55<sup>4</sup> – Destruction of boundary signs marking the borders of protected areas and their territorial-functional zones**

1. Destruction of boundary signs marking the borders of protected areas and their territorial-functional zones –

shall carry a fine from GEL 50 to GEL 100.

2. The same act committed within the established boundaries of state reserves, strict nature zones of national parks, natural monuments, biosphere reserve's nucleus (strict nature) zones, world heritage sites and wetlands of international importance -

shall carry a fine from GEL 100 to GEL 150.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

## **Article 55<sup>5</sup> – Unauthorised occupation of land owned by the State or by a self-governing unit of Tbilisi and/or its use without the right of use**

1. Unauthorised occupation of land owned by the State or by a self-governing unit of Tbilisi and/or its use without the right of use –

shall carry a fine of GEL 2 000.

2. The same act committed repeatedly –

shall carry a fine of GEL 3 500.

### **Note:**

1. If it is impossible to identify the offender, the authorised body may take actions to eliminate the offence.

2. For failure to pay the fine imposed under the relevant paragraph of this article within the period defined in paragraph 1 of Article 290 of this Code the offender shall be subject to a penalty in the amount of the fine imposed on him/her under the relevant paragraph of this article for the offence committed. If the offender fails to pay the fine and the penalty within 30 days from the imposition of the penalty, the payment of the fine and of the penalty shall be enforced against the offender according to the procedure laid down by the legislation of Georgia.

*Law of Georgia No 4067 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 457*

*Law of Georgia No 4464 of 22 March 2011 – website, 5.4.2011*

## **Article 56 - Violation of requirements for protection of mineral resources**

1. Arbitrary development of the areas where mineral resource utilisation facilities are situated, non-compliance with the requirements for protection of mineral resources, for protection of the natural environment, buildings and structures from the adverse impact of mineral resource use activities,



violation of the rules and standards for liquidation and conservation of various underground structures of a mining enterprise, and for re-cultivation of soil within the boundaries of the mining allotment–

shall carry a fine from GEL 500 to GEL 800.

2. Causing the deterioration of the qualitative and quantitative characteristics of mineral resources –

shall carry a fine from GEL 800 to GEL 1 000.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 –The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 478 of 12 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 56<sup>1</sup> - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

#### **Article 56<sup>2</sup> - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

#### **Article 57 - Violation of the requirements for conducting a geological survey of mineral resources**

Violation of the requirements for conducting a geological survey of mineral resources that could have resulted or has resulted in the destruction of or damage to groundwater observation wells, mine survey and geodetic survey markers, violation of cultural heritage sites and protection zones, violation of the title to geological information, intentional provision of delayed or false information on mineral resources –

shall carry a fine from 10 to 50 times the minimum wage for citizens and 50 to 70 times the minimum wage for officials.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 487 of 12 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 4713 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 143*

#### **Article 57<sup>1</sup> - Exploitation of mineral resources without a relevant licence**

Exploitation of mineral resources without a relevant licence –

shall carry a fine from GEL 1 000 to GEL 1 500.

*Law of Georgia No 487 of 12 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 57<sup>2</sup> - Violation of safety rules and standards in exploiting mineral resources**

Violation of standards for exploiting mineral resources as well as violation of safety rules and standards for using mineral resources –



shall carry a fine from GEL 400 to GEL 700.

*Law of Georgia No 478 of 12 November 1996– The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

### **Article 57<sup>3</sup> - Violation of the conditions of a mining licence or of a licence for exploitation of mineral resources**

1. Violation of the conditions of a mining licence or non-submission of mineral resources exploitation plan within the established period by the holder of a licence for exploitation of mineral resources or non-submission of a report on the compliance with licence conditions in accordance with the legislation of Georgia

shall carry a fine of GEL 500.

2. Violation of the conditions of a mining licence or of a licence for exploitation of mineral resources (except for cases referred to in Section One of this article) –

shall carry a fine of GEL 2 000.

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

### **Article 57<sup>4</sup>– Exploitation of mineral resources in violation of the relevant conditions by a person who is exempted, in an established manner, from obtaining a mining licence**

Exploitation of mineral resources in violation of the relevant conditions by a person who is exempted, in an established manner, from obtaining a mining licence –

shall carry a fine of GEL 500.

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

### **Article 58 - Violation of water protection regulations**

1. Contamination, or sullyng of water bodies, dumping waste and other garbage into water bodies –

shall carry a fine from GEL 200 to GEL 300.

2. Violation of regulations for protecting potable and household water bodies, discharge of industrial, utility, household, drain and other waste waters into potable and household water supply and medicinal water bodies –

shall carry a fine from GEL 400 to GEL 600.

3. Contamination or sullyng of water with oil, chemicals, petroleum, mineral and organic fertilisers and pesticides from water transport, pipelines, or from floating and other structures situated on water bodies–

shall carry a fine from GEL 300 to GEL 600.

4. The actions indicated in paragraphs 1, 2 and 3 of this article committed repeatedly –

shall carry a fine from GEL 500 to GEL 800.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3500 of 24 July 2006 – LHG I, No 35, 3.8.2006, Art. 256*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

### **Article 58<sup>1</sup> - Violation of water protection rules within protected areas**





Violation of the conditions for protection and use of water bodies existing within the boundaries of protected areas established by the legislation –

shall carry a fine from GEL 250 to GEL 350.

The same act committed repeatedly –

shall carry a fine from GEL 450 to GEL 550.

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

### **Article 58<sup>2</sup> - Sea contamination**

1. Dumping household garbage or other waste from land into the sea –

shall carry a fine from GEL 100 to GEL 300.

2. Contamination or sullyng the sea from land with oil, chemicals, petroleum, mineral and organic fertilisers and pesticides –

shall carry a fine from GEL 300 to GEL 600.

3. The action indicated in paragraph 2 of this article committed repeatedly –

shall carry a fine from GEL 500 to GEL 800.

4. Dumping household (solid) waste into the sea from a ship, other water craft, platform or another man-made structure in the sea in violation of the rules laid down by the legislation of Georgia –

shall carry a fine of GEL 2 000.

5. Dumping isolated ballast water into the sea from a ship with up to 20 000 tons of total capacity in violation of the rules laid down by the legislation of Georgia –

shall carry a fine of GEL 5 000.

6. Dumping isolated ballast water into the sea from a ship with 20 000 tons of total capacity or more in violation of the rules laid down by the legislation of Georgia –

shall carry a fine of GEL 10 000.

7. Spilling (dumping, discharge) of harmful, contaminating substances, industrial, technical or other waste and/or materials into the sea from a ship, any other water craft, platform, pipeline or another man-made structure in the sea in violation of the rules laid down by the legislation of Georgia –

shall carry a fine of GEL 65 000.

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

### **Article 58<sup>3</sup> - Washing a vehicle (except for water crafts) in the sea, lake, water reservoir, river or another surface water body and/or on its shore/bank at a distance of less than 10 m from the water**

Washing a vehicle (except for water crafts) in the sea, lake, water reservoir, river or another surface water body and/or on its shore/bank at a distance of less than 10 m from the water –

shall carry a fine of GEL 50.

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

### **Article 59 - Non-fulfilment of the duty to register in a ship's documents operations relating to harmful substances and admixtures**

Failure by the captain or by other persons of the command staff of a ship or other water craft of the statutory obligation to register in the ship's documents operations relating to substances harmful to human health or to living sea resources and/or to the admixtures containing such substances in excess of established standards, also entry by such persons of incorrect information on such operations in the ship's documents or unlawful refusal to present these documents to the relevant officials –

shall carry a fine from GEL 200 to GEL 300.



### **Article 59<sup>1</sup> - (Deleted)**

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

### **Article 59<sup>2</sup> - Violation of rules for using ionising radiation sources**

1. Violation of the licence conditions for a nuclear and radiation activity, in particular, violations of an organisational character (non-conformance of records management with the requirements set by the legislation of Georgia) –

shall carry a fine of GEL 200.

2. Violation of the licence conditions for a nuclear and radiation activity that may result in the exposure of workers in excess of the established maximum dose or an unjustified exposure of a patient –

shall carry a fine of GEL 500.

3. Violation of the licence conditions for a nuclear and radiation activity that may have an adverse impact on the population and/or contaminate the environment –

shall carry a fine of GEL 1 500.

4. Emission of radioactive substances into the atmosphere in excess of the established limit from a facility containing sources of ionising radiation–

shall carry a fine of GEL 1 500.

5. Discharge of radioactive substances in excess of the established quantity into the waters flowing from a facility containing sources of ionising radiation –

shall carry a fine of GEL 1 500.

6. Handling sources of ionising radiation (other than nuclear material or equipment, radioactive waste, radioactive substances) without a licence –

shall carry a fine of GEL 2 000.

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

### **Article 59<sup>3</sup> - Non-payment of regulatory fees for the use of natural resources, oil refinement, gas refinement and/or transportation within the time limits and according to the procedures defined by the legislation of Georgia**

1. Non-payment of regulatory fees for the use of natural resources, oil refinement, gas refinement and/or transportation within the time limits and according to the procedures defined by the legislation of Georgia –

shall carry a fine of GEL 5 000.

2. The same act committed repeatedly –

shall carry a fine of GEL 10000.

*Law of Georgia No 4683 of 17 May 2011 – website, 1.6.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

### **Article 60 - Violation of water usage rules**

1. Violation of requirements for common water usage–

shall carry a fine from GEL 200 to GEL 400.



2. (Deleted – 25.3.2013, No 453).

3. (Deleted – 25.3.2013, No 453).

4. Unlawful usage of surface water bodies of special scientific and aesthetic importance – shall carry a fine from GEL 350 to GEL 550.

5. The acts indicated in paragraphs 1 and 4 of this article committed repeatedly – shall carry a fine from GEL 400 to GEL 800.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

#### **Article 60<sup>1</sup> - (Deleted)**

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 60<sup>2</sup> - (Deleted)**

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 60<sup>3</sup> - Violation of statutory regulations for water protection zones and sanitary protection zones**

1. Violation of water protection regulations in a catchment area that causes water contamination, soil erosion by water and other harmful events – shall carry a fine of up to GEL 100 for natural persons and up to GEL 500 for legal persons.

2. Violation of statutory regulations in water protection zones and sanitary protection zones intended for drinking, household water supply, medical and spa treatment needs –

shall carry a fine of GEL 1 000 for natural persons and GEL 2 000 for legal persons.

3. The same act committed within a strict sanitary protection zone –

shall carry a fine of GEL 2 000 for natural persons and GEL 4 000 for legal persons.

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4224 of 29 December 2006 – LHG I, No 2, 4.1.2007, Art. 30*

#### **Article 61 – Damage of water facilities and of water protection facilities and equipment; violation of their operating rules**

Damage of water facilities and of water protection facilities and equipment or violation of their operating rules -

shall carry a fine from GEL 100 to GEL 200.

The same act committed repeatedly –

shall carry a fine from GEL 150 to GEL 250.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*



## **Article 61<sup>1</sup> - Violation of water use reporting and primary accounting rules**

1. Concealment of or distortion of information on accidents, salvo discharges or other extraordinary situations affecting water conditions – shall carry a fine from GEL 50 to GEL 200.

2. The violation of the rules for primary accounting of water use – shall carry a fine from GEL 50 to GEL 100.

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

## **Article 62 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

## **Article 63 - Violation of forest exploitation rules in timber production**

The violation of rules regulating estimated cutting area determination, cutting area allocation, standing timber sale, final felling, thinning and special cutting–

shall carry a fine from GEL 50 to GEL 200.

The same act committed on the 30° to 35° gradient slopes of state forest reserve –

shall carry a fine from GEL 50 to GEL 250.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

## **Article 63<sup>1</sup> - Violation of rules for allocation and usage of cutting area reserves and for forest exploitation in the forests located in the forest reserve lands of the territories of traditionally used zones of national parks, sanctuaries, specially allocated zones within multiple-use areas, protected landscapes, traditional-cultural landscape zones of biosphere reserves**

Violation of rules for allocation and usage of cutting area reserves and for forest exploitation in the forests located in the forest reserve lands of the territories of traditionally used zones of national parks, sanctuaries, specially allocated zones within multiple-use areas, protected landscapes, traditional-cultural landscape zones of biosphere reserves –

shall carry a fine from GEL 200 to GEL 300.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

## **Article 64 - Destruction and damage of trees and shrubs and forest plantations in the territory of the state forest reserve**

Destruction and damage of trees and shrubs and forest plantations or seedlings and saplings in forest nurseries and plantations that may stop their growth –

shall carry a fine from GEL 200 to GEL 400.



*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 64<sup>1</sup> - Illegal felling and damage of wood plants within the boundaries of protected areas and their territorial-functional zones**

1. Illegal felling and damage of wood plants within the boundaries of protected areas and their territorial-functional zones –

shall carry a fine from GEL 400 to GEL 500.

2. The same act committed within the established boundaries of state reserves, strict nature zone of national parks, natural monuments, biosphere reserve's nucleus (strict nature) zones, world heritage sites and wetlands of international importance or against the species entered on the 'Red List' of Georgia –

shall carry a fine from GEL 500 to GEL 600.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 2359 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 118*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 65 - Violation of forest exploitation rules and requirements**

Violation of statutory rules and requirements for managing forest plantations, making forest wood plant products and secondary timber materials, using non-wood sources of the state forest reserve, use for agrarian purposes of state forests and forest lands, special purpose lands and unused lands of the state forest reserve, use of the state forest reserve for a special purpose, conduct of research and training activities within the territory of the state forest reserve, use of the state forest reserve for resort, recreational, sports and other cultural and therapeutic purposes, use of the state forest reserve for setting up hunting grounds–

shall carry a fine from GEL 50 to GEL 150.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 65<sup>1</sup> - (Deleted)**

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 65<sup>2</sup> - (Deleted)**

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 66 - Illegal forest exploitation, forest exploitation in violation of the requirements set by the legislation of Georgia**

1. Production of timber within the territory of the state forest reserve without the relevant documents provided for by the legislation of Georgia or setting up a hunting ground without the appropriate licence –

shall carry a fine of GEL 500, with the confiscation of the object of the offence, with or without the confiscation of the instrument of the offence.

2. The act indicated in paragraph 1 of this article committed repeatedly –



shall carry a fine of GEL 1 000, with the confiscation of the object and instrument of the offence.

2<sup>1</sup>. (Deleted – 25.3.2013, No 453).

2<sup>2</sup>. (Deleted – 25.3.2013, No 453).

3. Violation of the conditions and requirements of a general forest exploitation licence, a special timber production licence, a special hunting ground licence or of the relevant contract concerning forest exploitation –

shall carry a fine of GEL 2 000, with or without the confiscation of the object and instrument of the offence.

4. Repeated violation of the terms and conditions of the relevant contract on forest exploitation specified in paragraph 3 of this article –

shall carry a fine of GEL 4 000, with the confiscation of the object and instrument of the offence.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 5594 of 23 December 2011 – website, 30.12.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

#### **Article 66<sup>1</sup> – Misuse of the areas allotted from the state forest reserve**

Misuse of the areas allotted from the state forest reserve –

shall carry a fine from GEL 100 to GEL 200.

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 66<sup>2</sup> – Violation of a licence to export fir cones and snowdrop bulbs and/or cyclamen tubers listed in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

Violation of a licence to export fir cones and snowdrop bulbs and/or cyclamen tubers listed in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) –

shall carry a fine of GEL 2 000.

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

#### **Article 66<sup>3</sup> - Illegal trade in species, a part or derivative thereof included in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (except for species included in the 'Red List' of Georgia), as well as the illegal export, import, re-export or introduction from the sea of these species or a part or a derivative thereof**

1. The illegal trade in species, a part or derivative thereof included in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (except for species included in the 'Red List' of Georgia) -

shall carry a fine of GEL 1 000 with confiscation of the instrument of the offence.

2. The illegal trade in species, a part or derivative thereof included in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (except for species included in the 'Red List' of Georgia), the illegal export, import, re-export or introduction from the sea of these species or a part or a derivative thereof –

shall carry a fine of GEL 2 000 with confiscation of the instrument of the offence

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*



**Article 66 - Violation of the permit provisions for species, a part or derivative thereof included in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (except for species included in the 'Red List' of Georgia), the illegal export, import, re-export or introduction from the sea of these species or a part thereof or a derivative thereof**

The violation of the permit provisions for species, a part or derivative thereof included in Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (except for species included in the 'Red List' of Georgia), the illegal export, import, re-export or introduction from the sea of these species or a part or a derivative thereof –

shall carry a fine of GEL 2 000 with confiscation of the instrument of the offence.

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

#### **Article 67 - Violation of forest protection, care, reforestation and afforestation rules and requirements**

Violation of rules and requirements for selecting and using plant species for forest protection or for state forest reserve care, reforestation and afforestation–

shall carry a fine from GEL 20 to GEL 50.

Violation of the requirements for using biological, chemical or selection methods to protect forests –

shall carry a fine from GEL 30 to GEL 150.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 67<sup>1</sup> – Violation of the rules for restoring and improving the condition of renewable natural resources within the controlled nature protection and reforestation zones of national parks, within sanctuaries and within the controlled nature protection (manipulation) and reforestation zones of biosphere reserves**

Violation of the rules for restoring and improving the condition of renewable natural resources within the controlled nature protection and reforestation zones of national parks, within sanctuaries and within the controlled nature protection (manipulation) and reforestation zones of biosphere reserves –

shall carry a fine from GEL 200 to GEL 300.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 68 – Damage of agricultural lands of the state forest reserve**

1. Damage of agricultural lands of the state forest reserve –

shall carry a fine from GEL 30 to GEL 50.

2. Damage of meadows, dales, fields, hay lands and pasturelands within the established boundaries of protected areas and violation of pasturing rules –

shall carry a fine from GEL 30 to GEL 50 for small cattle (sheep, goats and pigs) and from GEL 70 to 100 for bovine cattle.

3. The same act committed within the established boundaries of state reserves, strict nature zones of national parks, natural monuments, a biosphere reserve's nucleus (strict nature) zones, world heritage sites and wetlands of international importance–

shall carry a fine from GEL 50 to GEL 70 for small cattle (sheep, goats, pigs) and from GEL 120 to GEL 150 for bovine cattle.

4. The act indicated in paragraph 2 of this article committed repeatedly during the year –

shall carry a fine from GEL 100 to GEL 150 for small cattle (sheep, goats, pigs) and from GEL 150 to GEL 200 for bovine cattle.

5. The act indicated in paragraph 3 of this article committed repeatedly during the year –

shall carry a fine from GEL 150 to GEL 200 for small cattle (sheep, goats, pigs) and from GEL 220 to GEL 270 for bovine cattle.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*



*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

#### **Article 69 – Violation of environmental regulations**

1. Violation of the regulations laid down by the environmental legislation –

shall carry a fine from GEL 100 to GEL 300.

2. The same act committed by the person to whom an administrative penalty has been imposed during the year for the violation provided for in this article –

shall carry a fine from GEL 200 to GEL 400.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 69<sup>1</sup> - (Deleted)**

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 69<sup>2</sup> - (Deleted)**

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 69<sup>3</sup> - (Deleted)**

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 69<sup>4</sup> - Violation of environmental requirements in commissioning a commercial facility**

Violation of environmental requirements in commissioning a commercial facility –

shall carry a fine from GEL 300 to GEL 500.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

#### **Article 69<sup>5</sup> - Non-compliance with environmental requirements in liquidating a commercial facility**

Violation of environmental requirements in liquidating a commercial facility –

shall carry a fine from GEL 200 to GEL 400.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

**[Article 69<sup>6</sup> – Violation of the requirements established in the field of air conditioning and refrigeration equipment services**





1. Acceptance of services of a non-certified technician by a business entity owning the air conditioning and refrigeration equipment specified in the Law of Georgia on Ambient Air Protection –

shall carry a fine of GEL 100 for the business entity owning the air conditioning and refrigeration equipment.

2. The same act committed repeatedly –

shall carry a fine of GEL 200 for the business entity owning the air conditioning and refrigeration equipment.

3. Maintenance of the air conditioning and refrigeration equipment specified in the Law of Georgia on Ambient Air Protection by a non-certified technician –

shall carry a fine of GEL 200 for the non-certified technician.

4. The same act committed repeatedly –

shall carry a fine of GEL 400 for the non-certified technician. **(Shall become effective from 1 January 2018)**

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 173 of 21 December 2016 – website, 29.12.2016*

#### **Article 70 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

#### **Article 71 - Littering and damaging forests in the territory of the state forest reserve**

Damage of forests of the state forest reserve lands with radioactive, bacteriological, chemical or other harmful substances, radioactive waste, industrial, household or other waste waters, or with emissions of harmful substances that result in forest death or infection of forest areas–

shall carry a fine of GEL 1 000.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

#### **Article 71<sup>1</sup> - Littering and damaging the lands of protected areas**

1. (Deleted – 26.12.2014, No 2998).

2. (Deleted – 26.12.2014, No 2998).

3. (Deleted – 26.12.2014, No 2998).

4. (Deleted – 26.12.2014, No 2998).

5. Littering or damaging protected areas with radioactive, bacteriological, chemical or other harmful substances, radioactive waste, industrial, household or other wastewaters or with emissions of harmful substances–

shall carry a fine of GEL 3 000.

6. (Deleted – 26.12.2014, No 2998).

7. (Deleted – 26.12.2014, No 2998).



**Note:** An offender shall be given a reasonable period of time to remedy the consequences of the offences provided for in this article.

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

#### **Article 72 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

#### **Article 72<sup>1</sup> – Violation of the rules and requirements for accounting for the state forest reserve or for planning forest utilization**

Violation of the rules for accounting for the state forest reserve or of special requirements for the system of accounting for protected areas of the state forest reserve –

shall carry a fine from GEL 50 to 150.

Violation of the forest utilization planning requirements or the use of forest or performance of forestry works without forest management or special examination documents approved according to the rule laid down by the legislation –

shall carry a fine from GEL 70 to GEL 200.

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 73 – Destruction or damage of forest draining trenches, draining systems and roads on the state forest reserve lands**

Destruction or damage of forest draining trenches, draining systems and roads on the state forest reserve lands –

shall carry a fine from GEL 100 to GEL 200.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

#### **Article 74 - Destruction and damage of boundary marks in forests**

Destruction and damage of boundary marks in forests –

shall carry a fine of up to GEL 10.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 75 – Violation of the special regime for the commercial state forest reserve protection**

Violation of the rules for according a special protection regime to a commercial state forest reserve area and for implementing forestry activities under this regime –

shall carry a fine from GEL 50 to GEL 150.

Violation of the special regime for forestry activities and forest utilization within the territory of the soil protection and water regulation forest areas of



the commercial state forest reserve that has been accorded a special protection regime, or violation of the conditions for commercial activity within the area of a special function or a landscape area of the commercial state forest reserve –

shall carry a fine from GEL 70 to GEL 150.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 76 – Violation of forest fire safety requirements or requirements for planning and implementing forest fire safety measures**

Violation of forest fire safety requirements or requirements for planning and implementing forest fire safety measures –

shall carry a fine from GEL 50 to GEL 150.

Destruction or damage of a forest by setting fire or reckless handling of fire, or violation of forest fire safety requirements that results in the outbreak of fire in a forest or its spread across a certain area –

shall carry a fine from GEL 100 to GEL 200.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

#### **Article 77 - Lack of a technical report on the inventory of atmospheric air polluting sources and harmful substances emitted by them or lack of permissible limits for harmful emissions, exceeding emission limits or adverse effect on the atmospheric air**

1. Lack of a technical report on the inventory of atmospheric air pollution sources and harmful substances emitted by them or lack of permissible limits for harmful emissions –

shall carry a fine of GEL 500.

2. Exceeding permissible limits of harmful emissions in the atmospheric air, or exceeding the limits established for adverse impact (including, noise, vibration, electromagnetic fields) on the atmospheric air –

shall carry a fine from GEL 500 to GEL 1 000.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

#### **Article 78 – Violation of dust arrester equipment operation rules, or failure to use such equipment**

1. Violation of dust arrester equipment operation rules –

shall carry a fine from GEL 500 to GEL 1 000.

2. Failure to use dust arrester equipment –

shall carry a fine from GEL 1 000 to GEL 2 000.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*



## **Article 79 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

## **Article 79<sup>1</sup> - Conducting a business without an environmental impact permit**

Conducting a business without an environmental impact permit –

shall carry a fine from GEL 7 000 to GEL 9 000.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

## **Article 79<sup>2</sup> – Violation of the conditions of an environmental impact permit (including an environmental permit) or of the conditions of an ecological examination report (including the state ecological examination report)**

Violation of the conditions of an environmental impact permit (including an environmental permit) or of the conditions of an ecological examination report (including the state ecological examination report) –

shall carry a fine of GEL 5 000.

### **Note:**

1. Failure to fulfil the duty within the established period assigned to eliminate the violation within the established period after the imposition of an administrative penalty for violating the conditions provided for in an ecological examination report (including the state ecological examination report) by an administrative body issuing the ecological examination report, shall triple the penalty under this article.

2. If, after the expiry of the term determined by the administrative body issuing the ecological examination report after the imposition of the tripled penalty under part one of the given note, the holder of the ecological expertise (including of the state ecological expertise) fails to fulfil the duties imposed on him/her, the imposed tripled penalty shall triple.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

## **Article 79<sup>3</sup> – Failure to fulfil the conditions established by the decision to continue the current activity defined under the Law of Georgia on Environmental Impact Permits**

1. Failure to fulfil the conditions established by the decision to continue the current activity defined under the Law of Georgia on Environmental Impact Permits –

shall carry a fine of GEL 5 000.

2. After the administrative penalty under paragraph 1 of this article is imposed, the failure to fulfil the conditions established by the decision to continue the current activity within the set time limit shall result in tripling the imposed fine as determined by the Law of Georgia on Environmental Impact Permits.

3. After a certain time limit elapses from imposing the tripled fine, if a developer under the Law of Georgia on Environmental Impact Permits fails to fulfil the conditions established by the decision to continue the current activity, the imposed fine shall be tripled as determined by the Law of Georgia on Environmental Impact Permits.

*Law of Georgia No 3489 of 29 April 2015 – website, 14.5.2015*

## **Article 79<sup>4</sup> – Non-compliance with, or violation of the requirements established in the field of import, export, re-export and transit of ozone-destroying substances, or production of ozone-destroying substances, or trade in prohibited ozone-destroying substances**



1. Violation of permit conditions for the import, export, re-export and transit of ozone-destroying substances –

shall carry a fine of GEL 1 000.

2. Import, export, re-export and transit of ozone-destroying substances without a permit –

shall carry a fine of GEL 20 for each kilogramme of the substance.

3. Import, export, re-export or transit of the prohibited ozone-destroying substances –

shall carry a fine of GEL 30 for each kilogramme of the substance.

4. Production of an ozone-destroying substance –

shall carry a fine of GEL 1 000.

5. Trade in the prohibited ozone-destroying substances –

shall carry a fine of GEL 1 000.

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

#### **Article 79<sup>5</sup> – Violation of permit conditions for the import, export and transit of the waste**

1. Violation of permit conditions for the import, export and transit of the waste –

shall carry a fine of GEL 1 000.

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

#### **Article 79<sup>6</sup> – Violation of the requirements under the prior consent for the import of certain hazardous chemicals and pesticides**

Violation of the requirements under the prior consent for the import of certain hazardous chemicals and pesticides –

shall carry a fine of GEL 1 000.

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

#### **Article 80 – Putting into operation such vehicles or mobile equipment the emissions of which contain pollutants exceeding established limits**

Putting into operation of automobiles, aircraft, ships and other mobile equipment and machinery the emissions of which contain pollutants exceeding established limits, the content of pollutants of whose emissions, or the noise level produced by which during operation exceeds established limits –

shall carry a warning or a fine for officials from five to ten times the minimum wage.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 81 – Operation of such motor vehicles and other mobile equipment the emissions of which contain pollutants exceeding established limits**

Operation by citizens of such motor vehicles and other mobile equipment and machinery the emissions of which contain pollutants exceeding established limits, or the noise level produced by which during operation exceeds established limits –

shall carry a warning or a fine of up to five times the minimum wage.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 82 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*



**Article 82<sup>1</sup> - Failure to present records on ambient air polluting emissions in the established form and within the established time limits**

Failure to present records on ambient air polluting emissions in the established form and within the established time limits –

shall carry a fine of GEL 150.

**Article 82<sup>2</sup> – Violation of requirements of environmental technical regulations**

1. Violation of requirements of environmental technical regulations (except as provided for in Article 58<sup>2</sup>(5)(6) and in paragraphs 3 and 4 of this article) –

shall carry a fine of GEL 500.

2. The act provided for in paragraph 1 of this article committed repeatedly –

shall carry a fine of GEL 1 000.

3. Violation of requirements of technical regulations by industrial or non-industrial facilities in discharging wastewater into the sea –

shall carry a fine of GEL 1 000.

4. The act provided for in paragraph 3 of this article committed repeatedly –

shall carry a fine of GEL 3 000.

5. (Deleted – 25.3.2013, No 453).

6. (Deleted – 25.3.2013, No 453).

**[Article 82<sup>3</sup> – Violation of the requirements under the Technical Regulations for the Maintenance Log Form of the Equipment Operating on the Refrigerant and the Reporting Activities**

1. Failure to use a registration log book under the Technical Regulations for the Maintenance Log Form of the Equipment Operating on the Refrigerant and the Reporting Activities, or maintenance of the log book in violation of the requirements under the Technical Regulations –

shall carry a fine of GEL 150.

2. Failure to present data on the annual consumption of refrigerants in the form or within the time limits established under the Technical Regulations for the Maintenance Log Form of the Equipment Operating on the Refrigerant and the Reporting Activities –

shall carry a fine of GEL 150. *(Shall become effective from 1 January 2018)*

**[Article 82<sup>4</sup> – Non-compliance with, or violation of the requirements under the Georgian Standard – Requirements for the Safety of Maintenance of Refrigeration Systems and Thermal Pumps and the Environmental Protection**

Non-compliance with, or violation of the requirements under a standard of Georgia – Requirements for the Safety of Maintenance of Refrigeration Systems and Thermal Pumps and the Environmental Protection –

shall carry a fine of GEL 400. *(Shall become effective from 1 January 2018)*



### **Article 83 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

### **Article 84 - Non-compliance with the demands of bodies authorised to prepare a report on the administrative offences provided for in Article 239(4) and (4<sup>1</sup>) of this Code**

1. Non-compliance within the established period of time after the commission of an administrative offence provided for in Article 239(4) and (4<sup>1</sup>) of this Code of the duty assigned by an administrative order of the body authorised to prepare reports on the elimination of such offences –

shall carry an administrative penalty(fine) to the extent of the sanction prescribed by the relevant article or by the paragraph of the article for the violation of which the elimination of the offence has been imposed, by reference to these articles, or, if an imposed administrative penalty (fine) exists, shall carry an administrative penalty (fine) of double the maximum penalty amount prescribed by the relevant article or paragraph of the relevant article for the violation of which the elimination of the offence has been imposed, by reference to these articles.

2. Non-compliance within the established period of time after the imposition of a penalty (fine) for violation of paragraph 1 of this article of the duty imposed by an administrative order of the body authorised to prepare reports on the elimination of the administrative offences provided for in Article 239(4) and (4<sup>1</sup>) of this Code –

shall carry a fine of double the amount of the already imposed main administrative penalty (fine).

3. Interference with the exercise of the rights and duties of the employees of a body authorised to prepare reports on the administrative offences provided for in Article 239(4) and (4<sup>1</sup>) of this Code –

shall carry a fine of GEL 5 000.

4. Non-compliance with the lawful demands of the employees of a body authorised to prepare reports on the administrative offences provided for in Article 239(4) and (4<sup>1</sup>) of this Code (failure to present the documents, materials and information provided for by the legislation of Georgia, disregarding by the facility to be inspected of a demand for making representatives available during the inspection process) –

shall carry a fine of GEL 500.

5. The act specified in paragraph 4 of this article committed repeatedly –

shall carry a fine of GEL 1 000.

#### **Note:**

1. Administrative liability for failure to fulfil the duty assigned under an administrative order of an appropriate body to comply with the established requirements of the licence or permit conditions shall be determined according to the procedure laid down by Article 36<sup>1</sup> of this Code.

2. Administrative liability for failure to fulfil the duty assigned under an administrative order of an appropriate body to meet the conditions established by the decision to continue the current activity as provided for by the Law of Georgia on Environmental Impact Permits shall be determined according to the procedure established under Article 79<sup>3</sup> of this Code.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 3489 of 29 April 2015 – website, 14.5.2015*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*



## **Article 84<sup>1</sup> - Intentional damage of a seal affixed by a state environmental monitoring body**

1. Intentional damage of a seal affixed by a state environmental monitoring body –

shall carry a fine of GEL 1 500.

2. The same act committed repeatedly –

shall carry a fine of GEL 3 500.

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

## **Article 85 - Violation of the rules for protection of the habitat of certain wild animals, breeding areas, survival stations, migration and water access routes, also arbitrary resettlement of certain wild animals to new habitats, arbitrary translocation and hybridisation**

1. Violation of the rules for protection of the habitat of certain wild animals, breeding areas, survival stations, migration and water access routes, also arbitrary resettlement of wild animals to new habitats, arbitrary translocation (introduction, reintroduction, restocking) and hybridisation

shall carry a fine from GEL 300 to GEL 500.

2. The same act committed against the species of wild animals entered on the 'Red List of Georgia or within the established boundaries of state reserves, strict nature zones of national parks, natural monuments, biosphere reserve's nucleus (strict nature) zones, world heritage sites and wet lands of international importance –

shall carry a fine from GEL 1 000 to GEL 1 300.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 2359 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 118*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

## **Article 85<sup>1</sup>- Violation of the standards for applying chemicals (including plant protection and soil fertilization chemicals) in the environment and of the rules for transporting, storing and applying these chemicals, which has caused harm to the fauna and their habitat**

Violation of the standards for applying chemicals (including plant protection and soil fertilization chemicals) in the environment and of the rules for transporting, storing and applying these chemicals, which has caused harm to the fauna and their habitat –

shall carry a fine from GEL 150 to GEL 200.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

## **Article 85<sup>2</sup> –Violation of the rules for creation or development of zoological collections (zoological parks, zoological gardens, oceanariums, gene pool reserves of endangered species entered on the Red List of Georgia) through removal (killing)**

Violation of the rules for creation or development of zoological collections (zoological parks, zoological gardens, oceanariums, gene pool reserves of endangered species entered on the Red List of Georgia) through removal (killing) –





shall carry a fine from GEL 100 to GEL 200.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 2359 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 118*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

**Article 85<sup>3</sup> – Destruction of endangered wild animals entered on the Red List of Georgia or destruction of their egg rafts, eggs, lairs and other structures that may result in their destruction, dwindling or disruption of habitat and/or, in the special cases provided by law, hunting animals in violation of the hunting limits and/or requirements, buying or selling or holding them in captivity without the relevant permit**

Destruction of endangered wild animals entered on the Red List of Georgia or destruction of their egg rafts, eggs, lairs and other structures that may result in their destruction, dwindling or disruption of habitat and/or, in the special cases provided for by law, hunting of animals in violation of the hunting limits and/or requirements, buying or selling or trapping them without the relevant permit –

shall carry a fine from GEL 150 to GEL 850, with or without confiscation of the offender’s personal effects that were used as the instrument of the offence, and the confiscation of the captured animals.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – Gazette of Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 2359 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 118*

*Law of Georgia No 5201 of 8 November 2011 – website, 14.11.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

**Article 85<sup>4</sup>- Illegal trapping of wild animals, trading in illegally hunted fauna objects, derivatives of wild animals and products derived from them**

Illegal trapping of wild animals, trading in illegally hunted fauna objects, derivatives of wild animals and products derived from them –

shall carry a fine of GEL 1000, with the confiscation of the fauna objects, their derivatives and products derived from them.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

**Article 85<sup>5</sup>– Violation of the rules for regulating the number of wild animals**

Violation of the rules for regulating the number of wild animals for sanitary and epidemiological purposes, for protection of community health and life, for prevention of agricultural and other domestic animal diseases or of natural environment, and for avoiding damage to a business activity –

shall carry a fine from GEL 200 to GEL 300.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

**Article 86 - Violation of fishing and hunting regulations; violation of the rules regulating different kinds of use of fauna objects**

1. Violation of fishing and fish resource preservation regulations by using amateur and sports fishing instruments and methods –



shall carry a fine from GEL 50 to GEL 200, with the confiscation of the fish or other living water organisms that have been caught.

2. The act provided for in paragraph 1 of this article committed repeatedly, within one year after the imposition of an administrative penalty –

shall carry a fine from GEL 200 to GEL 400, with the confiscation of the instrument of the offence and of the fish or other living water organisms that have been caught.

3. Violation of special fishing requirements –

shall carry a fine of GEL 500.

4. The act provided for in paragraph 3 of this article committed repeatedly within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 1 000.

5. Violation of the fishing and fish resource preservation regulations determined by the legislation of Georgia (except as provided for in paragraphs 1 - 4 and 8 of this article) –

shall carry a fine from GEL 200 to GEL 400, with the confiscation of the instrument of the offence and of the fish or other living water organisms caught.

6. The act provided for in paragraph 5 of this article committed by using a small-size watercraft (a motor boat, a boat, a launch, etc. of up to 8 m in length)–

shall carry a fine from GEL 400 to GEL 800, with the confiscation of the instrument of the offence and of any fish or other living water organisms caught, with or without confiscation of the watercraft.

7. The act provided for in paragraph 6 of this article committed repeatedly within one year from the imposition of an administrative penalty –

shall carry a fine from GEL 800 to GEL 2 000, with the confiscation of the instrument of the offence and of the fish or other living water organisms caught, and with confiscation of the watercraft.

8. Electric fishing, fishing with an electric shock machine, self-made electronic device, explosive or toxic substance or with any other means of mass destruction of fish or other living water organisms, or catching the fish and other living water organisms entered on the Red List of Georgia –

shall carry a fine from GEL 2 000 to GEL 4 000, with the confiscation of the instrument of the offence, of the fish or other living water organisms caught and of the watercraft.

9. Violation of fishing and fish resource preservation regulations determined by the legislation of Georgia by using a watercraft with 100 ton or lower total storage capacity and more than 8 m in length (except for the violations provided for in paragraphs 1 - 4 of this article) –

shall carry a fine from GEL 4 000 to GEL 5 000, with the confiscation of the fish or other living water organisms caught, with or without confiscating the instrument of the offence and the watercraft.

10. Violation of the fishing and fish resource preservation regulations determined by the legislation of Georgia by using a watercraft of more than 100 tons in total storage capacity(except for the violations provided for in paragraphs 1 - 4 of this article) –

shall carry a fine from GEL 30 000 to GEL 50 000, with the confiscation of the fish or other living water organisms caught.

11. Violation of a fishing licence conditions and requirements by a fishing licence holder –

shall result in a fine of GEL 2 000.

12. Violation of hunting regulations when hunting for the species categorised as hunting species –

shall carry a fine from GEL 100 to GEL 500, with or without confiscation of the hunted animal and of the hunting weapon and/or equipment.

13. Violation of hunting regulations (except as provided for in paragraph 12 of this article) –

shall carry a fine from GEL 500 to GEL 700, with or without confiscation of the captured animal and of the hunting weapon and/or equipment.

14. Violation of the rules for different kind of use of the objects of fauna (except as provided for in paragraphs 12, 13 and 15 of this article) –

shall carry a fine from GEL 800 to GEL 1 000, with or without confiscation of the object hunted and of the hunting weapon and/or equipment.

15. Hunting with the weapons, or the means or methods that are prohibited (except as provided for in paragraphs 12, 13 and 14 of this article) –

shall carry a fine from GEL 1 000 to GEL 2 000, with the confiscation of the object hunted and of the hunting weapon and/or equipment.

**Note:**

1. Hunting firearms shall be confiscated as an additional penalty in the cases provided for in paragraphs 12-14 of this article only if the Legal Entity under Public Law (LEPL) – the Service Agency of the Ministry of Internal Affairs of Georgia has not issued to the hunting person a document certifying the right to store and carry the relevant hunting firearm defined by the Arms Law of Georgia.

2. In the cases provided for in paragraphs 12-14 of this article, if the hunting person does not have with him/her the document referred to in paragraph 1 of this Note or if the hunting is performed with a prohibited hunting weapon, the offender shall be deprived of the hunting weapon temporarily,



pending the hearing, and the weapon shall be returned or transferred to the State in accordance with the final decision of the body/official authorised to hear the case.

3. In the cases provided for by this article (except for parts 3, 4 and 11 of this article), a person shall be seized a hunted wildlife object/objects and, unless the impact to the environment as a result of obtaining a wildlife object is significant, a body preparing a protocol of an administrative offence shall be authorised to immediately distribute the obtained wildlife object/objects for the social purposes free of charge in accordance with the established procedures, and if the obtained wildlife object/objects shows/show signs certifying that the object/objects is/are inedible (has/have changed its/their usual colour and/or has/have unpleasant smell unusual for a healthy product), it shall immediately destroy it/them by burning or by burning it/them in an appropriate incinerator.

4. If, on the basis a decision made by a body and/or an official authorised to review appropriate administrative proceedings in the case provided for in part 3 of this note, a person is returned the seized wildlife object/objects, this person shall be entitled, in accordance with the procedures established by the legislation of Georgia, to claim the damages incurred by him/her due to the seizure of the wildlife object/objects.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

*Law of Georgia No 723 of 12 June 2013 – website, 3.7.2013*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

### **Article 86<sup>1</sup> - Violation of fishing prohibition regulations in seaport area and its adjacent waters**

1. Violation of fishing prohibition regulations in seaport area and its adjacent waters by using amateur and sports fishing instruments – shall carry a fine of GEL 50.

2. The act provided for in paragraph 1 of this article committed repeatedly within one year after the imposition of an administrative penalty – shall carry a fine of GEL 100.

3. Violation of fishing prohibition regulations in seaport area and its adjacent waters by using a small-size boat (by a boat of seven meters or less length) – shall carry a fine of GEL 200.

4. The act provided for in paragraph 3 of this article committed repeatedly within one year after the imposition of an administrative penalty – shall carry a fine of GEL 400.

5. Violation of fishing prohibition regulations in seaport area and its adjacent waters by using a boat with 100 ton or lower total storage capacity (less than seven meters in length) – shall carry a fine of GEL 500.

6. The act provided for in paragraph 5 of this article committed repeatedly within one year after the imposition of an administrative penalty – shall carry a fine of GEL 1 500.

7. Violation of fishing prohibition regulations in seaport area and its adjacent waters by using a watercraft of more than 100 tons in total storage capacity – shall carry a fine of GEL 4 000.

8. The act provided for in paragraph 7 of this article committed repeatedly within one year after the imposition of an administrative penalty –



shall carry a fine of GEL 8 000.

**Note:** for failure to pay the fine provided for in this article within the term fixed by Article 290(1) of this Code, the offender shall be subject to a penalty of two times the imposed fine and for failure to pay the fine and the penalty within 30 days after the imposition of the penalty, the payment shall be enforced according to the Law of Georgia on Enforcement Proceedings.

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

#### **Article 87 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

#### **Article 87<sup>1</sup> - Violation of regulations for operating in the field of genetically modified living organisms**

1. Violation of special requirements for handling genetically modified living organisms when using genetically modified living organisms in a closed system -

shall carry a fine from GEL 300 to GEL 800.

2. The act provided for in paragraph 1 of this article committed repeatedly -

shall carry a fine from GEL 800 to GEL 2 000.

3. Use of genetically modified living organisms in a closed system without the relevant licence -

shall carry a fine from GEL 100 to GEL 1 000, with or without confiscation of the object of the offence.

4. The act provided for in paragraph 3 of this article committed repeatedly -

shall carry a fine from GEL 1 000 to GEL 2 000, with the confiscation of the object of the offence.

5. (Deleted – 02.03.2016, No4800).

6. (Deleted – 02.03.2016, No4800).

7. (Deleted – 02.03.2016, No4800).

*Law of Georgia No 2660 of 18 September 2014 – website, 2.10.2014*

*Law of Georgia No 4800 of 2 arch 2016 – website, 22.03.2016*

#### **Article 87<sup>2</sup> - Violation of conditions for safe transportation of genetically modified living organisms**

1. Violation of conditions for safe transportation of genetically modified living organisms -

shall carry a fine from GEL 200 to GEL 500.

2. The act provided for in paragraph 1 of this article committed repeatedly -

shall carry a fine from GEL 500 to GEL 1 500.

*Law of Georgia No 2660 of 18 September 2014 – website, 2.10.2014*

#### **Article 87<sup>3</sup> - Violation of regulations for labelling genetically modified living organisms**

1. Violation of regulations for labelling genetically modified living organisms -

shall carry a fine from GEL 500 to GEL 1 000.

2. The act provided for in paragraph 1 of this article committed repeatedly -

shall carry a fine from GEL 1 000 to GEL 3 000.

*Law of Georgia No 2660 of 18 September 2014 – website, 2.10.2014*



**Article 88 - Violation of regulations for performing works on cultural heritage sites, for their maintenance, for erecting monumental statues (sculptures), or for naming streets or squares**

1. Violation of statutory rules for performing works or archaeological works on cultural heritage sites, violation of the relevant design or other permit conditions, also non-compliance or improper compliance with the conditions of a warning given by an authorised body for the non-compliance with the obligation to maintain a cultural heritage site defined by the Law of Georgia on Cultural Heritage –

shall carry a fine of GEL 5 000 for natural persons and GEL 10 000 – for legal persons or partnerships.

2. The same act committed against a national monument –

shall carry a fine of GEL 7 000 for natural persons and GEL 12 000 – for legal persons or partnerships.

3. The act provided for in paragraph 1 of this article committed in relation to the site entered on the World Heritage List –

shall carry a fine of GEL 9 000 for natural persons and GEL 15 000 – for legal persons or partnerships.

4. Violation of regulations for erecting monumental statues (sculptures), or for naming streets and squares –

shall carry a warning or a fine of up to five times the minimum wage for the citizens or a warning or a fine of up to ten times the minimum wage for the officials.

5. Unless the grounds for the fines defined in this article are eliminated, the amount of the relevant fine shall be tripled compared to the amount of the previous fine, every 6 months.

**Note:** The cost of dismantling a monumental statue (sculpture) erected in violation of the erection regulations defined in paragraph 4 of this article shall be borne by the offender.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4356 of 14 February 2007 – LHG I, No 6, 26.02.2007, Art. 68*

*Law of Georgia No 4713 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 143*

**Article 89 - Violation of the regulations and conditions for protection of protected areas and their territorial-functional zones**

1. Violation of the regulations and conditions for protection of protected areas and their territorial-functional zones –

shall carry a fine from GEL 40 to GEL 70.

2. The same act committed within the established boundaries of cultural heritage protection areas, state reserves, strict nature zones of national parks, natural monuments, biosphere reserve's nucleus (strict nature) zones, world heritage sites and wetlands of international importance–

shall carry a fine from GEL 60 to GEL 90.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4713 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 143*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

**Article 89<sup>1</sup>–Causing damage to a natural monument**

1. Damage of a natural monument by a natural or legal person –

shall carry a fine of GEL 250 for natural persons, and GEL 700 for legal persons, institutions and organisations.

2. The same act committed repeatedly –

shall carry a fine of GEL 500 for natural persons and GEL 1 000 for legal persons, institutions and organisations.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 5201 of 8 November 2011 – website, 14.11.2011*



*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

**Article 89<sup>2</sup> - Bringing any equipment (other than non-manipulative scientific observation equipment) by a visitor into the territory of state reserves, strict nature zones of national parks, biosphere reserve nucleus (strict nature) zones and world heritage sites**

1. Bringing any equipment (other than non-manipulative scientific observation equipment) by a visitor into the territory of state reserves, strict nature zones of national parks, biosphere reserve nucleus (strict nature) zones and world heritage sites –

shall carry a fine from GEL 150 to GEL 200.

2. The same act committed by a person who during the year was subjected to an administrative penalty for the offence provided for in this article –

shall carry a fine from GEL 200 to GEL 250.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 5201 of 8 November 2011 – website, 14.11.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

**Article 89<sup>3</sup> – Illegal entry, penetration into or movement in a protected area with a firearm or any fishing equipment or performance of the same act by using a boat**

1. A person's illegal entry, penetration into and/or movement in a protected area with a firearm (other than the area where a management plan or any temporary regulation permits hunting, or except for a person authorised to carry a service firearm according to the procedure laid down by the legislation of Georgia) –

shall carry a fine from GEL 250 to GEL 300, with or without the confiscation of the firearm.

2. The same act committed within the established boundaries of state reserves, strict nature zones of national parks, natural monuments, biosphere reserve nucleus (strict nature) zones, world heritage sites and wetlands of international importance –

shall carry a fine from GEL 450 to GEL 500, with or without the confiscation of the firearm.

3. A person's illegal entry, penetration into and/or movement in a protected area with any fishing equipment (other than the area where a management plan or any temporary regulation permits hunting) or performance of the same act by using a boat –

shall carry a fine from GEL 250 to GEL 300, with or without confiscation of the object of the offence, including the boat.

4. The same act committed within the established boundaries of state reserves, strict nature zones of national parks, natural monuments, biosphere reserve nucleus (strict nature) zones, world heritage sites and wetlands of international importance –

shall carry a fine from GEL 450 to GEL 600, with or without confiscation of the object of the offence, including the boat.

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

**Article 89<sup>4</sup> - (Deleted)**

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 3535 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 305*

*Law of Georgia No 5653 of 27 December 2011 – website, 12.1.2012*

**Chapter 8 - Administrative Offences in the Fields of Industry, Electric and Heat Power Consumption and Water Supply**

*Law of Georgia No 2389 of 18 December 2009 – LHG I, No 48, 29.12.2009, Art. 367*



#### **Article 90 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 18*

*Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

#### **Article 90<sup>1</sup> - (Deleted)**

*Law of Georgia No 3768 of 24 November 2006 – LHG I, No 45, 9.12.2006 Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

#### **Article 91 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 18*

*Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

#### **Article 91<sup>1</sup> - (Deleted)**

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 18*

*Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

#### **Article 91<sup>2</sup> - Import or sale of tetraethyl lead, or counterfeit, adulterated liquid gas used for domestic and communal purposes in the territory of Georgia**

Import or sale of tetraethyl lead, or counterfeit, adulterated liquid gas used for domestic and communal purposes in the territory of Georgia – shall carry a fine from GEL 400 to 4000 with the confiscation of appropriate product.

*Law of Georgia No 2299 of 22 July 1999 – LHG I, No 40(47), 11.8.1999, Art. 203*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

#### **Article 91<sup>3</sup> - Violation of qualitative norms of motor fuel and/or the norms of diesel fuel constituents determined by an ordinance of the Government of Georgia during the import, production and/or provision of motor fuel and/or diesel fuel in the Territory of Georgia**

1. The import of motor fuel and/or diesel fuel to the territory of Georgia the quality of which does not comply with the qualitative norms of motor fuel and/or the norms of diesel fuel constituents determined by an ordinance of the Government of Georgia -

shall carry a fine of GEL 10 000.

2. The production of motor fuel and/or diesel fuel in the territory of Georgia the quality of which does not comply with the qualitative norms of motor fuel and/or the norms of diesel fuel constituents determined by an ordinance of the Government of Georgia -

shall carry a fine of GEL 9 000. 3. The supply of motor fuel and/or diesel fuel in the territory of Georgia the quality of which does not comply with the qualitative norms of motor fuel and/or the norms of diesel fuel constituents determined by an ordinance of the Government of Georgia -

shall carry a fine of GEL 8 000.

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

#### **Article 92 - (Deleted)**



*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1169 of 12 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 167*

*Law of Georgia No 1126 of 22 March 2005 – LHG I, No 13, 12.4.2005, Art. 78*

### **Article 92<sup>1</sup>-Violation of the requirements set by Georgian National Energy and Water Supply Regulatory Commission**

Non-compliance with the requirements set by the Georgian National Energy and Water Supply Regulatory Commission by commercial operators of the electrical system, small power plants, natural gas suppliers, electricity and natural gas licensees or direct consumers, also by potable water suppliers –

shall carry a fine of GEL 5 000.

*Law of Georgia No 815 of 27 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 11*

*Law of Georgia No 1934 of 30 April 1999 – LHG I, No 15(22), 14.5.1999, Art. 63*

*Law of Georgia No 976 of 29 December 2004 – LHG I, No 4, 17.1.2005, Art. 18*

*Law of Georgia No 5471 of 20 November 2007 – LHG I, No 40, 3.12.2007, Art. 382*

*Law of Georgia No 93 of 5 July 2008 – LHG I, No 13, 16.7.2008, Art. 105*

### **Article 92<sup>2</sup> - (Deleted)**

*Law of Georgia No 3102 of 26 August 2003 – LHG I, No 29, 18.9.2003, Art. 227*

*Law of Georgia No 4126 of 17 December 2010 – LHG I, No 75, 27.12.2010, Art. 486*

### **Article 93 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1126 of 22 March 2005 – LHG I, No 13, 12.4.2005, Art. 78*

### **Article 94 - Violation of rules for protecting power grids with voltage higher than 1 000V**

Violation of the rules established by the Cabinet of Ministers of the Republic of Georgia for protecting power grids with voltage higher than 1 000V, if the violation has or could have resulted in disruptions in electricity supply to consumers, damage to the grid or any other loss to the public economy –

shall carry a warning or a fine from 10 to 50 times the minimum wage for citizens or a warning or a fine from 50 to 100 times the minimum wage for officials.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

### **Article 95 - Violation of standards and rules for using gas**

Violation of standards and rules for using gas as fuel and raw material:

Discharging gas into gas appliances without authorisation from public gas monitoring bodies; exceeding allocated gas funds or failure to comply with the established gas consumption regime; gas consumption without the application of the approved specific power requirements on gas appliances or exceeding such specific power requirements;

Operating gas-burning equipment without metering gas consumption or the thermal energy or product generated by gas consumption, or lack (breakdown) of the automatic gas burning regulation equipment stipulated by the design of the gas-burning equipment or lack (breakdown) of thermal monitoring instruments or of heat utilisation devices that ensure rational and effective utilisation of gas;

The failure of gas consuming enterprises, associations, institutions and organisations to be prepared for the operation of the standby heat systems or the





failure to prepare gas appliances to operate with the designated type of standby fuel –

shall carry a warning or a fine from six to ten times the minimum wage for the directors, deputy directors, chief power engineers (chief mechanics), shop and service managers of the enterprises, associations, institutions and organisations concerned.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 96 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1169 of 12 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 167*

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 18*

*Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

#### **Article 96<sup>1</sup> - Stealing electricity or natural gas**

1. Stealing electricity from the network of a generation licensee or from the transmission or distribution network of a small power plant or stealing natural gas from a transportation system or a distribution network, regardless of the form of stealing, consumption of electricity or natural gas without metering or in violation of metering regulations –

shall carry a warning.

2. The same act committed repeatedly –

shall carry a fine of GEL 100 for natural persons and a fine of GEL 15 000 for legal persons and institutions.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1169 of 12 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 167*

*Law of Georgia No 976 of 29 December 2004 – LHG I, No 4, 17.1.2005, Art. 18*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

#### **Article 96<sup>2</sup> –Violation of the requirements set in the oil and gas sector by the Legal Entity under Public Law (LEPL) – the State Agency of Oil and Gas of the Ministry of Energy of Georgia**

1. Non-compliance with the requirements established by the Legal Entity under Public Law (LEPL) – the State Agency of Oil and Gas of the Ministry of Energy of Georgia, by a general licence for the use of oil and gas resources, or by a licence for oil refinery, natural gas refinery, oil transportation or natural gas transportation –

shall carry a fine from GEL 1 000 to GEL 3 000.

2. The same act committed by the person who during the year was subjected to an administrative penalty for the offence provided for in this article –

shall carry a fine from GEL 2 000 to GEL 5 000.

*Law of Georgia No 765 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 18*

*Law of Georgia No 1859 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 12*

*Law of Georgia No 3173 of 25 May 2006 – LHG I, No 17, 30.5.2006, Art. 117*

*Law of Georgia No 4296 of 29 December 2006 – LHG I, No 1, 3.1.2006, Art. 8*

*Law of Georgia No 4863 of 5 June 2007 – LHG I, No 22, 19.6.2007, Art. 192*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*



**Article 96<sup>3</sup> - (Deleted)**

*Law of Georgia No 765 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 18*

*Law of Georgia No 1859 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 12*

*Law of Georgia No 3173 of 25 May 2006 – LHG I, No 17, 30.5.2006, Art. 117*

*Law of Georgia No 4296 of 29 December 2006 – LHG I, No 1, 3.1.2006, Art. 8*

*Law of Georgia No 4863 of 5 June 2007 – LHG I, No 22, 19.6.2007, Art. 192*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

**Article 96<sup>4</sup> – Stealing of irrigation water**

1. Stealing irrigation water from a melioration system –

shall carry a fine of GEL 250 for natural persons and a fine of GEL 500 for legal persons.

2. The act specified in paragraph 1 of this article committed repeatedly –

shall carry a fine of GEL 500 for natural persons and a fine of GEL 1 000 for legal persons.

*Law of Georgia No 2389 of 18 December 2009 – LHG I, No 48, 29.12.2009, Art. 367*

*Law of Georgia No 4141 of 17 December 2010 – LHG I, No 76, 29.12.2010, Art. 514*

**Chapter 9 - Administrative Offences in Agriculture; Violation of Veterinary and Sanitary Regulations**

**Article 97 - (Deleted)**

*Ordinance No 1475 of the Presidium of the Supreme Soviet of the Georgian SSR of 2 November 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 11, November, 1987, Art. 279*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

**Article 98 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

**Article 98<sup>1</sup> - Liability for violation of the legislation of Georgia on pesticides and agrochemicals**

1. Violation of the regulations for transportation, storage and application of pesticides and agrochemicals –

shall carry a fine of GEL 200.

2. Violation of the regulations for production, sorting, packing and labelling of pesticides and agrochemicals –

shall carry a fine of GEL 200.

3. Non-compliance with the instructions and recommendations of an authorised person of the National Food Agency on the application and sale of pesticides and agrochemicals –

shall carry a fine of GEL 30.

*Ordinance No 2610 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 April 1990 – The Gazette of Supreme Soviet of the Georgian SSR, No 4, April, 1990, Art. 90*



*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1698 of 25 November 1998 – LHG I, No 6, 24.12.1998, Art. 46*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 98<sup>2</sup> - (Deleted)**

*Law of Georgia No 1698 of 25 November 1998 – LHG I, No 6, 24.12.1998, Art. 46*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 99 -Exporting materials without quarantine inspection and appropriate treatment**

Export without quarantine inspection and appropriate treatment from a frontier seaport (harbour), railway station, bus terminal (bus station), airport and any other border point of the materials imported from foreign countries –

shall carry a fine of up to five times the minimum wage for citizens and up to 10 times the minimum wage for officials.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 100 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 100<sup>1</sup>- Failure to take actions to ensure protection of crops containing narcotic drugs**

Failure to take actions to ensure the fulfilment of the established conditions for protection of cannabis and opium poppy crops, of the places where the crops of these plants are stored and processed, also failure to destroy the crop or production residue containing narcotic drugs –

shall carry a fine of 100 times the minimum wage for officials.

*Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 100<sup>2</sup>-Illegal sowing, growing or cultivation of plants containing a small quantity of narcotics**

Illegal sowing, growing or cultivation of any plant containing a small quantity of narcotics –

shall carry a fine of GEL 500 or, in an exceptional case, if the application of the measure is deemed insufficient after taking into account the circumstances of the case and the person of the offender, an administrative detention of up to 15 days.

#### **Note:**

1. The quantities of the narcotic drugs provided for by this Code shall be determined by law.
2. For committing the offence provided for in this article, the person shall be deprived of the right to carry arms for up to three years.

*Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*



*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2081 of 17 November 2009 – LHG I, No 37, 30.11.2009, Art. 279*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

#### **Article 101 - Gross violation by farm machinery operators of agricultural machinery maintenance and safety regulations**

Gross violation by a farm machinery operator of tractor, harvesting combine or other agricultural machinery maintenance and safety regulations – shall carry a fine in the form of suspension of the licence to operate the given machinery for up to one month.

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

#### **Article 102 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 549 of 28 October 2004 – LHG I, No 33, 12.11.2004, Art. 158*

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 102<sup>1</sup> - (Deleted)**

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 102<sup>2</sup> - (Deleted)**

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 102<sup>3</sup> - (Deleted)**

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 102<sup>4</sup> - (Deleted)**

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 103 - Violation of regulations for keeping dogs and cats**

1. Violation of regulations for keeping dogs and cats –

shall carry a fine of one fifth of the minimum wage for citizens and one half of the minimum wage for officials.

2. Having a dog without a leash and a muzzle in a boulevard, park or square within the territory of a self-governing city –

shall carry a warning or a fine of GEL 20 for the owner.

3. The same act committed repeatedly during the year –



shall carry a fine of GEL 50 for the owner.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

**Article 103<sup>1</sup>- Violation of regulations for keeping, holding, using and breeding wild animals in captivity and semi-free conditions**

Violation of regulations for keeping, holding, using and breeding wild animals in captivity and semi-free conditions-

shall carry a fine of from GEL 10 to GEL 50.

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

**Article 104 -Cruel treatment of animals and birds**

Cruel treatment of animals and birds resulting in their death or injury, also abuse of animals and birds –

shall carry a fine of up to the amount of one minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 105 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 549 of 28 October 2004 – LHG I, No 33, 12.11.2004, Art. 158*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

**Article 105<sup>1</sup> - Violation of summerhouse construction rules or collective gardening organisation and management regulations**

Construction of summerhouses by citizens without a duly approved project or deviating from the standards provided for by the current legislation of Georgia at the moment of the beginning of the construction –

shall carry a fine of up to one half of the minimum wage.

Violation by officials of the following regulations for summerhouse construction or gardening organisation and management:

Violation of allotment association admission regulations; use of land allocated for a collective garden without or in violation of the project for the arrangement and development of the territory of this allotment; issuance of summerhouse construction permits without a duly approved design or not in compliance with the statutory standards that are in force at the moment of beginning of the construction, acceptance of such houses into service; construction of public buildings and structures in the territory of a collective garden without a duly approved design or deviating from the design; illegal release of construction materials, vehicles, mechanisms, illegal use of a workforce, involving non-specialised construction organisations in the construction of the allotment association's facilities –

shall carry a fine of up to one minimum wage.

*Ordinance No 94 of the Presidium of the Supreme Soviet of the Georgian SSR of 27 May 1985 – The Gazette of Supreme Soviet of the Georgian SSR, No 5, May, 1985, Art. 157*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 105<sup>2</sup> –Violation of the rules for recording and reporting technological processes relating to the production and storage of commodity products in the field of viticulture and winemaking**

Violation of the rules for recording and reporting technological processes relating to the production and storage of commodity products in the field of viticulture and winemaking –

shall carry a fine from GEL 150 to GEL 300.

The same action committed within one year by a person who has had an administrative penalty imposed for the same offence -

shall carry a fine from GEL 500 to GEL 800.



**Article 105<sup>3</sup> - (Deleted)**

*Law of Georgia No 1637 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 118*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

**Article 105<sup>4</sup> - (Deleted)**

*Law of Georgia No 25 of 18 June 2008 – LHG I, No 11, 4.7.2008, Art. 81*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

**Chapter 10 - Administrative Offences in the Field of Transport, Public Roads and Communications**

**Article 106 - Violation of traffic safety regulations on railway transport**

Placing on railway tracks such objects that may disrupt the movement of trains –

shall carry a fine of up to one half of the minimum wage.

Damage of a railway track, protective forest plantings, snow shields and other road objects, signalling and communication structures and devices –

shall carry a fine from four to five times the minimum wage for citizens and three to six times the minimum wage for officials.

Violation of the rules for movement of any animal-drawn transport across railway tracks, or for driving cattle across or pasturing near railway tracks –

shall carry a warning or a fine of up to the amount of one half of the minimum wage for citizens and a warning or a fine from one to two times the minimum wage for officials.

Failure to observe established loading or unloading clearance limits –

shall carry a fine of one to two times the minimum wage for officials.

Crossing railway tracks at unauthorised places –

shall carry a warning or a fine of one tenth of the minimum wage.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 107 - Violation of regulations for using railway vehicles**

1. Unauthorised travel by a freight train, embarkation on or disembarkation from a moving train, traveling on a carriage stairs or roof, stopping a train arbitrarily, unnecessarily –

shall carry a fine of GEL 40.

2. Damaging any internal equipment or ticket machine of a passenger carriage, or any window of a locomotive or of a carriage –

shall carry a fine of GEL 40.

3. Dumping garbage or other objects out of a train carriage window or door –

shall carry a warning or a fine of GEL 40.

4. Smoking in a carriage (including the vestibule) of a regional commuter train, or in unauthorised places of long-distance and international passenger trains –

shall carry a warning or a fine of GEL 40.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*



**Article 107<sup>1</sup> – Damage of an internal equipment of public vehicles**

Damage of an internal equipment of any air, railway and metro transport, sea and river transport, bus, trolleybus, tram and minim-bus – shall carry a fine from three to six times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 107<sup>2</sup> – Violation of metro passenger safety regulations**

Getting down and walking on metro tracks, placing on tracks objects that may disrupt the movement of trains – shall carry a fine of up to two times the minimum wage.

Opening the door of a moving carriage, intentional prevention of the opening or closing of a door at a stop, stopping the movement of a train or of an escalator unnecessarily –

shall carry a fine of up to one half of the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 107<sup>3</sup> – Violation of regulations for using a metro**

1. Dropping substitutes or coins with no value into metro checkpoints, also passing or attempted passing of checkpoints without paying the established fare –

shall carry a fine of GEL 15.

2. Carriage of flammable, explosive and noxious substances and household gas tanks by metro –

shall carry a fine of GEL 40.

3. Littering of metro station lobbies, cross passages, platforms, carriages, escalators and tracks, also smoking tobacco in metro stations and carriages, following a train into turnaround dead ends and other violations of the regulations for using a metro –

shall carry a fine of GEL 20.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330*

**Article 107<sup>4</sup> - Violation of the rules laid down by the legislation of Georgia and/or by the representative body of the relevant self-governing city when riding a motorcycle, quadricycle, bicycle or any other similar mobile vehicle in a boulevard, park or square in the territory of a self-governing city**

1. Violation of the rules established by the legislation of Georgia and/or by the representative body of the relevant self-governing city when riding a motorcycle, quadricycle, bicycle or another similar mobile vehicle in a boulevard, park or square in the territory of a self-governing city –

shall carry a warning or a fine of GEL 20.

2. The same act committed repeatedly during the year –

shall carry a fine of GEL 50.

**Note:** This article shall not apply to mobile vehicles used by the Patrol Police Department of the Ministry of Internal Affairs of Georgia and by other authorised bodies defined by the legislation of Georgia.

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

**Article 107<sup>5</sup> - Violation of safety rules established by the legislation of Georgia when driving a snowmobile or a motor sledge on ski slopes and/or ski tracks covered with snow/ice located within the administrative borders of the municipality, as well as on any other places provided for by the legislation of Georgia**



Violation of safety rules established by the legislation of Georgia when driving a snowmobile or a motor sledge on ski slopes and/or ski tracks covered with snow/ice located within the administrative borders of the municipality, as well as on any other places provided for by the legislation of Georgia –

shall entail the issuance of a warning or shall carry a fine of GEL 100.

2. The same offence committed repeatedly within one year shall carry a fine of GEL 200.

**Note:** this article shall not apply to mobile equipment used by the Patrol Police Department of the Ministry of Internal Affairs of Georgia and by other authorised bodies defined by the legislation of Georgia.

*Law of Georgia No 4790 of 19 February 2016 – website 7.3.2016*

#### **Article 108 - Violation of flight safety regulations**

1. Arrangement in an aerodrome area of any signs or equipment similar to the aerodrome recognition markings and equipment, or burning, without permission from the airport or aerodrome authorities, of fireworks or setting up facilities that contribute to a mass gathering of birds, or the use of laser radiation tools which pose danger to aircraft flights–

shall carry a fine in the amount of GEL 300.

2. Non-compliance with the rules for arranging night and day markings or equipment on buildings and structures –

shall carry a fine in the amount of GEL 500.

3. Damaging aerodrome equipment, the aerodrome signs of aircraft and their equipment –

shall carry a fine in the amount of GEL 1000.

4. Crossing the territory of an airport, aerodrome, or flight radio and light support facilities without appropriate permission –

shall carry a fine in the amount of GEL 100.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4621 of 11 December 2015 – website, 23.12.2015*

#### **Article 109 - Violation of the rules for carrying hazardous cargo by civil aircraft**

1. Violation of the rules for carrying hazardous cargo by civil aircraft –

shall carry a fine of GEL 10 000.

2. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 30 000.

3. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 50 000.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 2.3.2014*

#### **Article 110 - Violation of the rules of conduct on board an aircraft**

Non-compliance by persons on board an aircraft of the orders of a pilot-in-command –

shall carry a warning or a fine from one to two times the minimum wage.

Violation of the rules for taking photos or shooting movies or using radio communication devices from an aircraft –

shall carry a warning or a fine up to one minimum wage, with confiscation of the film.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*





## **Article 111 - Violation of normative acts applicable in civil aviation**

1. Violation of normative acts applicable in civil aviation –

shall carry a fine of GEL 2 000.

2. Violation of normative acts applicable in civil aviation that endangered or could have endangered the safety of the flight and/or for aviation security –

shall carry a fine of GEL 20 000.

3. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 5 000.

4. The offence specified in paragraph 2 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 50 000.

5. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 10 000.

6. The offence specified in paragraph 2 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 100 000.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 23.12.2014*

## **Article 111<sup>1</sup> – Use of the Georgian air space without permission from the authorised body, violation of the rules for flying in the Georgian air space or air traffic service rules**

1. Use of the Georgian air space by a civil aircraft without permission from the authorised body –

shall carry a fine of GEL 20 000.

2. Violation of the rules for flying in the Georgian air space or air traffic service rules by a civil aircraft –

shall carry a fine of GEL 2 000.

3. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 30 000.

4. The offence specified in paragraph 2 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 5 000.

5. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 50 000.

6. The offence specified in paragraph 2 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 10 000.

*Law of the Republic of Georgia of 20 March 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 9, September, 1991, p. 32*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 23.12.2014*



## **Article 111<sup>2</sup> - Violation of civil aircraft operation rules**

1. Violation of civil aircraft operation rules –

shall carry a fine of GEL 10 000.

2. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 20 000.

3. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 50 000. *Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 23.12.2014*

## **Article 111<sup>3</sup> - Violation of civil aviation equipment maintenance rules**

1. Violation of civil aviation equipment maintenance rules –

shall carry a fine of GEL 10 000.

2. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 20 000.

3. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 50 000.

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 23.12.2014*

## **Article 111<sup>4</sup> - Violation of the established flight safety and operation rules at a civil aerodrome**

1. Violation of the established flight safety and operation rules at an international civil aerodrome –

shall carry a fine of GEL 20 000.

2. Violation of the established flight safety and operation rules at a domestic civil aerodrome –

shall carry a fine of GEL 10 000.

3. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 50 000.

4. The offence specified in paragraph 2 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 20 000.

5. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 100 000.

6. The offence specified in paragraph 2 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 50 000.

**Note:** For the purposes of this article, a domestic civil aerodrome shall be a civil aerodrome that is not an international civil aerodrome. *Law of Georgia No 6094 of 26 April 2012 – website, 10.05.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 23.12.2014*



## **Article 111 - Admission to the workplace of an aviation specialist lacking the relevant qualification (skills) and/or recognition**

1. Admission of an aviation specialist lacking the relevant qualification (skills) and/or recognition to the workplace –

shall carry a fine of GEL 10 000.

2. The offence specified in paragraph 1 of this article committed again within a year after the commission of the offence –

shall carry a fine of GEL 20 000.

3. The offence specified in paragraph 1 of this article committed for a third time within a year after the commission of the offence and every subsequent commission of the offence –

shall carry a fine of GEL 50 000.

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2872 of 11 December 2014 – website, 23.12.2014*

## **Article 112 - Violation of sea transport traffic rules**

Violation of the rules for ships to call at and depart from ports, to move and anchor within port waters, or violation of safety rules for embarkation, voyage and disembarkation of passengers –

shall carry a fine of up to one minimum wage for citizens and from one to two times the minimum wage for officials.

Performing diving operations within port waters without the relevant permit, disregarding signalling rules when conducting such operations –

shall carry a fine from one to two times the minimum wage for officials.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

## **Article 113 - Violation of rules for safe use of sea transport**

Damage of signal and communication structures and equipment on board a sea transport –

shall carry a fine from two to five times the minimum wage for citizens and three to six times the minimum wage for officials.

Smoking at unauthorised places on board seagoing ships –

shall carry a warning or a fine of up to one third of the minimum wage.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

## **Article 114 - Violation of cargo loading, unloading and stowing rules in seaports**

Violation of cargo loading, unloading and stowing rules in seaports –

shall carry a fine of GEL 5 000.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

## **Article 114<sup>1</sup> - Violation of the legislation on Georgian continental shelf, territorial waters and special economic zones**

1. Erection of structures on the Georgian continental shelf, within Georgian territorial waters or in the adjacent area, establishing safety zones around it or around man-made isles, structures or equipment in a special economic zone in violation of the rules laid down by the legislation of Georgia, also violation of construction, reconstruction, operation, structure protection, liquidation, conservation or sea navigation rules –

shall carry a fine of GEL 50 000.

2. Exploration or survey of the Georgian continental shelf or of a special economic zone or exploitation of its natural wealth without a relevant permit–



shall carry a fine of GEL 75 000.

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

#### **Article 114<sup>2</sup> - Violation of a boundary regime within the internal and territorial waters of Georgia**

1. Failure to give notice of passage of a small-size ship in the internal and territorial waters of Georgia–

shall carry a fine of GEL 50.

2. Violation of the rules for setting up a base station owned by a natural person –

shall carry a fine of GEL 50.

3. Violation of the rules for keeping a small-size ship at a base station–

shall carry a fine of GEL 150.

4. Violation of the rules for departure of a small-size ship from a base station, except as provided for in paragraph 1 of this article –

shall carry a fine of GEL 200.

5. Violation of the rules for setting up a base station, except as provided for in paragraph 2 of this article –

shall carry a fine of GEL 300.

6. Violation of the rules for using, including sailing by, a small-size ship –

shall carry a fine of GEL 300.

7. Violation of boundary regime rules when conducting economic, fishing, exploration and other activities within the internal and territorial waters of Georgia –

shall carry a fine of GEL 500.

8. Any of the offences provided for in this article that has caused a minor injury –

shall carry a fine of GEL 800.

**Note:** for failure to pay the fine provided for in this article within the term fixed by Article 290(1) of this Code, the offender shall be subject to a penalty of two times the imposed fine and for failure to pay the fine and the penalty within 30 days after the imposition of the penalty, the payment shall be enforced according to the Law of Georgia on Enforcement Proceedings.

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

#### **Article 114<sup>3</sup> - Violation of maritime safety and security rules**

1. Failure by a seaport to create appropriate conditions under the Sea Code of Georgia for State Supervision and Control Service of the Seaport -

shall carry a fine of GEL 5 000.

2. Failure by a seaport to enter into a contract with a certified pilot service after receiving an appropriate warning from the authorised body -

shall carry a fine of GEL 10 000.

3. Non-compliance of harbours existed at seaports with the set technical standards –

shall carry a fine of GEL 10 000 for each harbour at a seaport.

4. Carrying out of cargo loading operations by a seaport which are not allowed by the legislation of Georgia – shall carry a fine of GEL 15 000 for non-compliance observed at each harbour.

**Note:** for failure to pay the fine provided for in this article within the term fixed by Article 290(1) of this Code, the offender shall be subject to a penalty of two times the imposed fine and for failure to pay the fine and the penalty within 30 days after the imposition of the penalty, the payment shall be enforced according to the Law of Georgia on Enforcement Proceedings.

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

#### **Article 114<sup>4</sup> – Violation of particular regulations by a ship sailing under the national flag of Georgia**



1. Failure to submit a ship's registration certificate to the Chief Registrar after the deregistration of a ship from the state register of ships of Georgia and/or after the termination or suspension of the registration of a ship –

shall carry a fine of GEL 5 000 of the ship owner and/or ship operator.

2. Wrongful indication of the ship displacement value during the registration of any water craft under the Sea Code of Georgia that has resulted in considerable reduction of the ship registration fee –

shall carry a fine of GEL 5 000.

3. Navigating by any water craft under the Sea Code of Georgia engaged in the international navigation without necessary distinctive markings required under state registration procedures –

shall carry a fine of GEL 1 000.

4. The use of state registration certificate of a ship by a captain or owner and/or operator of the Georgian ship engaged in the international navigation for any water craft under the Sea Code of Georgia for which the said certificated has not been issued –

shall carry a fine of GEL 10 000 imposed on the captain of the ship or owner and/or operator of the ship.

5. Ignoring tonnage restriction registered in the state register of ships of Georgia and the use of restricted tonnage during cargo loading operations for the purposes of transporting more cargo –

shall carry a fine of GEL 5 000.

6. Violation by a captain of the ship or by an owner/operator of the ship of the terms and conditions of the document for the safe crewing procedures of ships of Georgia engaged in the international navigation –

shall carry a fine of GEL 10 000 imposed on the captain of the ship or owner and/or operator of the ship.

7. Navigating by a ship of Georgia engaged in the international navigation without any compulsory certificate required under the legislation of Georgia, except for the cases of exclusion defined by the legislation of Georgia –

shall carry a fine of GEL 4 000 imposed on the ship owner.

8. Violation of the international regime for navigation by a ship sailing under the national flag of Georgia, including the entry into seaports that are closed for navigation –

shall carry a fine of GEL 10 000 imposed on the ship sailing under the national flag of Georgia.

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

#### **Article 115 - Violation of fire safety rules in railway, sea and air transport**

Violation of the established fire safety rules on railway and sea transport –

shall carry a fine of up to one minimum wage for citizens and from one to two times the minimum wage for officials.

Violation of the established fire safety rules on air transport –

shall carry a fine of up to one minimum wage for citizens and from one to two times the minimum wage for officials.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Council of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 116 - Driving a vehicle in a state of alcoholic, narcotic or psychotropic intoxication or permitting another person in this state to drive a vehicle**

1. Driving a vehicle in a state of alcoholic intoxication or evading a test for determining, according to the procedure laid down by the legislation of Georgia, alcoholic intoxication when driving a transport vehicle –

shall carry:

a) a 6-month suspension of the driving licence;

b) for a person under the age of 18 years – a 1-year suspension of the driving licence.

1<sup>1</sup>. (Deleted – 27.11.2013, No 1644).

2. Commission of the offence provided for in paragraph 1 of this article during the period of suspension of the right to drive a motor vehicle by a person who has already been sanctioned with an administrative penalty provided for in the same paragraph–



shall carry a fine of GEL 700 for the driver and extension of the suspension period for one year.

3. Knowingly permitting a person who is in a state of alcoholic intoxication to drive a vehicle –

shall carry a fine of GEL 1 000.

4. Repeated commission of the offence provided for in paragraph 3 of this article during one year –

shall carry a fine of GEL 1 500.

4<sup>1</sup>. Commission of the offence provided for in paragraph 1 of this article during the driving licence suspension period by a person who has already been sanctioned with an administrative penalty provided for in paragraph 2 of this article–

shall carry a fine of GEL 1 000 and extension of the driving licence suspension period for two years.

4<sup>2</sup>. Commission of the offence provided for in paragraph 1 of this article when the person who operates a vehicle has no driving licence or whose driving licence has been suspended for another offence –

shall carry a fine of GEL 1 000.

4<sup>3</sup>. Repeated commission of the offence provided for in paragraph 4<sup>2</sup> of this article within one year after having committed it for the first time by a person who has had an administrative penalty imposed for the same action–

shall carry a fine of GEL 1 500.

5. Driving a vehicle in a state of narcotic or psychotropic intoxication or evading a test for determining, according to the procedure laid down by the legislation of Georgia, narcotic or psychotropic intoxication when driving a vehicle –

shall carry a 3-year suspension of the driving licence.

5<sup>1</sup>. Knowingly permitting a person who is in a state of narcotic or psychotropic intoxication to drive a vehicle –

shall carry a fine of GEL 1 000.

6. Commission of the offence provided for in paragraph 5 of this article when the person operating a vehicle does not hold a driving licence or whose licence has been suspended for another offence –

shall carry a fine of GEL 1 000.

7. Driving of a vehicle that results in a light damage to the vehicle, cargo, road, road or other structures, other property or minor injury of a person and that is accompanied with the offence provided for in this article –

shall carry a 3-year suspension of the driving licence.

8. Commission of the offence provided for in paragraph 7 of this article –

a) when the person operating a vehicle does not hold a driving licence –

shall carry a fine of GEL 1 000.

b) when the person operating a vehicle has the driving licence suspended for another offence –

shall carry a fine of GEL 1 000 and extension of the driving licence suspension period for three years.

9. Repeated commission of any of the offences provided for in paragraphs 6 and 8 of this article during the year –

shall carry a fine of GEL 1 500 or an administrative detention for up to 15 days.

**Note:**

1. A police officer who ensures the safety of road traffic participants and supervises the observance of traffic regulations shall be obligated not to let a person who is reasonably believed to be in a state of narcotic or psychotropic intoxication to drive a vehicle and shall present this person for examination to a person designated by the Minister of Internal Affairs of Georgia.

2. A police officer who ensures the safety of road traffic participants and supervises the observance of traffic regulations shall be obligated not to let a person who is reasonably believed to be in a state of alcoholic intoxication to drive a vehicle; if an offender does not dispute the fact that he/she has taken alcohol and confirms the fact by signing a report, the office shall be obligated to impose an administrative penalty at the scene, otherwise, the police office shall examine him/her at the scene; if the examination confirms that the driver has taken alcohol, the police office shall draw up an administrative offence report reflecting the results of the alcoholic intoxication.

3. The procedure for an authorised person to determine the facts of alcoholic, narcotic or psychotropic intoxication shall be defined by a joint order of the Minister of Internal Affairs of Georgia and the Minister of Labour, Health and Social Affairs of Georgia.

4. Where the offences provided for in paragraphs 3, 4, 4<sup>1</sup>, 6 and 8 have been committed a person shall be allowed to take a driving licence exam after he/she has paid the imposed fine.



4<sup>1</sup>. If circumstances extenuating administrative liability for the offences provided for in paragraphs 1 and 2 are discovered, the body examining the case may replace the driving licence suspension with a fine of GEL 700 (the rule shall not apply to the suspended driving licence of a person under the age of 18 years).

[4<sup>1</sup>. When offences provided for in paragraphs 1 and 2 of this article are committed, the right of an offender to apply to a case-reviewing body for the early return of a driving licence shall originate not earlier than three months after an administrative penalty is imposed. If an offender applies to a case-reviewing body after expiry of this period, his/her driving licence shall be returned when one of the following conditions is met:

a) after an examination for obtaining a driving licence is passed according to the procedure established by the legislation of Georgia;

b) by the decision of the director of the Patrol Police Department of the Ministry of Internal Affairs of Georgia, after a fine of GEL 1 000 is paid. **(*Shall become effective from 1 July 2017*)**

5. Where so provided for in paragraph 5 of this article, after the expiry of the driving licence suspension period, the driving licence shall be returned to the person based on an examination by a medical institution that confirms that the person does not suffer from drug addiction.

6. If an offender voluntarily pays the damages after having committed the offence provided for in paragraph 7 of this article, provided the victim does not appeal the decision made in the administrative case, the body examining the case may replace the driving licence suspension with a fine of GEL 1 500.

7. If a person does not voluntarily pay the fine within the period fixed by Article 290(1) of this Code, the person shall be subject to a penalty for the offence provided for in this article of two times the amount of the fine, but not to exceed GEL 500.

8. (Deleted – 27.11.2013, No 1644).

9. For committing an offence provided for in paragraphs 4<sup>1</sup> and 9 of this article, also for driving a vehicle in a state of narcotic or psychotropic intoxication as provided for in paragraph 5 of this article, a person shall be deprived of the right to carry arms for up to 3 years.

10. The state of alcoholic intoxication provided for in this article shall mean that the driver's blood contains ethanol more than 0.3 per mille. If the state of alcoholic intoxication is detected by means of a test, the driver may apply, within two hours after the test, to a medical/expert institution to undergo a clinical-laboratory examination and/or to draw blood sample and determine ethanol content in it. If the medical institution does not have the means to determine ethanol content in blood, the blood samples drawn for determining ethanol content shall be sent to the relevant expert institution. In that case, the rules and time limits for drawing and storing a blood sample and for sending it to the relevant expert institution shall be defined by a joint order of the Minister of Internal Affairs of Georgia and the Minister of Labour, Health and Social Affairs of Georgia. Their order shall also define the list of medical/expert institutions that are authorised to conduct clinical-laboratory tests and/or to determine ethanol content in blood, also the list of those medical institutions that are only authorised to draw blood samples. If the clinical-laboratory examination does not detect a state of alcoholic intoxication of the driver, he/she shall be released from administrative liability. The driver may claim, according to the procedure laid down by the legislation of Georgia, the damages incurred by him/her.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vo. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 4687 of 17 May 2011 – website, 1.6.2011*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 6442 of 12 June 2012 – website, 25.6.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*



**Article 116<sup>1</sup> - Driving a snowmobile/motor sledge in a state of alcoholic, narcotic or psychotropic intoxication and/or avoiding the examination in accordance with the procedures established by the legislation of Georgia for the purposes of determining alcoholic, narcotic or psychotropic intoxication when driving a snowmobile/motor sledge**

1. Driving a snowmobile/motor sledge in a state of alcoholic, narcotic or psychotropic intoxication and/or avoiding the examination in accordance with the procedures established by the legislation of Georgia for the purposes of determining alcoholic, narcotic or psychotropic intoxication when driving a snowmobile/motor sledge -

shall carry a fine of GEL 100.

2. The same offence committed repeatedly within one year shall carry a fine of GEL 200.

**Note:**

An authorised police officer shall be obliged not to let a person who is reasonably believed to be in a state of narcotic or psychotropic intoxication drive a snowmobile and/or a moto sledge and shall present this person for examination to a duly authorised person designated by the Minister of Internal Affairs of Georgia.

2. An authorised police officer shall be obliged: not to let a person who is reasonably believed to be in a state of alcoholic intoxication drive a snowmobile and/or a motor sledge unless the offender disputes the fact of consuming alcohol and confirms this by signing a protocol, a police officer shall impose an administrative penalty on site, but if the offender does, the police officer shall examine him/her on site; if the examination confirms the fact that the driver of a snowmobile and/or a moto sledge has consumed alcohol, the police officer shall draw up a protocol of an administrative offence reflecting the consequences of alcoholic intoxication. If a driver of a snowmobile and/or a moto sledge dispute the fact of consuming alcohol or he/she cannot be identified on site, an authorised police officer shall be obliged to seize his/her snowmobile and/or a moto sledge until he/she is identified and/or the state of alcoholic intoxication is detected.

3. The state of alcoholic intoxication provided for in this article shall mean that the blood of the driver of a snowmobile and/or moto sledge contains ethanol more than 0.5 per mile. If the state of alcoholic intoxication is detected by means of a test, the driver of a snowmobile and/or a motor sledge may apply, within two hours after the test, to a medical/expert institution to undergo a clinical-laboratory examination and/or to draw blood sample and determine ethanol content in it. If the medical institution does not have the means to determine ethanol content in blood, the blood samples drawn for determining ethanol content shall be sent to the relevant expert institution. In that case, the rules and time limits for drawing and storing a blood sample and for sending it to the relevant expert institution shall be defined by a joint order of the Minister of Internal Affairs of Georgia and the Minister of Labour, Health and Social Affairs of Georgia. Their order shall also define the list of medical/expert institutions that are authorised to conduct clinical-laboratory tests and/or to determine ethanol content in blood, also the list of those medical institutions that are only authorised to draw blood samples. If the clinical-laboratory examination does not detect a state of alcoholic examination of a driver of a snowmobile and/or a motor sledge, he/she shall be released from administrative liability. The driver of the snowmobile and/or a motor sledge may claim, according to the procedure laid down by the legislation of Georgia, the damages incurred by him/her.

**Article 116<sup>2</sup> - Violation of safety rules by a user of a ski run when using ski slopes and/or ski tracks covered with snow/ice**

1. Violation of safety rules by a user of a ski run when using ski slopes and/or ski tracks covered with snow/ice-

shall entail the issuance of a written warning.

2. The same offence committed repeatedly on the same day shall carry a fine of GEL 20.

**Note:**

1. An authorised police officer shall serve a written warning upon a user of a ski run, who poses evident, direct and essential threat to his/her own life and/or the life and/or health of others when using a ski slope and/or a ski track covered with snow/ice. If an offender does not dispute his/her act on a ski slope and/or a ski track covered with snow/ice which contains a threat, he/she shall confirm it by signing a protocol drawn up by an authorised police officer. If an offender disputes his/her act on a ski slope and/or ski track covered with snow/ice which contains a threat, and/or if the offender refuses to sign the protocol of warning, an authorised police officer shall reflect this fact in the protocol drawn up by him/her.

2. If a user of a ski run commits the same offence on the same day repeatedly, an authorised police officer shall be obliged to impose an administrative penalty on him/her on site. If a user of a ski run cannot be identified on site, an authorised police officer shall be obliged to seize his/her means of using ski run temporarily until the user is identified, and not to let him/her use the ski slope and/or ski track during a (the same) day and shall ensure his/her safe transfer.

**Article 116<sup>3</sup> - Use of a ski slope and/or a ski track covered with snow/ice by a user of a ski run in a state of alcoholic, narcotic or psychotropic intoxication and/or avoiding the examination in accordance with the procedures established by the legislation of Georgia for the purposes of determining alcoholic, narcotic or psychotropic intoxication when using a ski slope and/or a ski track covered with snow/ice**

1. The use of a ski slope and/or a ski track covered with snow/ice by a user of a ski run in a state of alcoholic, narcotic or psychotropic intoxication





and/or avoiding the examination in accordance with the procedures established by the legislation of Georgia for the purposes of determining alcoholic, narcotic or psychotropic intoxication when using a ski slope and/or a ski track covered with snow/ice -

shall carry a fine of GEL 100.

2. The same offence committed repeatedly within one year shall carry a fine of GEL 200.

**Note:**

1. An authorised police officer shall be obliged not to let a person who is reasonably believed to be in a state of narcotic or psychotropic intoxication use a ski run and shall present this person for examination to a duly authorised person designated by the Minister of Internal Affairs of Georgia.

2. An authorised police officer shall be obliged: not to let a person who is reasonably believed to be in a state of alcoholic intoxication use a ski run temporarily during a day (the same day) and to seize the means of using a ski run during a day (the same day) unless the offender disputes the fact of consuming alcohol and confirms this by signing a protocol, a police officer shall impose an administrative penalty on site, but if the offender does, the police officer shall examine him/her on site; if the examination confirms that the user of a ski run has consumed alcohol, the police officer shall draw up a protocol of an administrative offence reflecting the consequences of alcoholic intoxication. If a user of a ski run disputes the fact of consuming alcohol or he/she cannot be identified on site, an authorised police officer shall be obliged to seize his/her means of using a ski run until he/she is identified and/or the alcoholic intoxication is detected.

3. The state of alcoholic intoxication provided for in this article shall mean that the blood of the user of ski run contains ethanol more than 0.5 per mille. If the state of alcoholic intoxication is detected by means of a test, the user of a ski run may apply, within two hours after the test, to a medical/expert institution to undergo a clinical-laboratory examination and/or to draw blood sample and determine ethanol content in it. If the medical institution does not have the means to determine ethanol content in blood, the blood samples drawn for determining ethanol content shall be sent to the relevant expert institution. In that case, the rules and time limits for drawing and storing a blood sample and for sending it to the relevant expert institution shall be defined by a joint order of the Minister of Internal Affairs of Georgia and the Minister of Labour, Health and Social Affairs of Georgia. Their order shall also define the list of medical/expert institutions that are authorised to conduct clinical-laboratory tests and/or to determine ethanol content in blood, also the list of those medical institutions that are only authorised to draw blood samples. If the clinical-laboratory examination does not detect a state of alcoholic examination of the user of a ski run, he/she shall be released from administrative liability. The user of a ski run may claim, according to the procedure laid down by the legislation of Georgia, the damages incurred by him/her.

*Law of Georgia No 4790 of 19 February 2016 – website 7.3.2016*

**Article 117 - (Deleted)**

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Decision No 1/4/535 of 6 August 2013 of the Constitutional Court of Georgia – website, 13.8.2013*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

**Article 117<sup>1</sup> - (Deleted)**

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of*



Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308

Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649

Law of Georgia No 696 of 13 May 1997 - The Gazette of the Parliament of Georgia, No 23-24, 7.6.1997, p. 3

#### **Article 117<sup>2</sup> - (Deleted)**

Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649

Law of Georgia No 313 of 27 June 1996 - The Parliament Gazette, No 19-20, 30.07.1996, p. 32

Law of Georgia No 696 of 13 May 1997 - The Parliament Gazette, No 23-24, 7.6.1997, p. 3

#### **Article 118 - Driving a vehicle that has not passed a mandatory periodic roadworthiness test according to the established procedure or letting another person to drive such vehicle**

1. Driving of a transport vehicle that has not passed a mandatory periodic roadworthiness test according to the established procedure or lending such vehicle by the owner or by another authorised possessor to another person for driving -

shall carry a fine of GEL 10.

Putting into operation a vehicle that has not passed, according to the established procedure, a mandatory periodic roadworthiness test by a legal person and/or an individual entrepreneur operating the vehicle -

shall carry a fine of GEL 100 for the legal person and/or individual entrepreneur operating the transport vehicle.

#### **Note:**

1. If a person fails to pay the fine within the period fixed for voluntary payment by Article 290(1) of this Code, a penalty shall be imposed in the amount of two times the fine for the offence provided for in this article, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced with a 6-month suspension of the driving licence.

2. (Deleted - 2.5.2014, No 2375).

3. Enforcement of the payment of the fine or replacement of the fine with the driving licence suspension shall not release the person from the obligation to pay the penalty.

Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 - The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207

Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 - The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72

Decree of the State Council of the Republic of Georgia of 3 August 1992 - Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128

Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308

Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649

Law of Georgia No 696 of 13 May 1997 - The Parliament Gazette, No 23-24, 7.6.1997, p. 3

Law of Georgia No 1753 of 23 June 2005 - LHG I, No 38, 15.7.2005, Art. 251

Law of Georgia No 2962 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 110

Law of Georgia No 5027 of 22 June 2007 - LHG I, No 25, 5.7.2007, Art. 225

Law of Georgia No 6173 of 15 May 2012 - website, 18.5.2012

Law of Georgia No 1644 of 27 November 2013 - website, 13.12.2013

Law of Georgia No 2375 of 2 May 2014 - website, 16.5.2014

#### **Article 118<sup>1</sup> - Failure of the driver or a passenger of a moving vehicle to wear a seatbelt**

Failure of the driver or a front seat passenger of a moving vehicle to wear a seatbelt -



shall carry a fine of GEL 40 for the driver of the vehicle.

**Note:**

1. The liability provided for in this article shall not be imposed on the driver of a vehicle the design of which does not provide for seatbelts.
2. If a person fails to pay the fine within the period for voluntary payment fixed by Article 290(1) of this Code, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed of GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.
3. Payment of the fine or replacement of the fine with a driving licence suspension shall not release the person from the obligation to pay the penalty.
4. If a patrol police officer does not at the scene issue a fine for the offence provided for in this article and if the offence is caught by a video and/or photo camera, the fine provided for in this article shall be imposed on the transport vehicle owner and the fine shall be sent to his/her registered address. If the fine is not paid within the period defined by Article 290(1) of this Code, a penalty of the corresponding amount provided for in this article shall be imposed. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the vehicle shall be sold to enforce the payment of the penalty according to the procedure laid down by the legislation of Georgia.
5. If the vehicle owner has not reached the age fixed by Article 13 of this Code, the liability in the cases provided for by paragraph 4 of the Note to this article shall be imposed on the vehicle owner's parent or custodian/guardian.

*Law of Georgia No 1748 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 249*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 3772 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 399*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

**Article 118<sup>2</sup> – Use of a mobile communication device by the driver while driving a motor vehicle**

Using a mobile communication device by the driver while driving a motor vehicle –

shall carry a fine of GEL 10.

**Note:**

1. The liability provided for by this article shall not be imposed on a person acting in the exceptional case provided for by the Law of Georgia on Traffic.
2. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence stipulated in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the motor vehicle driving licence.
3. Enforcement of the payment of the fine or replacement of the fine by the suspension of the motor vehicle driving licence shall not release the person from the obligation to pay the penalty.
4. If a patrol police officer does not at the scene of the offence issue a fine for the offence provided for by this article and if the offence is caught by a video and/or photo camera, the fine provided for in this article shall be imposed on the motor vehicle owner and the fine shall be sent to his/her registered address. If the fine is not paid within the period defined by Article 290(1) of this Code, a penalty in the corresponding amount provided for by this article shall be imposed. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the motor vehicle shall be sold to enforce the payment of the penalty according to the procedure laid down by the legislation of Georgia.
5. If the motor vehicle owner has not reached the age fixed by Article 13 of this Code, the liability in the cases provided for in paragraph 4 of the Note to this article shall be imposed on the motor vehicle owner's parent or custodian/guardian.

*Law of Georgia No 1748 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 249*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 5851 of 11 March 2008 – LHG I, No 6, 25.3.2008, Art. 21*



Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012

Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013

Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014

Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014

### **[Article 118<sup>2</sup> – Use of a mobile communication device by a driver while driving a motor vehicle**

**Using a mobile communication device by the driver while driving a motor vehicle –**

shall carry a fine of GEL 30.

#### **Note:**

1. The liability under this article shall not be imposed on a person acting in an exceptional case under the Law of Georgia on Traffic.

2. After expiry of the period provided for in Article 290(1) of this Code for the voluntary payment of a fine under this article, a person shall be charged with a surcharge of twice as much as the fine imposed but no more than GEL 500, and if a fine or a surcharge is not paid within the period under Article 290(1<sup>1</sup>) of this Code, the fine shall be replaced by a 6-month suspension of a motor vehicle driving licence.

3. Enforcement of payment of a fine or replacement of a fine by the suspension of a motor vehicle driving licence shall not release a person from the obligation to pay a surcharge.

4. If a patrol police officer does not issue a penalty charge notice for a fact of the offence provided for by this article at the scene and the fact is caught on a photo camera and/or a video camera, the fine under this article shall be imposed on a motor vehicle owner and the penalty charge notice shall be sent to him/her according to the place of registration. If the fine is not paid within the period defined by Article 290(1) of this Code, a surcharge in the respective amount provided for by this article shall be imposed on the motor vehicle owner. If a fine and a surcharge are not paid within 30 days after the surcharge is imposed, the motor vehicle shall be sold to enforce payment of the surcharge under the procedure established by the legislation of Georgia.

5. If a motor vehicle owner is not a person who has reached the age established by Article 13 of this Code, the liability in the cases provided for in paragraph 4 of the Note to this article shall be imposed on a parent or custodian/guardian of the motor vehicle owner. **(Shall become effective from 1 July 2017)]**

Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017

### **Article 118<sup>3</sup> - Failure of the driver and/or passenger of a moving motorcycle to wear a fastened motorcycle helmet**

**Failure of the driver and/or passenger of a moving motorcycle to wear a fastened motorcycle helmet –**

shall carry a fine of GEL 100.

#### **Note:**

1. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.

2. Enforcement of the payment of the fine or replacement of the fine with a driving licence suspension shall not release the person from the obligation to pay the penalty.

3. If a patrol police officer does not at the scene of the offence issue a fine for the offence provided for by this article and if the offence is caught by a video and/or photo camera, the fine provided for by this article shall be imposed on the vehicle owner and the fine shall be sent to his/her registered address. If the fine is not paid within the period defined by Article 290(1) of this Code, a penalty in the corresponding amount provided for by this article shall be imposed. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the transport vehicle shall be sold to enforce the payment of the penalty according to the procedure laid down by the legislation of Georgia.

4. If the vehicle owner has not reached the age fixed by Article 13 of this Code, the liability in the cases provided for by paragraph 3 of the Note to this article shall be imposed on the vehicle owner's parent or custodian/guardian.

Law of Georgia No 1748 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 249

Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110

Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137

Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225

Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012



**[Article 118<sup>3</sup> - Failure of a driver and/or a passenger to wear a fastened motorcycle helmet while driving a moped or a motorcycle**

**Failure of a driver and/or a passenger to wear a fastened motorcycle helmet while driving a moped or a motorcycle –**

**shall carry a fine for a driver in the amount of GEL 100.**

**Note:**

1. After expiry of the period provided for in Article 290(1) of this Code for the voluntary payment of a fine under this article, a person shall be charged with a surcharge of twice as much as the fine imposed but no more than GEL 500, and if a fine or a surcharge is not paid within the period under Article 290(1<sup>1</sup>) of this Code, the fine shall be replaced by a 6-month suspension of a motor vehicle driving licence. In this case, the replacement of a fine by the suspension of a motor vehicle driving licence shall not be applied to a moped driver.

2. Enforcement of payment of a fine or replacement of a fine by the suspension of a motor vehicle driving licence shall not release a person from payment of a surcharge.

3. If a patrol police officer does not issue a penalty charge notice for a fact of the offence provided for by this article at the scene and the fact is caught on a photo camera and/or a video camera, the fine under this article shall be imposed on a motor vehicle owner and the penalty charge notice shall be sent to him/her according to the place of registration. If the fine is not paid within the period defined by Article 290(1) of this Code, a surcharge in the respective amount provided for by this article shall be imposed on the motor vehicle owner. If a fine and a surcharge are not paid within 30 days after the surcharge is imposed, the motor vehicle shall be sold to enforce payment of the surcharge under the procedure established by the legislation of Georgia.

4. If a motor vehicle owner is not a person who has reached the age established by Article 13 of this Code, the liability in the cases provided for in paragraph 3 of the Note to this article shall be imposed on a parent or custodian/guardian of the motor vehicle owner. **(Shall become effective from 1 July 2017)**

**Article 119 - Violation of vehicle operation rules**

1. Operation of a vehicle by a person who does not have in his/her immediate possession a driving licence (except for the driving licence issued by competent bodies of Georgia after 31 March 2006), transport vehicle registration documents (except for the transport vehicle registration document when the transport vehicle is owned by the driver), or a temporary driver licence –

shall carry a fine of GEL 10.

2. Operation of a vehicle that has a malfunctioning brake system, steering mechanism or trailer linkage or malfunctioning headlights, rear clearance lights in the dark time of the day, or malfunctioning windscreen wipers during rain or snow, or if the air-tightness of the engine feeding system is compromised –

shall carry a fine of GEL 15.

3. Operation of a vehicle the emissions of which contain pollutants in excess of the established limit –

shall carry a fine of GEL 30.

4. Putting into service a malfunctioning transport vehicle provided for in paragraphs 2 and 3 of this article by a legal person and/or an individual entrepreneur that operates the transport vehicle –

shall carry a fine of GEL 100 for the legal person and/or the individual entrepreneur operating the transport vehicle.

5. Operation of a vehicle that has been altered without relevant authorisation (the fuel tank or the body has been altered, or a natural gas system has been installed, or the vehicle construction has been otherwise modified and does not meet traffic safety requirements and/or the manufacturer's standards) –

shall carry a fine of GEL 100.

6. Operation of a vehicle by a person who does not hold a driving licence for the category/subcategory of the vehicle he/she is driving –

shall carry a fine of GEL 200.

7. Operation of a vehicle the windows of which have been dimmed or their transparency has been limited in violation of the rules laid down by the Minister of the Internal Affairs of Georgia –

shall carry a fine of GEL 50.



7<sup>1</sup>. Commission of the offence provided for in paragraph 7 of this article for a second time during one year –

shall carry a fine of GEL 100.

7<sup>2</sup>. Commission of the offence provided for in paragraph 7 of this article for a third time and every subsequent commission during one year –

shall incur the suspension of the driving licence for six months.

[7<sup>2</sup>. Commission of an offence provided for in paragraph 7 of this article for a third time and every subsequent commission during one year –

shall carry a fine in the amount of GEL 300. *(Shall become effective from 1 July 2017)*]

8. The offences provided for in this article that resulted in a minor damage to the transport vehicle, cargo, road, road or other structures, any other property or minor bodily harm to a person –

shall carry a fine of GEL 300.

#### Note:

1. If the offender does not have in his/her immediate possession a driving licence or the transport vehicle registration documents in the case of the offences provided for in Articles 116, 117, 118, 118<sup>1</sup>, 118<sup>2</sup>, 119, 120, 121, 121<sup>1</sup>, 123, 125 and 127<sup>1</sup> of this Code, he/she shall be deprived of the vehicle pending a hearing and the vehicle shall be carried to a special impound lot; the towing and storage expenses shall be paid by the offender; the vehicle shall be returned to its possessor (owner) after the vehicle registration certificate or the power of attorney has been presented. A vehicle may not be moved if it has such technical malfunction that it is prohibited to operate the vehicle.

2. (Deleted).

3. A vehicle referred to in this Code shall mean all types of automobiles, tractors and other self-propelled machines, trams and trolleybuses as well as motorcycles and other engine-driven motor vehicles (other than mopeds).

4. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the vehicle driving licence.

5. (Deleted – 2.5.2014, No 2375).

6. Payment of the fine or replacement of the fine by a driving licence suspension shall not release the person from the obligation to pay the penalty.

7. The liability provided for in paragraph 7 of this article shall not apply to a person whose vehicle does not require approval of the Patrol Police of the Ministry of Internal Affairs of Georgia to have the windows dimmed.

8. If circumstances extenuating the administrative liability for the offence provided for in paragraph 7<sup>2</sup> of this article are discovered, the body examining the case may replace the driving licence suspension by a fine of GEL 500.

[8. (Deleted – 21.4.2017, No 712). *(Shall become effective from 1 July 2017)*]

9. If the offence provided for in paragraph 7<sup>1</sup> of this article is committed, the driver shall be fined and also given a 3-day period to remedy the offence. No administrative liability shall be imposed on the driver within that period in the cases provided for in paragraphs 7-7<sup>2</sup> of this article.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette , No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette , No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 851 of 16 September 1997 – The Parliament Gazette , No 41, 8.10.1997, p. 35*

*Law of Georgia No 977 of 17 October 1997 – The Parliament Gazette , No 44, 11.11.1997, p. 79*

*Law of Georgia No 1443 of 12 June 1998 – The Parliament Gazette , No 23-24, 30.6.1998, p. 51*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*



*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 4687 of 17 May 2011 – website, 1.6.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 6442 of 12 June 2012 – website, 25.6.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1700 of 11 December 2013 – website, 25.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

#### **Article 119<sup>1</sup> - Littering or damaging a road surface**

1. Carriage of construction or other material by a transport means that has a malfunctioning trunk or a trailer presenting a risk of littering or damaging a road surface –

shall carry a fine of GEL 300.

2. The same act committed repeatedly –

shall carry a fine of GEL 900.

*Law of Georgia No 3500 of 24 July 2006 – LHG I, No 35, 3.8.2006, Art. 256*

*Law of Georgia No 5564 of 24 June 2016 – website, 13.7.2016*

#### **Article 120 - Violation of the rules for mounting a special loud speaking, flashing or sound device or misuse of such device**

1. Mounting a special flashing signal and/or sound signal and/or special loud-speaking device and/or using a specific colouring designated for rapid response or special service vehicles in violation of the procedure defined by the Minister of Internal Affairs of Georgia –

shall carry a fine of GEL 200, also the confiscation of the special flashing signal and sound signal and/or special loud speaking device.

1<sup>1</sup>. Repeated commission of the offence provided for in paragraph 1 of this article during the year –

shall carry a 6-month suspension of the driving licence.

**[1<sup>1</sup>. Repeated commission of an offence provided for in paragraph 1 of this article during one year –**

**shall carry a fine in the amount of GEL 300. (Shall become effective from 1 July 2017)]**

2. Misuse of the special device indicated in paragraph 1 of this article, or violation of the rules for giving an uninterrupted passage to a transport vehicle equipped with such device –

shall carry a fine of GEL 30.

3. Interruption of the movement of a vehicle which has a special signal turned on or which is escorting or is being escorted –

shall carry a 1-year suspension of the driving licence.

**[3. Interruption of the movement of a vehicle which has a special signal turned on (except for an orange or yellow flaring special flashing signal), or which is escorting or is being escorted, except for an ambulance or a fire and rescue motor vehicle with appropriate identifying signs –**

**shall carry a fine in the amount of GEL 100.**

**3<sup>1</sup>. Interruption of the movement of an ambulance, a fire and rescue or a police motor vehicle with appropriate identifying signs, which has a special signal turned on, –**

**shall carry a fine in the amount of GEL 300. (Shall become effective from 1 July 2017)]**

4. The offences provided for in paragraphs 2 and 3 of this article that have resulted in a minor damage to the vehicle, cargo, road, to a road or other structure, or to any other property or a minor injury to a human being –

shall carry a 1-year suspension of the driving licence.



4. An offence provided for in paragraphs 2, 3 and 3<sup>1</sup> of this article resulted in a minor damage to the vehicle, cargo, road, to a road or other structure, to any other property or to a human body, –

shall carry a fine in the amount of GEL 700. *(Shall become effective from 1 July 2017)*

**Note:**

1. A special flashing device shall be deemed to be unlawfully installed if it is placed in violation of the rules laid down by the legislation of Georgia on the transport vehicle or in its salon at the place visible for other road traffic participants (whether in a working condition or not).

2. A special loud speaking, flashing or sound device shall be deemed to be misused if its use is not related to the discharge of duties connected with the designation of the rapid response or special vehicle.

3. If the offender voluntarily pays the damages after having committed the offence provided for in paragraph 4 of this article, provided for the victim does not appeal the decision made in the administrative offence case, the body examining the case may replace the driving licence suspension by a fine of GEL 500.

3<sup>1</sup>. If circumstances extenuating administrative liability for the offences provided for in paragraphs 1 and 2 are discovered, the body examining the case may replace the driving licence suspension by a fine of GEL 500.

[3. Deleted – 21.4.2017, No 712.]

3<sup>1</sup>. Deleted – 21.4.2017, No 712). *(Shall become effective from 1 July 2017)*

4. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.

5. (Deleted – 2.5.2014, No 2375).

6. Payment of the fine or replacement of the fine with the suspension of the driving licence shall not release the person from the obligation to pay the penalty.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

**Article 121 - Operation of a vehicle by a person who does not have a driving licence or whose driving licence is suspended for another offence, or lending a vehicle for driving to a minor or to a person who does not have a driving licence or whose driving licence is suspended for another offence**

1. Operation of a transport vehicle by a person who does not have a driving licence or whose driving licence is suspended for another offence – shall carry a fine of GEL 500 for the person operating the vehicle.





2. Lending a vehicle for driving to a minor (other than the person that has a driving licence) or to a person who does not have a driving licence or whose driving licence is suspended for another offence –

shall carry a fine of GEL 700 for the possessor/owner of the vehicle.

3. The offence provided for in paragraph 1 and/or 2 of this article that has resulted in a minor damage to the vehicle, cargo, road, to a road or other structure, to any other property or a minor injury to a human being–

shall carry a fine of GEL 1 000.

4. Repeated commission of the offence provided for in this article during one year –

shall carry a fine of GEL 1 500 or an administrative detention for up to 15 days.

**Note:**

1. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.

2. If the offence provided for in this article is committed by a person who does not hold a driving licence, he/she shall be allowed to take a driving licence test only after he/she has paid the fine imposed on him/her.

3. Payment of the fine or replacement of the fine by suspension of the driving licence shall not release the person from the obligation to pay the penalty.

4. For committing the offence provided for in paragraph 4 of this article, the person shall be deprived of the right to carry arms for up to three years.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Law of Georgia 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of Georgia 10 August 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 8, August, 1991, Art. 600*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 4687 of 17 May 2011 – website, 1.6.2011*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

**Article 121<sup>1</sup> – Unlawful use of a driving licence by a driver of a vehicle, violation of passenger carriage rules by a person under 18 who holds a driving licence or performance of work of this person as a driver under a labour contract or commission by this person of some administrative offences for a third time**

1. Concurrent use by a driver of a vehicle of a driving licence lost or damaged earlier and of a driving licence issued as its replacement or unlawful use by this person of a revoked driving licence and/or provision by a person to the authorised body of false information on the loss, damage or destruction of a driving licence in order to obtain a replacement driving licence –

shall carry a fine of GEL 150.



[1. Provision by a driver of a motor vehicle to a person authorised by the police of false information for the purpose of using somebody else's driving permit (driving licence) or concurrent use by him/her of a driving licence lost earlier or damaged and of a driving licence issued as its replacement, or unlawful use of a revoked driving licence and/or provision by a person to the authorised body of false information on the loss, damage or destruction of a driving licence in order to obtain a replacement driving licence –

shall carry a fine in the amount of GEL 150. **(Shall become effective from 1 July 2017)]**

2. Carriage of passengers to gain income (profit) (including by a taxi) or working as a driver under a labour contract by a person under 18 who holds a Category B or Subcategory A1 or B1 driving licence –

shall carry a fine of GEL 100.

3. Commission for a third time of any of the offences provided for in Articles 118, 118<sup>1</sup>, 118<sup>2</sup>, 119, 120, 121, 123, 125 and 127<sup>1</sup> of this Code by a person under 18 who holds a driving licence –

shall carry a 1-year suspension of the driving licence.

**Note:**

1. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.

2. Enforcement of the payment of the fine or replacement of the fine by a driving licence suspension shall not release the person from the obligation to pay the penalty.

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 5611 of 14 December 2007 – LHG I, No 47, 26.12.2007, Art. 411*

*Law of Georgia No 4687 of 17 May 2011 – website, 1.6.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 6442 of 12 June 2012 – website, 25.6.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

**Article 122 - Driving a vehicle without a state number plate or in violation of the vehicle registration rules**

1. Knowingly driving a vehicle without a state number plate or with an otherwise changed state number plate or with a state number plate attached to the windscreen of the vehicle –

shall carry a fine of GEL 100.

2. Driving a vehicle not registered according to the established rule –

shall carry a fine of GEL 250.

3. Knowingly driving a vehicle with another state's number plate or with a masked state number plate -

shall carry a fine of GEL 500.

**Note:**

1. If the offences provided for in paragraphs 1 and 3 of this article are committed (except for driving a vehicle with a state number plate attached to the windscreen of the vehicle, unless there is a reasonable suspicion that the state number plate has been changed), the offender shall be deprived of the vehicle pending the hearing and the transport vehicle shall be carried to a special impound lot; the towing and storage expenses shall be borne by the offender. The vehicle shall be returned to its possessor (owner) after the vehicle registration certificate or the power of attorney has been presented.

2. If the offence provided for in paragraph 2 of this article is committed, an administrative offence report shall be prepared and the offender shall be given notice in the established form; the offender shall have the vehicle registered within the period indicated in the notice. If the vehicle is not registered, the operation of the vehicle shall be prohibited.

3. The Minister of Internal Affairs of Georgia shall approve the form of the notice indicated in paragraph 2 of the Note of this article and the procedure



for completing it.

4. (Deleted – 15.5.2012, No 6173).

5. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.

6. Enforcement of the payment of the fine or replacement of the fine by a driving licence suspension shall not release the person from the obligation to pay the penalty.

7. If a patrol police officer does not issue at the scene of the offence a fine for any of the offences provided for in this article and if the offence is caught by a video and/or photo camera, the fine provided for in the relevant paragraph of this article shall be imposed on the vehicle owner and a fine shall be sent to his/her registered address. If the fine is not paid within the period defined by Article 290(1) of this Code, a penalty of the corresponding amount provided for by this article shall be imposed on the owner. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the vehicle shall be sold to enforce the payment of the penalty according to the procedure laid down by the legislation of Georgia.

8. If a vehicle owner has not reached the age fixed by Article 13 of this Code, the liability in the cases provided for in paragraph 7 of the Note to this article shall be imposed on the vehicle owner's parent or custodian/guardian.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Ordinance No 2156 of the State Council of the Republic of Georgia of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Law of Georgia 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of the Republic of Georgia of 28 June 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1443 of 12 June 1998 – The Parliament Gazette, No 23-24, 30.6.1998, p. 51*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

#### **Article 123 - Leaving the scene of a road accident or not complying with a police officer's/traffic controller's demand to stop the vehicle**

1. Leaving of the scene of a road accident by a driver involved in the accident or relocation of the vehicle involved in the road accident from the scene except as provided for by law –

shall carry a fine of GEL 250.

2. Non-compliance with the order to stop the vehicle given by a police officer who is responsible for ensuring safety of road traffic participants and for supervising the observance of traffic regulations –

shall carry a fine of GEL 300 or a 1-year suspension of the driving licence.

[2. Failure to comply with a request to stop a vehicle given by a police officer that ensures safety of the road traffic participants and supervises the observance of traffic regulations, –

shall carry a fine of GEL 300. (Shall become effective from 1 July 2017)]

3. Non-compliance with a traffic controller's demand –



shall carry a fine of GEL 50.

[3. (Deleted – 21.4.2017, No 712). *(Shall become effective from 1 July 2017)*]

4. The offences provided for in paragraphs 1, 2 and 3 of this article that created an accident situation or interrupted traffic –

shall carry a fine of GEL 500 or an administrative detention for up to 15 days or a 2-year suspension of the driving licence.

[4. Offences provided for in paragraphs 1 and 2 of this article that resulted in creation of an accident situation or interruption of traffic, –

shall carry a fine of GEL 500 or an administrative detention for up to 15 days or a 2-year suspension of a motor vehicle driving licence. *(Shall become effective from 1 July 2017)*]

**Note:**

1. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>) the fine shall be replaced by a 6-month suspension of the driving licence.

2. (Deleted – 2.5.2014, No 2375).

3. Payment of the fine or replacement of the fine with the driving licence suspension shall not release the person from the obligation to pay the penalty.

4. If a patrol police officer does not issue at the scene of the offence a fine for any of the offences provided for in this article and if the offence is caught by a video and/or photo camera, the fine provided for in the relevant paragraph of this article shall be imposed on the vehicle owner and a fine shall be sent to his/her registered address. If the fine is not paid within the period defined by Article 290(1) of this Code, a penalty of the corresponding amount provided by this article shall be imposed on the owner. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the vehicle shall be sold to enforce the payment of the penalty according to the procedure laid down by the legislation of Georgia.

5. If the vehicle owner has not reached the age fixed by Article 13 of this Code, the liability in the cases provided for in paragraph 4 of the Note to this article shall be imposed on the vehicle owner's parent or custodian/guardian.

6. If circumstances extenuating administrative liability for the offence provided for in this article are discovered, the body examining the case may replace the driving licence suspension by a fine of GEL 500.

7. For the offence provided for in paragraph 4 of this article the person shall be deprived of the right to carry arms for three years.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.08.2009, Art. 116*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*



## Article 124 - (Deleted)

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

## Article 125 - Violation of traffic regulations by the driver of a vehicle

1. Exceeding of the established speed limit by more than 15 km/h by the driver of a vehicle, –  
shall carry a fine of GEL 50.

[1. Exceeding by the driver of a vehicle of the established speed limit by more than 15 km/h but not more than 40km/h, –  
shall carry a fine in the amount of GEL 50.

1<sup>1</sup>. Exceeding by the driver of a vehicle of the established speed limit by more than 40 km/h, – shall carry a fine in the amount of GEL 150. **(Shall become effective from 1 July 2017)]**

2. Commission of the offence provided for in paragraph 1 of this article by a person who carries out a local city or inter-city carriage of passengers or an international regular carriage of passengers according to the treaties and international agreements of Georgia –  
shall carry a fine of GEL 200.

[2. Commission of an offence provided for in paragraph 1 or 1<sup>1</sup> of this article by a person who carries out a local city, inter-city, or international regular passenger transportation according to the international agreements and treaties of Georgia, –  
shall carry a fine of GEL 300. **(Shall become effective from 1 July 2017)]**

3. (Deleted – 2.5.2014, No 2375).

4. The offence provided for in paragraph 1 of this article that created an accident situation or interrupted traffic –  
shall carry a fine of GEL 250.

5. The offence provided for in paragraph 1 of this article that has resulted in a minor damage to the vehicle, cargo, road, to road facilities or other structures, to any other property or a minor bodily harm to a person –  
shall carry a 1-year suspension of the driving licence.

[4. An offence provided for in paragraph 1 or 1<sup>1</sup> of this article that resulted in creation of an accident situation, –  
shall carry a fine in the amount of GEL 300.

5. An offence provided for in paragraph 1 or 1<sup>1</sup> of this article that has resulted in a minor damage to the vehicle, cargo, road, to a road or other structure, to any other property or a human body, –  
shall carry a fine in the amount of GEL 500.

5<sup>1</sup>. Violation of the traffic regulations by a driver in relation to pedestrians under Article 25 of the Law of Georgia on Traffic, –  
shall carry a fine in the amount of GEL 40.

5<sup>2</sup>. Repeated commission of an offence under paragraph 5<sup>1</sup> of this article during one year, –  
shall carry a fine in the amount of GEL 150. **(Shall become effective from 1 July 2017)]**

6. Violation by a driver of the rules for driving across a pedestrian crossing or for observing road signs or road markings, rules for towing or for using external lighting devices, sound signals or emergency signals, rules for learner driving, driving in a residential area or on a road, violation of the rules for yielding the right of way to a fixed-route transport vehicle and/or rules for driving animal-drawn transport, or taking part in group riding of motorcycles or group driving of other vehicles that interrupts traffic or endangers traffic safety –  
shall carry a fine of GEL 20.

6<sup>1</sup>. Blocking a road with vehicles in an organised manner or taking part in a group driving in town or in another built-up area during which the



roadway is fully occupied –

shall carry a 1-year suspension of the driving licence.

[6. Violation by a driver of a vehicle of the regulations for observing a road sign or a road marking, regulations for towing, for using an external lighting device, a sound signal or an emergency light signal, regulations for learner driving, driving in a residential area or on a road, violation of the rules for yielding the right of way to a fixed-route transport vehicle and/or rules for driving animal-drawn transport, or taking part in group riding of motorcycles or group driving of other vehicles that interrupts traffic or endangers traffic safety, –

shall carry a fine in the amount of GEL 20.

6<sup>1</sup>. Blocking a road with vehicles in an organised way or taking part in a group driving in town or in another built-up area during which the roadway is fully occupied, –

shall carry a fine in the amount of GEL 500. *(Shall become effective from 1 July 2017)*

6<sup>2</sup>. Violating the regulations for stopping, starting and/or manoeuvring vehicles on a roadway –

shall carry a fine of GEL 50.

6<sup>3</sup>. Driving or riding in violation of the rules for attaching an identification mark to a vehicle –

shall carry a fine of GEL 50 for the driver or the company.

7. Failure to observe a traffic controller's demand or non-compliance with prohibition traffic lights, with priority (GIVE WAY, Stop) or prohibition signs (NO ENTRY, NO TRAFFIC), violation of the rules for overtaking, crossing intersections or railway crossings, obstruction of a vehicle that has a right of way –

shall carry a fine of GEL 50.

7<sup>1</sup>. Crossing of a continuous centre line dividing an oncoming traffic, –

shall carry a fine of GEL 50.

7<sup>2</sup>. Repeated commission of an offence provided for in paragraph 7<sup>1</sup> of this article during one year, –

shall carry a fine of GEL 100.

[7<sup>3</sup>. Crossing of a continuous centre line dividing an oncoming traffic and moving in an opposite traffic direction, –

shall carry a fine in the amount of GEL 200. *(Shall become effective from 1 July 2017)*

8. Failure to observe the requirement of the NO STANDING and NO PARKING prohibition signs; and failure to observe any other requirement of standing and parking rules –

shall carry a fine of GEL 10.

9. The offences provided for in paragraph 6-8 of this article that have created an accident situation or obstructed the traffic in such a way as to cause a traffic jam –

shall carry a fine of GEL 200.

[8. Failure to observe the requirement of NO STOPPING and NO STANDING prohibition signs; and failure to observe other requirement of standing and stopping regulations, –

shall carry a fine in the amount of GEL 20.

9. Offences provided for in paragraph 8 of this article that have resulted in creation of an accident situation or interruption of the traffic in such a way as to cause traffic congestion, –

shall carry a fine of GEL 200.

9<sup>1</sup>. Offences provided for in paragraphs 5<sup>1</sup> and 5<sup>2</sup> of this article that have resulted in creation of an accident situation, –

shall carry a fine of GEL 200.

9<sup>2</sup>. Offences provided for in paragraphs 6-7<sup>3</sup> of this article that have resulted in creation of an accident situation or interruption of the traffic in such a way as to cause traffic congestion, –

shall carry a fine of GEL 200. *(Shall become effective from 1 July 2017)*

10. The offences provided for in paragraphs 6, 6<sup>2</sup>, 7, 7<sup>1</sup>, 7<sup>2</sup> and 8 of this article that have resulted in a minor damage to the vehicle, cargo, road, to the road facilities or other structures, to any other property or a minor bodily harm to a person –

shall carry a fine of GEL 250.



[10. Offences provided for in paragraphs 6, 6<sup>2</sup> and 7-8 of this article that have resulted in a minor damage to the vehicle, cargo, road, to a road or other structure, to any other property or a human body, –

shall carry a fine in the amount of GEL 250.

11. Offences provided for in paragraphs 5<sup>1</sup> and 5<sup>2</sup> of this article that have resulted in a minor damage to a property or a human body, –

shall carry a fine in the amount of GEL 300. *(Shall become effective from 1 July 2017)*

**Note:**

1. Where an offence under paragraph 8 of this article committed, in particular where there is a failure to observe the requirement of the 'NO STOPPING' or 'NO PARKING' prohibition sign, or to observe the requirements of Article 37 of the Law of Georgia on Traffic, and where an offence under Article 125(9) or (10) of this Code is committed, if an offender is away from his/her vehicle or refuses to remove the vehicle from the prohibited area, and the vehicle blocks the traffic, or creates an accident situation or a traffic jam, the vehicle shall be towed to the special protected impound lot. A vehicle shall be towed away from the validity area of the 'NO STOPPING' or 'NO PARKING' prohibition sign to the special protected impound lot if the prohibition sign contains an indication of such towing. An appropriate self-government body or its authorised person shall ensure that information about the location of the towed vehicle is received without delay via the Hot Line and electronic text messaging. Costs of transportation of the vehicle and its storage at the special protected impound lot shall be imposed on the offender. The vehicle shall be returned to its possessor (owner) upon presentation of a document evidencing payment of costs of the vehicle transportation and its storage at the special protected impound lot, the vehicle registration certificate or the power of attorney, and the identity document.

[1. Where an offence under paragraph 8 of this article committed, in particular where there is a failure to observe the requirement of NO STOPPING or NO STANDING prohibition sign, or to observe the requirements of Article 37 of the Law of Georgia on Traffic, and where an offence under Article 125(9-11) of this Code is committed, if an offender is away from his/her vehicle or refuses to remove the vehicle from the prohibited area, and the vehicle blocks the traffic, or creates an accident situation or a traffic jam, the vehicle shall be towed to the special protected impound lot. A vehicle shall be towed away from the validity area of NO STOPPING or NO STANDING prohibition sign to the special protected impound lot if the prohibition sign contains an indication of such towing. An appropriate self-government body or its authorised person shall ensure that information about the location of the towed vehicle is received without delay via the Hot Line and electronic text messaging. Costs of transportation of the vehicle and its storage at the special protected impound lot shall be imposed on the offender. The vehicle shall be returned to its possessor (owner) upon presentation of a document evidencing payment of costs of the vehicle transportation and its storage at the special protected impound lot, the vehicle registration certificate or the power of attorney, and the identity document. *(Shall become effective from 1 July 2017)*

2. If the offender voluntarily pays the damages after having committed the offence provided for in paragraph 5 of this article, provided the victim does not appeal the decision made in the administrative case, the body examining the case may replace the driving licence suspension by a fine of GEL 500.

[2. (Deleted – 21.4.2017, No 712). *(Shall become effective from 1 July 2017)*

2<sup>1</sup>. (Deleted – 12.6.2012, No 6442).

3. If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in this article shall be imposed, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>), the fine shall be replaced by a 6-month suspension of the driving licence.

4. (Deleted – 2.5.2014, No 2375).

4<sup>1</sup>. If the possessor is not identified in the cases provided for in paragraph 8 of this article, the owner of the vehicle shall be held liable.

4<sup>2</sup>. If a person fails to pay the fine within the period defined by Article 290(1) of this Code after the relevant services of a local self-government body or a natural and/or a legal person authorised by them prepare a report for voluntary payment of the fine provided for in paragraph 8 of this article, a penalty of GEL 150 shall be imposed on the person. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the fine and the penalty shall be enforced against the offending driver or the vehicle owner according to the procedure laid down by the legislation of Georgia.

5. Payment of the fine or replacement of the fine by a suspension of the driving licence shall not release the person from the penalty.

6. If a patrol police officer does not issue at the scene of the offence a fine for any of the offences provided for in this article and if the offence is caught by a video and/or photo camera, the fine provided for in the relevant paragraph of this article shall be imposed on the vehicle owner and a fine shall be sent to his/her registered address. If the fine is not paid within the period defined by Article 290(1) of this Code, a penalty of the corresponding amount provided for by this article shall be imposed on the owner. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the vehicle shall be sold to enforce the payment of the penalty according to the procedure laid down by the legislation of Georgia.

7. If the vehicle owner has not reached the age fixed by Article 13 of this Code, the liability in the cases provided for in paragraph 6 of the Note to this article shall be imposed on the vehicle owner's parent or custodian/guardian.

[8. For the purposes of paragraph 9<sup>1</sup> of this article, an accident situation shall be:

a) an abrupt manoeuvring by a driver of a vehicle at a pedestrian crossing;

b) at a green light signal on a pedestrian traffic light, an abrupt manoeuvring, beginning of movement or keeping on moving, or reversing by a driver of a vehicle;

c) creation by a driver of a vehicle of such a different situation that has resulted in interruption of traffic, and/or falling of a pedestrian or otherwise endangerment of his/her health but which has not caused a consequence under paragraph 11 of this article.

9. An action shall be considered to be an offence under paragraph 7<sup>3</sup> of this article if a vehicle moving in an opposite traffic direction completely crosses





Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72

Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128

Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308

Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649

Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3

Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251

Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110

Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137

Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225

Law of Georgia No 5851 of 11 March 2008 – LHG I, No 6, 25.3.2008, Art. 21

Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330

Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116

Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187

Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227

Law of Georgia No 4684 of 17 May 2011 – website, 18.5.2011

Law of Georgia No 4708 of 20 May 2011 – website, 3.6.2011

Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012

Law of Georgia No 6442 of 12 June 2012 – website, 25.6.2012

Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013

Law of Georgia No 1884 of 26 December 2013 – website, 30.12.2013

Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014

Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014

Law of Georgia No 3675 of 29 May 2015 – website, 4.6.2015

Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017

#### **Article 125<sup>1</sup> - (Deleted)**

Law of Georgia No 2070 of 9 June 1999 – LHG I, No 24(31), 26.6.1999, Art. 109

Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330

#### **Article 125<sup>2</sup> - Violation of vehicle parking regulations in the territory of the capital city**

1. Parking motor vehicle at a parking place in the territory of the capital city without paying the motor vehicle parking fee established by a self-governing unit –

shall carry a fine of GEL 10, furthermore, the relevant body of the local self-government or a person authorised by it shall transport the motor transport that has been parked at a parking place in the territory of the capital city for more than 12 hours to a special impound lot, if the parking sign is accompanied by such indication. The towing and storing expenses along with the fine shall be imposed on the offending driver or the motor vehicle owner.

2. (Deleted).

3. (Deleted).

4. (Deleted).





5. (Deleted).

6. Violation of the vehicle parking regulations established in the territory of the capital city by the local self-government body –

shall carry a fine of GEL 10, furthermore, the relevant body of the local self-government or a person authorised by it shall transport the motor transport to a special impound lot or block its wheels by a special device, if the parking sign is accompanied by such indication. Towing a vehicle to a special parking lot shall be permissible if the motor vehicle is obstructing road traffic or is endangering traffic safety. The towing and storing expenses along with the fine shall be imposed on the offending driver or the motor vehicle owner.

**Note:**

1. If an unauthorised person parks a motor vehicle in the territory of the capital city in the parking place intended for persons with disabilities stipulated by the motor vehicle parking regulations of the local self-government body, the relevant body of the local self-government or a person authorised by it may transport the motor vehicle to a special impound lot, if the parking sign is accompanied by such indication.

2. A motor vehicle transported to a special impound lot shall be returned to its possessor and/or owner after a document evidencing the payment of the transportation and parking expenses, the motor vehicle registration certificate and the identification document have been presented.

3. If the possessor of the motor vehicle is not identified in the cases provided for in this article, the owner of the motor vehicle shall be held liable.

4. After the expiry of the period defined by Article 290(1) of this Code for voluntary payment of the fine provided for in paragraph 8 of this article, a penalty of GEL 150 shall be imposed on the person. If the fine and the penalty are not paid within 30 days after the penalty is imposed, the fine and the penalty shall be enforced against the offending driver or the vehicle owner according to the procedure laid down by the legislation of Georgia.

*Law of Georgia No 4917 of 8 June 2007 – LHG I, No 22, 19.6.2007, Art. 200*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 4708 of 20 May 2011 – website, 3.6.2011*

**Article 125<sup>3</sup> - Violation of vehicle parking regulations in the territory of the self-governing city of Batumi**

1. Violation of the parking management regulations laid down in the territory of the self-governing city of Batumi by the local self-governing unit –

shall carry a fine of GEL 100 for natural persons and a fine of GEL 200 for legal persons.

2. Failure to remedy the offence within two days after the fine under paragraph 1 of this article has been imposed –

shall carry a fine of GEL 200 for natural persons and a fine of GEL 400 for legal persons.

3. If the fines provide for d in paragraphs 1 and 2 of this article are not paid voluntarily, after the expiry of the period defined by Article 290(1) of this Code a penalty in the full amount of the fine shall be imposed.

4. Parking motor vehicles in a parking place in the territory of the self-governing city of Batumi without paying the motor vehicle parking fee established by a self-governing unit –

shall carry a fine of GEL 10.

5. Violation of parking regulations in the territory of the self-governing city of Batumi by the possessor and/or owner of a motor vehicle –

shall carry a fine of GEL 10.

6. If the fines provided for in paragraphs 4 and 5 of this article are not paid voluntarily, after the expiry of the period defined by Article 290(1) of this Code a penalty of GEL 150 shall be imposed. If the fine and the penalty are not paid within 30 days after the penalty has been imposed, the motor vehicle shall be sold according to the procedure laid down by the legislation of Georgia to enforce the payment of the fine and the penalty.

7. If the possessor of the motor vehicle is not identified in the case provided for by this article, the owner of the motor vehicle shall be held liable.

8. If a motor vehicle is transported to a special impound lot, the towing and storing expenses along with the fine shall be imposed on the offender or in the case provided for by this article, on the owner of the motor vehicle. If the motor vehicle is towed to a special impound lot, it shall be returned to its possessor and/or owner after the presentation of a document evidencing the payment of the transportation and storage expenses, the motor vehicle registration certificate and the identification document.

**Note:**

1. For the purposes of paragraph 2 of this article, the offence shall be deemed to have been remedied if the person no longer violates the parking management regulations provided for in paragraph 1 of this article. If the person continues the same activity after a fine has been imposed for failure to remedy the offence, he/she shall be deemed to have recommitted the offense, due to which an administrative proceeding shall be reinstated against him/her.

2. If the offence provided for in paragraphs 4 and 5 of this article is committed, the motor vehicle shall be transported to a special impound lot and/or its wheels shall be blocked by special devices, if so required by the motor vehicle parking regulations and the parking sign is accompanied by such



indication. Transportation to a special impound lot shall be permissible if the motor vehicle is obstructing road traffic or is endangering traffic safety.

*Law of Georgia No 4451 of 11 March 2011 – website, 25.3.2011*

#### **Article 126 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex of No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

#### **Article 127 - Violation of traffic regulations by a pedestrian or by another traffic participant, also violation of the rules for cattle grazing along motorways**

1. Non-compliance with traffic regulation signals, disregard of road signs or road markings by a traffic participant (other than a driver of a motor vehicle) –

shall carry a fine of GEL 10.

[1. Violation of the requirements under the Law of Georgia on Traffic and/or failure to comply with a traffic regulating signal, disregard of the requirements of a road sign or a road marking by a traffic participant (except for a driver of a motor vehicle), –

shall carry a fine in the amount of GEL 10.

1<sup>1</sup>. Repeated commission of an offence under paragraph 1 of this article during one year, –

shall carry a fine in the amount of GEL 20.

1<sup>2</sup>. An offence under paragraph 1 or 1<sup>1</sup> of this article that has resulted in creation of an accident situation or interruption of traffic, –

shall carry a fine in the amount of GEL 50. **(Shall become effective from 1 July 2017)**

2. Violation of the rules for the movement of small cattle or bovine animals on the roads of international or national importance –

shall carry a fine of GEL 10 for the person responsible for the movement of the small cattle or bovine animals (the herder or, if there is no herder, the owner).

3. The offence provided for in this article that has resulted in a minor damage to the transport vehicle, cargo, road, to road facilities or other structures, to any other property or a minor bodily harm of a person –

shall carry a fine of GEL 100.

**Note:** the cattle owner shall not be reimbursed for the damage incurred to him/her as a result of the death or injury of the cattle caused by the offence provided for in paragraph 3 of this article.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 5628 of 27 December 2011 – website, 9.1.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*



**Article 127 - Violating the rules for the carriage of passengers or goods by motor vehicles, operation of bus stations or operating on a roadway oversized (large) vehicles without agreement of the relevant authorised body**

1. Violating the rules for the carriage of passengers or goods by motor vehicles determined by the legislation of Georgia (except as provided for in Article 129<sup>1</sup> of this Code), or operation on a roadway oversized vehicles without agreement of the relevant authorised body –

shall carry a fine of GEL 100.

1<sup>1</sup>. Violating the rules for safe carriage of children by a vehicle –

shall carry a fine of GEL 40.

2. Violating the rules for the carriage of passengers or goods by motor vehicles determined by international treaties, agreements and conventions of Georgia (except as provided for for by Article 129<sup>1</sup> of this Code)–

shall carry a fine of GEL 5 000.

3. Violating the rules for the operation of bus stations –

shall carry a fine of GEL 300.

4. (Deleted).

5. Operation of a bus station within a special regulation zone in violation of the rules established by the self-governing unit –

shall carry a fine of GEL 500 for the natural person owning the bus station or a fine of 1 000 for the legal person owning the bus station.

6. The offence provided for in paragraph 1 of this article that has resulted in a minor damage to the vehicle, cargo, road, to road facilities or other structures, to any other property or a minor bodily harm to a person –

shall carry a fine of GEL 250.

7. Performing an international road transportation of passengers or goods in violation of the rules of the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) –

shall carry a fine of GEL 500.

8. Operating a business performing the international road transportation of passengers or goods in violation of the rules of the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) –

shall carry a fine not to exceed GEL 5 000.

**Note:**If a person fails to pay the fine within the period fixed by Article 290(1) of this Code for voluntary payment, a penalty of two times the fine for the offence provided for in paragraphs 1, 1<sup>1</sup>, 6 and 7 of this article shall be imposed on the person, but not to exceed GEL 500, and if the person fails to pay the fine or the penalty within the period fixed by Article 290(1<sup>1</sup>) the fine shall be replaced by a 6-month suspension of the driving licence.

*Law of Georgia No 2148 of 23 June 1999 – LHG I, No 27(34), 6.7.1999, Art. 143*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3769 of 24 November 2006 – LHG I, No 45, 9.12.2006, Art. 308*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 5203 of 8 November 2011 – website, 22.11.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2011*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

**Article 128 - Violation of the rules for carrying hazardous substances or objects by railway, sea, road and electric transport**

Violation of the rules for carrying hazardous substances or objects in hand baggage by railway transport –

shall carry a warning or a fine up to the amount of half the minimum wage.



Violation of rules for carrying hazardous substances or objects by sea transport –

shall carry a warning or a fine up to half the minimum wage for citizens or a warning or a fine from half to one minimum wage for officials.

Carrying hazardous substances or objects by bus, trolleybus, tram or minibus, or handing them in as hold luggage or keeping them in a luggage locker –

shall carry a warning or a fine up to half the minimum wage.

The list of the hazardous substances and objects, for the violation of the carriage rules of which this article prescribes liability, shall be defined by the carriage rules applicable to the relevant type of transport.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 128<sup>1</sup> - Non-compliance with standard technical requirements for carrying hazardous goods by railway transport**

Non-compliance with standard technical requirements for carrying hazardous goods by railway transport –

shall carry a fine from GEL 50 to 100.

The same act committed repeatedly –

shall carry a fine from GEL 200 to 500.

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 18*

#### **Article 128<sup>2</sup> - Violating the primary timber processing, timber transportation and sale requirements**

1. Primary processing of timber within the territory of the state forest fund –

shall carry a fine of GEL 2 000, with or without confiscation of the instrument of the offence.

2. Primary processing of illegally obtained timber –

shall carry a fine of GEL 2 000, with confiscation of the timber and/or the products of its primary processing, with or without confiscation of the instrument of the offence.

3. The act provided for in paragraph 1 or 2 of this article, committed repeatedly –

shall carry a fine of GEL 4 000, with confiscation of the timber and/or of the products of its primary processing and of the instrument of the offence.

4. Transporting timber without the relevant document or without marking with a special sign in the cases determined by an ordinance of the Government of Georgia (except as provided for in paragraphs 6-8 of this article) –

shall carry a fine of GEL 1 000, with or without confiscation of the timber.

5. The act provided for in paragraph 4 of this article, committed repeatedly –

shall carry a fine of GEL 2 000, with confiscation of the timber.

5<sup>1</sup>. (Deleted – 25.3.2013, No 453).

5<sup>2</sup>. (Deleted – 25.3.2013, No 453).

6. Transporting trees harvested in the territory of a self-governing unit or private property without the relevant document in the cases determined by an ordinance of the Government of Georgia or bringing (storing) it in a sawmill without marking with a special sign –

shall carry a fine of GEL 200, with or without confiscation of the trees.

7. The act provided for in paragraph 6 of this article, committed repeatedly –

shall carry a fine of GEL 400, with confiscation of the trees.

8. Transporting the timber obtained as a result of social cutting in violation of the rules provided for by an ordinance of the Government of Georgia or alienating such timber in any form –

shall carry a fine of GEL 500, with or without confiscation of the timber.

**Note:**



1. In the cases provided for in this article, the vehicle, along with the timber/trees on it, shall be temporarily confiscated pending the hearing of the case and shall be transported to a special impound lot; the towing and storing expenses shall be paid by the offender; the vehicle shall be returned to its possessor (owner) after the hearing provided for in this article has been completed and after the vehicle registration certificate or the power of attorney has been presented (no registration document is required for animal-drawn transport), except as provided for in Article 249(2) of this Code.

2. For the purposes of this article, illegally harvested timber shall be timber that is not accompanied by the relevant document in the cases provided for by an ordinance of the Government of Georgia (including, during transportation) or a special marking defined by the same ordinance.

3. To detect administrative offences provided for by this Code, the person preparing a report may inspect the sites of primary processing, stop the relevant vehicle, also demand identification documents from citizens, or the vehicle documents and the documents identifying the origin of the natural resources and, on detecting any violation, take the appropriate measures provided for by the legislation of Georgia.

*Law of Georgia No 380 of 14 June 2000 – LHG I, No 24, 30.6.2000, Art. 65*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 3891 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 418*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 5594 of 23 December 2011 – website, 30.12.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

### **Article 128<sup>3</sup> - Violating technical regulations for a primary timber processing facility (sawmill)**

1. Failure to present information (including a control tag of a timber marking special tag) specified in the technical regulations of the primary timber processing facility (sawmill) defined by an ordinance of the Government of Georgia within the established time limits and procedures, also violating the rules for submitting an appropriate notice in the case of loss or damage of the special tag and/or its control tag–

shall carry a fine of GEL 500.

2. The act provided for in paragraph 1 of this article, committed repeatedly –

shall carry a fine of GEL 1 000.

3. Violating the technical regulations for a primary timber processing facility (sawmill) determined by an ordinance of the Government of Georgia (except as provided for in paragraphs 1 and 2 of this article) –

shall carry a fine of GEL 2 000, with or without confiscation of the illegal timber/trees and/or the products of its primary processing, while in the case of detecting a non-registered sawmill – with the confiscation of a device for sawing logs, and the device and equipment for thermal treatment.

4. The act provided for in paragraph 3 of this article, committed repeatedly –

shall carry a fine of GEL 4 000, with confiscation of the illegal timber/trees and/or of the product of its primary processing.

5. Commission of the acts defined in paragraphs 3 and 4 of this article within one year after the imposition of administrative penalty for having committed the acts defined in paragraphs 3 and 4 of this article relating to acceptance, storage or processing of timber/trees or to the failure to use the appropriate register provided for by the technical regulations –

shall carry a fine of GEL 4 000, with confiscation of the illegal timber/trees and/or the products of its primary processing and the sawing machinery and equipment.

**Note:** In the cases provided for in paragraphs 3, 4 and 5 of this article, ‘illegal’ shall be considered timber/trees that are not duly marked with a special sign where so provided for by an ordinance of the Government of Georgia.

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

### **Article 128<sup>4</sup> - Violating the requirements for imported timber marking**

1. Violating the requirements defined by the relevant ordinance of the Government of Georgia for imported timber marking –

shall carry a fine of GEL 1 000.



2. The same act committed repeatedly –

shall carry a fine of GEL 2 000, with confiscation of the timber.

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

**Article 128<sup>5</sup> - Violation by timber users of the rules for using documents of origin of timber and special signs, as well as rules for timber marking, accounting and reporting**

1. Violation by timber users of the rules for using documents of origin of timber and special signs, as well as rules for timber marking, accounting and reporting, also failure to submit unused and/or damaged forms of timber origin documents and special timber signs according to the rules defined by an ordinance of the Government of Georgia, and failure, in the case of the loss of such forms to comply with the rules for submitting the relevant notice –

shall carry a fine of GEL 500.

2. The act defined in paragraph 1 of this article committed repeatedly –

shall carry a fine of GEL 1 000, with confiscation of the timber.

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2354 of 1 May 2014 – website, 16.5.2014*

**Article 129 - Carrying hand baggage in excess of the established limit and carrying baggage without paying the fee**

Carrying hand baggage by railway and sea in excess of the established limit –

shall carry a fine of up to one minimum wage.

Carrying baggage by bus, trolleybus, tram or municipal minibus without paying the fee –

shall carry a fine of up to one minimum wage for each baggage place.

Carrying baggage by commuter passenger motor transport without paying the fee –

shall carry a fine of up to one minimum wage for each baggage place.

Carrying baggage by long-distance passenger motor transport without paying the fee –

shall carry a fine of up to one minimum wage for each baggage place.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 129<sup>1</sup> - Carrying a load by motor vehicle in excess of the established carrying capacity**

Travelling on a road by a vehicle whose maximum load on each driving or dead axle exceeds 10 tons (except for a single-driving-axle vehicle, the maximum load on the driving axle of which does not exceed 11.5 tons) and/or the actual mass of which exceeds 44 tons and/or the actual mass of which exceeds the maximum permitted weight –

shall carry a fine of GEL 500 for the driver of the vehicle and/or the owner of the vehicle for each excess ton (the fine for any incomplete weight shall be prorated).

**Note:**

Except where the actual weight of the vehicle exceeds the maximum permitted weight, this article shall not apply to:

a) overweight (heavyweight) vehicles travelling on a road in agreement with the authorised body (agency) and in compliance with the rules laid down by the legislation of Georgia, according to the conditions of the agreement;

b) vehicles entering the territory of Georgia via a seaport customs checkpoint, which afterwards travels towards the nearest, within a 10-km radius from the seaport territory, customs control zone provided for by the Tax Code of Georgia, on the route determined by the tax authority;



c) vehicles entering the territory of Georgia via a customs checkpoint, and travel to the nearest railway station within a 25-km radius from the location of the tax authority, towards the customs control zone provided for by the Tax Code of Georgia on a route determined by the tax authority.

2. In the case of the offence defined in this article (except for leaving the territory of Georgia via a customs checkpoint), the possessor (owner) of the vehicle shall adjust, unload/take apart or redistribute (at a protected place indicated by an authorised official of the Ministry of Internal Affairs and/or the Ministry of Finance of Georgia) any excess load, and protect/store and subsequently transport the load at his/her own costs.

3. If the fine imposed for the offence defined in this article is not paid within the period defined by Article 290 of this Code, the Enforcement Bureau may enforce the fine on a priority basis by seizing and/or selling the vehicle, by which the offence defined in this article has been committed.

*Law of Georgia No 2024 of 9 November 2005 – LHG I, No 48, 29.11.2005, Art. 321*

*Law of Georgia No 2518 of 27 December 2005 – LHG I, No 59, 31.12.2005, Art. 447*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3396 of 23 June 2006 – LHG I, No 26, 14.7.2006, Art. 217*

*Law of Georgia No 4258 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 418*

*Law of Georgia No 5851 of 11 March 2008 – LHG I, No 6, 25.3.2008, Art. 21*

*Law of Georgia No 2214 of 1 December 2009 – LHG I, No 42, 10.12.2009, Art. 316*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 4684 of 17 May 2011 – website, 18.5.2011*

*Law of Georgia No 5953 of 27 March 2012 – website, 12.4.2012*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

#### **Article 130 - Travelling without a ticket**

1. Passengers flying without a ticket –

shall be fined from one to three times the minimum wage.

2. Passengers travelling without a ticket, or taking children from the age of 10 to 16 years without a ticket –

a) by a regional train –

shall be fined with GEL 20.

b) by a main-line train –

shall be fined with GEL 40.

c) by a commuter ship –

shall be fined with one tenth of the minimum wage.

d) by a local and long-distance ship –

shall be fined with half the minimum wage.

3. Taking children from five to ten years without a ticket by the transport vehicles defined in paragraphs 2(a-d) of this article –

shall carry a fine of one minimum wage.

4. Passengers travelling without a ticket, or taking children from the age of 10 to 16 years without a ticket –

a) by a trolleybus, tram, local municipal bus or minibus –

shall be fined with GEL 5.

**Note:** after the expiry of the period fixed by Article 290(1) of this Code for voluntary payment of the fine prescribed by this sub-paragraph, a penalty of GEL 50 shall be imposed on the person for the offence defined in this sub-paragraph. If the fine and the penalty are not paid, the payment of the fine and the surcharge shall be enforced against the offender according to the procedure laid down by the legislation of Georgia;

b) by a commuter and long-distance bus –

shall be fined with one tenth of the minimum wage.



3. Taking children from five to ten years without a ticket by the transport vehicles defined in paragraphs 4(a) and (b) of this article:

a) by a trolleybus, tram, local municipal bus or minibus –

shall carry a fine of one tenth of the minimum wage.

b) by a commuter and long-distance bus –

shall carry a fine of half the minimum wage.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 6147 of 8 May 2012 – website, 25.5.2012*

#### **Article 131 - Violating the rules for safekeeping cargo on railway, sea and road transport**

Damaging a rolling stock, containers, other floating and cargo carrying vehicles, or hauling equipment –

shall carry a fine from two to five times the minimum wage.

Damaging seals and locking devices on freight cars, motor vehicles, motor vehicle trailers, containers, cargo holds and other receptacles of water craft, tearing off seals, damaging individual cargo items and their packing, packages, damaging the fence of freight yards, railway stations, truck stations, container depots (yards), ports (harbours) or of warehouses that are used for the performance of cargo handling operations, also unauthorised entry into the territory of freight yards, container depots (yards), ports (harbours) cargo handling areas or into the territory of the above-mentioned warehouses –

shall carry a fine of up to two times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 132 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

#### **Article 133 - (Deleted)**

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 – The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

#### **Article 134 - Violating established rules for maintaining, building and repairing road, railway crossings or other road structures**

1. Violating the established rules for maintaining, building and repairing roads, railway crossings or other road structures, or failing to take measures to timely prohibit, restrict or resume traffic in certain road sections when the use of the road restricts or jeopardises traffic, or damaging a road, railway crossing or another road structure or traffic control equipment, or littering the road cover, dumping construction or other material on roadways, pavements or sidewalks, street-vending, or failing to comply with a written instruction given by an authorised official of the Ministry of Internal Affairs of Georgia for remedying existing defects –

shall carry a fine of GEL 500 for the legal person or for the natural person responsible.

2. Unauthorised connection of another road to a public motor way, unauthorised construction of any facility at a distance of less than 100 m from a road centreline or in the area adjoining a street, or violation of the conditions of a construction agreement, unauthorised placement of placards, banners, posters, billboards, non-standard road signs, unauthorised digging up of a road or non-compliance with the conditions of a works agreement, or acceptance for repair, without the relevant authorisation, of any vehicle damaged as a result of a traffic accident –





shall carry a fine of GEL 1 000 for the legal person or for the natural person responsible.

3. The offences provided for in paragraphs 1 or 2 of this article that result in damage to a vehicle, cargo, road, road facilities or other structures or property –

shall carry a fine of GEL 1 500 for the legal person or for the natural person responsible.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1443 of 12 June 1998 – The Parliament Gazette, No 23-24, 30.6.1998, p. 51*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

### **Article 135 - Performing regular local municipal passenger carriage in violation of permit conditions or without the relevant permit**

1. Performing regular local municipal passenger carriage in violation of permit conditions -

shall carry a fine of GEL 100.

2. Performing regular local municipal passenger carriage without the relevant permit -

shall carry a fine of GEL 100.

#### **Note:**

1. In order to discover the administrative offence defined in this article, the monitoring authorised body, natural or legal person may conduct checks without limitation at any time during a calendar year.

2. If after the imposition of the administrative penalty provided for in paragraph 1 of this article the monitoring person or authority gives a permit holder written notice of the violation of permit conditions and the permit holder fails to remedy the violation of permit conditions within the period fixed by the permit issuer, the offender shall incur liability under Article 36<sup>1</sup> of this Code.

3. After the expiry of the period fixed by Article 290(1) of this Code for voluntary payment of the fine prescribed by this article, a penalty of GEL 500 shall be imposed on the person for the administrative offence defined in this article. If the fine and the penalty are not paid within 30 days after imposition of the penalty, the payment of the fine and the penalty shall be enforced against the offender according to the procedure established by the legislation of Georgia.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 2070 of 9 June 1999 – LHG I, No 24(31), 26.6.1999, Art. 109*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 4708 of 20 May 2011 – website, 3.6.2011*

### **Article 135<sup>1</sup> - Failure to follow the traffic route approved by the relevant local self-government body for regular domestic passenger carriage in the territory of Georgia**

Failure to follow the traffic route approved by the relevant local self-government body for M2 and M3 category buses entering the territory of a self-governing city as part of a regular domestic passenger carriage in the territory of Georgia –

shall carry a fine of GEL 100.

**Note:** after the expiry of the period fixed by Article 290(1) of this Code for voluntary payment of the fine prescribed by this article, a penalty of GEL 500 shall be imposed on the person for the administrative offence defined in this article. If the fine and the penalty are not paid within 30 days after imposition of the penalty, the payment of the fine and the penalty shall be enforced against the offender according to the procedure established by the legislation of Georgia.

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 6609 of 29 June 2012 – website, 10.7.2012*



#### **Article 136 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 771 of 29 June 1995 – The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

#### **Article 137 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

#### **Article 138 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 19.4.1998, p. 18*

#### **Article 139 - (Deleted)**

*Ordinance No 1832 of the Presidium of the Supreme Soviet of the Georgian SSR of 9 August 1988 – Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 196*

#### **Article 139<sup>1</sup> - (Deleted)**

*Ordinance No 472 of the Presidium of the Supreme Soviet of the Georgian SSR of 21 November 1985 – Gazette of the Supreme Soviet of the Georgian SSR, No 11, August, 1985, Art. 376*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

#### **Article 139<sup>2</sup> - Violation of the requirements established by a normative act in the relevant field of transportation**

Violation by a transport licence and/or permit holder of requirements established under a normative act (other than the normative acts of the Ministry of Internal Affairs of Georgia) in the relevant sphere of transport –

shall carry a fine of up to GEL 5 000.

*Law of Georgia No 2963 of 14 August 2003 – LHG I, No 27, 10.9.2003, Art. 198*

*Law of Georgia No 3180 of 25 May 2006 – LHG I, No 17, 30.5.2006, Art. 125*

*Law of Georgia No 4600 of 30 March 2007 – LHG I, No 11, 10.4.2007, Art. 104*

*Law of Georgia No 4223 of 22 February 2011 – website, 10.3.2011*

#### **Article 139<sup>3</sup> - Violation of the rules for issuing licences/permits and/or certificates/declarations of conformity in the sphere of transport**

Operation by a person in the sphere of transport without the relevant licence/permit and/or certificate/declaration and/or certificate of conformity, or violation of the conditions of the relevant licence/permit and/or certificate/declaration and/or certificate of conformity –



shall carry a fine of up to GEL 5 000.

*Law of Georgia No 2963 of 14 August 2003 – LHG I, No 27, 10.9.2003, Art. 198*

*Law of Georgia No 3180 of 25 May 2006 – LHG I, No 17, 30.5.2006, Art. 125*

**Article 139<sup>4</sup> - Violation of the requirements set by Article 7 of the Law of Georgia on National Regulatory Bodies or the time limits for compliance with them**

Violation of the requirements set by Article 7 of the Law of Georgia on National Regulatory Bodies or the time limits for compliance with them – shall carry a fine of up to GEL 5 000.

*Law of Georgia No 2963 of 14 August 2003 – LHG I, No 27, 10.9.2003, Art. 198*

*Law of Georgia No 1595 of 20 November 2013 – website, 3.12.2013*

**Article 139<sup>5</sup> - Non-compliance by a carrier with the obligations determined by the legislation of Georgia**

Non-compliance by a carrier with the obligations specified in Article 13 of the Law of Georgia on the Legal Status of Aliens and Stateless Persons – shall carry a fine of GEL 300 for the carrier or for the representative of the carrier in the case of carriage by road, GEL 1 000 - for sea transportation and GEL 1 500 for air transportation.

**Note:** this article shall not apply to Article 13(1)(a) of the Law of Georgia on the Legal Status of Aliens and Stateless Persons.

*Law of Georgia No 2046 of 5 March 2014 – website, 17.3.2014*

**Article 140 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

**Article 141 - Setting up and operating radio equipment without the relevant registration or permit**

Setting up and operating a radio relay node without the relevant registration or permit (where required), regardless of its capacity – shall carry a fine for officials from 10 to 50 times the minimum wage.

Setting up and operating radio relay stations without the relevant registration or permit (where required), regardless of the departmental ownership of the radio relay station, by which it is placed –

shall carry a fine of up to one half of the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 142 - Unauthorised manufacturing and use of radio transmitters**

Unauthorised manufacturing and use of radio transmitters –

shall carry a fine from 10 to 30 times the minimum wage with confiscation of the radio transmitter.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 143 - Violation of the regulations for protecting communication lines and structures**

Violating the regulations for protecting communication lines and structures, or damaging line and cable communication structures – shall carry a fine from one to five times the minimum wage for citizens and from five to ten times the minimum wage for officials.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*



**Article 144 - Damaging pay phones, phone boxes, stamp vending and coin change machines, telephone distribution cabinets and subscriber devices, or connecting phones without authorisation**

Damaging pay phones, phone boxes, stamp vending and coin change machines, telephone distribution cabinets and subscriber devices, or connecting phones without authorisation to a line of active subscribers –

shall carry a warning or a fine from 10 to 50 times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 144<sup>1</sup> - Operating without a licence and/or authorisation in the field of broadcasting or using a frequency spectrum without allocation, operating in the sphere of electronic communication without authorisation or using a frequency spectrum and/or numbering resource without a licence, permit or allocation**

1. Operating without a licence and/or authorisation in the field of broadcasting or using a frequency spectrum without allocation, operating in the sphere of electronic communication without authorisation or using a frequency spectrum and/or numbering resource without a licence, permit or allocation –

shall carry a fine of GEL 5 000.

2. The same act committed again –

shall carry a fine of GEL 10 000.

3. The same act committed for the third and additional times –

shall carry a fine of GEL 50 000 in each particular case.

4. The same act committed in the occupied territories of Georgia –

shall carry a fine of GEL 500 000.

**Note:** the acts defined in this article that are committed repeatedly in the occupied territories of Georgia shall carry criminal liability.

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

*Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.1.2005, Art. 22*

*Law of Georgia No 2566 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 36*

*Law of Georgia No 197 of 15 July 2008 – LHG I, No 16, 26.7.2008, Art. 117*

*Law of Georgia No 4530 of 8 April 2011 – website, 2.5.2011*

*Law of Georgia No 6256 of 22 May 2012 – website, 6.6.2012*

**Article 144<sup>2</sup> - (Deleted)**

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

*Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.01.2005, Art. 22*

**Article 144<sup>3</sup> - Violation of the regulations for designing, manufacturing, constructing, using, operating, importing and selling radio-electronic devices and high-frequency equipment**

Designing, manufacturing, constructing, using, operating, importing and selling radio-electronic devices and high-frequency equipment without the required permit issued by the National Regulatory Commission for Post and National Communications –

shall carry a fine of GEL 3 000.

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

**Article 144<sup>3</sup> - Violation of the regulations for erecting and operating radio-electronic devices and high-frequency equipment**

Erecting and operating in residential areas radio-electronic devices and high-frequency equipment that do not conform to the operating standards established for such devices and equipment and are harmful to the health of the population –

shall carry a fine of GEL 5 000.



**Article 144<sup>5</sup> - Failure to register communication facilities that use a frequency spectrum**

Failure to register with the National Regulatory Commission for Post and National Communications those communication facilities that use a frequency spectrum and are the sources of electromagnetic radiation, –

shall carry a fine of GEL 3 000.

Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149

**Article 144<sup>6</sup> - (Deleted)**

Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149

Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.1.2005, Art. 22

**Article 144<sup>7</sup> - (Deleted)**

Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149

Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.1.2005, Art. 22

**Article 144<sup>8</sup> - (Deleted)**

Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149

Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.1.2005, Art. 22

**Article 144<sup>9</sup> - (Deleted)**

Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149

Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.1.2005, Art. 22

**Article 144<sup>10</sup> - Demonstration of films (including documentaries and animated cartoons) by cinemas in their original language, without complying with the requirements for mandatory subtitling or dubbing in the state language of Georgia, or showing films in a language other than the original language**

1. Demonstration of films (including documentaries and animated cartoons) by cinemas in their original language, without complying with the requirements for mandatory subtitling or dubbing in the state language of Georgia, or showing films in a language other than the original language –

shall carry a fine of GEL 1 500.

2. The same act committed again –

shall carry a fine of GEL 3 000.

3. The same act committed for the third or more times –

shall carry a fine of GEL 10 000.

Law of Georgia No 3116 of 18 June 2010 – LHG I, No 30, 29.6.2010, Art. 193

**Chapter 11 - Administrative Offences relating to the Housing Rights of Citizens, and in Housing and Utilities and the Public Amenities Sector**

**Article 145 – Violation of regulations for registration of citizens and for their accommodation in dwelling houses and lodgings**

Violation by officials of the regulations for registration and deregistration of citizens that are in need of better living conditions and non-compliance with the rules for granting lodgings to citizens, or failure to observe the established time limits for accommodation of citizens in dwelling houses and



lodgings –

shall carry a fine from one to five times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 146 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

#### **Article 146<sup>1</sup> - Dumping construction debris and/or construction materials**

Dumping construction debris and/or construction material in parks, gardens, squares, on lawns, in yards, sports fields, near parking lots, markets or at other places –

shall carry a fine of GEL 200 for natural persons and a fine of GEL 1 000 for legal persons, institutions or organisation.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3500 of 24 July 2006 – LHG I, No 35, 3.8.2006, Art. 256*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 3807 of 12 November 2010 – LHG I, No 65, 26.11.2010, Art. 410*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

#### **Article 146<sup>2</sup> - (Deleted)**

*Law of Georgia No 4735 of 3 June 2011 – website, 22.06.2011*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

#### **Article 147 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 994 of 22 June 2001 – LHG I, No 22, 6.7.2001, Art. 86*

#### **Article 147<sup>1</sup> - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 779 of 23 December 2004 – LHG I, No 2, 10.1.2005, Art. 9*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

#### **Article 147<sup>2</sup> - (Deleted)**



#### **Article 148 - Violation of public amenities regulations of a self-governing unit**

1. Violation of public amenities regulations in cities and other built-up areas, also non-compliance with sanitation and order regulations in cities and other built-up areas, or failure to maintain territories assigned to and/or adjoining enterprises, institutions or organisations –

shall carry a fine of GEL 200 for natural persons and a fine of GEL 1 000 for legal persons, institutions or organisations.

2. The same act committed repeatedly –

shall carry a fine of GEL 1 000 for natural persons and a fine of GEL 5 000 for legal persons, institutions or organisation.

3. Supervised and/or unsupervised presence of small cattle and/or bovine animals in the territory of a self-governing city (except for an agrarian plot of land owned and/or used by the owner of the animals) in violation of the regulations established by the representative body of the self-governing city –

shall carry a fine of GEL 20 for the owner of the small cattle and/or bovine animals.

4. Supervised and/or unsupervised presence of small cattle and/or bovine animals in a boulevard, park, square or on a beach –

shall carry a fine of GEL 50 for the owner of the small cattle and/or the bovine animals.

#### **Note:**

1. Where in the cases defined in paragraphs 3 and 4 of this article, small cattle and/or bovine animals are unsupervised, the person authorised to prepare an administrative offence report shall drive the cattle to a special place and look after the cattle until the circumstances provided for in this article occur. The cattle shall be returned to the owner only after the presentation of a document evidencing the payment of a fine and of the expenses related to driving the cattle to the special place and for the care.

2. If the fine is not paid by the offender within the period defined by Article 290(1) of this Code, the cattle shall be sold according to the procedure laid down by the legislation of Georgia to enforce the payment of the fine and to compensate the expenses related to the care of the cattle.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3500 of 24 July 2006 – LHG I, No 35, 3.8.2006, Art. 256*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

#### **Article 149 - Illegal consumption of potable water and illegal use of a drainage system**

1. Illegal consumption of potable water, also illegal use of a drainage system –

shall carry a warning.

2. The same act committed repeatedly –

shall carry a fine of GEL 100 for natural persons and a fine of GEL 15 000 for legal entities and institutions.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 3166 of 28 June 2010 – LHG I, No 34, 9.7.2010, Art. 202*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

#### **Article 150 - Defacing the appearance of a self-governing unit**



1. Making various types of inscriptions, drawings or symbols on building facades, shop windows, fences, columns, trees or other plantings without authorisation, also putting up placards, slogans, banners at places not allocated for this purpose, or leaving fences and buildings unpainted –

shall carry a fine of GEL 50.

2. The same act committed repeatedly –

shall carry a fine of GEL 500.

2<sup>1</sup>. Making various types of inscriptions, drawings, symbols on the facades of administrative buildings, or in the adjacent territory, including pavement and road surfaces –

shall carry a fine of GEL 500.

2<sup>2</sup>. Repeated commission of the offence defined in paragraph 2<sup>1</sup> of this article shall carry a fine of GEL 1 000 or, if the application of this measure is deemed insufficient after taking into account the circumstances of the case and the person of the offender, an administrative detention of up to 15 days shall be imposed on the offender .

3. The act defined in paragraph 1 of this article, committed in a cultural heritage protection zone determined under the Law of Georgia on Cultural Heritage –

shall carry a fine of GEL 1 000.

4. The act defined in paragraph 3 of this article, committed repeatedly –

shall carry a fine of GEL 2 000.

5. Failure to remedy the violation defined in this article within ten days after a fine is imposed –

shall carry a fine of GEL 500.

**Note:** for the offence defined in paragraph 2<sup>2</sup> of this article, the offender shall be deprived of the right to carry arms for up to three years.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 4713 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 143*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

#### **Article 150<sup>1</sup> - Arbitrarily altering the appearance of a self-governing unit**

1. Arbitrarily altering the appearance of a self-governing unit, including, changing the colour of buildings and structures –

shall carry a fine of GEL 200.

2. The same act committed in a cultural heritage protection zone determined under the Law of Georgia on Cultural Heritage –

shall carry a fine of GEL 5 000.

3. Unauthorised erection and/or installation of ventilation systems, ATMs, clothes lines, window grates, booths, stalls and/or other light structures –

shall carry a fine of GEL 500 for a natural person and a fine of GEL 1 000 for a legal entity, institution or organisation.

4. The same act committed in a cultural heritage protection zone determined under the Law of Georgia on Cultural Heritage –

shall carry a fine of GEL 5 000.

5. Failure to remedy the violation provided for in this article within 20 days after a fine is imposed –

shall carry a fine of GEL 1 500.

*Law of Georgia No 2070 of 9 June 1999 – LHG I, No 24(31), 26.6.1999, Art. 109*

*Law of Georgia No 779 of 23 December 2004 – LHG I, No 2, 10.1.2005, Art. 9*





**Article 151 - Damage and/or unauthorised destruction of green plantings within the administrative borders of the municipality**

1. Damage and/or unauthorised cutting and destruction of green plantings on the territory within the administrative borders of the municipality (except for the territories in the private ownership) –

shall carry a fine of GEL 500, with confiscation of the object of the offence.

2. The same act committed repeatedly –

shall carry a fine of GEL 1 000, with confiscation of the object of the offence.

3. Damage and/or destruction caused by a domestic animal to green plantings in a boulevard, park or square within the administrative borders of the municipality –

shall carry a fine of GEL 50 against the owner of the domestic animal.

**Note:**

1. Payment of the fine shall not release the owner of the domestic animal from the obligation to reimburse the damage.

2. Where in the cases defined in paragraph 3 of this article the domestic animal is unsupervised, the person authorised to prepare an administrative offence report shall transfer the domestic animal to a special place and shall look after it until the circumstances provided for in this article occur. The domestic animal shall be returned to the owner only after the presentation of a document evidencing payment of the fine and of the expenses related to the transfer of the animal to a special place and to the care of the animal.

3. If the fine is not paid within the period defined by Article 290(1) of this Code, the domestic animal shall be sold according to the procedure laid down by the legislation of Georgia to enforce payment of the fine and compensate the expenses related to the care of the animal.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

**Article 151<sup>1</sup> – Damage or unauthorised cutting and/or transfer of green plantings, or violation of the rules for maintaining and restoring green plantings in the territory of the city of Tbilisi**

1. Damage or unauthorised cutting and/or transfer of green plantings, or violation of the rules for maintaining and restoring green plantings in the territory of the city of Tbilisi -

shall carry a fine of GEL 500, with or without confiscation of the object and the instrument of the offence.

2. The same act committed repeatedly –

shall carry a fine of GEL 1 000, with or without confiscation of the object and the instrument of the offence.

**Note:**

Where in the case provided for in paragraph 1 of this article the offender does not comply with a lawful demand of a representative of an authorised body, the authorised body may contact the police to prevent continuation of the offence or to identify the offence.

2. Non-compliance means the failure of the offender to produce an identification card or other identification details or to comply with a verbal instruction given for the prevention of the continuation of the offence or for identification of the offence.

3. For the failure to pay a fine imposed under the relevant paragraph of this article within the period defined in Article 290(1) of this Code a penalty in the amount of the fine prescribed by the relevant paragraph of this article shall be imposed on the offender for the offence. If the offender fails to pay the fine and the penalty within 30 days after the imposition of the penalty, the payment of the fine and the penalty shall be enforced against the



offender according to the procedure laid down by the legislation of Georgia.

*Law of Georgia No 4067 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 457*

*Law of Georgia No 4464 of 22 March 2011 – website, 5.4.2011*

**Article 151<sup>2</sup> - Unauthorised cutting and/or pruning of plants on the recreation areas and/or on the territories of multipurpose use of the protected areas (excluding lands of the state forest reserves) specified by the legislation of Georgia**

1. Unauthorised cutting and/or pruning of plants on the recreation areas and/or on the territories of multipurpose use of the protected areas (excluding lands of the state forest reserves) specified by the legislation of Georgia shall carry a fine of GEL 1 000 with confiscation of the subject and the instrument of the offence.

The same offence committed repeatedly shall carry a fine of GEL 2 000 with confiscation of the subject and the instrument of the offence.

**Note:**

1. In the case an offender does not obey the legitimate request of an authorised body, the authorised body may apply to law enforcement bodies for the purposes of preventing a continuity of the fact of offence or for the purposes of detecting an offence.

2. Disobedience means non-submission of an identity certificate or other identification data by an offender, and non-compliance with verbal instructions given to the offender for the purposes of preventing a continuity of the fact of offence or for the purposes of detecting an offence.

3. In the case of failure to pay the penalty determined by an appropriate part of this article within the time limit specified in the first part of Article 290 of this Code, an offender shall be imposed a fine for the committed offence in the amount of the penalty determined by an appropriate part of this article. In the case a penalty and a fine are not paid within 30 days after the imposition of the fine, an offender shall be subject to enforcement measures to ensure the payment of the penalty and the fine.

4. For the purposes of this Code the terms ‘plant’ and ‘pruning’ have the meanings defined in the Technical Regulations on Main Provisions for the Regulation of the Use and Development of Settled Areas approved by an ordinance of the Government of Georgia.

*Law of Georgia No 4788 of 19 February 2016 – website, 7.3.2016*

**Article 152 - Damaging territory during construction or repairs**

1. Unauthorised digging up of the yards, streets and squares, their blockage with construction materials, abandonment of dug up sites without bringing them back to their original condition –

shall carry a fine of GEL 200 for a natural person and a fine of GEL 1 000 for a legal person, institution or organisation.

2. The same act committed in a cultural heritage protection zone determined under the Law of Georgia on Cultural Heritage –

shall carry a fine of GEL 1 000 for a natural person and a fine of GEL 3 000 for a legal person, institution or organisation.

3. Failure to remedy the violation defined in this article within ten days after a fine is imposed –

shall carry a fine of GEL 1 000 for a natural person and a fine of GEL 3 000 for a legal person, institution or organisation.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 4713 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 143*

**Article 152<sup>1</sup> - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

**Article 152<sup>2</sup> - Unauthorised restriction of access to public places**

1. Unauthorised restriction of access to public places –

shall carry a fine of GEL 500 for natural persons and a fine of GEL 2 000 for legal persons.



2. Failure to remedy the violation defined in paragraph 1 of this article within 20 days after a fine is imposed –

shall carry a fine of GEL 3 000 for natural persons and a fine of GEL 4 000 for legal persons.

*Law of Georgia No 2070 of 9 June 1999 – LHG I, No 24(31), 26.6.1999, Art. 109*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

### **Article 152<sup>3</sup> - Damaging the territory of the city of Tbilisi during construction or repairs**

1. Unauthorised digging up of the yards, streets and squares, their blockage with construction materials, abandonment of dug up sites without bringing them back to their original condition and/or violation and/or non-compliance with the conditions of works established by an authorised body –

shall carry a fine of GEL 500 for a natural person and a fine of GEL 2 000 for a legal person.

2. The same act committed in a cultural heritage protection zone determined under the Law of Georgia on Cultural Heritage –

shall carry a fine of GEL 1 000 for a natural person and a fine of GEL 4 000 for a legal person.

**Note:** For the failure to pay the fine imposed under the relevant paragraph of this article within the period defined in Article 290(1) of this Code a penalty shall be imposed on the offender in the amount of the fine imposed under the relevant paragraph of this article for the committed offence. If the offender fails to pay the fine and the penalty within 30 days after imposition of the penalty, the payment of the fine and the penalty shall be enforced against the offender according to the procedure laid down by the legislation of Georgia.

*Law of Georgia No 4464 of 22 March 2011 – website, 5.4.2011*

## **Chapter 12 - Administrative Offences in Trade and Finance**

### **Article 153 - Violation of trade (service) rules by business entities**

1. Violation of trade (service) rules by a business entity –

shall carry a fine from 50 to 100 times the minimum wage.

2. (Deleted).

3. (Deleted).

4. (Deleted).

5. (Deleted).

*Law of the Republic of Georgia 14 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 429*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 510 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 4*

*Law of Georgia No 2070 of 9 June 1999 – LHG I, No 24(31), 26.6.1999, Art. 109*

*Law of Georgia No 2382 of 9 September 1999 – LHG I, No 43(50), 21.9.1999, Art. 221*

*Law of Georgia No 1770 of 22 November 2002 – LHG I, No 31, 10.12.2002, Art. 145*

*Law of Georgia No 1555 of 3 June 2005 – LHG I, No 31, 27.6.2005, Art. 193*

*Law of Georgia No 5122 of 29 June 2007 – LHG I, No 27, 17.7.2007, Art. 256*

### **Article 153<sup>1</sup> - Violation of the rules for using the currency circulated in the territory of Georgia**

1. Violation of the rules for using the national currency circulated in the territory of Georgia, or using foreign currency for payment (except in Free Industrial Zones, duty-free shops and/or as determined by the National Bank) -

shall carry a fine of GEL 200 for a natural person and a fine of GEL 400 for a legal person.

2. Violation by a business entity or by a non-entrepreneurial (non-commercial) legal entity of the criteria set by the National Bank of Georgia for



determining the fitness of lari notes and coins for payments and of the rules for accepting and replacing them –

shall carry a fine of GEL 200 for a natural person and a fine of GEL 400 for a legal person.

3. Failure of a business entity to make settlement with a customer to the accuracy of one tetri –

shall carry a fine of GEL 200 for an individual entrepreneur and GEL 400 for a legal person.

**Note:**

Paragraph 1 of this article shall not apply to commercial banks operating in Georgia.

*Law of the Republic of Georgia No 241 of 13 May 1993 – The Gazette of the Parliament of Georgia, No 7, May, 1993, Art. 111*

*Law of the Republic of Georgia No 808 of 19 September 1995 – The Gazette of the Parliament of Georgia, No 31-33, August-October, 1995, Art. 689*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 153<sup>2</sup> - (Deleted)**

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 923 of 29 December 2004 – LHG I, No 41, 30.12.2004, Art. 204*

**Article 153<sup>3</sup> - Street vending without a relevant permit**

1. Street vending without a relevant permit –

shall carry a fine from GEL 20 to 50 for a natural and/or legal person, with confiscation of the object of the offence.

2. The same act involving non-compliance with a lawful order or demand of the authorised person of the law-enforcement body –

shall carry a fine from GEL 50 to 100 or an administrative detention up to 7 days with confiscation of the object of the offence.

**Note:**

Granting relief from administrative liability and using a verbal warning under Article 22 of this Code shall not release the offender from the confiscation of the object of the offence.

*Law of Georgia No 1621 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 110*

*Law of Georgia No 1442 of 13 May 2005 – LHG I, No 23, 25.5.2005, Art. 158*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

**Article 153<sup>4</sup> – Violation of permit conditions for putting up outdoor advertising or putting up outdoor advertising without a relevant permit**

1. Violation of the permit conditions for putting up outdoor advertising –

shall carry a fine of GEL 300.

2. Putting up outdoor advertising without a relevant permit –

shall carry a fine of GEL 500, with confiscation of the means of the illegal outdoor advertising.

**Note:** failure of the permit holder to remedy the violation of the permit conditions within the fixed period after the imposition of an administrative penalty under paragraph 1 of this article shall incur liability according to the procedure laid down in Article 36<sup>1</sup> of this Code.

*Law of Georgia No 630 of 5 December 2008 – LHG I, No 36, 12.12.2008, Art. 238*

*Law of Georgia No 4708 of 20 May 2011 – website, 3.6.2011*

**Article 153<sup>5</sup> - Violation of the rules for reproduction of lari notes and coins**

Violation of the rules for reproduction of lari notes and coins –

shall carry a fine of GEL 1 000 for a natural person and a fine of GEL 3 000 for a legal entity.



**Note:** any confiscated reproductions shall be delivered to the National Bank of Georgia.

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

### **Article 153<sup>6</sup> - Street vending without a relevant permit in the territory of a self-governing unit of the city of Tbilisi**

1. Street vending without a relevant permit in the territory of a self-governing unit of the city of Tbilisi –

shall carry a fine of GEL 20 for a natural and/or legal person with confiscation of the object of the offence.

2. The same act involving non-compliance with a lawful order or demand of the authorised person of the law-enforcement body –

shall carry a fine of GEL 50 with confiscation of the object of the offence or an administrative detention up to 7 days with confiscation of the object of the offence.

3. The act provided for in paragraph 1 of this article committed repeatedly –

shall carry a fine of GEL 100 with confiscation of the object of the offence.

#### **Note:**

1. Granting relief from administrative liability and using a verbal warning under Article 22 of this Code shall not release the offender from the confiscation of the object of the offence.

2. Non-compliance means the failure of the offender to produce an identification card or other identification details or to comply with a verbal instruction given for the purpose of preventing the continuation of the offence or for the purpose of identifying the offence.

3. If the offence provided for in paragraphs 1 and 3 of this article is discovered, but the offender cannot be identified, the objects of the offence shall be confiscated.

4. The representative body of the city of Tbilisi shall establish the procedure for disposition of the assets obtained by confiscating the object of the offence.

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 1960 of 5 February 2014 – website, 19.2.2014*

### **[Article 153<sup>7</sup> - Violation of the rules for denominating prices in laris**

1. Violation of the rule for denominating prices in laris provided for in Article 34(2<sup>1</sup>) of the Organic Law of Georgia on the National Bank of Georgia – shall entail warning of the proposal-maker (offeror) or of the advertising customer.

2. The same act committed repeatedly –

shall carry a fine of GEL 1 000.

3. Committing the act provided for in paragraph 2 of this article each following time -

shall carry a fine of GEL 5 000. *(Shall become effective from 1 July 2017)*

*Law of Georgia No 241 of 29 December 2016 – website, 13.1.2017*

### **Article 154 - Violation by natural and legal persons of the rules established by the legislation of Georgia for selling food and non-food products**

Violation by natural and legal persons of the rules laid down by the legislation of Georgia for selling food and non-food products –

shall carry a fine of ten times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1621 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 110*

### **Article 154<sup>1</sup> - Violation of the rules for reorganising the system of supply of bread products**

Violation of the rules for reorganising the national system of supply of bread products –

shall carry a fine from 100 to 500 times the minimum wage.



Violation of the rules for buying, producing or selling products in bakeries or trade outlets –

shall carry a fine from 50 to 100 times the minimum wage for citizens and a fine from 100 to 200 times the minimum wage for officials.

*Law of Georgia No 263 of 31 May 1996 – The Parliament Gazette, No 15, 19.6.1996, Art. 15*

#### **Article 154<sup>2</sup> - Interrupting the continuous operating cycle of bakeries**

Interrupting the continuous operating cycle of bakeries or reorganising such enterprises or any other activity that may cause an interruption or termination of the continuous operating cycle of a bakery, also any other activity that may jeopardise the established procedure for producing bread products –

shall carry a fine from 5 000 to 10 000 times the minimum wage.

*Law of Georgia No 263 of 31 May 1996 – The Parliament Gazette, No 15, 19.6.1996, Art. 15*

#### **Article 154<sup>3</sup> - (Deleted)**

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 155 - Violating the rules for selling alcoholic beverages**

1. Violation of the rules for selling alcoholic beverages by a worker of a commercial or public catering enterprise –

shall carry a fine of GEL 200.

2. Violating the requirements for putting up in a conspicuous place in trade outlets (including, restaurants, cafes and bars) an information banner prohibiting the sale of alcoholic beverages to minors –

shall carry a fine of GEL 100 for the trade outlet.

3. Repeated commission of the offence provided for in paragraph 1 or 2 of this article during one year –

shall carry a fine a GEL 300 for the trade outlet.

4. Selling alcoholic beverages to a minor –

shall carry a fine a GEL 500 for the trade outlet.

5. Repeated commission of the offence provided for in paragraph 1 or 2 of this article during one year –

shall carry a fine a GEL 1 000 for the trade outlet.

*Ordinance No 408 of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

#### **Article 155<sup>1</sup> - Violating the rules for selling, transporting and storing light, medium and heavy oil distillates**

1. Selling light, medium and heavy oil distillates from mobile trade outlets, or violating the rules for selling, transporting and storing light, medium and heavy oil distillates –

shall carry a fine a GEL 500.

2. The same act committed in large quantities or by a person on whom was imposed an administrative penalty for such violation during one year –

shall carry a fine a GEL 5 000.

3. The act defined in paragraph 1 of this article committed in exceptionally large quantities –

shall carry a fine a GEL 30 000.

**Note:** large quantity under this article means more than 200 litres of light, medium and heavy oil distillates and an exceptionally large quantity means



more than 2 000 litres of light, medium and heavy oil distillates.

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 1756 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 252*

### **Article 155<sup>2</sup> - Issuing, storing, selling or transporting excisable goods without excise stamps**

1. Issuing, storing, selling or transporting excisable goods without excise stamps –

shall carry a fine from GEL 1 000 to 2 000 or an administrative detention of up to 15 days.

2. The same act committed by a person who came under the administrative penalty for such violation during one year –

shall carry a fine of GEL 10 000 or, if the application of the measure seems insufficient after taking into account the circumstances of the case and the person of the offender, the person shall be punished with an administrative detention of up to 15 days, with or without confiscation of the object of the offence and the means of transportation and delivery of the goods.

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 1756 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 252*

*Law of Georgia No 2349 of 15 December 2009 – LHG I, No 47, 28.12.2009, Art. 359*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

### **Article 155<sup>3</sup> - Non-compliance with tobacco product sale requirements**

1. Selling tobacco products at trade outlets that sell children's clothes and toys –

shall carry a fine of GEL 100.

2. Selling tobacco products at preschool educational institutions, schools, institutions and organisations intended for persons under 18 and within a distance of 50 metres from their territories, also at any kind of medical or educational institution –

shall carry a fine of GEL 50.

[2. Selling tobacco products at early learning and preschool educational institutions, schools, institutions and organisations intended for persons under 18 and within a distance of 50 metres from their territories, also at any kind of medical or educational institution –

shall carry a fine of GEL 50. (*Shall become effective from 1 October 2017*)]

3. The act defined in paragraphs 1 and 2 of this article repeatedly committed within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 150.

4. Selling a tobacco product to a person under 18 –

shall carry a fine of GEL 100.

5. Selling cigarettes, or packs of cigarettes containing fewer than 20 cigarettes –

shall carry a fine of GEL 10.

6. The act defined in paragraph 5 of this article repeatedly committed within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 200.

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 5368 of 8 June 2016 – website, 24.6.2016*

*Law of Georgia No 495 of 23 March 2017 – website, 27.3.2017*

### **Article 155<sup>4</sup> - Violating the rules for selling consumer goods, clothes, sports equipment, toys, household items and food products**

1. Advertising tobacco products (other than smoking accessories) defined in Article 3(12) of the Law of Georgia on Advertising when selling consumer goods, clothes, sports equipment, toys, household items and food products –



shall carry a fine of GEL 50.

2. The same act repeatedly committed within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 150.

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

**Article 155<sup>5</sup> - Failure to place a medical warning approved by the Ministry of Labour, Health and Social Affairs of Georgia and a contact number for consultation for those who wish to quit smoking at places where tobacco products are sold**

Failure to place a medical warning approved by the Ministry of Labour, Health and Social Affairs of Georgia and a contact number for consultation for those who wish to quit smoking at places where tobacco products are sold –

shall carry a fine of GEL 100.

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

**Article 155<sup>6</sup> - Violating a tobacco product design**

1. Violating the tobacco product design defined in Article 6 of the Law of Georgia on Tobacco Control –

shall carry a fine of GEL 800.

2. The same act repeatedly committed within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 1 500.

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

*Law of Georgia No 4126 of 17 December 2010 – LHG I, No 75, 27.12.2010, Art. 486*

**Article 156 - Violating the rules for selling smooth-bore hunting rifles**

Sale by the employees of commercial enterprises (organisations) of smooth-bore hunting rifles and ammunition to those citizens, institutions and organisations that do not have a permit issued by the internal affairs agencies –

shall carry a fine from half the minimum wage up to one minimum wage.

2. The same act committed by a person on whom an administrative penalty was imposed during the year –

shall carry a fine of up to two times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 157 - Selling humanitarian goods intended for free distribution**

Selling in a commercial entity (regardless of its organisational and legal form) humanitarian goods intended for free distribution to natural or legal persons –

shall carry a fine in the amount of five times the price of the goods, with confiscation of the goods, or, if the application of the measure seems insufficient after taking into account the circumstances of the case and the person of the offender, the offender shall be punished with administrative detention up to 15 days.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 519 of 14 June 1994*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

**Article 157<sup>1</sup> - Violating copyright, related rights and the rights of database manufacturers**

1. Illegal reproduction for profit of works, audio or video records or databases or circumvention of a technological measure [protecting a copyrighted work], illegal purchase, import, storage, sale, rental or any other illegal use of the counterfeit copies as specified by the Law of Georgia on Copyright and Related Rights for making profit, also other violations of the author's rights, related rights and database manufacturers rights for making profit –





shall carry a fine from GEL 500 to 3 000, with confiscation of the counterfeit copies, and of the material, equipment and technical facilities used for reproduction or circumvention of the technological measure [protecting the copyrighted work].

2. The same act repeatedly committed within one year after the imposition of an administrative penalty –

shall carry a fine from GEL 3 000 to 5 000 and, confiscation of the counterfeit copies and of the material, equipment and technical facilities used for reproduction or circumvention of the technological measure [protecting the copyrighted work].

**Note:** the confiscated counterfeit copies, the material, equipment and facilities used for reproduction or circumvention of the technological measure [protecting the copyrighted work] shall be destroyed, except where they are handed over to the copyright or related right holder or to the database manufacturer at his/her request.

*Law of Georgia No 419 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art. 76*

*Law of Georgia No 1732 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 246*

**Article 157<sup>2</sup> - Altering, destroying or falsifying the rights management information indicated on the copies of works, audio and video records or databases**

1. Illegally altering, destroying or falsifying the 'rights management information' as specified in the Law of Georgia on Copyright and Related Rights indicated on the copies of works, audio and video records or databases, thereby misleading consumers –

shall carry a fine from GEL 500 to 1 000, with confiscation of the copies of the work, audio record, video record or database; also with confiscation of the material, equipment and technical facilities needed for committing the offence.

2. The same act repeatedly committed within one year after imposition of an administrative penalty –

shall carry a fine from GEL 1 000 to 3 000, with confiscation of the copies of the work, audio record, video record or database, also with confiscation of the material, equipment and technical facilities needed for committing the offence.

**Note:** the confiscated counterfeit copies and material, equipment and technical facilities needed for committing the offence shall be destroyed, except where they are handed over to the copyright or related right holder or to the database manufacturer at his/her request.

*Law of Georgia No 419 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art. 76*

*Law of Georgia No 1732 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 246*

**Article 157<sup>3</sup> - Altering or destroying the protection sign (mark) placed by the holder of the right on the copies of works, audio records, video records or databases**

1. Illegally altering or destroying the protection sign (mark) placed by the holder of the right on the copies of works, audio records, video records or databases –

shall carry a fine from GEL 1 000 to 3 000, with confiscation of the copies of the work, audio record, video record or database, also with confiscation of the material, equipment and technical facilities needed for committing the offence.

2. The same act committed repeatedly within one year after the imposition of the administrative penalty –

shall carry a fine from GEL 3 000 to 5 000, with confiscation of the copies of the work, audio record, video record or database, also with confiscation of the material, equipment and technical facilities needed for committing the offence.

**Note:** the confiscated counterfeit copies and material, equipment and technical facilities needed for committing the offence shall be destroyed, except where they are handed over to the copyright or related right holder or the database manufacturer at his/her request.

*Law of Georgia No 419 of 28 June 2000 – LHG I, No 26, 13.07.2000, Art. 76*

*Law of Georgia No 1732 of 23 June 2005 – LHG I, No 38, 15.07.2005, Art. 246*

**Article 157<sup>4</sup> - Intentionally disclosing the content of an application submitted for registration of a patent or design with the Sakpatenti (the National Intellectual Property Centre of Georgia)**

1. Intentionally disclosing the content of an application submitted for registration of a patent or design with the Sakpatenti (except where the disclosure is made by the applicant or his/her assignee) before the Sakpatenti publishes information about it in the official bulletin –

shall carry a fine from GEL 1 000 to 3 000.

2. The same act committed repeatedly within one year after the imposition of an administrative penalty –

shall carry a fine from GEL 3 000 to 5 000.



### **Article 158 - Illegally using a trade (service) mark or another commercial mark**

1. Illegally making or otherwise illegally using another person's trade (service) mark or appellation of origin or geographical indication, also manufacturing or introducing goods into civil turnover under another person's trade (service) mark or appellation of origin or geographical indication or manufacturing or introducing into civil turnover illegally labelled (marked) goods with a registered company name –

shall carry a fine from GEL 500 to 1 000, with confiscation of the goods and of the material and equipment required for their manufacturing.

2. The same act committed repeatedly within one year after the imposition of the administrative penalty –

shall carry a fine from GEL 1 000 to 3 000, with confiscation of the goods and of the material and equipment required for their manufacturing.

**Note:** the goods illegally labelled (marked) with a trade (service) mark or appellation of origin or geographical indication or with a registered company name shall be confiscated, except where they are handed over to the holder of the right at the holder's request, and the materials and equipment required for manufacturing such goods shall be destroyed.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 541 of 30 June 1994 – The Gazette of the Parliament of Georgia, No 19, June, 1994, Art. 418*

*Law of Georgia No 1732 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 246*

### **Article 158<sup>1</sup> - Violation of consumer rights**

Violation of consumer rights that result in property loss –

shall carry a fine from 10 to 100 times the minimum wage.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 510 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 4*

### **Article 158<sup>2</sup> - (Deleted)**

*Law of Georgia No 759 of 12 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 3*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

### **Article 159 - Violating the established rules for commissioning, producing and disseminating advertisements and the rules for commissioning and putting up signboards**

1. Violating the established rules for commissioning, producing and disseminating advertisements –

shall carry a fine of GEL 500 for a natural person and a fine of GEL 3 000 for a legal person, an institution or an organisation.

2. The same act committed by a person on whom an administrative penalty for such action was imposed during one year –

shall carry a fine a GEL 5 000.

3. Violating the established rules for commissioning and putting up signboards –

shall carry a warning for natural and legal persons.

4. Failure to comply with the warning within one month after having been warned under paragraph 3 of this article –

shall carry a fine of GEL 200 for a natural person, and GEL 300 for a legal person, an institution or an organisation.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia of 14 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 429*



*Law of Georgia No 1231 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 24*

*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 618 of 28 May 2013 – website, 18.6.2013*

#### **Article 159<sup>1</sup> - Placement (dissemination) of inappropriate advertising**

Placement (dissemination) of inappropriate advertising –

shall carry a fine of four times the full cost of the placed (disseminated) advertising for natural persons and seven times the full cost of the placed (disseminated) advertising for legal persons.

*Law of Georgia No 1231 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 24*

#### **Article 159<sup>2</sup> - (Deleted)**

*Law of Georgia No 1231 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 24*

*Law of Georgia No 1555 of 3 June 2005 – LHG I, No 31, 27.6.2005, Art. 193*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 159<sup>3</sup> - (Deleted)**

*Law of Georgia No 1231 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 24*

*Law of Georgia No 1555 of 3 June 2005 – LHG I, No 31, 27.6.2005, Art. 193*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

#### **Article 159<sup>4</sup> - Advertising baby food products**

Any type of advertising of artificial baby food products, baby bottles and pacifiers –

shall carry a fine from GEL 250 to 500.

The same act repeatedly committed during one year –

shall carry a fine from GEL 500 to 700.

*Law of Georgia No 2382 of 9 September 1999 – LHG I, No 43(50), 21.9.1999, Art. 221*

#### **Article 159<sup>5</sup> - Selecting a wrong method of public procurement or artificially dividing a public procurement**

Selecting a wrong method of public procurement to avoid a tender or other means of procurement provided for by the Law of Georgia on Public Procurement, or artificially dividing a public procurement to avoid monetary limits on the means of procurement established by the Law of Georgia on Public Procurement and by relevant normative acts –

shall carry a fine of GEL 1 500 for the head of the procuring organisation.

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 2109 of 20 November 2009 – LHG I, No 40, 7.12.2009, Art. 292*

#### **Article 159<sup>6</sup> - Violation of public procurement procedures**

1. Submission of inaccurate applications or tender documentation when a public procurement is carried out by means of a tender or by other methods provided for by the Law of Georgia on Public Procurement –

shall carry a fine of GEL 1 500 for the relevant member of the tender commission.

2. Improper (biased) evaluation and selection of qualification data, and tenders by a tender commission –



shall carry a fine of GEL 1 500 for the relevant member of the tender commission.

3. Violation of the rules for concluding public procurement contracts –

shall carry a fine of GEL 1 500 for the designated person of the procuring organisation (where a public procurement is carried out by a tender commission, the fine shall apply to the relevant member of the tender commission).

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 2109 of 20 November 2009 – LHG I, No 40, 7.12.2009, Art. 292*

**Article 159<sup>7</sup> - Violation of the conditions and procedures for avoiding conflict of interests in public procurements**

Violation of the conditions and procedures provided for by the Law of Georgia on Public Procurement for avoiding conflict of interests in public procurements –

shall carry a fine of GEL 1 500 for the relevant official of the procuring organisation.

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 2109 of 20 November 2009 – LHG I, No 40, 7.12.2009, Art. 292*

**Article 159<sup>8</sup> - Non-compliance with the Public Procurement Agency's decisions**

Not-compliance with a decision made by the Public Procurement Agency in public procurement administrative proceedings–

shall carry a fine of GEL 1 500 for the designated person of the procuring organisation (where public procurement is carried out by a tender commission the fine shall apply to the relevant member of the tender commission).

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 2109 of 20 November 2009 – LHG I, No 40, 7.12.2009, Art. 292*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 2164 of 21 March 2014 – website, 27.3.2014*

**Article 159<sup>9</sup> - Withholding information determined by the legislation of Georgia from or providing false information to the Public Procurement Agency**

Withholding the information determined by the Law of Georgia on Public Procurement or by the relevant normative act from, or providing false information to, the Public Procurement Agency –

shall carry a fine of GEL 1 500 for the head of the procuring organisation.

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 2109 of 20 November 2009 – LHG I, No 40, 7.12.2009, Art. 292*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 2164 of 21 March 2014 – website, 27.3.2014*

**Article 159<sup>10</sup> - Promoting or advertising substances entered on Schedules I and II of Controlled Substances in Georgia or disseminating information about the place of their manufacture, consumption and sale**

1. Promoting or advertising substances entered on Schedules I and II of Controlled Substances in Georgia or disseminating information about the place of their manufacture, consumption and sale –

shall carry a fine of GEL 500.

2. The same act committed by a legal person –

shall carry a fine of GEL 5 000.

*Law of Georgia No 6246 of 22 May 2012 – website, 8.6.2012*



**Article 159<sup>11</sup> - Withholding information determined by the legislation of Georgia from, or providing false information to, the Competition Agency**

Withholding information determined by the Law of Georgia on Competition or by the relevant normative act from the Competition Agency or providing false information to this Agency –

shall carry a fine from GEL 1 000 to 3 000.

*Law of Georgia No 2164 of 21 March 2014 – website, 27.3.2014*

**Article 160 - (Deleted)**

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 161 - (Deleted)**

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 162 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 163 - Violation of certification procedures**

Violation of procedures for issuing a certificate –

shall carry a fine from 300 to 500 times the minimum wage.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 510 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 4*

**Article 164 – Violating rules for entrepreneurial activities**

1. Conducting a prohibited business activity or conducting without a permit an activity that requires a special permit (licence) –

shall carry a fine from GEL 400 to 500.

2. Performance of commercial transactions (services) by economic agents after their activities have been suspended –

shall carry a fine of 700 times the minimum wage.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

*Law of Georgia No 5203 of 8 November 2011 – website, 22.11.2011*



#### **Article 164<sup>1</sup> - (Deleted)**

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 923 of 29 December 2004 – LHG I, No 41, 30.12.2004, Art. 204*

#### **Article 164<sup>2</sup> - (Deleted)**

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

*Law of Georgia No 923 of 29 December 2004 – LHG I, No 41, 30.12.2004, Art. 204*

#### **Article 164<sup>3</sup> - (Deleted)**

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

*Law of Georgia No 923 of 29 December 2004 – LHG I, No 41, 30.12.2004, Art. 204*

#### **Article 164<sup>4</sup> – Non-compliance with the demands and instructions of national tax authorities and of their officials**

Non-compliance with the demands and instructions of the National Tax Inspection Agency and of its officials regarding the computation and payment of taxes and other charges to the budget, or regarding the elimination of any other identified violations –

shall carry a fine from GEL 50 to 70.

Refusal by banks or by financial-credit institutions to grant access to officers of state tax authorities to check the transactions performed (to be performed) and the funds existing on settlement and other accounts (including foreign currency accounts) –

shall carry a fine from GEL 100 to 130.

Non-compliance by banks and financial-credit institutions with a demand of a state tax authority to provide information on transactions performed through settlement and other accounts (including foreign currency accounts) of taxpayers during the past reporting period and failure to submit information to state tax authorities on the funds existing in such accounts –

shall carry a fine from GEL 150 to 180.

Non-compliance by banks and financial-credit institutions with the instructions of state tax authorities regarding the suspension of the transactions involving payment, transfer or debiting of funds from settlement and other (including foreign currency) accounts of taxpayers –

shall carry a fine from GEL 200 to 250.

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

#### **Article 164<sup>5</sup> - Illegally manufacturing food products**

1. Operating without a licence in the production of alcoholic beverages and ethyl alcohol –

shall carry a fine of GEL 2 000.

2. Operating without a licence in the production of beer, non-alcoholic beverages and water finished products, including mineral water –

shall carry a fine of GEL 2 000.

3. Operating without a licence in the production of baby food products –

shall carry a fine of GEL 2 000.



4. Manufacturing any other kind of food product without a licence –

shall carry a fine of GEL 1 000.

5. The act provided for in paragraph 4 of this article repeatedly committed –

shall carry a fine of GEL 2 000.

*Law of Georgia No 662 of 9 December 2004 – LHG I, No 37, 16.12.2004, Art. 184*

*Law of Georgia No 4126 of 17 December 2010 – LHG I, No 75, 27.12.2010, Art. 486*

#### **Article 165 – Violation of the rules for opening settlement and other accounts; non-fulfilment of payment orders for transferring money to the Budget**

Opening by banks and other financial-credit institutions of settlement and other accounts for taxpayers without being presented with tax registration documents and failure to submit information to tax authorities on the opening of an account, also non-acceptance of payment orders (instructions) for transferring money to the Budget and non-compliance, on a priority basis, with any payment orders received –

shall carry a fine from GEL 100 to 130.

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

#### **Article 165<sup>1</sup> – Erroneous collection of taxes and of other mandatory charges**

Erroneous collection of taxes and of other mandatory charges by state tax authorities and infliction of damage to taxpayers –

shall incur a fine from GEL 100 to 130.

*Law of the Republic of Georgia No 416 of 15 February 1994 – The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

#### **Article 165<sup>2</sup> - Severance tax evasion**

Evasion of severance tax –

shall carry a fine from GEL 800 to GEL 1 000.

*Law of Georgia No 478 of 12 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

#### **Article 165<sup>3</sup> - Delaying the transfer or payment of funds allocated from or belonging to the Central Budget or the State Budget Fund**

Unreasonable delay in the transfer, forwarding, distribution or payment for their intended purpose of funds allocated from or belonging to the Central Budget, the Emergency Budget, the budget of a territorial unit of Georgia or the State Budget Fund to finance important social events or other special-purpose programs or to use them for other special purpose –

shall carry a fine from GEL 800 to 1 000.

*Law of Georgia No 648 of 17 April 1997 – The Parliament Gazette, No 17-18, 9.5.1997, p. 44*

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

#### **Article 165<sup>4</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 2257 of 20 July 1999 – LHG I, No 35(42), 28.7.1999, Art. 173*



*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 165<sup>5</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 2257 of 20 July 1999 – LHG I, No 35(42), 28.7.1999, Art. 173*

*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 165<sup>6</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 165<sup>7</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 165<sup>8</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1998, Art. 2*

*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 165<sup>9</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 2257 of 20 July 1999 – LHG I, No 35(42), 28.7.1999, Art. 173*

*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5272 of 11 July 2007 – LHG I, No 30, 30.7.2007, Art. 343*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

**Article 165<sup>10</sup> - Violation of a tax reporting obligation**

1. Violation by the receiver of tax reporting obligations provided for by the Law of Georgia on Insolvency Proceedings – shall carry a fine of GEL 500.

2. The same act committed repeatedly – shall carry a fine of GEL 1 500.

*Law of Georgia No 6395 of 5 June 2012 – website, 19.6.2012*





**Article 166 - Disorderly conduct**

Disorderly conduct – swearing in public places, harassment of citizens or similar actions that disrupt public order and peace of citizens -

shall carry a fine of GEL 100 or, if the application of the measure seems insufficient after taking into account the circumstances of the case and the person of the offender, an administrative detention of up to 15 days may be imposed.

**Note:** for the offence defined in this article, a person shall be deprived of the right to carry arms for up to three years.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

**Article 167 - Firing a firearm in built-up areas and in places not designated for this purpose or in violation of established rules**

Firing a firearm in built-up areas and in places not designated for such purpose, also in designated places but in violation of established rule –

shall carry a fine from five to ten times the minimum wage, with or without confiscation of the firearm and ammunition.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 167<sup>1</sup> - (Deleted)**

*Ordinance No 1304 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 151*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 168 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 168<sup>1</sup> - (Deleted)**

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June October 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 169 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 170 - Intoxicating a minor**



Intoxication of a minor or failure to prevent a minor from becoming intoxicated, by the person charged with the custody of the minor –

shall carry a fine of GEL 300.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

#### **Article 171 - Drinking alcoholic beverages in public places or performing actions that cause offence to human dignity or public morals**

1. Drinking alcoholic beverages at a stadium, in a square, park, on board all types of public transport and at other public places other than commercial and public catering enterprises and places where alcoholic beverages are sold on tap –

shall carry a fine from GEL 50 to 150.

2. Performing an act that causes offence to human dignity or public morals at public places and involves a manifest disrespect for the rules of conduct accepted in the society and causes the creation of an environment degrading or insulting to a human being (conduct of sexual character, full or partial indecent exposure, satisfaction of physiological needs at public places –

shall carry a fine from GEL 100 to 200.

3. Repeated commission of the offence defined in paragraph 1 of this article during one year –

shall carry a fine of GEL 500 or, in exceptional cases, if the fine seems insufficient after taking into account the circumstances of the case and the person of the offender – administrative detention of up to 15 days.

**Note:** for the offence defined in paragraph 3 of this article, the person shall be deprived of the right to carry arms for up to three years.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

#### **Article 171<sup>1</sup> - Violation of tobacco smoking rules**

1. Smoking tobacco on public transport, including on a bus, minibus, tram, trolleybus, on board a train or ship, also in enclosed buildings of state agencies and organisations and of places of mass gathering, in public catering enterprises, where sale or consumption of liquor is prohibited, or smoking tobacco outside designated smoking areas –

shall carry a fine of GEL 5.

2. Smoking tobacco outside a designated smoking area on board an aircraft –

shall carry a fine of GEL 500.

3. Smoking tobacco in preschool educational institutions, or in any kind of medical and educational institution, as well as in institutions and organisations intended for persons under 18 –

shall carry a fine of GEL 10.

4. If the owners of all kinds of public transport, of enclosed buildings and structures of mass gathering and of public catering enterprises, or the directors of the enclosed buildings and structures of state agencies and organisations, of preschool educational institutions, of medical and educational institutions, and institutions and organisations intended for persons under 18 fail to implement the measures provided for by the Law of Georgia on Tobacco Control –

they shall be fined with GEL 200.

[3. Smoking tobacco in early learning and preschool educational institutions, or in any kind of medical and educational institutions, as well as in institutions and organisations intended for persons under 18 –

shall carry a fine of GEL 10.

4. If the owners of all kinds of public transport, of enclosed buildings and structures of mass gathering and of public catering enterprises, or the directors of the enclosed buildings and structures of state agencies and organisations, of early learning and preschool educational institutions, of medical and educational institutions, and institutions and organisations intended for persons under 18 fail to implement the measures provided for by the Law of Georgia on Tobacco Control –



they shall be fined with GEL 200. (Shall become effective from 1 October 2017)]

5. The action defined in paragraphs 1 and 3 of this article committed repeatedly within one year after the imposition of an administrative penalty – shall carry a fine of GEL 50.

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

*Law of Georgia No 4126 of 17 December 2010 – LHG I, No 75, 27.12.2010, Art. 486*

*Law of Georgia No 5368 of 8 June 2016 – website, 24.6.2016*

*Law of Georgia No 495 of 23 March 2017 – website, 27.3.2017*

**Article 171<sup>2</sup> - Demonstration by a person engaged in the tobacco industry of a tobacco product, tobacco manufacturer's trademark or logotype when organising or holding a medical and/or educational event**

1. Demonstration by a person engaged in the tobacco industry of a tobacco product, tobacco manufacturer's trademark or logotype when organising and holding a medical and/or educational event –

shall carry a fine of GEL 300.

2. The same act committed repeatedly within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 1 000.

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

**Article 171<sup>3</sup> - Recruiting persons under 18 in the tobacco industry**

1. Recruiting persons under 18 in the tobacco industry –

shall carry a fine of GEL 500.

2. The same act committed repeatedly within one year after the imposition of an administrative penalty –

shall carry a fine of GEL 1 000.

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

**Article 172 - Non-compliance by a parent or by his/her substitute with the duty to raise and educate a minor**

1. Non-compliance by a parent or by his/her substitute with the duty to raise and educate a minor and/or other duties related to the minor, in particular gross negligence with regard to the duties to raise, educate a minor and to provide him/her with dwelling, food and other conditions necessary for normal development, or gross negligence of duties with respect to a minor that result in a minor's use of narcotic substances without a doctor's prescription, disorderly conduct, hooliganism, drinking alcoholic beverages, carrying cold weapons, commission of illegal acts against a person's sexual freedom and integrity, misuse of the single emergency (rescue) services call number '112' –

shall carry a fine from GEL 100 to 300 for the parent or his/her substitute.

2. Repeated commission of the acts defined in paragraph 1 of this article during one year –

shall carry a fine of GEL 500 for the parent or his/her substitute.

3. Non-compliance by a parent or by his/her substitute with certain duties with respect to a minor, which results in false reporting of terror threats by a minor under 14 –

shall carry a fine of GEL 1 500 for the parent or his/her substitute.

4. Repeated commission of the action defined in paragraph 3 of this article during one year –

shall carry a fine of GEL 2 500 for the parent or his/her substitute.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*



*Law of Georgia No 2437 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 147*

*Law of Georgia No 6246 of 22 May 2012 – website, 8.6.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2698 of 17 October 2014 – website, 31.10.2014*

#### **Article 172<sup>1</sup> - (Deleted)**

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 172<sup>2</sup> - (Deleted)**

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 172<sup>3</sup> - Prostitution**

Prostitution –

shall carry a warning or a fine of up to one half of the minimum wage.

The same act committed within one year after the imposition of an administrative penalty –

shall carry a fine from one half to one minimum wage.

**Note:** victims of human trafficking and person declared to be a victim of the crime provided for in Articles 143<sup>1</sup> and/or 143<sup>2</sup> of the Criminal Code of Georgia shall be released from administrative liability if they committed the act as a result of being trafficked before obtaining the status of a victim of human trafficking.

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Decree No 436 of the Republic of Georgia of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308 Law of Georgia No 2952 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 105*

#### **Article 172<sup>4</sup> - Misuse of authority or improper performance of duties by social workers in the field of adoption**

Misuse of authority or improper performance of duties by social workers in the field of adoption –

shall carry a fine from GEL 300 to 1 000.

*Law of Georgia No 5627 of 18 December 2007 – LHG I, No 48, 27.12.2007, Art. 417*

#### **Article 172<sup>5</sup> - Failure of the administration of a medical institution to notify the guardianship and custodianship authority of the admission of an obstetric patient without an ID card, of the elopement of such patients or abandonment of the infant**

Failure of the administration of a medical institution to notify the guardianship and custodianship authority of the admission of an obstetric patient without an ID card, of the elopement of such patients or abandonment of the infant –

shall carry a fine of GEL 5 000 for the legal person.

*Law of Georgia No 5627 of 18 December 2007 – LHG I, No 48, 27.12.2007, Art. 417*

*Law of Georgia No 2384 of 18 December 2009 – LHG I, No 50, 31.12.2009, Art. 401*



#### **Article 172<sup>6</sup> – Failure of an authorised body to perform its duties with respect to detecting child abuse and reporting such facts to authorised bodies**

Failure of an entity (institution or/and its authorised employee) involved in childcare referral procedures provided for by the legislation of Georgia to perform its duties with respect to detecting child abuse and reporting it to the relevant state body –

shall carry a warning or a fine from GEL 50 to 100 for the natural person concerned or a fine from GEL 100 to 200 for the institution (legal person) concerned.

*Law of Georgia No 2698 of 17 October 2014 – website, 31.10.2014*

#### **Article 172<sup>7</sup> – Improper performance by a supporter of his/her duties or failure to perform them**

1. Improper performance by a supporter of a duty determined by a court decision –

shall carry a fine from GEL 100 to GEL 300.

2. Failure of a supporter to perform the duty under Article 1292 of the Civil Code of Georgia –

shall carry a fine from GEL 100 to GEL 300.

3. Failure of a supporter to perform the duty under Article 1508<sup>1</sup>(1) of the Civil Code of Georgia –

shall carry a fine from GEL 100 to GEL 300.

4. Failure of an inpatient psychiatric facility to perform the duty under Article 1508<sup>1</sup>(2) of the Civil Code of Georgia –

shall carry a fine of GEL 500.

*Law of Georgia No 3345 of 20 March 2015 – website, 31.3.2015*

### **Chapter 14 - Administrative Offences Violating the Established Rule of Governance**

#### **Article 173 – Non-compliance with a lawful order or demand of a law-enforcement officer, military service person, officer of the Special State Protection Service or enforcement police officer or commission of any other illegal act against such person**

Non-compliance with the lawful order or demand of a law-enforcement officer, military servant, officer of a Special State Protection Service or enforcement police officer or verbal abuse of and/or any other abusive act against such person while such person is in the line of duty (except as provided for by the Criminal Code of Georgia),

shall carry a fine from GEL 250 to 2 000 or an administrative penalty of up to 15 days.

**Note:** for the offence defined in this article, a person shall be deprived of the right to carry arms for up to three years.

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 4958 of 24 June 2011 – website, 11.7.2011*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 5171 of 28 October 2011 – website, 7.11.2011*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

#### **Article 173<sup>1</sup> - Hindering a person from serving jury duty in court**

If an official, for any reason, hinders a person from serving jury duty in court –

the official shall be fined up to one minimum wage.



*Law of the Republic of Georgia of 14 May 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 5, May, 1991, Art. 378*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 173<sup>2</sup> - Failure to take measures with respect to a special court ruling (order) or a judge's recommendation**

If an official leaves a special court ruling (order) or a judge's recommendation without consideration or fails to take measures to prevent the violations of the laws indicated in them, or delays a response to the special ruling (order) or recommendation –

the fine shall be up to two times the minimum wage.

*Law of the Republic of Georgia of 14 May 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 5, May, 1991, Art. 378*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 173<sup>3</sup> – Non-compliance with a demand of an Ad Hoc Investigation Commission of the Parliament of Georgia**

Non-compliance with a lawful demand of an Ad Hoc Investigation Commission of the Parliament of Georgia –

shall carry a fine of 50 times the minimum wage.

*Law of the Republic of Georgia No 667 of 7 March 1995 – The Gazette of the Parliament of Georgia, No 23-26, December-March, 1994-1995, Art. 542*

**Article 173<sup>4</sup> – Non-compliance with a demand of the Public Defender of Georgia**

Non-compliance with a lawful demand of the Public Defender of Georgia –

shall carry a fine from 20 to 50 times the minimum wage.

*Law of Georgia No 383 of 18 September 1996 – The Parliament Gazette, No 24-25/3, 6.11.1996, p. 12*

**Article 173<sup>5</sup> - Obstructing the exercise of state control and supervision**

Obstructing an authorised state control and supervision body or an official from fulfilling their duties –

shall carry a fine from 150 to 300 times the minimum wage for the responsible person.

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

**Article 173<sup>6</sup> - Violation of the established rules for adoption**

Violation of the established rules for adoption –

shall carry a fine from 200 to 300 times the minimum wage for citizens and from 300 to 500 times the minimum wage for officials.

*Law of Georgia No 974 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 81*

**Article 173<sup>7</sup> - Searching for prospective adoptees or adoptive parents through a public notice**

Searching for or offering prospective adoptees or adoptive parents through a public notice –

shall carry a fine of 1 000 times the minimum wage for citizens and 2 000 times the minimum wage for officials.

*Law of Georgia No 974 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 81*

**Article 173<sup>8</sup> - (Deleted)**

*Law of Georgia No 984 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 83*

*Law of Georgia No 309 of 2 October 2008 – LHG I, No 24, 20.10.2008, Art. 155*



### **Article 173<sup>9</sup> - Violation of the procedure for foster care**

Violation of the procedure for foster care, –

shall carry a fine in the amount of 50 times the minimum remuneration of labour for a citizen, and 100 times the minimum remuneration of labour for an official.

*Law of Georgia No 2130 of 22 June 1999 – LHG I, No 25(32), 2.7.1999, p. 133*

*Law of Georgia No 756 of 4 May 2017 – website, 24.5.2017*

### **Article 173<sup>10</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

### **Article 173<sup>11</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

### **Article 173<sup>12</sup> - Non-fulfilment of duties by a jury (a jury candidate)**

1. Failure of a jury candidate to appear in court at a definite time without a valid reason –

shall carry a fine from GEL 500 to 1 000.

2. Failure of a jury to appear at the specified time in court during the hearing of the case on its merits without a valid reason –

shall carry a fine from GEL 1 000 to 1 500.

3. Non-compliance or improper compliance with his/her duties by a jury –

shall carry a fine from GEL 1 000 to 1 500.

*Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332*

### **Article 173<sup>13</sup> – Non-compliance with a demand of a guardianship and custodianship authority**

1. Non-compliance by a parent identified in a court decision with a demand of a guardianship authority to transfer the custody of the child to the other parent or to allow the other parent or another family member to exercise the rights of access to the child –

shall carry a warning.

2. The same act committed repeatedly –

shall carry a fine of GEL 500.

*Law of Georgia No 4072 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 502*

### **Article 174 - Arbitrary behaviour**

Arbitrary actions, i.e. exercise of one's authentic or arrogated right in violation of statutory rules, which does not result in a material damage to citizens or state or public organisations –

shall carry a warning or a fine of up to one half of the minimum wage for citizens and a warning or a fine of up to one minimum wage against officials.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

### **Article 174<sup>1</sup> - Violating the rules for organising or holding assemblies or demonstrations**

<http://www.matsne.gov.ge>



1. Violating the rules for organising or holding assemblies or demonstrations - shall carry a fine of GEL 500.
2. The same act committed by an assembly or demonstration organiser - shall carry a fine of GEL 5 000.
3. Blocking a courthouse entrance, holding assemblies or demonstrations at the place of residence of a judge or in common courts of Georgia - shall carry an administrative detention for up to 15 days.
4. Violating the rules provided for in Articles 9, 11 and 11<sup>1</sup> of the Law of Georgia on Assemblies and Demonstrations - shall carry a fine of GEL 500 or an administrative detention for up to 15 days or, if the offender is the organiser - a fine of GEL 5 000 or an administrative detention for up to 15 days .

**Note:** for the offence defined in paragraph 3 of this article, the person shall be deprived of the right to carry arms for up to three years.

*Ordinance No 1647 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 March 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 3, March, 1988, Art. 40*

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Council of Georgian SSR, No 8, August, 1988, Art. 201*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 785 of 24 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 52*

*Law of Georgia No 4211 of 29 December 2006 – LHG I, No 4, 12.1.2007, Art. 53*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Decision No 2/482,483,487,502 of 18 April 2011 of the Constitutional Court of Georgia – website, 27.4.2011*

*Law of Georgia No 5018 of 1 July 2011 – website, 11.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

## **Article 174<sup>2</sup> - Creating obstacles to assemblies or demonstrations by using one's official position**

Creating obstacles to assemblies or demonstrations by using one's official position, also interfering with the right to take part in them - shall carry a fine from 50 to 100 times the minimum wage.

*Ordinance No 2790 of the Presidium of the Supreme Soviet of the Georgian SSR of 4 September 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1990, Art. 241*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 785 of 24 June 1997 – The Parliament Gazette, No 33, 31.7.1997, p. 52*

## **Article 174<sup>3</sup> - (Deleted)**

*Ordinance No 2790 of the Presidium of the Supreme Soviet of the Georgian SSR of 4 September 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1990, Art. 241*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 508 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 5*





**Article 174<sup>4</sup> - (Deleted)**

*Ordinance No 2790 of the Presidium of the Supreme Soviet of the Georgian SSR of 4 September 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1990, Art. 241*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 508 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 5*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>5</sup> - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 16 September 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. II, 1992, Art. 172*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 508 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 5*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>6</sup> - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>7</sup> - (Deleted)**

*Law of Georgia No 199 of 10 March 2000 – LHG I, No 12, 27.3.2000, Art. 28*

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

**Article 174<sup>8</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>9</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>10</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*



**Article 174<sup>11</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>12</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>13</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>14</sup> - (Deleted)**

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

**Article 174<sup>15</sup> - Misusing the single emergency (rescue) service call number ‘112’**

1. Using the single emergency (rescue) service call number ‘112’ to inflict abuse upon the person receiving a report or to make other abusive statements, or misusing the number on a regular basis –

shall carry a warning or a fine of GEL 300.

2. Repeated commission of the act defined in paragraph 1 of this article during one year –

shall carry a fine of GEL 400.

3. Using the single emergency (rescue) services call number ‘112’ to make an emergency call that results in the arrival of the relevant emergency (rescue) service at the scene –

shall carry a fine of GEL 500.

4. Repeated commission of the act defined in paragraph 3 of this article during one year –

shall carry a fine of GEL 1 000 or administrative detention for up to 15 days.

**Note:**

1. This article shall not apply to false reports of terror threats.

2. For the purposes of paragraph 1 of this article, regular misuse of the single emergency (rescue) service call number ‘112’ means making 3 or more false reports by the same person using this phone number within a period of one hour.

3. A person shall not incur the liability under paragraphs 3 and 4 of this article if the call to the single emergency (rescue) services call number ‘112’ was initiated by reason of incorrect, subjective evaluation of circumstances by the caller, when, due to objective circumstances, the person could have presumed the necessity for urgent aid.

*Law of Georgia No 1272 of 20 September 2013 – website, 29.9.2013*

**Article 174<sup>16</sup> - Violation of the rules defined by the Law of Georgia on Freedom Charter**

1. Non-compliance with the instruction of the commission indicated in Article 7(6) of the Law of Georgia on Freedom Charter within the term fixed by it or improper performance of the instruction –

shall carry a warning for the authorised person.

2. Non-performance or improperly performing the conditions of a duly given warning –



shall carry a fine of GEL 1 000 against the authorised person.

*Law of Georgia No 1868 of 25 December 2013 – website, 30.12.2013*

#### **Article 175 - Violation of the rules for administrative supervision**

Violation of the rules for administrative supervision by the person under supervision –

shall carry a fine of up to two times the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 175<sup>1</sup> - Failure to notify the relevant authorities about children left without parental care**

Failure of a person charged with the reporting duty to notify the relevant authorities about children left without parental care –

shall carry a fine of up to 500 times the minimum wage.

*Ordinance No 408 of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 974 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 81*

#### **Article 175<sup>2</sup> - Non-compliance with the requirements and obligations under a restraining order and a protective order. Disobedience to a decision of a social worker to separate a minor**

1. Non-compliance with the requirements and obligations contained in a restraining order –

shall carry administrative detention for up to seven days or corrective labour for up to one month.

1<sup>1</sup>. Disobedience to a decision of a social worker to separate a minor –

shall carry administrative detention for up to seven days or corrective labour for up to one month.

2. Non-compliance with the requirements and obligations contained in a restraining order –

shall carry administrative detention for up to 15 days or corrective labour for up to three months.

**Note:** for the offence defined in this article, the person shall be deprived of the right to carry arms for up to three years.

*Law of Georgia No 2512 of 28 December 2009 – LHG I, No 3, 13.1.2010, Art. 9*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

*Law of Georgia No 5451 of 22 June 2016 – website, 12.7.2017*

#### **Article 176 - (Deleted)**

*Ordinance No 1531 of the Presidium of the Supreme Soviet of the Georgian SSR of 21 December 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 12, December, 1987, Art. 319*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2379 of 20 December 2005 – LHG I, No 55, 27.12.2005, Art. 378*

#### **Article 176<sup>1</sup> - Admitting a person under 21 to a casino and/or a gambling club to play, or allowing a person under 18 to play in a slot-machine saloon and/or to participate in prize-winning games (other than promotional draws) and/or in gambling games organised in systemic-electronic form**

1. Admitting a person under 21 to a casino and/or a gambling club to play, or allowing a person under 18 to play in a slot-machine saloon and/or to participate in prize-winning games (other than promotional draws) and/or in gambling games organised in systemic-electronic form –



shall carry a fine of GEL 5 000 for the organiser of gambling or prize-winning games (other than promotional draws).

2. The same act committed repeatedly –

shall carry a fine of GEL 10 000.

*Law of Georgia No 5179 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 276*

*Law of Georgia No 1160 of 7 April 2009 – LHG I, No 9, 13.4.2009, Art. 43*

*Law of Georgia No 6057 of 24 April 2012 – website, 27.4.2012*

**Article 176<sup>2</sup> - Playing gambling and/or prize-winning games in systemic-electronic form in an internet service providing facility (other than the facility set up with a permit for gambling and/or prize-winning games)**

1. Playing gambling and/or prize-winning games in systemic-electronic form in an internet service providing facility (other than the facility set up with a permit for gambling and/or prize-winning games) –

shall carry a fine of GEL 15 000 for the owner of the internet service providing facility.

2. The same act committed repeatedly –

shall carry a fine of GEL 30 000 for the owner of the internet service providing facility.

*Law of Georgia No 6057 of 24 April 2012 – website, 27.4.2012*

**Article 177 - Violation or non-compliance with established civil safety requirements**

1. Violation or non-compliance with the requirements of regulations on fire safety rules and conditions –

shall carry a fine of GEL 50.

2. Committing the same act within the zone of special fire safety regulations –

shall carry a fine of GEL 200.

3. Violating fire safety requirements defined for indoor fire-fighting water supply, electrical installations, and electrical products and for primary fire extinguishing equipment –

shall carry a fine of GEL 100.

4. Violating fire safety requirements defined for building evacuation routes, evacuation and emergency exits, automatic fire extinguishing, fire alarm, fire emergency broadcasting system, evacuation management and smoke protection systems –

shall carry a fine of GEL 200.

5. Repeated commission of the same act by a person on whom an administrative penalty for the administrative offence defined in paragraphs 3 or 4 of this article has been imposed –

shall carry a fine of GEL 300.

6. Non-compliance by a manufacturer (supplier) with the duty to provide information in the relevant technical documents of any substance, material, product or equipment about the fire hazard indicators of the substance, material, product or equipment, or about fire safety measures, provided that it is mandatory to enter such information in those documents –

shall carry a fine of GEL 100.

7. Violating fire safety requirements set for building accesses and exists –

shall carry a fine of GEL 100.

8. Violation or non-performance by a private fire brigade of the requirements of regulations on fire extinguishing rules and conditions –

shall carry a fine of GEL 1 000 for the private fire brigade owner.

9. Violation or non-compliance with requirements for preventing and responding to emergencies on the facilities falling within a civil safety category –

shall carry a fine of GEL 200.

10. Non-compliance with the requirements for ensuring the preparedness of emergency response teams and equipment required to liquidate the consequences of emergencies or delay in sending to an emergency zone emergency response teams and equipment defined by the duly approved emergency management plans and emergency risk management plans –



shall carry a fine of GEL 500.

11. Non-compliance with requirements necessary for ensuring the protection of population, material and cultural values during an emergency – shall carry a fine of GEL 600.

*Ordinance No 903 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 10, September, 1986, Art. 219*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

*Law of Georgia No 2468 of 29 May 2012 – website, 12.6.2014*

#### **Article 177<sup>1</sup> - Violation of goods (work, service) export and import quoting and licencing rules**

1. Violation of ordinances adopted by the Government of Georgia to regulate goods (work, service) export and import quoting and licencing – shall carry a fine from 20 to 70 times the minimum wage or, if the application of the measure seems insufficient after taking into account the circumstances of the case and the person of the offender, the perpetrator shall be given an administrative detention of up to 15 days.

#### **Note:**

1. For violating the transport service licencing rules, aliens shall be fined at the scene by the authorised patrol police officer.

2. For the offence defined in this article, the person shall be deprived of the right to carry arms for up to three years.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

#### **Article 177<sup>2</sup> - (Deleted)**

*Law of the Republic of Georgia No 298 of 13 July 1993 – The Gazette of the Parliament of Georgia, No 9, July, 1993, Art. 168*

*Law of Georgia No 1073 of 12 November 1997 – The Parliament Gazette, No 46, 3.12.1997, p. 23*

*Law of Georgia No 2132 of 22 June 1999 – LHG I, No 25(32), 2.7.1999, p. 123*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

#### **Article 177<sup>3</sup> - (Deleted)**

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

#### **Article 177<sup>4</sup> - (Deleted)**

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

#### **Article 177<sup>5</sup> - (Deleted)**

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*



**Article 177<sup>6</sup> - (Deleted)**

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

**Article 177<sup>7</sup> - (Deleted)**

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

**Article 177<sup>8</sup> - Violation of the rules and requirements established in the field of topography, geodesy and cartography**

Non-compliance with the lawful requirements of the state geodetic supervision body, violation of the rules for recording, storing and using technical regulations and standards, topographic, cartographic, GPS survey materials and gravimetric data when performing topographic-geodetic and cartographic works –

shall carry a warning or a fine from GEL 50 to 100 for natural persons and a fine from GEL 100 to 200 for legal entities.

*Law of Georgia No 1347 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 17*

**Article 177<sup>9</sup> - Violation of procedures for protecting state geodetic stations**

Violation of state geodetic station protection rules that results in damage to or destruction of surface and subsurface marks –

shall carry a fine from GEL 200 to 500 for natural persons and a fine from GEL 500 to 1 000 for legal persons.

*Law of Georgia No 1347 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 17*

**Article 177<sup>10</sup> - (Deleted)**

*Law of Georgia No 1347 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 17*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

**Article 177<sup>11</sup> - Non-compliance with an order (recommendation) of a state sanitary supervision body with respect to suspending the operation of a facility, also suspending or prohibiting the production and sale of products (raw material)**

Non-compliance with an order (recommendation) of a state sanitary supervision body with respect to suspending the operation of a facility, also suspending or prohibiting the production and sale of products (raw material) –

shall carry a fine from GEL 1 500 to 2 500.

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

**Article 177<sup>12</sup> - Non-compliance with the requirement to communicate information to the Legal Entity under Public Law – the National Statistics Office of Georgia (GeoStat)**

1. Within the Statistical Work Programme approved by the Government of Georgia, the non-compliance with the requirement to communicate information to the Legal Entity under Public Law – the National Statistics Office of Georgia (GeoStat) as determined under the procedure established by Article 25 of the Law of Georgia on Official Statistics –

shall carry a warning for persons registered in the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Persons.

2. Non-compliance or improper compliance with the requirement of the warning under paragraph 1 of this article within one month after warning –

shall carry a fine of GEL 200 for persons registered in the Registry of Entrepreneurs and Non-entrepreneurial (Non-commercial) Legal Persons.

*Law of Georgia No 3585 of 1 May 2015 – website, 18.5.2015*



## **Article 178 - Violation of foreign exchange transaction rules**

1. Performing or servicing foreign exchange transactions without a licence –

shall carry a fine of 50 times the minimum wage for citizens and a fine of 70 times the minimum wage for officials or, if application of the measure seems insufficient after taking into account the circumstances of the case and the person of the offender, the perpetrator shall be given administrative detention for up to 15 days.

2. Unreasonable refusal by the employee of a foreign exchange institution to exchange foreign currency into national currency –

shall carry a fine of 80 times the minimum wage or, if the application of the measure seems insufficient after taking into account the circumstances of the case and the person of the offender, the perpetrator shall be given administrative detention for up to 15 days.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 656 of 23 February 1995 – The Gazette of the Parliament of Georgia, No 27-30, 1994-1995, Art. 663*

*Law of the Republic of Georgia No 808 of 19 September 1995 – The Gazette of the Parliament of Georgia, No 31-33, August-October, 1995, Art. 689*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

## **Article 178<sup>1</sup> - Evading the creation of conditions prescribed by legislation for persons with disabilities**

Evading the creation of the conditions necessary for persons with disabilities to use residential, public and commercial buildings, transport and transport services, communication and information media, also for their free movement –

shall carry a fine from GEL 300 to 500.

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

## **Article 178<sup>2</sup> - Disregarding the needs and requirements of persons with disabilities in designing and building facilities**

Disregarding the needs and requirements of persons with disabilities in designing and developing built-up areas, forming residential districts, developing design solutions, constructing and reconstructing buildings and structures –

shall carry a fine from GEL 500 to 800.

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

## **Article 178<sup>3</sup> - (Deleted)**

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

## **Article 179 - Violation of the rules for opening printing or stamping and engraving enterprises, or for buying, selling, using, accounting for and storing –**

Violation by an official of the rules for opening printing or stamping and engraving enterprises, or for buying and selling copying machines, fonts and matrices –

shall carry a fine of up to one minimum wage.

Violation of the rules for using, accounting for and storing printing equipment, copying machines, fonts and matrices by the persons responsible for observing these rules –

shall carry a fine of up to one half of the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

## **Article 179<sup>1</sup> - Falsification of test reports by certified test laboratories (centres)**

Falsification of a test report by a certified test laboratory (centre) in order to falsify the fineness of a precious metal –



shall carry a fine of ten times the amount paid for those goods for which a certificate was issued.

Falsification of a test report by a certified test laboratory (centre) in order to falsify precious stones–

shall carry a fine of three times the amount paid for those goods for which a certificate was issued.

*Ordinance No 717 of the Presidium of the Supreme Soviet of the Georgian SSR of 28 April 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 4, August, 1986, Art. 89*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1573 of 17 September 1998 – LHG I, No 2, 26.10.1998, Art. 6*

*Law of Georgia No 604 of 25 November 2004 – LHG I, No 37, 16.12.2004, Art. 177*

**Article 179<sup>2</sup> - Violation of the rules for collecting, buying, transporting, selling or scrapping ferrous and non-ferrous metals, articles containing them, or their scrap and remains**

Violation of the rules for collecting, buying, transporting, selling or scrapping ferrous and non-ferrous metals, articles containing them, or their scrap and remains –

shall carry a fine from GEL 1 000 to 3 000, with confiscation of the ferrous and non-ferrous metals, articles containing them, or their scrap and remains.

The same act committed by a person who during one year was subjected to an administrative penalty for one of the offences defined in paragraph 1 of this article –

shall carry a fine from GEL 3 000 to 5 000, with confiscation of the ferrous and non-ferrous metals, articles containing them, or of their scrap and remains.

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1567 of 21 June 2002 – LHG I, No 21, 12.7.2002, Art. 95*

**Article 179<sup>3</sup> - Selling harmful alcoholic beverages**

1. Sale of non-certified alcoholic beverages, which are harmful for human life and health, by a public catering facility or a trade outlet –

shall carry a fine of GEL 5 000.

2. The same act committed during one year after the imposition of an administrative penalty –

shall carry a fine of GEL 20 000.

*Law of Georgia No 5242 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 306*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

**Article 179<sup>4</sup> - Falsification of a wine laboratory test report by a test laboratory, falsification of wine certificates by a certification body**

1. Falsification of a wine laboratory test report by a test laboratory, falsification of wine certificates by a certification body by intentionally entering inaccurate data –

shall carry a fine of GEL 5 000.

2. The same act committed repeatedly –

shall carry a fine of GEL 20 000.

*Law of Georgia No 5244 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 303*

**Article 179<sup>5</sup> - Placing in an export batch or exporting products not corresponding to those indicated in a wine certificate**

1. Placing in an export batch or exporting products not corresponding to those indicated in a wine certificate –

shall carry a fine of GEL 10 000.

2. The same act committed repeatedly –





shall carry a fine of GEL 20 000.

*Law of Georgia No 5244 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 303*

#### **Article 180 - Violation by citizens of the rule for buying, storing, passing or selling smooth-bore hunting fire weapons (rifles)**

1. Buying, storing, passing to another person or selling a smooth-bore hunting fire weapon (rifle) by a citizen without a permit issued by the Legal Entity under Public Law (LEPL) – Service Agency of the Ministry of Internal Affairs, –

shall carry a fine from GEL 300 to GEL 500, with or without confiscation of the weapon.

2. The same act committed by a person, who during one year was subjected to an administrative penalty for one of the offences defined in paragraph 1 of this article, –

shall carry a fine from GEL 600 to GEL 1 000, with confiscation of the weapon.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3706 of 12 June 2015 – website, 30.6.2015*

#### **Article 181 - Violation of the rule for storing, carrying or transporting, or transferring fire weapons and ammunition**

1. Violation of the rule for storing a fire weapon or ammunition by a person holding a permit for storing a fire weapon, –

shall carry a warning or a fine from GEL 200 to GEL 400.

2. Violation of the rule for carrying or transporting, or transferring a fire weapon or ammunition by a person holding a permit for carrying or transporting, or transferring a fire weapon, –

shall carry a fine from GEL 300 to GEL 500.

3. The repeated commission of an offence specified in paragraph 1 or 2 of this article by a person who during one year was subjected to an administrative penalty for the same offence, –

shall carry a fine from GEL 500 to GEL 700, with or without confiscation of the weapon and ammunition.

4. Violation of the rule for storing, carrying or transporting, or transferring a fire weapon or ammunition by a worker of an enterprise, institution or organisation responsible for its maintenance and protection, or misuse of a fire weapon or ammunition by them, –

shall carry a fine from GEL 600 to GEL 800.

5. The repeated commission of an offence specified in paragraph 4 of this article by a person who during one year was subjected to an administrative penalty for one of the offences specified in paragraph 4 of this article, –

shall carry a fine from GEL 1 000 to GEL 1 500.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3706 of 12 June 2015 – website, 30.6.2015*

#### **Article 181<sup>1</sup> - Carrying of cold weapons**

1. Carrying of cold weapons in the street, at a stadium, in a square, park, educational institution, court, airport, cinema, theatre, concert hall, café, restaurant, on all types of public transport, at a bus or railway station and at other places of public gathering –

shall carry a fine of GEL 200.

2. The same act committed during one year after the imposition of the administrative penalty –

shall carry a fine of GEL 1 000 or an administrative detention for 15 days.

#### **Note:**

This article shall not apply to a person who has been convicted of an intentional serious or especially serious crime and/or to a person subjected to an administrative penalty for the abuse of narcotic drugs and who has incurred liability for carrying a cold weapon under Article 238<sup>1</sup> of the Criminal Code of Georgia.

2. Unless the carrying of a cold weapon violates public order or poses an apparent danger to it, this article shall not apply to a person who carries a cold weapon:

a) to look after his/her personal hygiene;



- b) to cook and/or have food;
- c) to carry out his/her professional activity;
- d) to hunting, fish and/or gather plant products;
- e) to carry out agricultural and/or animal farming activities;
- f) while wearing national costume and the cold weapon (the dagger, sword, etc.) is part of the costume.

3. For the purposes of this Code, 'carriage of a cold weapon' means the circumstance in which a person has a cold weapon in immediate possession –is holding it, has tied it to the body or keeps it in the clothes.

4. A person authorised to carry a short-barrel firearm may also carry a cold weapon.

*Law of Georgia No 1700 of 11 December 2013 – website, 25.12.2013*

**Article 181<sup>2</sup> – Violation of the requirement to put up the information banner prohibiting sale of cold weapons to minors or sale of cold weapons to minors**

1. Violation of the requirement for putting up at a sales outlet of the information banner prohibiting sale of cold weapons in a conspicuous for a buyer place, –

shall carry a fine of GEL 100 imposed on the sales outlet.

2. The repeated commission of the offence specified in paragraph 1 of this article during one year, –

shall carry a fine of GEL 200 imposed on the sales outlet.

3. Sale of a cold weapon to a minor, –

shall carry a fine of GEL 300 imposed on the sales outlet.

4. The repeated commission of the offence specified in paragraph 3 of this article during one year, –

shall carry a fine of GEL 500 imposed on the sales outlet.

*Law of Georgia No 3706 of 12 June 2015 – website, 30.6.2015*

**Article 182 - Violation of the time frames and rules for registration (re-registration) of firearms**

Violation by citizens of the established time limits for registration (re-registration) of firearms or the rules for their registration with internal affairs agencies when changing a place of residence –

shall carry a warning or a fine from one half to one minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 182<sup>1</sup> - Illegal circulation of pneumatic weapons, failure to register pneumatic weapons and firing pneumatic weapons that are permitted for civilian circulation in built up areas**

1. Carrying by a natural person of a hunting or sporting pneumatic weapon of the specifications defined by the legislation of Georgia without registration –

shall carry a fine of GEL 200, with confiscation of the pneumatic weapon.

2. Violation of the rules for carrying a pneumatic weapon permitted for civilian circulation –

shall carry a fine of GEL 300, with confiscation of the pneumatic weapon.

3. Failure of a natural or legal person who holds a permit to open a shooting gallery, shooting range or shooting stand to register, within the statutory time limits, a hunting or sporting pneumatic weapon that is subject to registration –

shall carry a fine of GEL 400, with confiscation of the pneumatic weapon.

4. Buying, storing, carrying, importing into or exporting from Georgia of pneumatic weapons that are not permitted for civilian circulation –

shall carry a fine of GEL 500, with confiscation of the pneumatic weapon.

5. Firing a pneumatic weapon that is permitted for civilian circulation in a built up area –



shall carry a fine of GEL 200, with confiscation of the pneumatic weapon.

*Law of Georgia No 6058 of 24 April 2012 – website, 7.5.2012*

**Article 182<sup>2</sup> - Operating a shooting gallery, shooting range or an inanimate target shooting station without the required permit**

1. Operating a shooting gallery, shooting range or an inanimate target shooting station without the required permit –

shall carry a fine of GEL 2 000.

2. The same act committed by a person who during the year was subjected to the administrative penalty provided for in paragraph 1 of this article –

shall carry a fine of GEL 5 000.

*Law of Georgia No 6058 of 24 April 2012 – website, 7.5.2012*

**Article 183 - Failing to sell a smooth-bore hunting weapon and ammunition**

Failing to sell a smooth-bore hunting weapon and ammunition by citizens whose permit for storing such a weapon and ammunition has been revoked by the internal affairs agencies due to the fact that the person left a hunters association –

shall carry a fine from one half to one minimum wage with compensated seizure of the weapon and ammunition.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 183<sup>1</sup> – Violation of the rules for buying, selling, registering, accounting for and using underwater hunting guns**

Violation of the rules for buying, selling, registering, accounting for and using underwater hunting guns –

shall carry a fine for citizens from one half to one-and-one-half times the minimum wage, with or without confiscation of the guns, or from one half to one-and-one-half times the minimum wage for officials, with or without confiscation of the guns.

The same act committed by a person who during the year was subjected to an administrative penalty for one of the offences defined in paragraph 1 of this article –

shall carry a fine from one to two times the minimum wage for citizens, with or without confiscation of the guns, or from one to two-and-a-half times the minimum wage for officials, with or without confiscation of the weapons.

*Ordinance No 215 of the Supreme Soviet of the Georgian SSR of 9 August 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1985, Art. 277*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

**Article 184 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

**Article 185 - Residing in Georgia in violation of the registration rules established for Georgian citizens and aliens residing in Georgia**

Residing in Georgia in violation of the registration rules established for Georgian citizens and aliens residing in Georgia –

shall carry a fine of GEL 5.

**Note:** victims of human trafficking and persons declared as victims of the crime defined in Articles 143<sup>1</sup> and/or 143<sup>2</sup> of the Criminal Code of Georgia shall be released from administrative liability if they committed this act due to being a victim of human trafficking before obtaining the status of a victim of human trafficking.

*Ordinance No 2855 of the Supreme Soviet of the Georgian SSR of 30 October 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 10, October, 1990, Art. 270*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26*



*Law of Georgia No 2952 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 105*

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

### **Article 185<sup>1</sup> - Failure to report on the death of a person**

Failure by the head of a state, local or private medical institution, pathological-anatomic (clinical pathology) or forensic medical institution, care home, shelter, or of a penitentiary institution, or an administrative representative designated by him/her, a person authorised by the Gamgebeli/Mayor of a municipality, as well as by a person authorised to issue death certificates to report on the death of a person to the Public Service Development Agency, under the procedure established by law –

shall carry a fine of GEL 500.

*Law of Georgia No 1388 of 11 July 2009 – LHG I, No 21, 3.8.2009, Art. 106*

*Law of Georgia No 2321 of 15 December 2009 – LHG I, No 46, 22.12.2009, Art. 353*

*Law of Georgia No 2951 of 20 April 2010 – LHG I, No 23, 4.5.2010, Art. 129*

*Law of Georgia No 5664 of 28 December 2011 – website, 12.1.2012*

*Law of Georgia No 6317 of 25 May 2012 – website, 19.6.2012*

*Law of Georgia No 1960 of 5 February 2014 – website, 19.2.2014*

*Law of Georgia No 3538 of 1 May 2015 – website, 18.5.2015*

*Law of Georgia No 5102 of 27 May 2016 – website, 4.6.2016*

### **Article 185<sup>2</sup> - Failure to report the birth of a child**

Non-fulfilment by the head of a maternity or another medical institution of the obligation to report the birth of a child to the Public Service Development Agency –

shall carry a fine of GEL 500.

*Law of Georgia No 1388 of 11 July 2009 – LHG I, No 21, 3.8.2009, Art. 106*

*Law of Georgia No 6317 of 25 May 2012 – website, 19.6.2012*

### **Article 186 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

*Law of Georgia No 4943 of 24 June 2011 – website, 14.7.2011*

### **Article 187 - Non-registration or denial of registration**

Non-registration of or denial of registration to a person residing in Georgia by the persons responsible for registration of persons residing in Georgia –

shall carry a fine of up to 20 times the minimum wage.

The action defined in paragraph 1 of this article committed repeatedly –

shall carry a fine of up to 40 times the minimum wage.

*Ordinance No 2855 of the Presidium of the Supreme Soviet of the Georgian SSR of 30 October 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 10, October, 1990, Art. 270*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26*



### **Article 187<sup>1</sup> - Denial by an official of the exercise of the rights of a citizen**

Denial by an official of the exercise of the rights of a citizen by reason of a person's registration at another place or lack of registration – shall carry a fine of up to 50 times the minimum wage.

*Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26*

### **Article 187<sup>2</sup> - (Deleted)**

*Law of Georgia No 49 of 1 December 2016 – website, 15.12.2015*

### **Article 188 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26*

### **Article 189 - Illegal deprivation of a passport and accepting a passport as a pledge**

Illegal deprivation of citizens' passports by officials, or acceptance of passports as a pledge by officials – shall carry a warning or a fine of up to one half of the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

### **Article 190 - Violation of the rules for entry or residence in a border zone**

Violation of the rules for entry, residence or registration in a border zone – shall carry a warning or a fine of up to one half of the minimum wage.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

### **Article 190<sup>1</sup> - (Deleted)**

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 791 of 24 December 2004 – LHG I, No 42, 31.12.2004, Art. 216*

### **Article 190<sup>2</sup> - Violation of the regime at border checkpoints**

Violation of the regime at border checkpoints – shall carry a fine from GEL 50 to 100.

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

### **Article 191 - Violation by aliens and stateless persons of the rules for staying in or transiting the territory of Georgia**

1. If an alien or a stateless person stays in Georgia for up to three months after the expiry of his/her lawful stay – the fine shall be GEL 180.

2. If an alien or a stateless person stays in Georgia for more than three months after the expiry of his/her lawful stay – the fine shall be GEL 360.

3. Violation by an alien or a stateless person of the rules for transiting the territory of Georgia –



shall carry a fine of GEL 100.

4. Invitation of an alien or a stateless person to Georgia and/or provision of services to him/her and/or use of his/her services by a legal or natural person registered in Georgia in violation of the established rules for obtaining the right to reside, work or study in Georgia –

shall carry a warning or a fine of GEL 1 000.

**Note:** if the fine provided for in paragraphs 1-3 of this article is not paid, the relevant agencies of the Ministry of Foreign Affairs and of the Ministry of Internal Affairs of Georgia shall be notified and they will not issue a Georgian visa to the person in the cases defined in paragraphs 1-3 of this article and such person shall not be permitted to enter Georgia until the person pays the fine.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

*Law of Georgia No 5116 of 29 June 2007 – LHG I, No 27, 17.7.2007, Art. 251*

*Law of Georgia No 620 of 5 December 2008 – LHG I, No 35, 5.12.2008, Art. 226*

*Law of Georgia No 2046 of 5 March 2014 – website, 17.3.2014*

#### **Article 192 - Failure of the captain of a foreign ship to return a disembarkation permit issued to the ship crew**

Failure of the captain of a foreign ship docked in a Georgian port to return to the checkpoint the permit under which the crew of the ship is allowed to disembark and stay in the port area and in the port town, except where the permit is not returned because of the ship crew member's absence without leave –

shall carry a fine of up to two times the minimum wage for the captain of the ship.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

#### **Article 193 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 808 of 19 September 1995 - The Gazette of the Parliament of Georgia, No 31-33, August-October, 1995, Art. 689*

*Law of Georgia No 1185 of 12 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 165*

*Law of Georgia No 244 of 24 March 2000 – LHG I, No 13, 13.4.2000, Art. 34*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 432 of 28 June 2000 – LHG I, No 24, 30.6.2000, Art. 66*

*Law of Georgia No 1756 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 252*

*Law of Georgia No 4232 of 29 December 2006 – LHG I, No 50, 30.12.2006, Art. 383*

#### **Article 194 - Illegal production or any other activity within the customs control zone provided for by the Tax Code of Georgia**

Illegal production or any other activity in violation of the existing rules within the customs control zone provided for by the Tax Code of Georgia, or construction of buildings and structures in violation of the established rules and standards –

shall carry a fine from GEL 150 to 200 for natural persons or from GEL 300 to 500 for legal persons.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 808 of 19 September 1995 - The Gazette of the Parliament of Georgia, No 31-33, August-October, 1995, Art. 689*

*Law of Georgia No 1185 of 12 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 165*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*



### **Article 195 - Intentionally damaging or tearing off a seal**

Intentional damage or tearing off of a seal affixed by an authorised official, except as provided for in Articles 44<sup>3</sup>, 84<sup>1</sup>, 131(2) and 132(1) of this Code – shall carry a fine of up to GEL 100.

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

### **Article 196 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 196<sup>1</sup> - Failure of a citizen to appear when called by an authorised official of the Municipal Government (Gangeoba) of the relevant municipality /city hall or, in the case of the municipality of the City of Tbilisi, by an authorised official of the Gangeoba of the relevant municipality district of the City of Tbilisi for (initial) military registration of conscripts**

Failure of a citizen to appear, without a valid reason, when called by an authorised official of the Gangeoba of the relevant municipality/city hall or, in the case of the municipality of the City of Tbilisi, by an authorised official of the Gangeoba of the relevant municipal district of the City of Tbilisi for (initial) military registration of conscripts –

shall carry a warning.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

### **Article 196<sup>2</sup> - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

### **Article 196<sup>3</sup> - Admitting for work or study those persons who are liable for military service and who have not been registered for military service**

Admission by the heads or other relevant officials of enterprises, institutions, organisations or establishments for work or study of persons who are liable for military service and who have not been registered for military service according to their place of residence –

shall carry a fine of GEL 300.

The offence committed repeatedly within one year after imposition of an administrative penalty –

shall carry a fine of GEL 600.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2234 of 7 May 2003 – LHG I, No 12, 21.5.2003, Art. 67*



#### **Article 196<sup>4</sup> - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

#### **Article 196<sup>5</sup> - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

#### **Article 196<sup>6</sup> - Failure to communicate a report establishing the disability status of a person liable for military service**

Failure of a medical institution that is responsible for issuing a report establishing the disability status of a person liable for military service to communicate such report to the relevant municipality Gamgeoba/city hall or, in the case of the municipality of the City of Tbilisi, to the Gamgeoba of the relevant municipal district of the City of Tbilisi, within not later than ten calendar days after issuing the report–

shall carry a fine of GEL 100.

The offence committed repeatedly within one year after the imposition of the administrative penalty –

shall carry a fine of GEL 300.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

#### **Article 196<sup>6</sup> - Failure of persons registered for military service to communicate information to an authorised official of the relevant municipality Gamgeoba/city hall or, in the case of the municipality of the City of Tbilisi, to an authorised official of the Gamgeoba of the relevant municipal district of the City of Tbilisi**

Failure of a person registered for military service to provide information on their marital status, places of work and residence (actual and registered), change of position, education, or any other information required under the legislation of Georgia, within two weeks after receiving a request from an authorised official of the relevant municipality Gamgeoba/city hall or, in the case of the municipality of the City of Tbilisi, from an authorised official of the Gamgeoba of the relevant municipal district of the City of Tbilisi -

shall carry a fine of GEL 200.

One of the above offences committed repeatedly within one year after imposition of an administrative penalty –

shall carry a fine of GEL 400.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 2234 of 7 May 2003 – LHG I, No 12, 21.5.2003, Art. 67*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*





**Article 197<sup>1</sup> - Failure to appear before the military conscription commission with the intention of evading military service**

1. Failure to appear before the military conscription commission with the intention of evading military service – shall carry a fine of GEL 1 000.

2. Failure to pay the fine within the fixed period – shall carry an administrative detention for up to 15 days.

**Note:** for the offence defined in paragraph 2 of this article, the person shall be deprived of the right to carry arms for up to three years.

*Law of the Republic of Georgia No 290 of 8 July 1993 - The Gazette of the Parliament of Georgia, No 9, July, 1993, Art. 160*

*Law of Georgia No 1014 of 28 October 1997 – The Parliament Gazette, No 45, 21.11.1997, p. 37*

*Law of Georgia No 2234 of 7 May 2003 – LHG I, No 12, 21.5.2003, Art. 67*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

**Article 197<sup>2</sup> - Violation of military service rules by a military service person**

The violation of military service rules by a military service person, unless the violation incurs criminal liability – shall carry an administrative detention up to 15 days.

**Note:** for the offence defined in this article, the person shall be deprived of the right to carry arms for up to three years.

*Law of Georgia No 1857 of 1 July 2005 – LHG I, No 38, 15.7.2005, Art. 257*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

**Article 197<sup>3</sup> - Failure to appear when called for military reserve service with the intention of evading military reserve service**

1. Failure to appear when called for military reserve service with the intention of evading military reserve service – shall carry a fine of GEL 500.

2. Failure to pay the fine provided for in paragraph 1 of this article within the fixed period – shall carry an administrative detention for up to 15 days.

**Note:** for the offence defined in paragraph 2 of this article, the person shall be deprived of the right to carry arms for up to three years.

*Law of Georgia No 4194 of 27 December 2006 – LHG I, No 49, 29.12.2006, Art. 369*

*Law of Georgia No 5018 of 1 July 2011 – website, 14.7.2011*

**Article 198 - Intentionally damaging or losing a military registration card**

Intentionally damaging or losing a military registration card – shall carry a fine of GEL 50.

The repeated commission of one of these offences within a year after imposition of an administrative penalty – shall carry a fine of GEL 100.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*



*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 2234 of 7 May 2003 – LHG I, No 12, 21.5.2003, Art. 67*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

#### **Article 199 - (Deleted)**

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1234 of 6 April 2005 – LHG I, No 18, 27.4.2005, Art. 111*

### **Section III - Bodies Authorised to Hear Administrative Cases**

#### **Chapter 15 - Main Provisions**

#### **Article 200 - Bodies (officials) authorised to hear administrative cases**

Administrative cases shall be heard by:

- 1) district (city) courts, judges (administrative judges)
- 2) agencies of internal affairs, state inspection agencies and other agencies (officials) so authorised under the legislative acts of Georgia.

#### **Note:**

If the offender does not dispute the fact of an administrative offence and confirms it by signing a relevant report, he/she shall be subjected to an administrative penalty at the scene. If the offender disputes the fact of an administrative offence, he/she may appeal the administrative offence report in court.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

#### **Article 201 - Separating the powers of the agencies (officials) authorised to hear administrative cases**

District (city) courts, (judges, administrative judges), internal affairs agencies, state inspection agencies and other authorised agencies shall hear administrative cases that fall within their powers under this Code and other legislative acts of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 202 - Procedure for forming a collegial body authorised to hear administrative cases**

The procedure for forming a collegial body authorised to hear administrative cases shall be defined by the legislation of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 203 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 204 - Powers of officials**



1. The officials authorised to hear administrative cases may impose administrative penalties provided for by this Code only within the limits of their powers and only at the time of discharging their official duties.

2. The list of the officials hearing administrative cases on behalf of the agencies indicated in Article 200(2) of this Code shall be determined according to the procedure laid down by the legislation of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

## **Chapter 16 - Jurisdiction over Administrative Cases**

### **Article 205 - (Deleted)**

*Ordinance No 94 of the Presidium of the Supreme Soviet of the Georgian SSR of 27 May 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, No 5, May, 1985, Art. 157*

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Ordinance No 1304 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, August, 1987, Art. 151*

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223*

*Ordinance No 1647 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 March 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 3, March, 1988, Art. 40*

*Ordinance No 1832 of the Presidium of the Supreme Soviet of the Georgian SSR of 9 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 196*

*Law of the Republic of Georgia No 436 of 14 June 1991 - The Gazette of the Parliament of Georgia, No 6, June, 1991, Art. 429*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 206 - (Deleted)**

*Ordinance No 215 of the Presidium of the Supreme Soviet of the Georgian SSR of 9 August 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1985, Art. 277*

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Ordinance No 1304 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 151*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 207 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*



## Article 207<sup>1</sup> - (Deleted)

Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370

Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128

## Article 208 - Administrative cases falling within the jurisdiction of district (city) courts

A district (city) court shall hear the cases of administrative offences defined in Articles 42<sup>1</sup> and 42<sup>2</sup>, Articles 43(2), 44<sup>5</sup>, 43<sup>1</sup>–44<sup>3</sup>, 44<sup>7</sup>–46<sup>4</sup>, 48, 49, 50<sup>1</sup>, 51–55<sup>4</sup>, 56, 57–59, 59<sup>2</sup>–60, 60<sup>3</sup>–61<sup>1</sup>, 63–65, 66–69, 71, 71<sup>1</sup>, 72<sup>1</sup>–78, 79<sup>1</sup>–81, 82<sup>1</sup>, 82<sup>2</sup>, 84–86, 87<sup>1</sup>–89<sup>3</sup>, 91<sup>2</sup>, 91<sup>3</sup>, 94, 95, 99, 100<sup>1</sup>, 100<sup>2</sup>, 103<sup>1</sup>, 104 and 105<sup>1</sup>, Article 127<sup>1</sup>(5), Articles 128<sup>1</sup>–128<sup>5</sup>, 143, 144, 144<sup>10</sup>, 145, 146<sup>1</sup>, 148, 150–151, 152, 152<sup>2</sup>, 152<sup>3</sup> and 153, 153<sup>1</sup>, 153<sup>3</sup>–153<sup>5</sup>, Article 153<sup>6</sup>(2), Articles 154–154<sup>2</sup>, 155<sup>1</sup>–156, 157<sup>1</sup>–158<sup>1</sup>, 159, 159<sup>1</sup>, 159<sup>4</sup>–159<sup>10</sup>, 163, 164, 164<sup>4</sup>, 165<sup>1</sup>–165<sup>3</sup>, 166 and 167, Article 171(3), Articles 171<sup>1</sup>, 172, 172<sup>4</sup>–172<sup>6</sup>, 173, 173<sup>4</sup>–173<sup>7</sup>, 173<sup>9</sup>, 173<sup>12</sup> and 174<sup>1</sup>, Article 174<sup>15</sup>(4), 175<sup>1</sup>, 175<sup>2</sup>, 177<sup>8</sup>, 177<sup>9</sup>, 177<sup>11</sup>–178, 179<sup>1</sup>–179<sup>3</sup>, 180 and 181, Article 181<sup>1</sup>(2), Articles 182, 183, 187, 187<sup>1</sup>, 189, 192, 195, 196<sup>3</sup>, 196<sup>6</sup>, 197<sup>1</sup> and 197<sup>2</sup> of this Code.

Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370

Ordinance No 785 of the Presidium of the Supreme Soviet Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140

Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223

Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201

Ordinance No 2790 of the Presidium of the Supreme Soviet of the Georgian SSR of 4 September 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1990, Art. 241

Law of Georgia 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38

Law of the Republic of Georgia of 14 May 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 5, May, 1991, Art. 378

Law of the Republic of Georgia of 14 June 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 429

Law of the Republic of Georgia of 28 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450

Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128

Decree of the State Council of the Republic of Georgia of 16 September 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. II, 1992, Art. 172

Law of the Republic of Georgia No 290 of 8 July 1993 - The Gazette of the Parliament of Georgia, No 9, July, 1993, Art. 160

Law of the Republic of Georgia No 298 of 13 July 1993 - The Gazette of the Parliament of Georgia, No 9, July, 1993, Art. 168

Law of the Republic of Georgia No 416 of 15 February 1994 - The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287

Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308

Law of the Republic of Georgia No 541 of 30 June 1994 – The Gazette of the Parliament of Georgia, No 19, June, 1994, Art. 418

Law of the Republic of Georgia No 542 of 30 June 1994 – The Gazette of the Parliament of Georgia, No 19, June, 1994, Art. 419

Law of the Republic of Georgia No 656 of 23 February 1995 - The Gazette of the Parliament of Georgia, No 27-30, 1994-1995, Art. 663

Law of the Republic of Georgia No 667 of 7 March 1995 - The Gazette of the Parliament of Georgia, No 23-26, December-March, 1994-1995, Art. 542

Law of the Republic of Georgia No 771 of 29 June 1995 - The Gazette of the Parliament of Georgia, No 27-30, April-July, 1994-1995, Art. 649

Law of Georgia No 263 of 31 May 1996 – The Parliament Gazette, No 15, 19.6.1996, Art. 15

Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26

Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26



*Law of Georgia No 478 of 12 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 11*

*Law of Georgia No 510 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 4*

*Law of Georgia No 648 of 17 April 1997 – The Parliament Gazette, No 17-18, 9.5.1997, p. 44*

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 974 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 81*

*Law of Georgia No 984 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 83*

*Law of Georgia No 1231 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 24*

*Law of Georgia No 1238 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 27*

*Law of Georgia No 1347 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 17*

*Law of Georgia No 1349 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 18*

*Law of Georgia No 1682 of 30 October 1998 – LHG I, No 4, 20.11.1998, Art. 39*

*Law of Georgia No 2132 of 22 June 1999 – LHG I, No 25(32), 2.7.1999, p. 123*

*Law of Georgia No 2382 of 9 September 1999 – LHG I, No 43(50), 21.9.1999, Art. 221*

*Law of Georgia No 199 of 10 March 2000 – LHG I, No 12, 27.3.2000, Art. 28*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 419 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art. 76*

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 1193 of 8 December 2001 – LHG I, No 36, 31.12.2001, Art. 141*

*Law of Georgia No 1708 of 6 November 2002 – LHG I, No 30, 27.11.2002, Art. 133*

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

*Erratum – LHG I, No 16, 13.6.2003, p. 3*

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

*Law of Georgia No 604 of 25 November 2004 – LHG I, No 37, 16.12.2004, Art. 177*

*Law of Georgia No 1126 of 22 March 2005 – LHG I, No 13, 12.4.2005, Art. 78*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 1756 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 252*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

*Law of Georgia No 2262 of 16 December 2005 – LHG I, No 56, 28.12.2005, Art. 389*

*Law of Georgia No 2461 of 23 December 2005 – LHG I, No 1, 4.1.2006, Art. 7*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 3835 of 7 December 2006 – LHG I, No 48, 22.12.2006, Art. 316*

*Law of Georgia No 4211 of 29 December 2006 – LHG I, No 4, 12.1.2007, Art. 53*



*Law of Georgia No 4283 of 29 December 2006 – LHG I, No 5, 15.1.2007, Art. 66*

*Law of Georgia No 4305 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 413*

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 4686 of 27 April 2007 – LHG I, No 17, 17.5.2007, Art. 131*

*Law of Georgia No 4917 of 8 June 2007 – LHG I, No 22, 19.6.2007, Art. 200*

*Law of Georgia No 25 of 18 June 2008 – LHG I, No 11, 4.7.2008, Art. 81*

*Law of Georgia No 2384 of 18 December 2009 – LHG I, No 50, 31.12.2009, Art. 401*

*Law of Georgia No 2512 of 28 December 2009 – LHG I, No 3, 13.1.2010, Art. 9*

*Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 3116 of 18 June 2010 – LHG I, No 30, 29.6.2010, Art. 193*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

*Law of Georgia No 3554 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 280*

*Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332*

*Law of Georgia No 4141 of 17 December 2010 – LHG I, No 76, 29.12.2010, Art. 514*

*Law of Georgia No 4256 of 25 February 2011 – website, 10.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 4958 of 24 June 2011 – website, 11.7.2011*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 6246 of 22 May 2012 – website, 8.6.2012*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1272 of 20 September 2013 – website, 26.9.2013*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1700 of 11 December 2013 – website, 25.12.2013*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

*Law of Georgia No 2046 of 5 March 2014 – website, 17.3.2014*

*Law of Georgia No 2556 of 29 July 2014 – website, 8.8.2014*

*Law of Georgia No 2698 of 17 October 2014 – website, 31.10.2014*

*Law of Georgia No 2660 of 18 September 2014 – website, 2.10.2014*

*Law of Georgia No 2959 of 24 December 2014 – website, 30.12.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 3585 of 1 May 2015 – website, 18.5.2015*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

*Law of Georgia No 5362 of 8 June 2016 – website, 17.6.2016*

*Law of Georgia No 5573 of 24 June 2016 – website, 13.7.2016*

*Law of Georgia No 49 of 1 December 2016 – website, 15.12.2016*



## Article 208<sup>1</sup>

If the penalty prescribed for an administrative offence is administrative detention or administrative detention together with a different type of penalty and if the issuer of an order for the imposition of an administrative penalty arrives at the conclusion that an administrative detention or an administrative detention together with a different type of penalty must be imposed on the person who committed an administrative offence, the issuer of an order for the imposition of an administrative penalty shall immediately present the person who committed the administrative offence to the appropriate court, and the court shall hear the case and deliver the relevant order.

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

## Article 208<sup>2</sup> - Hearing cases of administrative offences provided for by the Organic Law of Georgia on Political Associations of Citizens

A district (city) court shall hear cases of administrative offences provided for by the Organic Law of Georgia on Political Associations of Citizens and, based on a relevant report, shall issue an order for the imposition of an administrative penalty.

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

## Article 209 - Internal affairs agencies

1. Bodies of internal affairs shall hear the cases of administrative offences defined in Articles 58<sup>3</sup>, 86<sup>1</sup>, 107<sup>1</sup>–107<sup>3</sup>, 108, 114<sup>1</sup>, 114<sup>2</sup>, 116–116<sup>3</sup>, 118–119, 120–123, 125, 127, 127<sup>1</sup>(1),(2),(6),(7), 128(1),(2), 129<sup>1</sup>, 131 (for offences committed on motor transport), 134, 139<sup>5</sup>, 153<sup>6</sup>(1),(3), 155, 170, 171(1),(2), 174<sup>15</sup> (except paragraph 4), 174<sup>16</sup>, 176<sup>1</sup>, 181<sup>1</sup>(1), 182<sup>1</sup>, 182<sup>2</sup>, 190, 190<sup>2</sup> or 191 of this Code.

2. If at the time of the commission of any of the offences defined in Articles 116–116<sup>3</sup>, 118–122, 123(1), 125, 127, 127<sup>1</sup>(1),(1<sup>1</sup>),(2),(6),(7) or 129<sup>1</sup> of this Code an administrative inquiry is not required, the police officer who is responsible for the safety of road traffic participants and who supervises the observance of traffic regulations shall hear the case of such an administrative offence at the scene and shall impose an administrative penalty on the offender at the scene.

2<sup>1</sup>. If at the time of the commission of any of the offences defined in Articles 86<sup>1</sup> and 114<sup>2</sup>, 153<sup>6</sup>(1),(3), 190 or 190<sup>2</sup> of this Code an administrative inquiry is not required, the authorised person of the Ministry of Internal Affairs of Georgia shall hear the case of such an administrative offence at the scene and shall impose an administrative penalty on the offender at the scene.

3. An authorised person of the Ministry of Internal Affairs of Georgia shall hear cases of the administrative offences (except for the offences defined in paragraph 2 of this article) defined in paragraph 1 of this article.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 785 of the Presidium of the Supreme Soviet of the Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Ordinance No 1304 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 151*

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223*

*Ordinance No 1527 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 December 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 12, December, 1987, Art. 317*

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Law of Georgia of 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of the Republic of Georgia of 28 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 519 of 14 June 1994*



*Law of the Republic of Georgia No 542 of 30 June 1994 – The Gazette of the Parliament of Georgia, No 19, June, 1994, Art. 419*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 2148 of 23 June 1999 – LHG I, No 27(34), 6.7.1999, Art. 143*

*Law of Georgia No 1621 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 110*

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

*Law of Georgia No 3409 of 24 February 2004 – LHG I, No 5, 4.3.2004, Art. 18*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2024 of 9 November 2005 – LHG I, No 48, 29.11.2005, Art. 321*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

*Law of Georgia No 5179 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 276*

*Law of Georgia No 620 of 5 December 2008 – LHG III, No 35, 5.12.2008, Art. 226*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 6058 of 24 April 2012 – website, 7.5.2012*

*Law of Georgia No 6246 of 22 May 2012 – website, 8.6.2012*

*Law of Georgia No 1272 of 20 September 2013 – website, 26.9.2013*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1700 of 11 December 2013 – website, 25.12.2013*

*Law of Georgia No 1868 of 25 December 2013 – website, 30.12.2013*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 2046 of 5 March 2014 – website, 17.3.2014*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

*Law of Georgia No 2698 of 17 October 2014 – website, 31.10.2014*

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

*Law of Georgia No 4790 of 19 February 2016 – website, 7.3.2016*

#### **Article 209<sup>1</sup> - (Deleted)**

*Law of the Republic of Georgia No 416 of 15 February 1994 - The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

#### **Article 209<sup>2</sup> - (Deleted)**

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1998, Art. 2*

*Law of Georgia No 2515 of 18 July 2003 – LHG I, No 22, 8.8.2003, Art. 159*

*Law of Georgia No 5272 of 11 July 2007 – LHG I, No 30, 30.7.2007, Art. 343*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*





### **Article 209<sup>3</sup> - Local self-government body**

1. The relevant service of a local self-government body or a natural and/or legal person authorised by it shall hear the cases of administrative offences defined in Articles 55<sup>5</sup>, 103, 107<sup>2</sup>, 107<sup>3</sup>, 107<sup>4</sup>, 114<sup>2</sup>(6), 125(8), 125<sup>2</sup>, 125<sup>3</sup>, 130(4)(a), 135, 135<sup>1</sup>, 146<sup>1</sup>, 148(3),(4), 151(3), 151<sup>1</sup>, 151<sup>2</sup> and 152<sup>3</sup> or 153<sup>6</sup> (1),(3) of this Code.

2. If the administrative offences defined in Articles 107<sup>4</sup>, 114<sup>2</sup>(6), 125(8), 125<sup>2</sup>, 125<sup>3</sup>(4),(5) or 146<sup>1</sup> of this Code are committed, the relevant service of a local self-government body or a natural and/or legal person authorised by it shall hear the case of an administrative offence and shall impose at the scene an administrative penalty (fine) on the offender or the vehicle owner.

2<sup>1</sup>. If any of the offences defined in Articles 119<sup>1</sup> or 153<sup>6</sup>(1),(3) of this Code are committed and if an administrative inquiry is not required, the relevant service of a local self-government body or a natural and/or legal person authorised by it shall hear the case of such an administrative offence at the scene and shall impose an administrative penalty (fine) on the offender at the scene.

3. If any of the offences defined in Articles 55<sup>5</sup>, 103, 130(4)(a), 135, 135<sup>1</sup>, 148(3),(4), 151(3), 151<sup>1</sup>, 151<sup>2</sup>, 152<sup>3</sup> of this Code are committed, the relevant service of a local self-government body or a natural and/or legal person authorised by it shall hear the case of such an administrative offence at the scene and shall impose an administrative penalty (fine) on the offender at the scene.

4. If an appeal is filed with a superior body (official) against the administrative penalty (fine) imposed for the administrative offences defined in Articles 55<sup>5</sup>, 103, 107<sup>4</sup>, 114<sup>2</sup>(6), 125(8), 125<sup>2</sup>, 125<sup>3</sup>(4),(5), 130(4)(a), 135, 135<sup>1</sup>, 146<sup>1</sup>, 148(3),(4), 151(3), 151<sup>1</sup>, 151<sup>2</sup>, and 152<sup>3</sup> and 153<sup>6</sup>(1),(3) of this Code, the relevant service of the executive body of a local self-government shall hear such an appeal and make a decision.

*Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 4067 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 457*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 4451 of 11 March 2011 – website, 25.3.2011*

*Law of Georgia No 4464 of 22 March 2011 – website, 5.4.2011*

*Law of Georgia No 4735 of 3 June 2011 – website, 22.6.2011*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 4788 of 19 February 2016 – website, 7.3.2016*

### **Article 210 - State Fire and Public Safety Supervision Authority**

The State Fire and Public Safety Supervision Authority shall hear cases of administrative offences and impose administrative penalties on offenders for the administrative offences defined in Article 177 of this Code.

*Ordinance No 903 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 10, September, 1986, Art. 219*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 955 of 29 December 2004 – LHG I, No 6, 19.1.2005, Art. 52*

*Law of Georgia No 2468 of 29 May 2014 – website, 12.6.2014*

### **Article 211 - Railway transport authorities**

1. The relevant authorities of the Georgian Railway shall hear, within the scope of their authority, the cases of administrative offences defined in Articles 44 (offences committed on railway transport), 106, 107, 115(1), 129(1), 130 and 131 (offences committed on railway transport) of this Code.

2. The persons designated by a resolution of the Board of directors of the Georgian Railway may hear the cases of administrative offences and impose administrative penalties on behalf of the railway transport authorities.

3. In order to enforce the collection of the fine prescribed by Articles 106(5), 107(2),(3),(4), 129(1) (for offences committed on railway transport) and 130(2),(3) (for offences committed on railway transport) of this Code, the authorised person of the relevant service of the Georgian Railway may issue a fine receipt at the scene of the administrative offence without drawing up an administrative offence report, provided the offender does not contest the administrative penalty imposed on him/her. Otherwise, the authorised person shall issue a fine receipt and also draw up an administrative offence report.



*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 6147 of 8 May 2012 – website, 25.5.2012*

#### **Article 212 - Sea transport authorities**

1. Sea transport authorities shall hear cases of administrative offences defined in Articles 44(1) (offences committed on sea transport), 112, 113, 114, 114<sup>3</sup> and 114<sup>4</sup>, 115(1), 128(2), 129(1), 130 and 131(1) (offences committed on sea transport) of this Code.

2. Cases of administrative offences may be heard and administrative penalties on behalf of sea transport authorities may be imposed by a port captain and relevant authorised persons of appropriate bodies.

3. A port captain shall be authorised to enforce the payment of a fine prescribed by Articles 113(2),(3) 129(1) (for offences committed on sea transport) and Article 130(2),(3) (for offences committed on sea transport) of this Code imposed on the offender without drawing up an administrative offence report at the scene of the administrative offence, provided the offender does not contest the administrative penalty imposed on him/her.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

#### **Article 213 - Legal Entity under Public Law (LEPL) - Civil Aviation Agency of the Ministry of Economy and Sustainable Development of Georgia**

The authorised persons of the LEPL Civil Aviation Agency of the Ministry of Economy and Sustainable Development of Georgia may hear the cases of the administrative offences defined in Articles 109, 111-111<sup>5</sup> and 115(2) of this Code and impose administrative penalties.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of the Republic of Georgia of 20 March 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 9, September, 1991, p. 32*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 6094 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 2468 of 29 May 2014 – website, 12.6.2014*

#### **Article 214 - Motor transport and electric transport authorities**

1. Motor transport and electric transport authorities shall hear cases of the administrative offences defined in Articles 127<sup>1</sup>(3), 128(3), 129(2-4) and 130 of this Code (except as provided for by Article 130(4)(a) of this Code) (for offences committed on motor transport and electric transport).

2. Ticket inspectors, ticket collectors and other motor transport and electric transport (trolleybus, tram) authorised employees may hear an administrative case and impose an administrative penalty on behalf of the authorities indicated in paragraph 1 of this article.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of Georgia No 2148 of 23 June 1999 – LHG I, No 27(34), 6.7.1999, Art. 143*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3769 of 24 November 2006 – LHG I, No 45, 9.12.2006, Art. 308*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

#### **Article 215 - State labour inspectors**

State labour inspectors shall hear cases of the administrative offences defined in Article 42 of this Code. The following persons may hear cases of these



administrative offences and impose an administrative penalty:

- a) Chief State Labour Inspector – a fine of up to 200 times the minimum wage
- b) state labour inspectors – a fine of up to 100 times the minimum wage.

*Law of Georgia No 1025 of 31 October 1997 – The Parliament Gazette, No 45, 21.11.1997, p. 45*

#### **Article 216 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 217 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 218 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 219 - Agencies of the Ministry of Finance of Georgia**

1. Agencies of the Ministry of Finance of Georgia shall hear cases of administrative offences defined in Articles 165 and 194 of this Code, also within the scope of their authority, cases of administrative offences defined in Articles 127<sup>1</sup>(2), 129<sup>1</sup>, 157 and 195 of this Code.

**[1. Agencies of the Ministry of Finance of Georgia shall hear cases of administrative offences defined in Articles 153<sup>7</sup>, 165 and 194 of this Code, also, within the scope of their authority, cases of administrative offences defined in Articles 127<sup>1</sup>(2), 129<sup>1</sup>, 157 and 195 of this Code. (Shall become effective from 1 July 2017)]**

2. The following persons may hear cases of administrative offences and impose administrative penalties on behalf of the bodies of the Ministry of Finance of Georgia:

- a) the heads and deputy heads of tax authorities, authorised officials of the relevant service of the Ministry of Finance, for the administrative offences provided for in Articles 127<sup>1</sup>(2), 157, 165, 165<sup>10</sup> and 195 of this Code;
- b) the head and deputy head of the relevant service of the Ministry of Finance of Georgia, the head and deputy head of a division, heads and deputy heads of regional tax authorities, other duly authorised officials of tax authorities, other authorised officials of the relevant service of the Ministry of Finance of Georgia, for the administrative offences provided for in Articles 129<sup>1</sup>, 194 and 195 of this Code –
- c) authorised persons of the relevant service of the Ministry of Finance of Georgia, for the administrative offence provided for in Article 179<sup>3</sup> of this Code.

**[3. If at the time of the commission of any of the offences defined in Article 153<sup>7</sup> of this Code an administrative inquiry is not required, a relevant authorised person of the Revenue Service, a Legal Entity under Public Law (LEPL) operating within the Ministry of Finance of Georgia, shall hear the case of such an administrative offence at the scene and shall impose an administrative penalty on the offender at the scene. (Shall become effective from 1 July 2017)]**

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 3409 of 24 February 2004 – LHG I, No 5, 4.3.2004, Art. 18*

*Law of Georgia No 923 of 29 December 2004 – LHG I, No 41, 30.12.2004, Art. 204*

*Law of Georgia No 1756 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 252*

*Law of Georgia No 2024 of 9 November 2005 – LHG I, No 48, 29.11.2005, Art. 321*

*Law of Georgia No 2788 of 17 March 2006 – LHG I, No 8, 24.3.2006, Art. 60*

*Law of Georgia No 4232 of 29 December 2006 – LHG I, No 50, 30.12.2006, Art. 383*

*Law of Georgia No 4258 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 418*

*Law of Georgia No 5242 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 306*



*Law of Georgia No 1930 of 3 November 2009 – LHG I, No 32, 6.11.2009, Art. 193*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 6395 of 5 June 2012 – website, 19.6.2012*

*Law of Georgia No 2542 of 26 July 2014 – website, 6.8.2014*

*Law of Georgia No 241 of 29 December 2016 – website, 13.1.2017*

#### **Article 219<sup>1</sup> - (Deleted)**

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

*Law of Georgia No 620 of 5 December 2008 – LHG I, No 35, 5.12.2008, Art. 226*

#### **Article 220 - Agencies of the Ministry of Defence of Georgia**

1. Agencies of the Ministry of Defence of Georgia shall hear cases of administrative offences (committed by the drivers of transport vehicles of the armed forces of the Ministry of Defence of Georgia, military service personnel and conscripted reservists) defined in Articles 119(1), 125(1),(2), 196<sup>1</sup>, 197 and 198 of this Code.

[1. Agencies of the Ministry of Defence of Georgia shall hear cases of administrative offences committed by the drivers of transport vehicles of the armed forces of the Ministry of Defence of Georgia, military service personnel and conscripted reservists, which are provided for in Articles 119(1), 125(1-2), 196<sup>1</sup>, 197 and 198 of this Code. **(Shall become effective from 1 July 2017)**]

2. The following persons may hear cases of administrative offences and impose administrative penalties on behalf of the agencies of the Ministry of Finance of Georgia:

a) (deleted - 29.7.2014, No 2555);

b) the officials, head or deputy head, of the Military Traffic Inspectorate, the chairperson of the Military Qualifications Commission, chief inspectors, also officers duly appointed as non-staff inspectors of the Military Traffic Inspectorate, in the form of a warning – for administrative offences defined in Articles 119(1) and 125(1),(2) of this Code;

[b) officials of the Military Traffic Inspectorate – head or deputy head, the chairperson of the Military Qualifications Commission, chief inspectors, also officers duly appointed as non-staff inspectors of the Military Traffic Inspectorate, as a warning – for the administrative offences defined in Articles 119(1) and 125(1-2) of this Code; **(Shall become effective from 1 July 2017)**]

c) the Military Police of the Ministry of Defence of Georgia, for the administrative offence defined in Article 197<sup>3</sup> of this Code.

3. The Military Traffic Inspectorate shall transfer to the Patrol Police Department the reports prepared on administrative offences that are subject to administrative penalties in the form of suspension of a driving licence and are committed by the drivers of transport vehicles of the armed forces of the Ministry of Defence of Georgia, by military service personnel and conscripted reservists.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1619 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 109*

*Law of Georgia No 4322 of 29 December 2006 – LHG I, No 4, 12.1.2007, Art. 62*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

#### **Article 221 - State sanitary supervision agencies and institutions**

State sanitary supervision agencies and institutions shall hear cases of the administrative offences defined in Article 43(1) of this Code.

The following persons may hear cases of administrative offences and impose administrative penalties on behalf of state sanitary supervision agencies and



institutions: Chief (Deputy Chief) State Sanitary Doctor of Georgia, Chief (Deputy Chief) State Sanitary Doctors of the Autonomous Republics of Abkhazia and Ajara, Chief (Deputy Chief) State Sanitary Doctors of the districts and cities of Georgia.

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2382 of 9 September 1999 – LHG I, No 43(50), 21.9.1999, Art. 221*

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

## **Article 222 – Environmental Supervision Department – a state sub-agency of the Ministry of Environment and Natural Resources Protection of Georgia**

The authorised employees of the Environmental Supervision Department – a state sub-agency of the Ministry of Environment and Natural Resources Protection of Georgia – may hear cases of administrative offences specified in Articles 48, 49, 51, 51<sup>2</sup>, 51<sup>4</sup>–53<sup>2</sup>, 54, 54<sup>1</sup>, 55<sup>1</sup>, 55<sup>4</sup>, 56, 57–57<sup>3</sup>, 58, 58<sup>1</sup>, 58<sup>3</sup>, 59, 59<sup>3</sup>, 60, 60<sup>3</sup>, 61<sup>1</sup>, 63–65, 66–69, 69<sup>4</sup>–69<sup>6</sup>, 71, 71<sup>1</sup>, 72<sup>1</sup>–78, 79<sup>1</sup>–79<sup>5</sup>, Article 79<sup>5</sup> (in the part of the import of certain hazardous chemicals), Articles 82<sup>1</sup>–82<sup>4</sup> and 84–85<sup>5</sup>, Article 86 (except for paragraphs 9 and 10), 87<sup>1</sup>–87<sup>3</sup> and 89–89<sup>3</sup>, Article 91<sup>3</sup>(3), Articles 103<sup>1</sup> and 128<sup>3</sup>–128<sup>5</sup>, Article 151 (except for paragraph 3) and Article 173<sup>5</sup> of this Code and may impose administrative penalties.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1141 of 10 December 1997 – The Parliament Gazette, No 47-48, 31.12.1997, p. 163*

*Law of Georgia No 1981 of 28 May 1999 – LHG I, No 19(26), 4.6.1999, Art. 77*

*Law of Georgia No 1753 of 19 November 2002 – LHG I, No 31, 10.12.2002, Art. 139*

*Law of Georgia No 1768 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 253*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

*Law of Georgia No 3807 of 12 November 2010 – LHG I, No 65, 26.11.2010, Art. 410*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 723 of 12 June 2013 – website, 3.7.2013*

*Law of Georgia No 1358 of 27 September 2013 – website, 9.10.2013*

*Law of Georgia No 1835 of 24 December 2013 – website, 3.1.2014*

*Law of Georgia No 2660 of 18 September 2014 – website, 2.10.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 3489 of 29 April 2015 – website, 14.5.2015*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

## **Article 222<sup>1</sup> - Bodies of the Ministry of Justice of Georgia**

The bodies of the Ministry of Defence of Georgia may hear the cases of the administrative offences provided for in Articles 185, 185<sup>1</sup> and 185<sup>2</sup> of this Code and impose administrative penalties.

*Law of Georgia No 3382 of 23 June 2006 – LHG I, No 24, 29.6.2006, Art. 190*

*Law of Georgia No 1388 of 11 July 2009 – LHG I, No 21, 3.8.2009, Art. 106*

*Law of Georgia No 3361 of 6 July 2010 – LHG I, No 41, 21.7.2010, Art. 261*

*Law of Georgia No 4943 of 24 June 2011 – website, 14.7.2011*



## **Article 222<sup>2</sup> - Ministry of Energy of Georgia**

The authorised employees of the Legal Entity under Public Law (LEPL) – State Oil and Gas Agency of the Ministry of Energy of Georgia may hear cases of administrative offences in the field of oil and gas defined in Articles 56, 57, 57<sup>2</sup>, 91<sup>3</sup>(2) and 96<sup>2</sup> and 173<sup>5</sup> of this Code, and may impose administrative penalties.

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

## **Article 223 - Legal Entity under Public Law (LEPL) – National Food Agency of the Ministry of Agriculture of Georgia**

1. The authorised persons of the LEPL National Food Agency operating under the Ministry of Agriculture of Georgia shall hear cases of administrative offences specified in Article 79<sup>6</sup> (in the part of the import of pesticide) and Articles 98<sup>1</sup>, 179<sup>4</sup> and 179<sup>5</sup> of this Code.

2. The authorised employees of the LEPL National Food Agency may hear cases of administrative offences and impose administrative penalties on behalf of the LEPL National Food Agency of the Ministry of Agriculture of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 678 of 8 March 1995 - The Gazette of the Parliament of Georgia, No 23-26, December-March, 1994-1995, Art. 552*

*Law of Georgia No 1490 of 26 June 1998 – The Parliament Gazette, No 25-26, 15.7.1998, p. 31*

*Law of Georgia No 549 of 28 October 2004 – LHG I, No 33, 12.11.2004, Art. 158*

*Law of Georgia No 4145 of 17 December 2010 – LHG I, No 76, 29.12.2010, Art. 517*

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

## **Article 223<sup>1</sup> - Primary water users**

The person authorised by primary water users shall hear cases of the administrative offence defined in Article 96<sup>4</sup> of this Code at the scene and impose an administrative penalty on the offender at the scene.

*Law of Georgia No 4141 of 17 December 2010 – LHG I, No 76, 29.12.2010, Art. 514*

## **Article 224 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 225 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 225<sup>1</sup> - (Deleted)**

*Ordinance No 472 of the Presidium of the Supreme Soviet of the Georgian SSR of 21 November 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, No 11, November, 1985, Art. 376*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*



## **Article 226 - (Deleted)**

*Ordinance No 717 of the Presidium of the Supreme Soviet of the Georgian SSR of 28 April 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 4, August, 1986, Art. 89*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 227 - (Deleted)**

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Article 228 - Georgian National Communications Commission**

The Georgian National Communications Commission may hear cases of administrative offences defined in Articles 141, 142, 144<sup>1</sup> and 144<sup>3</sup>-144<sup>5</sup> of this Code and impose administrative penalties.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

*Law of Georgia No 783 of 23 December 2004 – LHG I, No 5, 18.1.2005, Art. 22*

## **Article 228<sup>1</sup> - Georgian National Energy and Water Supply Regulatory Commission**

The Georgian National Energy and Water Supply Regulatory Commission may hear cases of administrative offences defined in Article 92<sup>1</sup> of this Code and impose administrative penalties.

*Law of Georgia No 976 of 29 December 2004 – LHG I, No 4, 17.1.2005, Art. 18*

*Law of Georgia No 5471 of 20 November 2007 – LHG I, No 40, 3.12.2007, Art. 382*

## **Article 228<sup>2</sup> - Electric power or gas sector licensee, a small power plant**

1. The relevant electric power or gas sector licensees and small power plants or the natural and/or legal persons authorised by them may impose administrative penalties for administrative offences defined in Article 96<sup>1</sup> of this Code.

2. The relevant electric power or gas sector licensees and small power plants shall enforce an order fining a natural person for committing the administrative offences defined in Article 96<sup>1</sup> of this Code according to the rules laid down by the Georgian National Energy and Water Supply Regulatory Commission. If the persons indicated in this paragraph fail to carry out the enforcement, the order on fining a natural person shall be enforced according to the procedure laid down by the Law of Georgia on Enforcement Proceedings.

3. An order fining a legal person/institution for committing the administrative offences defined in Article 96<sup>1</sup> of this Code shall be enforced according to the procedure laid down by the Law of Georgia on Enforcement Proceedings.

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

## **Article 228<sup>3</sup> - Potable water supply companies**

1. Potable water supply companies or the natural and/or legal persons authorised by them may impose administrative penalties for the administrative offences defined in Article 149 of this Code.

2. Potable water supply companies shall enforce an order fining a natural person for committing the administrative offences defined in Article 149 of this Code according to the rules laid down by the Georgian National Energy and Water Supply Regulatory Commission. If the persons indicated in this paragraph fail to carry out the enforcement, the order fining a natural person shall be enforced according to the procedure laid down by the Law of Georgia on Enforcement Proceedings.

3. An order fining a legal person/institution for committing the administrative offences defined in Article 149 of this Code shall be enforced according to the procedure laid down by the Law of Georgia on Enforcement Proceedings.



**Article 229 - (Deleted)**

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2132 of 22 June 1999 – LHG I, No 25(32), 2.7.1999, p. 123*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

**Article 229<sup>1</sup> - (Deleted)**

*Ordinance No 717 of the Presidium of the Supreme Soviet of the Georgian SSR of 28 April 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 4, April, 1986, Art. 89*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 436 of 17 March 1994 - The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of Georgia No 1573 of 17 September 1998 – LHG I, No 2, 26.10.1998, Art. 6*

*Law of Georgia No 934 of 19 June 2001 – LHG I, No 19, 2.7.2001, Art. 64*

*Law of Georgia No 604 of 25 November 2004 – LHG I, No 37, 16.12.2004, Art. 177*

**Article 229<sup>2</sup> - (Deleted)**

*Law of Georgia No 439 of 29 June 2000 – LHG I, No 26, 13.7.2000, Art. 77*

*Law of Georgia No 1126 of 22 March 2005 – LHG I, No 13, 12.4.2005, Art. 78*

**Article 229<sup>3</sup> - (Deleted)**

*Law of Georgia No 765 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 18*

*Law of Georgia No 1859 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 12*

*Law of Georgia No 3173 of 25 May 2006 – LHG I, No 17, 30.5.2006, Art. 117*

*Law of Georgia No 4296 of 29 December 2006 – LHG I, No 1, 3.1.2006, Art. 8*

*Law of Georgia No 4863 of 5 June 2007 – LHG I, No 22, 19.6.2007, Art. 192*

*Law of Georgia No 2914 of 8 April 2010 – LHG I, No 20, 19.4.2010, Art. 115*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

**Article 229<sup>4</sup> - Legal Entity under Public Law (LEPL) – National Wine Agency**

1. The Legal Entity under Public Law (LEPL) – National Wine Agency shall hear cases of administrative offences defined in Article 105<sup>2</sup> of this Code.

2. The chairperson and the deputy chairperson of the LEPL National Wine Agency may hear cases of administrative offences and impose administrative penalties on behalf of the LEPL National Wine Agency.

*Law of Georgia No 1637 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 118*

*Law of Georgia No 1789 of 24 June 2005 – LHG I, No 40, 18.7.2005, Art. 277*

*Law of Georgia No 5300 of 24 November 2011 – website, 1.12.2011*





## **Article 229<sup>5</sup> - (Deleted)**

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 3535 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 305*

## **Article 229<sup>6</sup> - Appropriate agencies of the Ministry of Labour, Health and Social Affairs of Georgia**

Appropriate agencies of the Ministry of Labour, Health and Social Affairs of Georgia may, within their powers, hear cases of administrative offences defined in Article 173<sup>13</sup> of this Code and impose administrative penalties.

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 4072 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 502*

*Law of Georgia No 5653 of 27 December 2011 – website, 12.1.2012*

## **Section IV – Administrative Proceedings**

### **Chapter 17 – Main Provisions**

#### **Article 230 - Objectives of administrative proceedings**

The objective of administrative proceedings is: to timely, comprehensively, effectively and objectively investigate the circumstances of every case, resolve the cases in full compliance with the legislation, ensure the execution of delivered orders, and also identify the causes and conditions contributing to the commission of administrative offences, prevent further offences, educate citizens in the spirit of the observance of the laws and enhance the rule of law.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 231 - Procedure for conducting administrative proceedings**

The procedure for conducting administrative proceedings in the agencies (by the officials) authorised to hear cases of administrative offences shall be determined by this Code and other normative acts of Georgia.

The procedure for conducting administrative proceedings in courts shall be determined by this Code and other legislative acts of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

#### **Article 232 – Circumstances in which administrative proceedings may not be conducted**

Administrative proceedings may not be initiated, or already initiated administrative proceedings shall be terminated:

- 1) if the administrative offence has not occurred;
- 2) if the person has not attained the age of 16 by the time the administrative offence was committed;
- 3) if the person committing the unlawful action or omission is not mentally competent;
- 4) if the action of the person constitutes an act of extreme necessity or necessary self-defence;
- 5) if an act of amnesty has been adopted abolishing the administrative penalty in question;
- 6) if an act establishing an administrative liability has been cancelled;
- 7) if the period prescribed under Article 38 of this Code has expired;
- 8) if there is an order issued by a competent authority imposing an administrative penalty on the person held administratively liable, or if there is an unreversed decision of a comrades' court, provided the case material has been handed to the comrades' court by the authority (official) authorised to impose an administrative penalty for the given offence, or if there is an unreversed order on the termination of the administrative proceedings, or if



criminal prosecution has been initiated on the case in question;

9) if the person with respect to whom the administrative proceedings have been initiated has died;

10) (deleted – 25.3.2013, No 453).

*Law of Georgia No 5916 of 20 March 2012 – website, 30.3.2012*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

### **Article 233 – Administrative proceedings conducted based on the principle of equality of citizens**

Administrative proceedings shall be conducted based on the principle of equality of citizens before the law and the hearing authority (official), irrespective of origin, social and property status, racial or ethnic origin, sex, education, language, religious beliefs, type and nature of occupation, place of residence and other circumstances.

### **Article 234 - Open administrative proceedings**

Administrative cases shall be heard openly.

To increase the educative and cautionary role of the administrative proceedings, such cases may be heard directly by the staff, or at the offender's place of study or residence.

### **Article 234<sup>1</sup> - Hearing cases of administrative offences at the scene**

Where so provided for by this Code, a case may be heard at the scene of the offence, which means a comprehensive, effective and objective investigation of the case, the resolution of the case in strict compliance with the legislation of Georgia, the imposition of an administrative penalty at the scene and the service of a fine receipt upon the offender at the scene.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

### **Article 235 - Prosecutorial supervision over the observance of the laws in administrative proceedings**

In exercising supervision over the observance of the laws in administrative proceedings, a prosecutor may initiate administrative proceedings; familiarise himself/herself with the case material; examine the lawfulness of the actions of the agencies (officials) during the proceedings; take part in a hearing; make motions, give opinions on issues arising during a hearing; examine the correctness of the application of administrative sanctions by the relevant bodies (officials); file objections against the orders and decisions made on an application filed in connection with an administrative offence; suspend the execution of an order, or perform any other acts provided for by law.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Article 236 - Evidence**

1. The evidence in an administrative case shall be all those facts based on which the relevant body (official) establishes, according to the procedure defined by the legislation of Georgia, the existence or non-existence of an administrative offence, the guilt of a person in its commission, and other circumstances that are important for correct resolution of the case.

2. These facts shall be established by the following means: an administrative offence report, the statement of a person prosecuted for the administrative offence, the victim and witness statements, an expert's opinion, the findings of an alcohol, drug or psychotropic test, a videotape or photo-film, material evidence, a report on the seizure of an item or document, and any other documents.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4191 of 27 December 2006 – LHG I, No 49, 29.12.2006, Art. 359*

*Law of Georgia No 4707 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 137*

### **Article 237 - Evaluation of evidence**

Being guided by law and legal consciousness, the relevant body (official) shall evaluate evidence with his/her inner conviction based on a comprehensive, full and objective examination of all the circumstances of the case in their entirety.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*



## **Article 238 - Handing materials over to a prosecutor or an investigation body**

If during the hearing of the case the body (official) concludes that the offence contains elements of a crime, it shall hand the materials over to a prosecutor or an investigation body.

*Law of Georgia No 1350 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 122*

*Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332*

## **Chapter 18 - Administrative Offence Report**

### **Article 239 - Administrative Offence Report**

1. A report shall be prepared in connection with an administrative offence by a duly authorised official or social organisation or by a representative of a local community body. No report shall be prepared where so provided for by Article 242 of this Code.

2. Reports on administrative offences defined in Articles 42<sup>1</sup> and 42<sup>2</sup> of this Code shall be prepared by a collective labour dispute regulatory office.

2<sup>1</sup>. Reports on administrative offences defined in Article 42<sup>3</sup> of this Code shall be prepared by the Ministry of Labour, Health and Social Affairs of Georgia.

3. Reports on administrative offences defined in Article 57<sup>2</sup>, 60<sup>1</sup>(2), 61, 95, 128<sup>1</sup> and 173<sup>5</sup> of this Code shall be prepared by agencies of the State Technical Supervision Inspection.

4. Report on administrative offences specified in Articles 48, 49, 51-51<sup>2</sup>, 51<sup>4</sup>-53<sup>2</sup>, 54, 54<sup>1</sup>, 55<sup>1</sup>, 55<sup>4</sup>, 56, 57-59, 59<sup>3</sup>, 60, 60<sup>3</sup>, 61<sup>1</sup>, 63-65, 66-69, 69<sup>4</sup>-69<sup>6</sup>, 71, 71<sup>1</sup>, 72<sup>1</sup>-78, 79<sup>1</sup>-79<sup>5</sup>, Article 79<sup>6</sup> (in the part of the import of certain hazardous chemicals), Articles 82<sup>1</sup>-82<sup>4</sup>, 84-86, 87<sup>1</sup>-87<sup>3</sup> and 89-89<sup>3</sup>, Article 91<sup>3</sup> (3), Articles 103<sup>1</sup>, 104 and 128<sup>2</sup>-128<sup>5</sup>, Article 151 (except for Article 151(3)) and Article 173<sup>5</sup> of this Code shall be prepared by the authorised employees of the institutions within the Ministry of Environment and Natural Resources Protection of Georgia, within their competence.

4<sup>1</sup>. Reports on administrative offences defined in Article 59<sup>2</sup> of this Code shall be prepared by the authorised employees of the Legal Entity under Public Law within the Ministry of Environment and Natural Resources Protection of Georgia – the Nuclear and Radiation Security Agency.

4<sup>2</sup>. (Deleted – 25.3.2013, No 453).

4<sup>3</sup>. Reports on administrative offences defined in Articles 51, 51<sup>2</sup> and 54<sup>1</sup> of this Code shall be prepared by the relevant bodies of the Ministry of Agriculture of Georgia.

5. (Deleted).

6. Reports on administrative offences defined in Article 95 of this Code shall be prepared also by the authorised workers of gas supply facilities within their powers.

7. (Deleted).

8. (Deleted).

9. Reports on administrative offences defined in Article 92<sup>1</sup> of this Code shall be prepared by a person authorised by the Georgian National Energy and Water Supply Regulatory Commission.

10. Reports on administrative offences defined in Articles 88 and 144<sup>10</sup> of this Code shall be prepared by the authorised persons of the Ministry of Culture and Monument Protection of Georgia or by the authorised persons of the bodies of the Ministry, within the scope of the powers delegated by the Ministry of Culture and Monument Protection of Georgia.

10<sup>1</sup>. Reports on administrative offences defined in Articles 88(1),(2) of this Code in the administrative territory of the Autonomous Republic of Ajara shall be prepared, within their powers, by the authorised persons of the Legal Entity under Public Law (LEPL) – Ajara Cultural Heritage Protection Agency of the Ministry of Education, Culture and Sports of the Autonomous Republic of Ajara.

11. Reports on administrative offences defined in Article 107<sup>1</sup> of this Code shall be prepared by the officials authorised by the police, railway, sea and river transport authorities.

12. Reports on administrative offences defined in Articles 107<sup>2</sup> and 107<sup>3</sup> of this Code shall be prepared by the officials providing supervision over the observance of the rules for using metro services.

13. Reports on administrative offences defined in Articles 45, 58<sup>3</sup>, 81, 86<sup>1</sup>, 107, 114<sup>1</sup>, 114<sup>2</sup>, 116-116<sup>3</sup>, 118-123, 125, 127, 127<sup>1</sup>(1),(2),(6),(7), 134, 139<sup>5</sup>, 150, 153<sup>3</sup>, 153<sup>6</sup>(2), 166, 173, 174<sup>1</sup>, 174<sup>15</sup>, 174<sup>16</sup>, 175<sup>2</sup>, 176<sup>1</sup>, 177<sup>1</sup>, 180-183, 190, 190<sup>2</sup> and 191 of this Code shall be prepared by the bodies of internal affairs, and where the administrative offences defined in Articles 45, 166 and 197<sup>2</sup> of this Code are committed by the military personnel, the reports shall be prepared by an authorised person of the Ministry of Internal Affairs of Georgia.



13<sup>1</sup>. If the administrative offence defined in Article 173 of this Code is committed against an employee of the Special State Protection Service, or in the case provided for in Article 246(c<sup>1</sup>) of this Code, an administrative offence report shall be prepared by an employee of the Special State Protection Service.

13<sup>2</sup>. Reports on administrative offences defined in Article 173 of this Code shall be prepared by an enforcement police officer within the scope of his/her powers.

14. Reports on administrative offences defined in Articles 43<sup>1</sup>, 43<sup>2</sup>, 51<sup>3</sup>, 53<sup>3</sup>, 55, 55<sup>2</sup>, 55<sup>3</sup>, 107<sup>4</sup>, 114<sup>2</sup>(6), 119<sup>1</sup>, 127<sup>1</sup>(5), 145, 146<sup>1</sup>, 148, 150-151, 152, 153<sup>4</sup>, 153<sup>6</sup>(2), 159 and 159<sup>1</sup> of this Code shall be prepared by the persons authorised by the relevant local self-government agencies.

15. (Deleted).

16. Reports on administrative offences defined in Articles 153, 153<sup>1</sup>, 154<sup>1</sup>, 154<sup>2</sup>, 155<sup>1</sup>, 158, 158<sup>1</sup>, 159<sup>4</sup>, 163, 165<sup>3</sup> and 178 of this Code shall be prepared by the employees of the internal affairs agencies, the persons authorised by state administration bodies, the tax authorities of the Ministry of Finance of Georgia or the authorised persons of the State Audit Service agencies.

16<sup>1</sup>. Reports on administrative offences defined in Article 159<sup>10</sup> of this Code shall be prepared by the relevant services of the Ministry of Labour, Health and Social Affairs of Georgia and by authorised persons of the bodies of internal affairs.

17. (Deleted).

18. Reports on administrative offences defined in Article 173<sup>3</sup> of this Code shall be prepared by the chairperson of the ad hoc investigation commission.

19. Report on administrative offences defined in Articles 66<sup>4</sup> and 91<sup>2</sup>, 91<sup>3</sup>(1) 127<sup>1</sup>(2), 153, 153<sup>1</sup>, 153<sup>5</sup>, 155<sup>1</sup>-155<sup>6</sup>, 157, 158, 164, 164<sup>4</sup>, 165-165<sup>3</sup>, 178, 179<sup>3</sup>, 194 and 195 of this Code shall be prepared by the authorised persons of the relevant agencies of the Ministry of Finance of Georgia.

20. Reports on administrative offences defined in Article 173<sup>4</sup> of this Code shall be prepared by the Public Defender of Georgia.

21. Reports on administrative offences defined in Article 173<sup>5</sup> of this Code shall be prepared by the authorised persons of the control and supervision agencies defined by law.

22. Reports on administrative offences defined in Article 179<sup>2</sup> of this Code shall be prepared by the authorised persons of the internal affairs agencies and of local self-government agencies.

23. Reports on the administrative offence defined in Article 174<sup>2</sup> of this Code shall be prepared by the Central Election Commission of Georgia, the election commissions subordinate to it, the persons authorised by it and/or the authorised persons of the internal affairs agencies of Georgia.

24. Reports on administrative offences defined in Articles 177<sup>8</sup>, 177<sup>9</sup> and 177<sup>10</sup> of this Code shall be prepared by the state inspectors of State Geodetic Supervision and by the persons authorised by the local self-government or government agencies.

24<sup>1</sup>. (Deleted).

24<sup>2</sup>. (Deleted).

24<sup>3</sup>. (Deleted).

25. (Deleted – 8.5.2012, No 6156).

26. (Deleted – 1.7.2011, No 5004).

27. Reports on administrative offences defined in Articles 55<sup>5</sup>, 107<sup>2</sup>, 107<sup>3</sup>, 125(8), 125<sup>2</sup>, 125<sup>3</sup>, 130(4)(a), 135, 135<sup>1</sup>, 146<sup>1</sup>, 150<sup>1</sup>, 151<sup>1</sup>, 152<sup>2</sup>, 152<sup>3</sup> and 153<sup>6</sup> (1),(3) of this Code shall be prepared by the relevant services of the local self-government bodies or by the natural and/or legal persons authorised by them.

28. The right to prepare reports and impose administrative penalties in connection with the administrative offences defined in Article 127(3),(8) of this Code shall be vested in the authorised person of the Legal Entity under Public Law (LEPL) – Land Transport Agency of the Ministry of Economy and Sustainable Development of Georgia.

29. Reports on administrative offences defined in Article 91<sup>2</sup> of this Code shall be prepared by the tax authority of the Ministry of Finance of Georgia, based on the report of the body authorised by law.

30. (Deleted).

31. Reports on administrative offences defined in Articles 49, 51, 51<sup>2</sup>, 52, 63, 64, 65-65<sup>1</sup>, 66-67, 68, 71, 73-76 and 86 of this Code committed on Local Forest Fund lands shall be prepared by the officials authorised by the local government agencies.

32. (Deleted).

33. Reports on administrative offences defined in Articles 157<sup>1</sup>-157<sup>4</sup> of this Code shall be prepared by the agencies of the Ministry of Internal Affairs of Georgia or by the duly authorised officials of the relevant service of the Ministry of Finance of Georgia.



34. Reports on administrative offences defined in Article 94 of this Code in the sphere of energy shall be prepared by the Georgian National Energy and Water Supply Regulatory Commission.

35. Reports on administrative offences defined in Articles 141-142 and 144<sup>1</sup>-144<sup>9</sup> of this Code shall be prepared by the authorised persons of the Georgian National Communications Commission.

36. Reports on administrative offences defined in Articles 56, 57, 57<sup>2</sup>, 91<sup>3</sup> (2) and 96<sup>2</sup> and 173<sup>5</sup> of this Code and committed in the realm oil and gas operations and oil refining, natural gas refining, oil or natural gas transportation as defined by the Law of Georgia on Oil and Gas shall be prepared by a duly authorised official of the Legal Entity under Public Law (LEPL) - State Oil and Gas Agency of the Ministry of Energy of Georgia.

37. Reports on administrative offences defined in Articles 159<sup>5</sup>-159<sup>9</sup> of this Code shall be prepared by the authorised persons of the State Procurement Agency and/or the agencies of the State Audit Service.

38. Reports on administrative offences defined in Articles 44<sup>2</sup>, 44<sup>5</sup>, 44<sup>7</sup>-44<sup>12</sup> and 46<sup>2</sup>-46<sup>4</sup> of this Code shall be prepared by the relevant services of the Ministry of Labour, Health and Social Affairs of Georgia.

39. Reports on administrative offences defined in Articles 105<sup>2</sup> and 164<sup>5</sup>(1) of this Code shall be prepared by the Legal Entity under Public Law (LEPL) – National Wine Agency.

39<sup>1</sup>. (Deleted – 8.5.2012, No 6156).

40. (Deleted).

41. Where the administrative offences defined in Articles 58<sup>2</sup> and 86(9),(10) of this Code are identified by the agencies of the Ministry of Internal Affairs of Georgia, administrative offence reports shall be prepared by the appropriate agencies of the Ministry of Internal Affairs of Georgia (together with the authorised agencies of the Ministry of Environment and Natural Resources Protection of Georgia). Where the administrative offences defined in Article 86(1),(2),(5-10),(12-15) of this Code are identified by the agencies of the Ministry of Internal Affairs of Georgia in the border line and border zone, administrative offence reports shall be prepared by the relevant agencies of the Ministry of Internal Affairs of Georgia (together with the authorised agency of the Ministry of Environment and Natural Resources Protection of Georgia).

42. Reports on administrative offences defined in Article 46<sup>1</sup> of this Code shall be drawn up by the authorised officials of the Ministry of Labour, Health and Social Affairs of Georgia.

43. (Deleted).

44. Reports on administrative offences defined in Articles 43, 44, 44<sup>1</sup>, 44<sup>3</sup>, 58(2), 60<sup>1</sup>(1),(2), 60<sup>3</sup>, 173<sup>5</sup> and 177<sup>11</sup> of this Code shall be prepared by the authorised persons of the agencies providing state sanitary supervision.

45. Reports on administrative offences defined in Articles 178<sup>1</sup>-178<sup>2</sup> of this Code shall be prepared by the appropriate agencies of the Ministry of Labour, Health and Social Affairs of Georgia, and the report on the administrative offences defined in Article 178<sup>3</sup> of this Code shall be prepared jointly by the authorised persons of the Georgian National Energy and Water Supply Regulatory Commission and of the Ministry of Labour, Health and Social Affairs of Georgia.

46. Reports on administrative offences defined in Articles 42<sup>5</sup>-42<sup>9</sup> of this Code shall be prepared by the authorised persons of the State United Social Insurance Fund of Georgia.

47. The right to review cases of administrative offences and impose the administrative penalties provided for in Articles 139<sup>2</sup> and 139<sup>3</sup> of this Code shall be vested in the authorised officials of the legal entities under public law - Land Transport Agency, Maritime Transport Agency and Civil Aviation Agency of the Ministry of Economy and Sustainable Development of Georgia, and the right to review the cases of administrative offences and impose the administrative penalties provided for in Article 139<sup>4</sup> of this Code shall be vested in the authorised officials of the relevant national regulatory agency.

47<sup>1</sup>. Reports on administrative offences defined in Articles 109 and 111-111<sup>5</sup> of this Code shall be prepared by the authorised officials of the Legal Entity under Public Law (LEPL) – Civil Aviation Agency of the Ministry of Economy and Sustainable Development of Georgia.

48. Reports on administrative offences defined in Articles 155<sup>3</sup>-155<sup>6</sup>, 171<sup>1</sup>-171<sup>3</sup> and 191 of this Code shall be prepared by the relevant agencies of the Ministry of Internal Affairs of Georgia within their powers.

49. (Deleted – 8.5.2012, No 6156).

50. Reports on administrative offences defined in Article 96<sup>1</sup> of this Code shall be prepared by the relevant electricity or gas sector licensee according to the rules laid down by the Georgian National Energy and Water Supply Regulatory Commission.

51. Reports on administrative offences defined in Article 44<sup>4</sup> of this Code shall be prepared by the duly authorised officials of the Ministry of Labour, Health and Social Affairs of Georgia, of the Ministry of Agriculture of Georgia and of the relevant service of the Ministry of Finance of Georgia.

52. (Deleted).

52<sup>1</sup>. Where the administrative offences defined in Article 129<sup>1</sup> of this Code are committed, reports within the country shall be prepared by the duly authorised officials of the Ministry of Internal Affairs of Georgia, and the reports in connection with the vehicles entering or leaving the territory of Georgia via a customs checkpoint shall be prepared by the duly authorised officials of the relevant service of the Ministry of Finance of Georgia.

53. If a military service person of the Ministry of Defence of Georgia commits the administrative offences defined in Articles 45, 166, 197<sup>2</sup> and 197<sup>3</sup> of



this Code, reports on the administrative offences shall be drawn up by an appropriately authorised person of the Military Police Department of the Ministry of Defence of Georgia.

54. (Deleted – 28.12.2011, No 5662)

55. Reports on administrative offences defined in Articles 185, 185<sup>1</sup> and 185<sup>2</sup> of this Code shall be prepared by the relevant agencies of the Ministry of Justice of Georgia within their powers.

56. Reports on administrative offences defined in Article 128<sup>2</sup> of this Code shall be prepared by the internal affairs agencies and/or the relevant agencies of the Ministry of Environment and Natural Resources Protection of Georgia.

57. Reports on administrative offences defined in Articles 99 and 165<sup>10</sup> of this Code shall be prepared by the authorised officials of the Legal Entity under Public Law (LEPL) – Revenue Service of the Ministry of Finance of Georgia.

58. (Deleted).

59. (Deleted – 27.12.2011, No 5653).

60. Reports on administrative offences defined in Articles 172<sup>4</sup>, 172<sup>5</sup>, 173<sup>6</sup>, 173<sup>7</sup>, 173<sup>9</sup> and 175<sup>1</sup> of this Code shall be prepared by the authorised persons of the internal affairs agencies and/or of guardianship and custodianship authorities, and the reports on the administrative offences defined in Articles 172<sup>7</sup> and 173<sup>13</sup> of this Code shall be prepared by the authorised persons of guardianship and custodianship authorities.

60<sup>1</sup>. Reports on the administrative offences defined in Articles 155, 170, 171 and 172 of this Code shall be prepared by the authorised persons of the internal affairs agencies.

60<sup>2</sup>. Reports on administrative offences defined in Article 177 of this Code shall be prepared by the authorised person of the State Fire and Public safety Supervision Body.

61. Reports on administrative offences defined in Article 96<sup>4</sup> of this Code shall be prepared by the primary water user according to the rules laid down by the Ministry of Agriculture of Georgia.

62. Reports on administrative offences defined in Article 149 of this Code shall be prepared by potable water supply companies according to the rules laid down by the Georgian National Energy and Water Supply Regulatory Commission.

63. Reports on administrative offences defined in Article 173<sup>12</sup> of this Code shall be prepared by a court.

64. If an administrative offence under Article 45 of this Code is committed by those officers within the Ministry of Corrections system, who are present on the premises of the Ministry of Corrections of Georgia, penitentiary institutions within its system, the Legal Entities under Public Law within the same Ministry – the National Agency of Execution of Non-custodial Sentences and Probation (including the territorial bodies of the National Agency of Execution of Non-custodial Sentences and Probation) and the Penitentiary and Probation Training Centre, a report on the offence shall be prepared by an authorised employee of the General Inspectorate of the Ministry of Corrections of Georgia.

65. Reports on administrative offences defined in Article 159<sup>11</sup> of this Code shall be prepared by the authorised persons of the Competition Agency.

66. The right to consider the cases of administrative offences and impose the administrative penalties provided for in Articles 196<sup>1</sup>, 197 and 198 of this Code shall be vested in the municipality Gamgebeli/mayor/Tbilisi district Gamgebeli or the local self-government employee authorised by him/her.

67. The right to draw up reports on administrative offences defined in Articles 196<sup>3</sup>, 196<sup>6</sup> and 197<sup>1</sup> of this Code shall be vested in the municipality Gamgebeli/mayor/Tbilisi district Gamgebeli or the local self-government employee authorised by him/her.

68. Reports on administrative offences defined in Article 172<sup>6</sup> of this Code shall be prepared, within the scope of their authority, by the authorised officials of the Ministry of Internal Affairs of Georgia, the Ministry of Labour, Health and Social Affairs of Georgia, the Ministry of Education and Science of Georgia, or of the relevant agency of the local self-government.

69. Reports on administrative offences defined in Article 177<sup>12</sup> of this Code shall be prepared by the authorised persons of the Legal Entity under Public Law – the National Statistics Office of Georgia (GeoStat).

[70. Reports on administrative offences defined in Article 153<sup>7</sup> of this Code shall be prepared by a relevant authorised person of the Revenue Service, a Legal Entity under Public Law (LEPL) operating within the Ministry of Finance of Georgia. **(Shall become effective from 1 July 2017)**]

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*Law of Georgia No 2542 of 26 July 2014 – website, 6.8.2014*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

*Law of Georgia No 2660 of 18 September 2014 – website, 2.10.2014*

*Law of Georgia No 2698 of 17 October 2014 – website, 31.10.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 3345 of 20 March 2015 – website, 31.3.2015*

*Law of Georgia No 3489 of 29 April 2015 – website, 14.5.2015*

*Law of Georgia No 3538 of 1 May 2015 – website, 18.5.2015*

*Law of Georgia No 3585 of 1 May 2015 – website, 18.5.2015*

*Law of Georgia No 4488 of 11 November 2015 – website, 24.11.2015*

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

*Law of Georgia No 4790 of 19 February 2016 – website, 7.3.2016*

*Law of Georgia No 4798 of 2 March 2016 – website, 14.3.2016*

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*

*Law of Georgia No 5362 of 8 June 2016 – website, 17.6.2016*

*Law of Georgia No 5573 of 24 June 2016 – website, 13.7.2016*

*Law of Georgia No 241 of 29 December 2016 – website, 13.1.2017*

#### **Article 240 - Content of an administrative offence report**

1. An administrative offence report shall indicate: the date and place it is prepared; the position, first name, patronymic and last name of the preparer of the report; details on the person of the offender, including the personal number or taxpayer identification number; the place, time and essence of the administrative offence; the normative act prescribing liability for the offence; the last names and addresses of the witnesses and victims, if any; the offender's statement; other details required to resolve the case.

2. A report, except for an electronic fine receipt issued by an authorised person of the Ministry of Internal Affairs of Georgia, shall be signed by the preparer and the offender. The report may be signed also by the witnesses and victims, if any.

2<sup>1</sup>. An electronic fine receipt issued by an authorised person of the Ministry of Internal Affairs of Georgia shall be signed by the authorised person issuing it. An electronic fine receipt shall be deemed to have been served upon the offender if the receipt is printed out by the authorised person.



3. If an administrative offender refuses to sign the report, a relevant notation shall be recorded in the report. An administrative offender may present a statement to be appended to the report and remarks with respect to the content of the report, and also formulate motives for refusing to sign the report.

4. At the time of preparing a report, the offender shall be informed of his/her rights and duties under Article 252 of this Code, and a relevant notation shall be made in the report.

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 4684 of 17 May 2011 – website, 18.5.2011*

#### **Article 240<sup>1</sup> – Definition of the content of an administrative offence report by a local self-government body**

1. Where so provided for by Articles 103, 107<sup>4</sup>, 114<sup>2</sup>(6), 125(8), 125<sup>2</sup>, 125<sup>3</sup>(4),(5), 130(4)(a), 135, 135<sup>1</sup> and 153<sup>6</sup>(2) of this Code, the content of and the procedure for issuing an administrative offence report shall be defined by the representative body of a local self-government.

2. The content of the report indicated in paragraph 1 of this article need not contain the requirements laid down by Article 240 of this Code.

*Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 4451 of 11 March 2011 – website, 25.3.2011*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 5919 of 27 March 2012 – website, 3.4.2012*

*Law of Georgia No 1960 of 5 February 2014 – website, 19.2.2014*

#### **Article 241 - Forwarding a report**

A report shall be immediately forwarded to the agency (official) authorised to consider administrative cases.

#### **Article 242 – Cases where no report is drawn up for an administrative offence**

1. No administrative offence report shall be prepared if the administrative offences defined in Articles 98<sup>1</sup>, 106(5), 107(2-4), 112, 113(2), 114, 115, 128(3), 129, 130 (except as provided for by Article 130(4)(a)), 179<sup>4</sup> and 179<sup>5</sup> of this Code are committed, also in other cases, where a fine is imposed and enforced according to the legislation of Georgia and a warning is prepared at the scene of the administrative offence.

2. If the administrative offences defined in Articles 86<sup>1</sup>, 114<sup>2</sup>, 116-116<sup>3</sup> and 118-122, 123(1), 125 and 127, 127<sup>1</sup>(1),(2), 129<sup>1</sup>, 190 and 190<sup>2</sup> of this Code are committed, the fine provided for in Article 209(2),(2<sup>1</sup>) of the Code shall not be enforced at the scene, and a fine receipt, which at the same time is an administrative offence report, shall be issued to the offender at the scene.

3. If the offender contests the administrative penalty imposed for the administrative offence defined in paragraph 1 of this article, an administrative offence report shall be prepared, except in the cases of the administrative offences specified in Articles 98<sup>1</sup>, 179<sup>4</sup> and 179<sup>5</sup> of the Code.

3<sup>1</sup>. If the administrative offences defined in Articles 55<sup>5</sup>, 151<sup>1</sup>, 152<sup>3</sup> and 153<sup>6</sup>(1),(3) of this Code are committed, a fine receipt, which at the same time is an administrative offence report, shall be issued to the offender.

3<sup>2</sup>. If the administrative offences specified in Articles 79<sup>6</sup>, 98<sup>1</sup>, 179<sup>4</sup> and 179<sup>5</sup> of this Code are committed, an authorised person of the Legal Entity under Public Agency (LEPL) – National Food Agency of the Ministry of Agriculture of Georgia shall issue against the offender a fine receipt, which at the same time is an administrative offence report.

4. If the administrative offences defined in Articles 107<sup>4</sup>, 114<sup>2</sup>(6), 125(8), 125<sup>2</sup> and 125<sup>3</sup>(4),(5) of this Code are committed, in the cases provided for in Article 209<sup>3</sup>(2) of the Code a fine receipt, which at the same time is an administrative offence report, shall be issued at the scene to the offender or to the vehicle owner. If the offender or the vehicle owner is not present at the scene, the fine receipt (report) shall be placed on the windscreen of the vehicle, and one copy shall be sent to the vehicle owner.

4<sup>1</sup>. Where so provided for by Article 209<sup>3</sup>(2<sup>1</sup>) of this Code, no fine shall be enforced at the scene, and a fine receipt, which at the same time is an administrative offence report shall be issued to the offender at the scene. If the offender contests the administrative penalty imposed for the administrative offence defined in Article 209<sup>3</sup>(2<sup>1</sup>) of this Code, then an administrative offence report shall be prepared.

5. If the administrative offences defined in Articles 130(4)(a), 135 and 135<sup>1</sup> of this Code are committed, no fine shall be enforced at the scene and a fine receipt, which at the same time is an administrative offence report, shall be issued to the offender at the scene. The receipt shall be filled in with a ballpoint pen and/or in an electronic form.

**Note:**



1. The form of the fine receipt provided for in paragraph 2 of this article and the procedure for its completion and submission to the agency of internal affairs shall be approved by the Minister of Internal Affairs of Georgia.

2. The form of the fine receipt provided for in paragraphs 3<sup>1</sup>, 4, 4<sup>1</sup> and 5 of this article and the procedure for its completion, service and submission shall be approved by the representative body of a local self-government.

3. The form of the fine receipt provided for in paragraph 3<sup>2</sup> of this article and the procedure for its completion and submission shall be approved by the Minister of Agriculture of Georgia.

4. The form of a fine receipt and of an administrative offence report prepared for an administrative offence committed on a railway transport and the procedure for its completion, service, submission and the procedure for its reporting and recording shall be approved by the Minister of Economy and Sustainable Development of Georgia.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art.128*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 2148 of 23 June 1999 – LHG I, No 27(34), 6.7.1999, Art. 143*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 2291 of 8 May 2003 – LHG I, No 15, 4.6.2003, Art. 111*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1142 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 36*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

*Law of Georgia No 4067 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 457*

*Law of Georgia No 4035 of 15 December 2010 – LHG I, No 76, 29.12.2010, Art. 490*

*Law of Georgia No 4451 of 11 March 2011 – website, 25.3.2011*

*Law of Georgia No 4464 of 22 March 2011 – website, 5.4.2011*

*Law of Georgia No 4735 of 3 June 2011 – website, 22.6.2011*

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 5919 of 27 March 2012 – website, 3.4.2012*

*Law of Georgia No 6147 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 1960 of 5 February 2014 – website, 19.2.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

*Law of Georgia No 4790 of 19 February 2016 – website, 7.3.2016*

*Law of Georgia No 4953 of 13 April 2016 – website, 26.4.2016*



## **Article 243 - Taking an offender to the police station**

1. If it is necessary to prepare an administrative offence report, but it is impossible to prepare the report at the scene, the offender may be taken to a police station for this purpose by a police officer, an officer of a Special State Security Service or by an enforcement police officer.
2. A person who violated the rules for using a vehicle, or traffic and safety regulations, or the rules for storing cargo on the transport, or fire safety, transport sanitary-hygienic and sanitary-epidemic rules, may be taken to a police station by an authorised person if the offender does not have an identification document or there are no witnesses to provide necessary information regarding him/her.
- 2<sup>1</sup>. For the administrative offences defined in Articles 55<sup>5</sup>, 107<sup>2</sup>, 107<sup>3</sup>, 125(8), 130(4)(a), 135, 146<sup>1</sup>, 151<sup>1</sup>, 151<sup>2</sup> and 153<sup>6</sup> of this Code, the offender may be taken to a police station by an authorised person if the offender does not have identification documents or there are no witnesses to provide necessary information regarding him/her.
3. In order to prepare a report on the violation of forest use or hunting rules, or fishing and fish resource protection rules or on any other violation of the legislation of Georgia on the protection and use of flora and fauna, the offender(s), if he/she cannot be identified at the scene, may be taken to a police station by authorised persons of the relevant agencies of the Ministry of Environment and Natural Resources Protection of Georgia, or by police officers.
4. In the case of an offence involving encroachment on a protected facility or violation of the restrictions in place at such facility, or the encroachment on state or public property, the offender may be taken by a police officer, by a Special State Security Service officer or by a militarised security officer to a police station or the office building of the militarised security service respectively, in order to prevent the offence, identify the offender and prepare an administrative offence report.
5. If the decision is made to take the offender provided for in this article to the police station, the offender shall be taken under administrative arrest. He/she must be taken to a police station as soon as possible.
6. (Deleted – 1.8.2014, No 2649)

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Decision of the Constitutional Court of Georgia No 2/1/263 of 4 February 2005 – LHG IV, No 3, 15.2.2005, p. 2*

*Law of Georgia No 1768 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 253*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 4067 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 457*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4735 of 3 June 2011 – website, 22.6.2011*

*Law of Georgia No 4958 of 24 June 2011 – website, 11.7.2011*

*Law of Georgia No 5097 of 11 October 2011 – website, 3.11.2011*

*Law of Georgia No 5171 of 28 October 2011 – website, 7.11.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 4788 of 19 February 2016 – website, 7.3.2016*

## **Chapter 19 - Administrative Arrest, Inspection of Belongings, Seizure of Belongings and Documents**

### **Article 244 - Measures to secure administrative proceedings**

1. To prevent administrative offences where so expressly provided for by the legislative acts of Georgia, when other sanctions have been exhausted, to identify a person, to prepare an administrative offence report, if its preparation is necessary but impossible at the scene, for the timely and due consideration of the administrative offence case and for the enforcement of a ruling on an administrative offence case, a person may be placed under administrative arrest, subjected to personal inspection, inspection of belongings, and seizure of the belongings and documents.
2. For the purposes provided for in this article, the rules for personal inspection, personal belongings search and seizure of the belongings and documents



shall be defined by this Code, other legislative acts and the subordinate acts issued based on them.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

#### **Article 245 - Administrative arrest**

1. In the event of an administrative arrest, the arresting officer shall inform the arrestee upon placing him/her under arrest, in a form that he/she understands:

a) of the administrative offence committed by him/her and the basis of the arrest;

b) of his/her right to a defence counsel;

c) of his/her right, if desired, to request that the fact of his/her arrest and his/her location be made known to a relative named by him/her, also to the administration at his/her place of work or study.

2. If a minor is placed under administrative arrest, his/her parent or any other legal representative shall be informed at the earliest convenience.

3. Statements made by the arrestee before receiving the information provided for in paragraph 1 of this article shall be inadmissible as evidence.

4. The arresting officer shall immediately take the arrestee to the nearest police station or another law-enforcement body.

5. An administrative arrest report shall be prepared on the administrative arrest. The report shall indicate: the date and place the report is prepared; the position, first name and last name of the preparer; details on the arrestee's identity; and the time and basis of the arrest. The report shall be signed by the official who prepared the report and the arrestee. If the arrestee refuses to sign the report, this shall be indicated in the report.

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

#### **Article 246 - Agencies (officials) authorised to carry out an administrative arrest**

Only the agencies (officials) authorised under the legislation of Georgia may place an offender under administrative arrest on the basis provided for in paragraph 1 of Article 244 of this Code, in particular:

a) agencies of internal affairs – for disorderly conduct, violation of the rules for organising and holding assemblies or demonstrations, non-compliance with a lawful order or demand of a police officer or military service person, illegal purchase or storing of a small quantity of a narcotic drug, without the intention of selling it, and/or the use of narcotic drugs without a doctor's prescription, violence against women and/or family violence, non-compliance with the requirements and obligations prescribed by restraining and protecting orders, disobedience to a decision of a social worker to separate a minor, prostitution, being at public places in an intoxicated state or in a condition that insults human dignity or public morals, violation of traffic regulations, violation of hunting, fishing and fish resource protection rules, other violations of the legislation of Georgia on the protection and use of flora and fauna, violation of military service regulations by a military service person of the Ministry of Internal Affairs of Georgia, also in other cases directly provided for by the legislative acts of Georgia;

b) a senior official of a militarised security at the location of the protected facility – in the case of the offences involving the encroachment on the protected facility, or on other state or public property;

c) a Special State Security Service officer, at the place where protection measures are carried out to protect the person or facility to be secured by the Special State Security Service officer – to prevent the offence involving the encroachment upon the person or facility to be secured, also in cases provided for in Article 173 of this Code;

d) the relevant service of the Ministry of Finance of Georgia, a tax authority – if administrative offences are committed in the tax sector;

e) authorised employees of the institutions of the Ministry of Environment and Natural Resources Protection of Georgia – in the case of administrative offences falling within their jurisdiction under this Code;

f) an enforcement police officer – in the case of an administrative offence defined in Article 173 of this Code;

g) authorised employees of the General Inspectorate of the Ministry of Corrections of Georgia – within the scope of their authority, in case of commission of an administrative offence under Article 45 of this Code.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Ordinance No 1647 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 March 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 3, March, 1988, Art. 40*

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*



*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 3409 of 24 February 2004 – LHG I, No 5, 4.3.2004, Art. 18*

*Law of Georgia No 1768 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 253*

*Law of Georgia No 4258 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 418*

*Law of Georgia No 620 of 5 December 2008 – LHG III, No 35, 5.12.2008, Art. 226*

*Law of Georgia No 2512 of 28 December 2009 – LHG I, No 3, 13.1.2010, Art. 9*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 4958 of 24 June 2011 – website, 11.7.2011*

*Law of Georgia No 5171 of 28 October 2011 – website, 7.11.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1895 of 27 December 2013 – website, 30.12.2013*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

*Law of Georgia No 3538 of 1 May 2015 – website, 18.5.2015*

*Law of Georgia No 5451 of 22 June 2016 – website, 12.7.2016*

*Law of Georgia No 766 of 4 May 2017 – website, 25.5.2017*

#### **Article 247 - Period of an administrative arrest**

1. An administrative offender may not be kept under administrative arrest for more than 12 hours. In exceptional cases, due to special necessity, other time limits for an administrative arrest may be determined by the legislative acts of Georgia.
2. A person who committed disorderly conduct may be held under arrest within the period prescribed by law until the case is heard by a judge or the head (deputy head) of an agency of internal affairs.
3. A person whose arrest period coincides with a non-working time may be arrested and placed in a preliminary arrest cell of the Ministry of Internal Affairs of Georgia until the body hearing the case delivers a final decision on the case.

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Decision of the Constitutional Court of Georgia No 2/1/263 of 4 February 2005 – LHG IV, No 3, 15.2.2005, p. 2*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

#### **Article 248 - Personal inspection and inspection of belongings**

1. A personal inspection may be conducted by the authorised officials of the bodies of internal affairs, militarised security services, Special State Security Service of Georgia, civil aviation authorities, the relevant service of the Ministry of Finance of Georgia, tax authorities, the authorised officials of the Enforcement Police Division, which is a structural unit of the Legal Entity under Public Law – the National Enforcement Bureau of the Ministry of Justice of Georgia, also by the authorised employees of the General Inspectorate of the Ministry of Corrections of Georgia, and also by the duly authorised officials of other bodies where so directly provided for by the legislative acts of Georgia.





2. A personal inspection may be conducted by an authorised person of the same sex as the person to be searched. A person to be searched may invite a witness (not more than two persons), for which he/she shall be given a reasonable period of time. This right may be restricted only in an emergency when there is a real risk of damage, destruction or concealment of evidence.

3. Belongings may be searched by the duly authorised officials of the bodies of internal affairs, militarised security services, Special State Security Service of Georgia, civil aviation authorities, the relevant service of the Ministry of Finance of Georgia, tax authorities, the border police, the institutions of the Ministry of Environment and Natural Resources Protection of Georgia, also duly authorised officials of the Enforcement Police Division, which is a structural unit of the Legal Entity under Public Law – National Enforcement Bureau of the Ministry of Justice of Georgia, and by the authorised employees of the General Inspectorate of the Ministry of Corrections of Georgia, and also by the duly authorised officials of other bodies where so directly provided for by the legislative acts of Georgia.

4. The belongings, hunting and fishing instruments, obtained products and other objects shall be inspected, as a rule, in the presence of the person owning or possessing them; in an emergency, such items or objects may be inspected without the owner (possessor), in the presence of two witnesses.

5. A report on personal inspection or on inspection of belongings shall be prepared and/or the relevant record shall be made in the administrative offence or administrative arrest report.

6. A personal inspection or inspection of belongings by tax authorities shall be conducted according to the procedure laid down by the tax legislation of Georgia.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 3409 of 24 February 2004 – LHG I, No 5, 4.3.2004, Art. 18*

*Law of Georgia No 1768 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 253*

*Law of Georgia No 4258 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 418*

*Law of Georgia No 620 of 5 December 2008 – LHG III, No 35, 5.12.2008, Art. 226*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*

*Law of Georgia No 4958 of 24 June 2011 – website, 11.7.2011*

*Law of Georgia No 5171 of 28 October 2011 – website, 7.11.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1895 of 27 December 2013 – website, 30.12.2013*

*Law of Georgia No 3538 of 1 May 2015 – website, 18.5.2015*

## **Article 249 - Seizure of belongings and documents**

1. The belongings and documents that are discovered at the moment of an arrest, personal inspection or inspection of the belongings, and that constitute the instrument or direct object of the offence shall be seized by the officials of the bodies indicated in Articles 246 and 248 of this Code. Until the case hearing, the seized belongings and documents shall be stored at the place designated by the bodies (officials) authorised to seize items and documents and, after the hearing, according to the outcome of the hearing, shall be duly confiscated or returned to the possessor or destroyed or, in the case of compensated seizure, shall be sold. Any seized order, medal, or badge of a Georgian honorary title must be returned to its rightful owner or, if the owner is unknown, sent to the Presidium of the Supreme Council of the Republic of Georgia.

2. In the case of the administrative offences defined in Articles 58<sup>2</sup>, 86(9),(10), 86<sup>1</sup> (5)(7),114<sup>1</sup>, 128<sup>2</sup>, 155<sup>1</sup>, 155<sup>2</sup> and 157 of this Code, the object of the offence and/or the vehicle may be seized to secure the payment of a fine. If the fine is not paid within the time defined by the legislation of Georgia, the seized object and vehicle shall be sold according to the procedure laid down by the legislation of Georgia.

2<sup>1</sup>. In the case of the administrative offences defined in Article 114<sup>2</sup> of this Code, a small-size ship may be seized to secure the payment of a fine and of a surcharge. If the fine and surcharge not paid within the time defined by the legislation of Georgia, the seized small-size ship shall be sold according to the procedure laid down by the legislation of Georgia.

2<sup>2</sup>. In the case of any of the administrative offences defined in Articles 66 and 128<sup>2</sup> of this Code, the timber that is discovered at the moment of the offender's arrest, personal inspection or inspection of belongings, and that is the direct object of the offence may be temporarily left with the possessor and/or the relevant representative of the local self-government body; the timber seized or discovered in the territory of the State Forest Fund may be temporarily left with the persons responsible for forest protection and working for the relevant administrative body that has the forest management right (except for timber seized or discovered in the territory allocated to the relevant licensee in the cases defined by the legislation of Georgia; in this



case the timber shall be entrusted to the licensee or its representative) who shall also be responsible for protecting the entrusted timber. If the owner or rightful possessor of the timber cannot be identified within the time defined by this Code for the imposition of an administrative penalty, the timber shall be disposed of according to the procedure laid down by the legislation of Georgia.

3. When items and documents are seized, a report shall be prepared and/or the relevant record shall be made in the report on the administrative offence, inspection of belongings or on administrative arrest.

4. If the relevant article of this Code provides for the suspension of a driving license as an administrative penalty for an administrative offence, then, until the order is issued on the case, the driver shall be deprived of the driving license and given a temporary driving permit; this fact shall be indicated in the administrative offence report. If the issued order requires suspension of the driving license, the temporarily suspended license shall not be returned to the driver, and if the order is appealed (objected), the temporary driving permit shall be prolonged for the period required for making a decision on the appeal (objection).

5. In the case of the administrative offences defined in Article 167, 180, 181(1),(2), 182 and 183 of this Code, until the case hearing, the police officers may confiscate the firearm and ammunition; this fact shall be indicated in the report with reference to the make or model, calibre, series and number of the firearm, the quantity and type of ammunition. Seizure, personal inspection or inspection of belongings with relation to a person who committed an offence in the line of duty shall apply only in an emergency.

**Note:** the temporary driving permit provided for in paragraph 4 of this article concurrently constitutes an administrative offence report; the form and the rules for completion and use of this report shall be approved by the Minister of Internal Affairs of Georgia.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 1304 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, August, 1987, Art. 151*

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1443 of 12 June 1998 – The Parliament Gazette, No 23-24, 30.6.1998, p. 51*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 1625 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 112*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4232 of 29 December 2006 – LHG I, No 50, 30.12.2006, Art. 383*

*Law of Georgia No 3054 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 174*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

*Law of Georgia No 3891 of 7 December 2010 – LHG I, No 67, 9.12.2010, Art. 418*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

*Law of Georgia No 723 of 12 June 2013 – website, 3.7.2013*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 4624 of 11 December 2015 – website, 23.12.2015*

#### **Article 250 - Preventing a driver from driving a vehicle and/or towing a vehicle to a special impoundment lot**

1. In the case of the offences defined in Article 116 of this Code, the driver of a vehicle who is reasonably believed to be in a state of alcoholic, narcotic or psychotropic intoxication must be prevented from driving the vehicle. The preparation of an administrative offence report, the establishment of intoxication and the hearing of the case shall be conducted according to the procedure laid down by the legislation of Georgia.

<sup>1</sup>. If the relevant article of this Code provides for the suspension of a driving license as an administrative penalty for an administrative offence, the police officer may tow the vehicle to a special impoundment lot. The same rule shall apply if the vehicle is driven by a person whose driving license has been suspended.

<sup>1</sup>. If a respective article of this Code provides for suspension of a vehicle driving licence as an administrative penalty for committing an administrative offence, or if a driver does not have a vehicle driving licence or has the driving licence suspended/revoked on another ground under the legislation of Georgia, the police officer may transfer the vehicle to a special impoundment lot. ***(Shall become effective from 1 July 2017)***



1<sup>2</sup>. Where so provided for by Article 40(2-8) of this Code, the police officer shall be obligated to tow the vehicles involved in a road accident to a special or any other protected impound area (except where the parties reach a settlement and agree with the fine receipt or where the victim does not wish for the vehicle to be towed to the relevant impound lot without reaching a settlement with or giving an agreement on the fine receipt), and the towing costs of shall be borne by the offender.

1<sup>3</sup>. Where so provided for by paragraph 1<sup>2</sup> of this article:

a) the victim (the vehicle owner/possessor) may obtain a release of the vehicle that has been towed to a special or any other protected impound area if he/she submits, within the time defined by Article 40(3) of this Code, the relevant application and an expert's valuation to the authorised person of the Patrol Police Department of the Ministry of Internal Affairs of Georgia;

b) The vehicle that the offender was driving shall remain at a special or any other protected impound area until a final decision is delivered on the case.

1<sup>4</sup>. If the victim (vehicle owner/possessor) refuses to allow the towing of the vehicle to a special or any other protected impound lot or applies for the release of the vehicle towed to the relevant impound lot before the expert's valuation, this person shall forfeit the right to receive the order and apply for the writ of execution provided for in Article 40(2-6, 8) of this Code. In that case, the costs of towing and storing the vehicle in a special or any other protected impoundment lot shall be borne by the parties.

2. An authorised person of the Ministry of Internal Affairs of Georgia shall be prohibited from operating a vehicle that has a malfunctioning break system or steering mechanism or that has been modified without the relevant permit, and due to which it poses danger to the safety of road traffic.

3. The police officer's demand that a vehicle stop is expressed with a hand gesture or by giving a baton signal, together with a whistle, also with a loudspeaker; the signal must be clear to the driver and must be given at the time when the compliance with the signal does not create an accident situation.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 712 of 21 April 2017 – website, 10.5.2017*

## **Article 251 - Appealing an administrative arrest, search, seizure of items and documents**

Interested persons may appeal an administrative arrest, personal inspection, and inspection of belongings, seizure of items and documents to a superior agency (official) or a prosecutor.

## **Chapter 20 - Persons Participating in Administrative Proceedings**

### **Article 252 - Rights and duties of persons prosecuted for administrative offences**

1. A person prosecuted for an administrative offence may familiarise himself-herself with the case material, give statements, tender evidence, file petitions; enjoy the legal services of a defence counsel during the hearing; speak in a native language and, if he/she does not speak the language of the proceeding, enjoy the services of an interpreter; appeal an order issued in the case. The administrative proceedings shall be held in the presence of the person prosecuted for the administrative offence. The case may be heard in the absence of the person only if there is information that he/she was timely informed of the venue and time of the hearing but he/she has not filed a petition for the postponement of the hearing.

1<sup>1</sup>. In the case of the administrative offences defined in Articles 125(8), 125<sup>2</sup> and 125<sup>3</sup>(4),(5) of this Code, a person may be subject to an administrative penalty (fine) in his/her absence as well. In that case, the person prosecuted for an administrative offence must be informed of the rights and duties provided for in paragraph 1 of this article in writing.

2. The presence of the person prosecuted for an administrative offence shall be mandatory when hearing the cases of the administrative offences defined in Articles 45, 48, 49, 50<sup>1</sup>, 51–56, 57–59, 59<sup>2</sup>–60, 60<sup>3</sup>–61<sup>1</sup>, 63–65, 66–69, 69<sup>4</sup>, 69<sup>5</sup>, 71, 72<sup>1</sup>–78, 79<sup>1</sup>–81, 82<sup>1</sup>, 82<sup>2</sup>, 84–86, 88–89<sup>3</sup>, 91<sup>2</sup>, 92<sup>1</sup>, 94, 95, 96<sup>1</sup>, 96<sup>2</sup>, 96<sup>4</sup>, 98<sup>1</sup>, 99, 100<sup>1</sup>, 100<sup>2</sup>, 103–104, 105<sup>1</sup>, 134, 135, 143, 144, 145, 146<sup>1</sup>, , 148–152, 152<sup>2</sup>, 152<sup>3</sup>, 153<sup>1</sup>, 153, 153<sup>3</sup>–153<sup>6</sup>, 154–154<sup>2</sup>, 156, 157<sup>1</sup>–158, 164, 164<sup>4</sup>, 165, 165<sup>1</sup>, 166, 167, and 170, 171(3), 172(3), 172<sup>4</sup>, 173–173<sup>2</sup>, 173<sup>6</sup>, 173<sup>7</sup>, 173<sup>9</sup>, 174–174<sup>2</sup>, 175–175<sup>2</sup>, 177<sup>1</sup>, 177<sup>8</sup>, 177<sup>9</sup>, 179<sup>2</sup>, 180–183<sup>1</sup>, 185–185<sup>2</sup>, 187, 187<sup>1</sup>, 189, 192, 195, 196<sup>3</sup> and 197<sup>1</sup> of this Code. If this person avoids appearing upon the summons of the agency of internal affairs or of the administrative court (judge), he/she may be brought by force by the agency of internal affairs.

3. The legislation of Georgia may provide for other cases, in which it is mandatory for a person prosecuted for an administrative offence to appear before the body (official) deciding the case.



*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of the Republic of Georgia of 14 May 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 5, May, 1991, Art. 378*

*Law of the Republic of Georgia of 14 June 1991 - The Gazette of the Parliament of Georgia, No 6, June, 1991, Art. 429*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 290 of 8 July 1993 - The Gazette of the Parliament of Georgia, No 9, July, 1993, Art. 160*

*Law of the Republic of Georgia No 416 of 15 February 1994 - The Gazette of the Parliament of Georgia, No 15, February, 1994, Art. 287*

*Law of the Republic of Georgia No 541 of 30 June 1994 – The Gazette of the Parliament of Georgia, No 19, June, 1994, Art. 418*

*Law of the Republic of Georgia No 656 of 23 February 1995 – The Gazette of the Parliament of Georgia, No 27-30, 1994-1995, Art. 663*

*Law of the Republic of Georgia No 667 of 7 March 1995 – The Gazette of the Parliament of Georgia, No 23-26, December-March, 1994-1995, Art. 542*

*Law of Georgia No 263 of 31 May 1996 – The Parliament Gazette, No 15, 19.6.1996, p. 15*

*Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26*

*Law of Georgia No 510 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 4*

*Law of Georgia No 682 of 1 May 1997 – The Parliament Gazette, No 21-22, 31.5.1997, p. 3*

*Law of Georgia No 974 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 81*

*Law of Georgia No 984 of 17 October 1997 – The Parliament Gazette, No 44, 11.11.1997, p. 83*

*Law of Georgia No 1238 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 27*

*Law of Georgia No 1347 of 28 April 1998 – The Parliament Gazette, No 19-20, 30.5.1998, p. 17*

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 2130 of 22 June 1999 – LHG I, No 25(32), 2.7.1999, Art. 133*

*Law of Georgia No 419 of 28 June 2000 – LHG I, No 26, 13.7.2000, Art. 76*

*Law of Georgia No 686 of 13 December 2000 – LHG I, No 51, 30.12.2000, Art. 149*

*Law of Georgia No 2379 of 20 December 2005 – LHG I, No 55, 27.12.2000, Art. 378*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5627 of 18 December 2007 – LHG I, No 48, 27.12.2007, Art. 417*

*Law of Georgia No 956 of 30 September 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 2512 of 28 December 2009 – LHG I, No 3, 13.1.2010, Art. 9*

*Law of Georgia No 4451 of 11 March 2011 – website, 25.3.2011*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

*Law of Georgia No 5653 of 27 December 2011 – website, 12.1.2012*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 242 of 29 December 2016 – website, 13.1.2017*

## **Article 253 - Victims**

A person suffering moral, physical or material damage as a result of an administrative offence shall be deemed to be a victim.

A victim may familiarise itself with all the materials of the case, file petitions, and appeal the order issued in the administrative case.

A victim may be examined as a witness according to Article 256 of this Code.



## **Article 254 - Legal representatives**

The right to protect the interests of persons prosecuted for an administrative offence and of victims who, because of their physical or mental defect, are unable to exercise their rights in the administrative proceedings, may be granted to their legal representatives (parents, adoptive parents, guardians, custodians, supporters).

*Law of Georgia No 3345 of 20 March 2015 – website, 31.3.2015*

*Law of Georgia No 3709 of 12 June 2015 – website, 24.6.2015*

## **Article 255 - Defence counsel**

1. The defence counsel participating in the administrative proceedings may: become familiar with all the materials of the case; make motions or file an appeal against an order issued in the proceedings by instruction and on behalf of the client.
2. The authority of the defence counsel shall be evidenced by an order issued by a legal advisor.
3. If only an administrative arrest or an administrative detention together with any other type of penalty is prescribed as a penalty for an administrative offence, the person, if insolvent, may demand the assignment of a defence counsel at the expense of the State.

*Law of Georgia No 4255 of 25 February 2011 – website, 1.3.2011*

## **Article 256 - Witnesses**

All the persons who may know something about the circumstances to be ascertained in connection with a case may be called as witnesses in administrative proceedings.

Upon the summons of by the agency (official) before which the case is pending the witness shall appear at the appointed time, state everything that he/she knows about the case and answer all the questions asked.

## **Article 257 - Expert**

1. An agency (official) before which administrative proceedings are pending may invite an expert if special knowledge is required. If an expert is invited from a relevant institution, the head of the institution shall issue an order as to who of the institution's employees is to be sent as an expert and shall notify the agency (official) before which the administrative proceedings are pending about it.
2. An expert shall be obligated to appear upon a summons and give an unbiased opinion on the matters in question.
3. An expert may:
  - a) become familiar with the case material related to the object of the expert examination;
  - b) make requests for the transfer of additional materials necessary for him/her to provide an expert opinion;
  - c) ask questions of the person prosecuted, the victim, or the witnesses about the object of the expert examination, with the permission of the agency (official) before which the administrative proceedings are pending;
  - d) attend the administrative hearing.

*Law of Georgia No 598 of 25 November 2004 – LHG I, No 37, 16.12.2004, Art. 174*

## **Article 258 - Interpreter**

An interpreter shall be appointed by the body (official) before which the administrative proceedings are pending.

An interpreter shall be obligated to appear upon a summons of the body (official) and perform a full and accurate interpretation.

## **Article 259 - The amount reimbursed to victims, witnesses, experts and interpreters**

1. A victim, interpreter and/or a witness shall be duly reimbursed for expenses related to their appearance before the agency (official) before which the administrative proceedings are pending.
2. A state special expert institution (an expert) shall be reimbursed for forensic service (interpreter's) expenses by the agency (official) before which the administrative proceedings are pending, according to the rates determined by the Government of Georgia, except where such expenses are financed under the program financing from state or other funds. A private special expert institution (an independent expert) shall be reimbursed for the expert services that were performed under the contract.



3. The salary of a person appearing as a victim, witness, expert or an interpreter shall be duly accumulated at his/her workplace for the period that he/she spends [away from work] before the agency (official) hearing the administrative case.

*Law of Georgia No 598 of 25 November 2004 – LHG I, No 37, 16.12.2004, Art. 174*

## **Chapter 21 - Hearing of Cases of Administrative Offences**

### **Article 260 - Preparing an administrative offence case for hearing**

In preparing an administrative offence case for hearing, the agency (official) shall resolve the following issues:

- 1) whether or not the hearing of the case falls within its jurisdiction;
- 2) whether or not the report and other materials of the administrative case have been prepared correctly;
- 3) whether or not the persons involved in the hearing have been informed of the time and venue of the hearing;
- 4) whether or not necessary additional materials have been requested;
- 5) whether or not the petitions of the person prosecuted for an administrative offence, of the victim, of the legal representatives or of the defence counsel are to be satisfied.

### **Article 260<sup>1</sup> - Joinder of the cases of administrative offences**

The cases of administrative offences shall be joined by a judge's (court) order.

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

### **Article 261 - Place of hearing of administrative cases**

1. An administrative case shall be heard at the place where it is committed, except for cases of the administrative offences defined in Articles 159<sup>5</sup>-159<sup>9</sup> of this Code, which are heard by the Tbilisi City Court.
2. The administrative offence cases defined in Articles 116-125 of this Code may be heard also according to the place of residence of the offender.
3. The administrative offence cases defined in Article 171(1),(2),(3) of this Code shall be heard at the place where they are committed or according to the place of residence of the offender.
4. The legislation of Georgia may provide for other places for hearing administrative cases.
5. The relevant authorised persons of the Environmental Monitoring Department – a state sub-agency of the Ministry of Environment and Natural Resources Protection of Georgia may hear administrative cases based on the place where the administrative offence is committed, in the building of their official or other administrative authority in the relevant administrative-territorial unit of Georgia, by duly giving the offender a prior notice of the venue and time of the hearing.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4069 of 15 December 2010 – LHG I, No 74, 24.12.2010, Art. 459*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

### **Article 262 - Time frames for hearing the cases of administrative offences**

1. The authorised agency (official) shall hear an administrative case within 15 days after receiving the administrative offence report and other materials.



1. The cases of the administrative offences defined in Articles 45, 166 and 173 of this Code shall be heard within three days. The district (city) court hearing an administrative case shall begin an oral hearing immediately upon receipt of the administrative offence report and other materials of the administrative proceedings provided for an administrative arrest has been applied against the person and the period of administrative arrest has not expired.

2. The cases of the administrative offences defined in Articles 42<sup>1</sup>, 42<sup>2</sup>, 171(1),(2),(3) and 175<sup>2</sup> of this Code shall be heard within one day, the cases of the administrative offences defined in Articles 142, 153<sup>3</sup>, 154, 174<sup>1</sup> and 174<sup>2</sup> of the Code shall be heard within three days, and cases of the administrative offences defined in Articles 50<sup>1</sup>, 51<sup>1</sup>, 51<sup>3</sup>, 53<sup>3</sup>, 55, 55<sup>2</sup>, 55<sup>3</sup>, 55<sup>5</sup>, 58<sup>2</sup>, 59<sup>2</sup>, 61, 80, 81, 86(9),(10), 88, 91<sup>2</sup>, 92<sup>1</sup>, 94, 95, 96<sup>1</sup>, 96<sup>2</sup>, 96<sup>4</sup>, 98<sup>1</sup>, 99, 100<sup>1</sup>, 100<sup>2</sup>, 103, 104, 105<sup>1</sup>, 107<sup>1</sup>, 141, 143–144<sup>1</sup>, 144<sup>3</sup>–144<sup>5</sup>, 144<sup>10</sup>, 145, 146<sup>1</sup>, 148–150<sup>1</sup>, 151<sup>1</sup>, 152, 152<sup>2</sup>–153, 154<sup>1</sup>, 154<sup>2</sup>, 156–158<sup>1</sup>, 159, 159<sup>1</sup>, 159<sup>5</sup>–159<sup>9</sup>, 163, 164, 167, 170, 174, 175, 177<sup>1</sup>, 179<sup>1</sup>, 180–183<sup>1</sup>, 185–185<sup>2</sup>, 187, 187<sup>1</sup>, 189, 192, 195, 196<sup>3</sup>, 196<sup>6</sup> and 197<sup>1</sup> of the Code shall be heard within seven days.

2<sup>1</sup>. (Deleted – 25.3.2013, No 453).

3. The legislative acts of Georgia may provide for other times for hearing cases of administrative offences.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 717 of the Presidium of the Supreme Soviet of the Georgian SSR of 28 April 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 4, April, 1986, Art. 89*

*Ordinance No 1426 of the Presidium of the Supreme Soviet of the Georgian SSR of 23 September 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1987, Art. 223*

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*

*Ordinance No 2790 of the Presidium of the Supreme Soviet of the Georgian SSR of 4 September 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1990, Art. 241*

*Law of Georgia 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of the Republic of Georgia of 14 May 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 5, May, 1991, Art. 378*

*Law of the Republic of Georgia of 14 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 429*

*Law of the Republic of Georgia of 28 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 290 of 8 July 1993 – The Gazette of the Parliament of Georgia, No 9, July, 1993, Art. 160*

*Law of the Republic of Georgia No 436 of 17 March 1994 – The Gazette of the Parliament of Georgia, No 16, March, 1994, Art. 308*

*Law of the Republic of Georgia No 541 of 30 June 1994 – The Gazette of the Parliament of Georgia, No 19, June, 1994, Art. 418*

*Law of Georgia No 263 of 31 May 1996 – The Parliament Gazette, No 15, 19.6.1996, p. 15*

*Law of Georgia No 313 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 32*

*Law of Georgia No 318 of 27 June 1996 – The Parliament Gazette, No 19-20, 30.7.1996, p. 26*

*Law of Georgia No 510 of 27 November 1996 – The Parliament Gazette, No 31-32/6, 25.12.1996, p. 4*

*Law of Georgia No 1231 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 24*

*Law of Georgia No 1238 of 18 February 1998 – The Parliament Gazette, No 11-12, 14.3.1998, p. 27*

*Law of Georgia No 1682 of 30 October 1998 – LHG I, No 4, 20.11.1998, Art. 39*

*Law of Georgia No 1747 of 24 December 1998 – LHG I, No 1(8), 14.1.1999, Art. 2*

*Law of Georgia No 199 of 10 March 2000 – LHG I, No 12, 27.3.2000, Art. 28*

*Law of Georgia No 1106 of 12 October 2001 – LHG I, No 31, 1.11.2001, Art. 123*

*Law of Georgia No 1621 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 110*

*Law of Georgia No 2379 of 20 December 2005 – LHG I, No 55, 27.12.2005, Art. 378*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 2512 of 28 December 2009 – LHG I, No 3, 13.1.2010, Art. 9*

*Law of Georgia No 4429 of 11 March 2011 – website, 17.3.2011*



*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 5004 of 1 July 2011 – website, 15.7.2011*

*Law of Georgia No 5653 of 27 December 2011 – website, 12.1.2012*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 453 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 723 of 12 June 2013 – website, 3.7.2013*

*Law of Georgia No 2649 of 1 August 2014 – website, 18.8.2014*

*Law of Georgia No 2998 of 26 December 2014 – website, 12.1.2015*

*Law of Georgia No 49 of 1 December 2016 – website, 15.12.2016*

#### **Article 263 - Procedure for hearing the cases of administrative offences**

The hearing starts by the announcement of the composition of the collegial body or by the introduction of the official hearing the case.

The chairperson of the session of the collegial body or the official hearing the case shall announce the title of the case being heard, the name of the person prosecuted for an administrative offence, inform the persons participating in the hearing of their rights and duties, and read the administrative offence report publicly. The persons participating in the hearing shall be heard, the evidence shall be examined and the petitions shall be ruled upon. If a prosecutor participates in the hearing, then his/her opinion shall also be heard.

#### **Article 264 - Circumstances to be ascertained during the hearing of administrative offence cases**

When hearing cases of administrative offences, the body (official) shall be obligated to ascertain: whether or not an administrative offence was committed, whether or not the person is guilty, whether or not the person is subject to an administrative liability, whether or not there are any circumstances reducing or increasing the liability, whether or not property damage has been incurred, whether or not there are grounds to refer the materials of the administrative offence for hearing to a comrades' court, or to the staff or social organisation of the enterprise, institution, organisation or of their structural units, or also ascertain any other circumstances relevant for resolving the case correctly.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 265 - Record of the hearing of a collegial body**

When hearing an administrative case, the collegial body shall prepare a record of the hearing, which shall indicate:

- 1) date and place of the hearing
- 2) title and composition of the body hearing the case
- 3) content of the case to be heard
- 4) information on the presence of the case participant
- 5) statements and petitions of the hearing participants and the results of their hearing
- 6) documents and material evidence examined at the hearing
- 7) details on the pronouncement of the issued order and the procedure and time for appealing it.

The record of the hearing of a collegial body shall be signed by the chairperson and the secretary of the hearing.

#### **Article 266 - Orders issued in administrative proceedings**

1. After hearing an administrative case, the body (official) shall deliver an order on the case.
2. The order shall include: the name of the body (official) issuing the order; the date of the hearing; the details of the person against whom the case is heard; the statement of the facts established during the hearing; a reference to the normative act prescribing liability for the given administrative offence; the decision made on the case.





3. If the bodies (officials) listed Article 200(1),(2) of this Code, at the time of deciding the imposition of an administrative penalty for the given administrative offence, concurrently make a decision on the payment of material damages by the guilty person, then the order issued in the case shall indicate the amount of the damages to be paid, terms and time of the payment.
4. The order issued in administrative proceedings shall decide the question of seized items and documents, as well as the reimbursement of the expenses related to the services provided for by the special expert institution (expert) and by the interpreter.
5. The collegial body shall adopt an order by a simple majority of the votes of the collegial body members present at the hearing.
6. An order issued in administrative proceedings shall be signed by official hearing the case; and the order delivered by a collegial body shall be signed by the chairperson and the secretary of the collegial body.
7. Where so provided for by the legislation of Georgia, the relevant record on the extent of the penalty shall be made in the administrative offence report or an order shall be drawn up according to the rule laid down by legislation.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 598 of 25 November 2004 – LHG I, No 37, 16.12.2004, Art. 174*

#### **Article 267 - Types of orders**

1. After hearing an administrative case, the body (official) shall issue one of the following orders:

- a) on the imposition of an administrative penalty;
- b) on the termination of the proceedings;
- c) on the replacement of one administrative penalty with another administrative penalty, where the initially imposed administrative penalty cannot be enforced;
- d) on the imposition of a surcharge.

2. An order on the termination of the proceedings shall be issued when pronouncing a verbal reprimand, or when referring the material of the case to the staff of or a social organisation formed in an enterprise, institution, organisation and in their structural units and/or when referring the case material to a prosecutor or an investigation authority, or in the circumstances provided for in Article 232 of this Code.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Law of Georgia No 1350 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 122*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332*

#### **Article 268 - Pronouncing the order issued in administrative proceedings and serving or sending a copy of the order**

1. The order issued in the proceedings shall be pronounced immediately after the end of the hearing.

2. A copy of the order shall be served upon or sent, within three days, to the person against whom the order is issued. Upon the victim's request, a copy of the order shall be served upon him/her as well within three days.

3. A copy of an order on the imposition of a surcharge need not be served or sent if the offender or, where so specified by this Code, the vehicle owner becomes aware of the imposition of the surcharge upon being served with the fine receipt referred to in Article 242(2),(4) of this Code.

4. A copy of an order shall be served against written acknowledgement of receipt. If the copy of the order is sent, the relevant record shall be made in the case file.

5. In the cases involving the violation of the rules laid down by the Tax Code of Georgia for carrying goods across the customs border of Georgia and smuggling, a copy of the order shall be served, according to the procedure laid down by the Tax Code of Georgia, upon the person against whom the order is made.

6. A copy of an order issued in the cases of the administrative offences specified in Articles 167 and 181(1),(2) of this Code against the persons to whom firearms and ammunition have been entrusted in connection with their duty or to whom firearms have been given by an enterprise, institution or organisation for temporary use, shall be sent to the relevant enterprise, institution or organisation for information and to the agency of internal affairs in order for it to decide whether to prohibit the person from using firearms.

7. If an administrative case is heard at the scene according to the procedure laid down by Article 234<sup>1</sup> of this Code, the offender shall be given a copy of the fine receipt, and if the offender refuses to accept the copy, the authorised official shall make a relevant record in the fine receipt, after which the fine receipt shall be deemed to have been served.



*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 5953 of 27 March 2012 – website, 12.4.2012*

#### **Article 269 - Informing the public about the order imposing an administrative penalty**

1. The body (official) hearing the cases of the administrative offences defined in Articles 50, 106-113, 115, 128 (1),(2), 129(1), 130(1-3), 153 and 166 of this Code shall notify the administration of the offender's place of work, study or residence or a social organisation. The decision delivered on the administrative offence defined in Article 50 of this Code shall be notified to the administration of the enterprise, institution, organisation or the body of internal affairs that sent a report of petty theft to the court.

2. This rule shall apply unless otherwise determined by the legislation of Georgia.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 1304 of the Presidium of the Supreme Soviet of the Georgian SSR of 19 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 151*

*Ordinance No 1370 of the Presidium of the Supreme Soviet of the Georgian SSR of 3 August 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1987, Art. 207*

*Law of Georgia of 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of the Republic of Georgia of 14 June 1991 – The Gazette of the Parliament of Georgia, No 6, June, 1991, Art. 429*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 2555 of 29 July 2014 – website, 8.8.2014*

#### **Article 270 - Recommendations for eliminating the causes and conditions conducive to administrative offences**

1. In the process of establishing the causes and conditions conducive to the commission of administrative offences, the agency (official) hearing the case shall recommend to the enterprise, institution, organisation or the official the necessity of taking measures to eliminate such causes and conditions. These organisations and persons shall report the measures implemented to the recommending body (official) within one month of such recommendation.

2. The bodies preparing administrative offence reports and hearing cases shall notify the relevant structural unit (the Unified Information Bank) of the Ministry of Internal Affairs of Georgia within 10 days after preparing administrative offence reports and/or issuing orders.

**Note:** the procedure for unified registration of administrative offences in the system of the Ministry of Internal Affairs of Georgia shall be approved by the Minister of Internal Affairs of Georgia in agreement with the interested ministries.

*Law of Georgia No 1703 of 28 November 1998 – LHG I, No 6, 24.12.1998, Art. 47*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

### **Chapter 22 – Filing Appeals and Objections against Orders Issued in Administrative Proceedings**

#### **Article 271 - Right to appeal orders issued in administrative proceedings**

1. The order issued in administrative proceedings, also the decision made after hearing an administrative case at the scene according to the procedure laid down by Article 234<sup>1</sup> of this Code, may be appealed by the person against whom the order is issued, or by the victim or the preparer of the administrative offence report.



2. Except as provided for by Article 272 of this Code, the order of a district (city) court may be appealed by the parties within the time defined by Article 273 of the Code to the Chamber for Administrative Cases of the Appeals Court. The appeal shall be filed with the court that issued the order.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

#### **Article 272 - Procedure for appealing orders issued in administrative proceedings**

1. In the case of an administrative offence:

a) the order of an agency (official), also the decision imposing an administrative fine and issued after hearing an administrative case at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code, may be appealed to a superior body (superior official) or to the district (city) court, the decision of which shall be final; the decision imposing other types of administrative penalty may be appealed to the superior body (superior official), after which an appeal may be filed with the district (city) court, the decision of which shall be final; the order concurrently imposing the main administrative penalty and an additional administrative penalty may be appealed, if the appellant desires, according to the procedure for appealing main or additional penalties;

b) an order of a body (official) of internal affairs imposing an administrative penalty in the form of a warning, and which is registered without preparing a report at the scene of the administrative offence may be appealed to a superior body (superior official);

c) an order of an agency (official) of internal affairs replacing an administrative penalty with another administrative penalty may be appealed to the superior body (superior official) or to the district (city) court, the decision of which shall be final;

d) an order of an agency (official) of internal affairs on the imposition of a surcharge may be appealed to a superior body (superior official) or to the district (city) court, the decision of which shall be final;

e) an order of an official of a Military Traffic Inspectorate imposing an administrative penalty in the form of a warning, and which is registered without preparing a report at the scene of the administrative offence may be appealed to a superior body (superior official).

2. An appeal shall be filed with the agency (official) that issued the order in the administrative case, unless otherwise provided for by the legislation of Georgia. Within three days, the appeal, along with the case files, shall be sent to the body (official) that is addressed in the appeal and that is authorised under this article to hear the appeal.

3. No state fees shall be charged to a person who appeals an order, or an order that imposes an administrative fine and that is issued after hearing the administrative case at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code.

4. If an order issued in an administrative case is appealed to a court, the order issued by the court shall be enforced upon its issuance. Appealing the order shall not suspend its enforcement unless otherwise determined by this Code and other legislative acts of Georgia.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

#### **Article 273 - Times for appealing orders issued in administrative cases**

An order issued in an administrative case, as also an order issued after hearing an administrative case at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code, may be appealed within 10 days after it is issued. In the case of an unreasonable delay, this period may be restored by the body (official) authorised to hear the appeal, based on an application of the person with respect to whom the order was issued,

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

#### **Article 274 - Filing objections against orders issued in administrative cases**

An objection against the orders issued in administrative cases may be filed by a prosecutor.

#### **Article 275 - Resolving issues related to the enforcement of orders**



1. If an appeal is filed within the defined time limit, it shall suspend the enforcement of orders that impose an administrative penalty, or that replace an administrative penalty with another administrative penalty, or that impose a surcharge, or orders that are issued after hearing the case of an administrative offence at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code, except for the orders that impose the penalties provided for in Articles 26 and 32 of this Code, or except for the cases described in paragraph 1<sup>1</sup> of this article, or except for cases where a fine is imposed and collected from a person at the scene of an administrative offence.

1<sup>1</sup>. Appealing the orders issued in the administrative cases provided for in Articles 208 and 208<sup>2</sup> of this Code shall not suspend the enforcement of orders that impose an administrative penalty, that replace an administrative penalty with another administrative penalty or that impose a surcharge. If the order is appealed and the appeal is granted, the amount of money paid by the person in the form of the fine and surcharge, also the compensation paid by him/her under this Code for material damages, shall be refunded to the person.

2. An objection filed by a prosecutor shall suspend the enforcement of the order until the objection is heard.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

#### **Article 276 - Hearing of appeals and objections filed against the orders issued in administrative proceedings**

1. An appeal or objection filed against an order issued in an administrative proceedings, or against the decision delivered after hearing the administrative case at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code, shall be heard by the authorised body (official) within 30 days after their filing, except as provided for in paragraph 2 of this article.

2. Except as provided for by Article 281<sup>3</sup> of this Code, the time for hearing an appeal filed against an order of a district (city) court shall not exceed one month after the appeal is filed with the appellate court.

3. In hearing an appeal or an objection filed against an order issued in an administrative proceedings or against the decision delivered after hearing an administrative case at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code, the body (official) shall examine the lawfulness and reasonableness of the order.

4. The appellate court shall consider cases without oral hearing, except for administrative detention cases, which shall be heard according to the procedure laid down by Chapter 22<sup>1</sup> of this Code. The court may order an oral hearing as well if this is necessary and conducive to ascertaining the circumstances of the case. Failure of the parties to appear shall not cause the postponement of the hearing.

5. The decision of the appellate court delivered on an administrative case shall be final and not subject to appeal.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

#### **Article 277 - (Deleted)**

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

#### **Article 278 - Decision delivered by an agency (official) hearing an appeal or objection on an order issued in an administrative case**

1. After hearing an appeal or objection, the agency (official) shall deliver one of the following decisions:

a) upholding the order and dismissing the appeal or objection;

b) reversing the order and referring the case for rehearing;

c) reversing the order and terminating the proceedings;

d) reversing an order issued after hearing the case of an administrative offence at the scene according to the procedure defined by Article 234<sup>1</sup> of this Code and exempting the person from the administrative penalty;

e) changing the penalty measure for the administrative offence to the extent provided for by the legislation of Georgia.

2. If it is established that the order was issued by an agency (official) that was not authorised to decide the case, then the order shall be reversed and the



case shall be referred to the authorised body (official) for rehearing.

3. A copy of an order delivered on the appeal or objection filed against the order issued in an administrative case shall be sent within seven days to the person against whom the order was made. A copy of an order delivered on the objection shall be sent within seven days to the victim as well, upon his/her request. The result of the hearing of the objection shall be reported to the prosecutor.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3007 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 142*

### **Article 279 - Powers of a judge, of the head of an agency of internal affairs or of the head of a superior agency of internal affairs in revising a decision delivered in a case**

1. An order of a district (city) court and/or an appeals court in an administrative case may be reversed or modified upon a prosecutor's objection by the district (city) court and/or the appellate court, respectively, also by the appellate court irrespective of whether or not the prosecutor filed an objection.

2. An order of the head of an agency of internal affairs delivered in an administrative case provided for in Article 166 of this Code may be reversed or modified upon a prosecutor's objection by the head of the agency of internal affairs, also by the head of the relevant superior agency of internal affairs irrespective of whether or not the prosecutor filed an objection.

*Ordinance No 1842 of the Presidium of the Supreme Soviet of the Georgian SSR of 15 August 1988 – The Gazette of the Supreme Soviet of the Georgian SSR, No 8, August, 1988, Art. 201*

*Ordinance No 2790 of the Presidium of the Supreme Soviet of the Georgian SSR of 4 September 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 9, September, 1990, Art. 241*

*Law of Georgia of 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of the Republic of Georgia of 14 May 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 5, May, 1991, Art. 378*

*Law of the Republic of Georgia No 436 of 14 June 1991 – The Gazette of the Parliament of Georgia, No 6, June, 1991, Art. 429*

*Law of the Republic of Georgia of 28 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 660 of 30 May 2013 – website, 24.6.2013*

### **Article 280 – Objection filed against an appellate decision**

1. A prosecutor may file an objection against a decision delivered on an appeal filed against an order issued in an administrative case.

2. An objection against an appellate decision shall be filed with the agency (official) that is superior to the body (official) issuing the appellate decision.

*Law of Georgia No 2456 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 394*

*Law of Georgia No 660 of 30 May 2013 – website, 24.6.2013*

### **Article 281 - Outcome of the reversal of an order with the termination of the administrative proceedings**

Reversal of an order with the termination of the administrative proceedings shall result in the refund of the collected sums, and the return of the items that have been seized in the form of a compensated seizure or confiscation, and the lifting of any restrictions associated with the previous order. If any of the items cannot be returned, its value shall be compensated.

The damages incurred by a citizen by unlawful imposition of an administrative penalty in the form of detention or corrective labour shall be paid according to the procedure laid down by the legislation.

## **Chapter 22<sup>1</sup> - Appealing Administrative Detention Orders**

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

### **Article 281<sup>1</sup> - Time limits for appealing administrative detention orders**

An administrative detention order issued by a district (city) court may be appealed only once within 48 hours after its issuance by the person who is



subject to the administrative detention or by his/her defence counsel (legal representative), also by the agency (official) that prepared the administrative offence report, to the Chamber of Administrative Cases of the Appellate Court.

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

### **Article 281<sup>2</sup> - Admissibility of appeals**

1. The defence counsel (legal representative) may file an appeal with the Chamber of Administrative Cases of the Appellate Court only with the consent of his/her client, except where such person has a mental or physical defect, which makes it impossible to obtain the consent.
2. The appeal filed by the parties must indicate what requirements were violated in delivering the appealed order and why the provisions of the appealed order are wrong. The appeal must also indicate the substantial issues and evidence that the district (city) court did not examine and that could have affected the lawfulness of the imposition of the administrative detention on the person. The appeal must be accompanied by the evidence (material) confirming the appellant's position on those new circumstances that were not known to the district (city) court.
3. The parties shall file an appeal with the court that issued the order and this court shall immediately forward the appeal and the case materials to the court of relevant jurisdiction. Filing of an appeal shall not suspend the enforcement of the order.
4. Within 24 hours after receiving the case files, the Chamber of Administrative Cases of the Appellate Court shall rule, without oral hearing, on the admissibility of the appeal relating to the administrative detention, in particular, whether the appeal meets the requirements of paragraphs 1 and 2 of this article. The Court shall issue a ruling on the admissibility of the appeal. If the appeal is found admissible, an oral hearing shall be held within the time limits and according to the procedure defined by this Code.

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

### **Article 281<sup>3</sup> - Hearing an appeal and making a decision**

1. The Chamber of Administrative Cases of the Appellate Court shall hear an appeal within 48 hours after issuing a ruling admitting the appeal.
2. The Chamber of Administrative Cases of the Appellate Court shall consider an appeal at an oral hearing, with participation of the parties. Failure of the parties to appear shall not delay the hearing. The person subjected to an administrative detention or his/her defence counsel (legal representative), or the agency (official) that prepared the administrative offence report may participate in the appellate hearing. The court may summon and question a person whose evidence is of essential importance in deciding the appeal; the court may also invite the parties to submit the documents and other evidence required for examining the reasonableness of the appeal. The presiding judge shall open the hearing, and announce the title of the appeal to be heard and the names the parties. If the parties participate in the hearing, they are given the opportunity to give statements to the Court and formulate their opinions.
3. In hearing the appeal, the court shall examine whether the district (city) court complied with the requirements of Article 32 of this Code when delivering the administrative detention order.
4. After hearing the appeal, the Chamber of Administrative Cases of the Appellate Court shall deliver a decision:
  - a) upholding the appealed order and rejecting the appeal;
  - b) reversing (modifying) the appealed decision and granting the appeal in full (in part).
5. The copies of the order delivered in the appellate hearing shall be given to the parties, sent to the judge that issued the order and the agency responsible for the enforcement of this decision. The order shall be final and not subject to appeal.

*Law of Georgia No 1505 of 17 July 2009 – LHG I, No 21, 3.8.2009, Art. 116*

## **Section V – Enforcement of Orders on the Imposition of Administrative Penalties**

### **Chapter 23 - Main Provisions**

#### **Article 282 - Binding nature of orders imposing administrative penalties**

The order imposing an administrative penalty shall be binding upon the state and public agencies, enterprises, institutions, organisations, officials and citizens.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

#### **Article 283 - Enforcing an order**



1. An order imposing an administrative penalty shall be enforced upon its issuance, unless otherwise determined by this Code and other legislative acts of Georgia.
2. If an order imposing an administrative penalty is appealed or an objection is filed, it shall be enforced after the appeal or objection has been rejected, except for an order imposing a warning as a penalty, also except for the case provided for in paragraph 3 of this article, or except where a fine is imposed and collected from a person at the scene of an administrative offence.
3. Appealing of orders issued in the administrative cases provided for in Articles 208 and 208<sup>2</sup> of this Code shall not suspend their enforcement, unless otherwise determined by this Code and other legislative acts of Georgia.
4. An order imposing an administrative fine shall be enforced compulsorily after the expiry of the time defined by Article 290(1) of this Code for voluntary payment.
5. An order imposing an administrative penalty shall be enforced by the body (official) that issued the order.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

#### **Article 248 - Procedure for enforcing orders that impose an administrative penalty**

1. An order imposing an administrative penalty shall be enforced by the authorised agencies according to the procedure laid down by this Code and other legislative acts of Georgia.
2. An administrative detention order, including an administrative detention order against a military service person of the Ministry of Internal Affairs of Georgia, shall be enforced by the agencies of internal affairs and, in the case of a military service person of another agency, by the Ministry of Defence of Georgia, according to the procedure laid down by the legislation of Georgia.
3. If several orders imposing an administrative penalty are issued against one person, each order shall be enforced individually.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1857 of 1 July 2005 – LHG I, No 38, 15.7.2005, Art. 257*

*Law of Georgia No 1142 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 36*

#### **Article 285 - Postponing the enforcement of orders imposing an administrative penalty**

If there are circumstances preventing immediate enforcement of orders imposing administrative detention, corrective labour or a fine (except where a fine is collected at the scene of an administrative offence) as an administrative penalty, the agency (official) that issued the order may postpone the enforcement of the order for up to one month.

#### **Article 286 - Terminating the enforcement of orders imposing an administrative penalty**

The agency (official) that issued an order on the imposition of an administrative detention shall terminate the enforcement of the order:

- 1) if an act of amnesty is applied, provided for the act repeals the administrative penalty;
- 2) if the act establishing the administrative liability is repealed;
- 3) if the person against whom the order was issued dies.

#### **Article 287 – Period of limitation of orders imposing an administrative penalty**

An order imposing an administrative penalty shall not be enforced if it is not enforced within six months after the order is issued. If the enforcement of an order is suspended under Article 275 of this Code, the period of limitation shall stop until the appeal or objection is heard. If the enforcement of an order is postponed under Article 285 of this Code, the period of limitation shall stop until the postponement period expires.

The legislation of Georgia may prescribe other, longer time limits for enforcing orders issued in certain administrative cases.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1443 of 12 June 1998 – The Parliament Gazette, No 23-24, 30.6.1998, p. 51*



## **Article 288 - Resolving the issues related to the enforcement of orders**

The agency (official) that issued an order imposing an administrative penalty shall be responsible for resolving the issues relating to the enforcement of the order and for exercising control over its enforcement.

## **Article 288<sup>1</sup> - Enforcing orders replacing an administrative penalty with another administrative penalty**

An order replacing an administrative penalty with another administrative penalty shall be enforced according to the procedure defined for the enforcement of orders imposing an administrative penalty.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art.110*

## **Chapter 23<sup>1</sup> - Enforcing Surcharge Orders**

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art.110*

## **Article 288<sup>2</sup> – Binding nature orders imposing a surcharge**

An order imposing a surcharge in an administrative case shall be binding upon all natural and legal persons, unless otherwise determined by the legislation of Georgia.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art.110*

## **Article 288<sup>3</sup> – Enforcement of orders imposing a surcharge**

1. An order imposing a surcharge shall be enforced upon its issuance, unless otherwise determined by this Code and other legislative acts of Georgia.
  2. If an order imposing a surcharge is appealed or objected to, it shall be enforced after the appeal or objection has been rejected, except as provided for in paragraph 2<sup>1</sup> of this article.
- 2<sup>1</sup>. The filing of an appeal against an order imposing a surcharge in the administrative cases provided for in Article 208 of this Code shall not suspend its enforcement.

3. An order imposing a surcharge shall be enforced by the body (official) that issued the order.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

## **Article 288<sup>4</sup> - Procedure for enforcing surcharge orders**

An offender shall pay the surcharge within 30 days after being served with the surcharge order. If an offender or, where so provided for by this Code, a vehicle owner, becomes aware of the imposed surcharge only after the fine receipt provided for in Article 242(2),(4) of this Code is served on him/her, the offender shall pay the surcharge within 30 days after the expiry of the period defined in Article 290(1) of this Code for voluntary payment of the fine.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

## **Article 288<sup>5</sup> - Compulsory enforcement of surcharge orders**

If a surcharge is not paid within the period fixed in Article 288<sup>4</sup> of this Code, the surcharge order shall be enforced by an enforcement officer out of the offender's salary or other income, or by taking recourse against the offender's personal property or his/her share in the common property based on the order of the agency (official) that issued the surcharge order, unless otherwise determined by the legislation of Georgia.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 214 of 15 July 2008 – LHG I, No 17, 28.7.2008, Art. 130*

## **Article 288<sup>6</sup> - Limitation period of the enforcement of surcharge orders**





The period of limitation prescribed for orders imposing an administrative penalty shall apply to surcharge orders.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

### **Article 288<sup>7</sup> - Resolving the issues relating to the enforcement of surcharge orders**

1. (Deleted).
2. An offender that paid the imposed surcharge within the time defined by this Code shall notify the body (official) that issued the order with the indication 'enforced'.

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 214 of 15 July 2008 – LHG I, No 17, 28.7.2008, Art. 130*

## **Chapter 24 - Warning Order Enforcement Proceedings**

### **Article 289 - Procedure for enforcing warning orders**

An order imposing a warning as an administrative penalty shall be enforced by the agency (official) that issued the order after the order is announced publicly at end of the hearing.

If an order imposing a warning as an administrative penalty is issued in the absence of the offender, a copy of the order shall be served upon the offender according to the procedure provided for by Article 268 of this Code.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Chapter 25 - Enforcement Proceedings on Orders that Impose a Fine**

### **Article 290 - Time frames and procedure for enforcing orders that impose a fine**

1. An offender shall pay the fine within 30 days after having been served with a copy of the order that imposes the fine or, if fined at the scene, within 30 days after having been served with a fine receipt; in the cases described in Article 242(4) of this Code, within 30 days after the fine receipt is delivered by mail to the vehicle owner or to any of the adult family member living with him/her at the specified address; in the cases of the administrative offences provided for in Articles 208 and 208<sup>2</sup> of this Code, within seven days after a copy of the order that imposes a fine is served on him/her. This period shall be suspended if the order, or the order issued after hearing the administrative case at the scene under Article 234<sup>1</sup> of this Code, is appealed or objected to, until the notice of rejection of the appeal or objection is delivered, except as provided for by paragraph 1<sup>5</sup> of this article.

1<sup>1</sup>. If administrative offences defined in Articles 116, 118, 119, 120-123, 125 and 127<sup>1</sup> of this Code are committed the offender may pay the fine together with the surcharge within 30 days after the expiry of the time defined in paragraph 1 of this article. If the fine or surcharge is not paid within this period, the offender's licence to drive a vehicle (an agricultural machine) shall be suspended for the period defined by the relevant article of this Code. After the period of suspension of the driving licence expires, the driver's right to drive shall be restored. The restoration of the right to drive does not require taking a test.

**Note:** Article 290(1<sup>1</sup>) of this Code shall not apply to the cases provided for in paragraph 4 of the Note to Article 118<sup>1</sup>, paragraph 4 of the Note to Article 118<sup>2</sup>, paragraph 3 of the Note to Article 118<sup>3</sup>, paragraph 7 of the Note to Article 120, paragraph 7 of the Note to Article 122, paragraph 3 of the Note to Article 123 and paragraph 6 of the Note to Article 125 of this Code, which lay down other rules for payment of fines and surcharges.

1<sup>2</sup>. In the cases provided for in Article 242(4) of this Code, a copy of the fine receipt may be served upon the offender in person.

1<sup>3</sup>. If in the cases provided for in Article 242(4) of this Code the vehicle owner refuses to accept the fine receipt delivered to him/her by mail, the person delivering the fine receipt shall make the relevant indication on the mail, which shall be returned to the person that imposed the administrative penalty (fine). In that case, the fine receipt shall be deemed to have been served on the addressee.

1<sup>4</sup>. A fine receipt shall be deemed to have been served on the addressee if any adult family member living with the vehicle owner at his/her address repeatedly refuses to accept the fine receipt delivered by mail.

1<sup>5</sup>. An appeal filed against an order issued in the administrative cases provided for in Articles 208 and 208<sup>2</sup> of this Code shall not suspend the running of the time limits defined in paragraph 1 of this article.



2. If persons aged 16 to 18 have committed disorderly conduct and do not have independent income, the fine shall be imposed on their parents or their substitutes.

3. An offender shall deposit the sum imposed for an administrative offence with a banking institution or its branch operating in any administrative-territorial unit of Georgia in order to transfer the sum to the State Budget of Georgia. When transferring the money, the offender's details (first name, surname, personal number), the number, date and serial number (if any) of the relevant individual administrative-legal act or court order imposing the administrative penalty shall be indicated.

3<sup>1</sup>. If the amount of the fine imposed for an administrative offence is not fully transferred to the State Budget of Georgia due to the deduction of the service fees by the banking institution or by an electronic payment machine and this results in the imposition of a surcharge upon the offender, or the suspension of the driving licence due to failure to pay the fine or surcharge within a specified period, the surcharge imposed on him/her, or the order suspending his/her right to drive a vehicle due to the failure to pay the fine or surcharge within the specified period, shall be cancelled, and the offender's right to drive shall be restored and the driving license for the vehicle shall be returned to him/her if the offender fully pays the remaining amount of the fine.

4. The fines imposed on officials may not be collected from the accounts of enterprises, institutions and organisations.

5. An order suspending the offender's right to drive a vehicle due to the failure to pay the fine or surcharge within the specified period shall be cancelled and the driving license for the vehicle shall be returned to the offender if the amount of the fine imposed upon him/her for an administrative offence:

a) does not exceed GEL 100 and the offender pays, before the expiry of the period of suspension of the driving licence, double the amount of the fine and surcharge imposed before the suspension of the driving licence.

b) exceeds GEL 100 and the offender pays, before the expiry of the period of suspension of the driving licence, one and a half times the fine and surcharge imposed before the suspension of the driving licence, but not in excess of GEL 2 000.

6. If the last day of the period defined in paragraph 1 of this article coincides with a weekend (Saturday, Sunday) or a holiday determined by the labour legislation of Georgia, the day of the expiry of the period shall be considered to be the first business day following it.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 956 of 30 December 2008 – LHG I, No 41, 30.12.2008, Art. 330*

*Law of Georgia No 1812 of 20 October 2009 – LHG I, No 30, 2.11.2009, Art. 187*

*Law of Georgia No 3280 of 2 July 2010 – LHG I, No 38, 16.7.2010, Art. 227*

*Law of Georgia No 4651 of 5 May 2011 – website, 13.5.2011*

*Law of Georgia No 4708 of 20 May 2011 – website, 3.6.2011*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 6173 of 15 May 2012 – website, 18.5.2012*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

*Law of Georgia No 1884 of 26 December 2013 – website, 30.12.2013*

*Law of Georgia No 2375 of 2 May 2014 – website, 16.5.2014*

#### **Article 291 - Compulsory enforcement of fining orders**

1. If the offender fails to pay the fine within the time defined in Article 290(1) of this Code, the order that imposes a fine shall be compulsorily enforced out of the offender's salary, pension, scholarship or other income, according to the rules provided for by the Civil Procedure Code of Georgia, except as provided for by Articles 228<sup>2</sup>(2) and 228<sup>3</sup>(2) of this Code; the fine imposed for the administrative offence provided for in Article 129<sup>1</sup> of the Code shall be compulsorily enforced according to Article 129<sup>1</sup>(5).

2. If the fined person is unemployed or the fine cannot be collected from the offender's salary, pension, scholarship or other income for other reasons, based on the order issued by the relevant agency (official), the fine shall be collected by an enforcement officer by taking recourse against the offender's personal property or his/her share in common property.



3. The collection of a fine shall not be enforced against property that is not defined by the enforcement documents according to the legislation of Georgia.

4. If smuggled items are found in a vehicle whose owner has no place of permanent residence in Georgia, the owner shall be fined according to the Tax Code of Georgia.

5. If the administrative offences defined in Articles 116, 117, 118-119, 120-123, 125, 127<sup>1</sup> and 129<sup>1</sup> of this Code are committed and the offender does not have the right to drive a vehicle (an agricultural machine), an enforcement shall compulsorily enforce the fine out of the offender's salary or other income, or by taking recourse against the offender's personal property or his/her share in common property.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 5027 of 22 June 2007 – LHG I, No 25, 5.7.2007, Art. 225*

*Law of Georgia No 214 of 15 July 2008 – LHG I, No 17, 28.7.2008, Art. 130*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

*Law of Georgia No 3593 of 17 September 2010 – LHG I, No 54, 12.10.2010, Art. 345*

*Law of Georgia No 4684 of 17 May 2011 – website, 18.5.2012*

#### **Article 292 – Enforcement of a fine that is to be collected at the scene of the offence**

If a fine is to be paid at the scene of an administrative offence under Article 242 of this Code, the offender shall be given a receipt in an established form, which is a strict accounting document.

If the fine is not paid at the scene of an administrative offence, the proceedings and subsequently the enforcement of the order shall be conducted according to the procedure prescribed by this Code.

*Ordinance No 2156 of the Presidium of the Supreme Soviet of the Georgian SSR of 5 June 1989 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1989, Art. 72*

#### **Article 293 – Completion of the proceedings on an order that imposes a fine**

The fine order, under which the fine has been paid in full, shall be returned with the indication 'enforced' to the body (official) that issued the order.

### **Chapter 26 - Proceedings on Compensated Seizure Orders**

#### **Article 294 - Enforcing compensated seizure orders**

The agency (official) that issued a compensated seizure order shall consign the seized items for sale to a commission shop or to designated state or cooperative shops according to the location of the seized property.

An order for the compensated seizure of a firearm or ammunition shall be enforced by the agencies of internal affairs.

The proceeds of the sale of a seized item shall be given, according to Article 28 of this Code, to the former owner, net of the expenses incurred for the sale of the seized item.

The legislation of Georgia may prescribe another rule for enforcing compensated seizure orders.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

### **Chapter 27 - Confiscation Order Proceedings**

#### **Article 295 - Bodies enforcing confiscation orders**

1. A confiscation order shall be enforced by:

a) an enforcement officer – in the case of the offences provided for in Article 208 of this Code; an authorised person of an agency of internal affairs – in



the case of the offences defined in Articles 167, 180, 181(3) and 183 of this Code;

b) an authorised person of the agencies providing state supervision over the observance of hunting rules – in the case of the offences defined in Articles 85<sup>3</sup>, 86 (for violation of hunting rules) and 196 of this Code;

c) an authorised person of the relevant agencies of the Ministry of Finance – in the case of the offences defined in Articles 157 and 194 of this Code;

d) (deleted – 26.4.2012, No 6094).

2. The products indicated in the Note to Article 98<sup>1</sup> of this Code shall be confiscated and destroyed at the offender's expense by the authorised official exercising control over the quality of agriculture.

*Ordinance No 408 of the Presidium of the Supreme Soviet of the Georgian SSR of 16 October 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, Annex to No 10, October, 1985, Art. 370*

*Ordinance No 785 of the Presidium of the Supreme Council Georgian SSR of 11 June 1986 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1986, Art. 140*

*Ordinance No 1306 of the Presidium of the Supreme Soviet of the Georgian SSR of 22 June 1987 – The Gazette of the Supreme Soviet of the Georgian SSR, No 6, June, 1987, Art. 152*

*Ordinance No 2610 of the Presidium of the Supreme Soviet of the Republic of Georgia of 19 April 1990 – The Gazette of the Supreme Soviet of the Georgian SSR, No 4, April, 1990, Art. 90*

*Law of Georgia 30 January 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 1, January, 1991, Art. 38*

*Law of the Republic of Georgia of 14 June 1991 - The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 429*

*Law of the Republic of Georgia of 28 June 1991 – The Gazette of the Supreme Council of the Republic of Georgia, No 6, June, 1991, Art. 450*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of the Republic of Georgia No 519 of 14 June 1994*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 432 of 28 June 2000 – LHG I, No 24, 30.6.2000, Art. 66*

*Law of Georgia No 753 of 2 March 2001 – LHG I, No 6, 20.3.2001, Art. 12*

*Law of Georgia No 1756 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 252*

*Law of Georgia No 2379 of 20 December 2005 – LHG I, No 55, 27.12.2005, Art. 378*

*Law of Georgia No 4232 of 29 December 2006 – LHG I, No 50, 30.12.2006, Art. 383*

*Law of Georgia No 214 of 15 July 2008 – LHG I, No 17, 28.7.2008, Art. 130*

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

*Law of Georgia No 3706 of 12 June 2015 – website, 30.6.2015*

#### **Article 296 - Procedure for enforcement of confiscation orders**

A confiscation order shall be enforced by seizing the confiscated item and transferring it to the State compulsorily, without compensation.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 285 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 47*

*Law of Georgia No 432 of 28 June 2000 – LHG I, No 24, 30.6.2000, Art. 66*

*Law of Georgia No 4232 of 29 December 2006 – LHG I, No 50, 30.12.2006, Art. 383*

#### **Article 297 - Procedure for selling confiscated items**

A confiscated item that was the instrument or direct object of an administrative offence, shall be sold according to the procedure laid down by the legislation of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*



## **Article 298 – Completion of confiscation order enforcement proceedings**

A confiscation order shall be returned with the indication 'enforced' to the agency (official) that issued the order.

## **Chapter 28 - Enforcement Proceedings of Orders that Suspend Special Rights**

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

## **Article 299 - Agency enforcing orders that suspend special rights**

1. An order on the suspension of the right to drive a vehicle shall be enforced by officials of the agencies of internal affairs.
2. (Deleted).
3. (Deleted).

*Ordinance No 472 of the Presidium of the Supreme Soviet of the Georgian SSR of 21 November 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, No 11, November, 1985, Art. 376*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

## **Article 300 - Procedures for enforcing orders on the suspension of the right to drive a vehicle**

1. An order on the suspension of the right to drive a vehicle shall be deemed to be enforced from the date of its entry into force.
2. A person shall be deprived of a driving licence if his/her right to drive a vehicle has been suspended.
3. The rules for suspending the right to drive a vehicle, for reducing the driving right suspension period, for restoring a suspended driving right and for returning a seized driving licence shall be defined by the Minister of Internal Affairs of Georgia.

*Ordinance No 472 of the Presidium of the Supreme Soviet of the Georgian SSR of 21 November 1985 – The Gazette of the Supreme Soviet of the Georgian SSR, No 11, November, 1985, Art. 376*

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1753 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 251*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 214 of 15 July 2008 – LHG I, No 17, 28.7.2008, Art. 130*

*Law of Georgia No 3779 of 28 October 2010 – LHG I, No 63, 10.11.2010, Art. 406*

*Law of Georgia No 1644 of 27 November 2013 – website, 13.12.2013*

## **Article 301 - (Deleted)**

*Law of Georgia No 3516 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 261*

## **Article 302 - Grounds and procedures for reducing a special right suspension period**

If a person committed an offence for the first time and due to this offence his/her right to drive a vehicle was suspended for a certain period of time, the agency (official) that imposed the administrative penalty may take into account his/her person and family status and reduce the period of suspension of the right; such reduction shall be allowed after at least one half of the period has elapsed.

*Law of Georgia No 696 of 13 May 1997 – The Parliament Gazette, No 23-24, 7.6.1997, p. 3*



### **Article 303 - Calculating a special right suspension period**

1. The special right of a driver of a vehicle shall be deemed to be suspended from the day the suspension order is issued; if the driving right suspension period is increased, the special right of the driver shall be deemed to be suspended from the date indicated in the suspension order.
2. Upon the expiry of a special right suspension period, also upon reduction of the period according to Article 302 of this Code, the deprived documents shall be duly returned to the person subjected to the administrative penalty.

## **Chapter 29 - Corrective Labour Order Enforcement Proceedings**

### **Article 304 - Enforcing corrective labour orders**

A corrective labour order shall be forwarded for enforcement not later than the day following the issue date.

The offender shall perform corrective labour under Article 31 of this Code at a permanent workplace.

Based on a corrective labour order, the offender's salary shall be deducted in favour of the State during the performance period in the amount defined in the order.

### **Article 305 – Term of corrective labour**

The term of corrective labour shall be calculated according to the time during which the offender was working and during which deductions were made from his/her salary.

The number of days worked by the offender shall not be lower than the number of working days in the calendar period of the penalty imposed by the court (judge). If the offender does not work this number of business days and there are no grounds for counting the unworked days towards the term of the penalty, the corrective labour shall continue until the offender works the prescribed number of working days.

The time, during which the offender did not work for a valid reason and was paid salary according to law shall be counted towards the term of the corrective labour. This period shall also include the period of illness, the time off work to care for an ill person, and the period of a maternity leave. The period of illness caused by drunkenness or by an action relating to drunkenness shall not be counted towards the term of the corrective labour.

### **Article 306 - Duties of the administration of the enterprise, institution or organisation where an offender is performing corrective labour**

The administration of the enterprise, institution or organisation where an offender is performing corrective labour shall be obligated to:

perform correct and timely deductions from the offender's salary in favour of the State and duly transfer the deducted amount in a timely manner;

provide the offender with labour education;

notify the body in charge of the enforcement of this type of penalty of the offender's evasion of the penalty.

### **Article 307 - (Deleted)**

## **Chapter 30 - Administrative Detention Order Enforcement Proceedings**

### **Article 308 - Enforcing administrative detention orders**

An administrative detention order shall be enforced immediately upon its issuance.



### **Article 309 - Procedure for serving administrative detention**

1. A person sentenced to administrative detention, including a military service person of the Ministry of Internal Affairs of Georgia, shall serve detention at the places designated by the Ministry of Internal Affairs, a military servant of another agency on whom has been imposed an administrative detention shall serve the detention at the places designated by the Ministry of Defence of Georgia. When enforcing an administrative detention order, the offender shall be subjected to personal inspection.

2. The period of administrative arrest shall be counted towards the term of administrative detention.

3. Administrative detention shall be served according to the procedure laid down by the legislation of Georgia.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

*Law of Georgia No 1857 of 1 July 2005 – LHG I, No 38, 15.7.2005, Art. 257*

*Law of Georgia No 1142 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 36*

### **Article 310 - Use of administrative detainees for labour**

Administrative detainees may be used for physical labour.

Local self-government bodies shall organise the use of administrative detainees for labour.

Administrative detainees shall not be paid salary at the permanent workplace during the period of administrative detention.

*Decree of the State Council of the Republic of Georgia of 3 August 1992 – The Collection of the Normative Acts of the State Council of the Republic of Georgia, Vol. I, 1992, Art. 128*

## **Chapter 31 - Proceedings on the Enforcement of Material Damages Portion of an Order**

### **Article 311 - Procedure and time frames for enforcing material damages portion of an order**

1. The material damages portion of an order issued in an administrative case shall be enforced according to the procedure laid down by the legislation of Georgia, including this Code and the Civil Procedure Code.

2. The material damages portion of an order issued in an administrative case shall be an enforcement document.

3. The offender shall pay the material damages not later than 15 days after being served with the order according to Article 268 of this Code; if the order is appealed or objected to, the offender shall pay the material damages within not later than 15 days after receiving a notice of rejection of the appeal or objection, except as provided for in paragraph 4 of this article.

4. Filing of an appeal against an order issued in the administrative cases provided for in Articles 208 and 208<sup>2</sup> of this Code shall not suspend the period of time defined in paragraph 3 of this article for the payment of material damages that commences from the service of the order.

*Law of Georgia No 6090 of 26 April 2012 – website, 10.5.2012*

### **Article 312 - Effects of the non-fulfilment of the material damages portion of an order**

If the material damages portion of an order is not fulfilled within the time fixed by Article 311(3) of this Code, it shall be sent for the payment of damages according to the enforcement procedure provided for by the civil procedure legislation.

### **Article 312<sup>1</sup> – Administrative proceedings against an unidentified offender**

1. If the identity (first name, surname, age, sex, citizenship) of an administrative offender has not been established and the person refuses to identify himself/herself or to give statements, or it is impossible to identify him/her due to a physical defect or other objective circumstances, the person conducting the administrative case shall prepare, with participation of specialists, an administrative offence report describing all possible external features of the person (possible age, sex, height, hair colour, colour of the eyes, other peculiarities of his/her appearance or face), against which the person can be identified (the report shall be appended with a photo). Based on an order imposing an administrative penalty issued by the authorised agency (official) upon the petition of the person in charge of an administrative case, the person may be assigned a conditional name made up a combination of digits and/or alphabetic characters that would allow, based on the facts of the case, the identification of the person in subsequent proceedings in the administrative case. The conditional name may not be degrading or insulting to human honour and dignity.

2. In the case provided for in paragraph 1 of this article, all the subsequent actions provided for by this Code, including the imposition of an



administrative penalty shall be performed without delay, to the full extent. After a report has been prepared against an unidentified offender, the proceedings shall be conducted with the mandatory participation of a defence counsel.

3. After an administrative offence report has been prepared against an unidentified offender according to the procedure laid down by this Code, a comprehensive forensic psychiatric examination may be appointed, based on the specific circumstances of the case, by an order of the relevant district (city) court according to the place of the proceedings. The examination is, to determine, inter alia, the person's mental condition, blood group, and obtain the fingerprints.

4. An official before whom an administrative case is pending shall be obligated to make sure that all reasonable measures provided for by the legislation of Georgia are taken to identify the person indicated in this article (to determine his/her first name and surname, age, citizenship and sanity).

5. If an unidentified person commits the administrative offences defined in Articles 92<sup>2</sup>, 98<sup>2</sup>, 153<sup>3</sup>, 155, 155<sup>1</sup> and 155<sup>2</sup> of this Code, the instrument or direct object of the administrative offence, the items or goods, or means of transportation and delivery may be temporarily seized and stored for up to three months as a special measure to ensure collection of the fine imposed as an administrative penalty. If the person is identified during this period, the subsequent proceedings against him/her shall be conducted according to the general procedure.

6. If an unidentified person fails to pay, within three months, the fine imposed as an administrative penalty, the temporarily seized and stored goods (items) shall be confiscated or sold to the extent of the imposed fine according to the procedure laid down by this Code, and the remaining goods shall be returned to the possessor.

7. If an unidentified person is identified at any stage of the administrative proceedings the agency (official) in charge of the proceedings shall, within 72 hours, review and bring in line with these circumstances the summary decisions existing in the case, except where these circumstances place the person in a worse position.

8. The identification of an unidentified person after the three-month period defined in paragraph 4 of this article shall not serve as grounds for claiming the return or compensation of the value of the goods (items) confiscated or sold under the same paragraph.

*Law of Georgia No 1857 of 1 July 2005 – LHG I, No 38, 15.7.2005, Art. 257*

*Law of Georgia No 4232 of 29 December 2006 – LHG I, No 50, 30.12.2006, Art. 383*

## **Chapter 32 - Transitional and Final Provisions**

*Law of Georgia No 2080 of 28 March 2003 – LHG I, No 9, 16.4.2003, Art. 53*

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

### **Article 313 - Transitional provisions**

1. The executive authorities of Georgia shall ensure that the measures necessary for defining the licence and permit conditions and other relevant state standards relating to the entry into force of Article 178<sup>1</sup> of this Code are implemented before 1 November 2003.

2. From 13 September 2004 to 1 January 2007, Article 118 of this Code shall apply only to the vehicles indicated in Article 45<sup>1</sup>(1) of the Law of Georgia on Traffic Safety.

3. From 13 September 2004 to 1 January 2007, in the case provided for in Article 119(1)(c) of this Code, an administrative penalty for driving without a motor vehicle owner's compulsory civil liability insurance policy may be imposed on the person only for driving the vehicle subject to compulsory insurance under Article 25(2) of the Law of Georgia on Compulsory Civil Liability Insurance of Motor Vehicle Owners.

4. Article 894(6) of this Law shall be in force until the beginning of the 2009-2010 academic year.

5. (Deleted).

6. (Expired).

7. (Expired).

8. Before 15 August 2010, the Georgian National Energy and Water Supply Regulatory Commission shall determine the persons authorised to impose administrative penalties for the administrative offences defined in Articles 96<sup>1</sup> and 149 of this Code; approve the procedures relating to the imposition and enforcement of administrative penalties, and also approve administrative offence report forms and administrative penalty order forms.

9. The Ministry of Justice of Georgia shall approve the forms of the administrative offence reports and administrative arrest reports provided for in Articles 239 and 245 of this Code and that are to be prepared by enforcement police officers; the Ministry shall also approve the procedure for completing the forms and submitting them to the body before which the administrative case is pending.

10. The Ministry of Corrections and Legal Assistance of Georgia shall approve the forms of the administrative offence reports and administrative arrest reports provided for in Articles 239 and 245 of this Code and that are to be prepared by the employees of the Internal Inspection Division of the General Inspectorate of the Ministry of Corrections and Legal Assistance of Georgia; the Ministry shall also approve the procedure for preparing the reports and submitting them to the body before which the administrative case is pending.

11. The Ministry of Internal Affairs of Georgia shall approve the form of the administrative offence report provided for in Article 239 (60<sup>2</sup>) of this Code.





12. A person under Article 309(82) of the Tax Code of Georgia shall, until 1 September 2015, be exempt from administrative liability for an administrative offence provided for in Article 122(2) of this Code, which is related to the violation of a time limit established by the legislation of Georgia for primary registration of a vehicle.

13. The exemption from administrative liability under paragraph 12 of this article shall not apply to a person whose penalty, which was imposed on him/her, was enforced before the entry into force of paragraph 12 of this article.

*Law of Georgia No 2080 of 28 March 2003 – LHG I, No 9, 16.4.2003, Art. 53*

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

*Law of Georgia No 514 of 26 October 2004 – LHG I, No 32, 10.11.2004, Art. 151*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 5850 of 11 March 2008 – LHG I, No 6, 25.3.2008, Art. 20*

*Law of Georgia No 3448 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 275*

*Law of Georgia No 3535 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 305*

*Law of Georgia No 5171 of 28 October 2011 – website, 7.11.2011*

*Law of Georgia No 1895 of 27 December 2013 – website, 30.12.2013*

*Law of Georgia No 2468 of 29 May 2014 – website, 12.6.2014*

*Law of Georgia No 3582 of 1 May 2015 – website, 15.5.2015*

#### **Article 314 - Final provisions**

1. Articles 153(3-5), also Article 239(43) of this Code shall come into force from 1 September 2003.

2. Article 178<sup>1</sup> of this Code and the provisions of Articles 208 and 239(45) relating to it shall come into force from 1 December 2003.

3. Articles 42<sup>5</sup>, 42<sup>6</sup> and 42<sup>7</sup> of this Code, and the provisions of Articles 208 and 239(46) relating to them shall come into force from 1 January 2004.

4. Articles 42<sup>8</sup> and 42<sup>9</sup> of this Code, and the provisions of Articles 208 and 239(46) relating to them shall come into force from 1 January 2005.

5. Article 155<sup>5</sup> of this Code shall come into force from 1 January 2005 and Article 155<sup>6</sup> shall come into force from 1 January 2006.

6. Article 92<sup>2</sup> shall be suspended until the implementation of the relevant changes in the legislation relating to the sale and licensing of tobacco products.

7. Article 119(7) of this Code shall come into force from the day when the Order of the Minister of Internal Affairs of Georgia on Approving the Procedure for Vehicle Window Tinting and the List of the Vehicles Not Requiring the Consent of the Patrol Police Department of the Ministry of Internal Affairs of Georgia.

8. (Deleted).

9. (Deleted – 8.5.2012, No 6156).

*Law of Georgia No 2352 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 116*

*Law of Georgia No 2577 of 23 July 2003 – LHG I, No 23, 12.8.2003, Art. 170*

*Law of Georgia No 3136 of 5 December 2003 – LHG I, No 32, 22.12.2003, Art. 234*

*Law of Georgia No 316 of 1 July 2004 – LHG I, No 20, 16.7.2004, Art. 108*

*Law of Georgia No 2962 of 28 April 2006 – LHG I, No 15, 16.5.2006, Art. 110*

*Law of Georgia No 4413 of 2 March 2007 – LHG I, No 8, 23.3.2007, Art. 77*

*Law of Georgia No 3535 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 305*

*Law of Georgia No 4960 of 24 June 2011 – website, 6.7.2011*

*Law of Georgia No 6156 of 8 May 2012 – website, 25.5.2012*



Chairperson of the Presidium of the Supreme Soviet of the Georgian SSR P. Gilashvili

Secretary of the Presidium of the Supreme Soviet of the Georgian SSR T. Lashkarashvili

Tbilisi

15 December 1984

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