

### On Changes to the Code of Administrative Offenses of Georgia

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Georgian Law

### On Changes to the Code of Administrative Offenses of Georgia

**Article 1.** The following change shall be made in the Code of Administrative Offenses of Georgia (Messenger of the Supreme Council of Georgian Soviet Socialist Republic, # 12, 1984, Article 421):

1. Part 4 of Article 107 shall be removed.

2. Part 3 of Article 107<sup>3</sup> shall be changed to read as follows:

"3. Littering or soiling subway station hallways, entrances, platforms, train car interiors, escalators or tracks; smoking in these areas, following the train into the depot or violating the policies of subway use -

is subject to a fine in the amount of 20 laris."

3. Article 113 shall be changed to read as follows:

**"Article 113. Violation of safety rules while travelling in water transportation vehicles.**

Damaging the alarm system and communication structures and equipment of the water transportation vehicles -

is subject to a fine in the amount of 2-5 times minimum wages of a citizen and 3-6 times minimum wages of a high official."

4. Article 155<sup>3</sup> shall be changed to read as follows:

**"Article 155<sup>3</sup>. Failure to follow the requirements established for selling and displaying tobacco products, tobacco accessories and/or tobacco devices.**

1. Selling tobacco products, tobacco accessories and/or tobacco devices in a facility, facility grounds or its adjacent territory, retail facility or a section of a retail facility where Georgian law prohibits such a sale, -

is subject to a fine in the amount of 200 laris.

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2. Repeated violation of part one of this Article, -  
is subject to a fine in the amount of 400 laris.
3. Failure to follow the rules for displaying tobacco products, tobacco accessories and/or tobacco devices -  
is subject to a fine in the amount of 150 laris.
4. Repeated violation of part 3 of this Article, -  
is subject to a fine in the amount of 300 laris.
5. Selling single cigarettes out of the cigarette box or single boxes/packaging with more or fewer than 20 cigarettes in each, -  
is subject to a fine in the amount of 150 laris.
6. Repeated violation of part 5 of this Article, -  
is subject to a fine in the amount of 300 laris.
7. Selling tobacco products, tobacco accessories and/or tobacco devices to individuals younger than 18 years -  
is subject to a fine in the amount of 150 laris.
8. Repeated violation of part 7 of this Article, -  
is subject to a fine in the amount of 300 laris.
9. Selling tobacco products, tobacco accessories and/or tobacco devices using electronic or mechanical machines -  
is subject to a fine in the amount of 200 laris and confiscation of the tobacco products, tobacco accessories and/or tobacco devices contained in the electronic or mechanical machine.
10. Repeated violation of part 9 of this Article, -  
is subject to a fine in the amount of 400 laris and confiscation of the tobacco products, tobacco accessories and/or tobacco devices contained in the electronic or mechanical machine.
11. Selling tobacco products, tobacco accessories and/or tobacco devices via internet or mail (retail) -  
is subject to a fine in the amount of 2,000 laris.
12. Repeated violation of part 11 of this Article, -  
is subject to a fine in the amount of 4,000 laris.
13. Selling tobacco products, tobacco accessories and/or tobacco devices free of charge or below cost -  
is subject to a fine in the amount of 2,000 laris.
14. Repeated violation of part 13 of this Article, -

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is subject to a fine in the amount of 4,000 laris.

15. Selling tobacco products or tobacco accessories from its facility by directly handing them to passengers riding in a vehicle -

is subject to a fine in the amount of 2,000 laris.

16. Repeated violation of part 15 of this Article, -

is subject to a fine in the amount of 4,000 laris.

17. Selling of tobacco products, tobacco accessories and/or tobacco devices by displaying them in a store window, behind the stained glass, on a counter, shelf or in a way that is visible from outside the applicable facility, -

is subject to a fine in the amount of 2,000 laris.

18. Repeated violation of part 17 of this Article, -

is subject to a fine in the amount of 4,000 laris.

19. Selling of tobacco products, tobacco accessories and/or tobacco devices by displaying them in a store window, behind the stained glass, on a counter, shelf or in a way that is visible from the inside of the applicable facility, -

is subject to a fine in the amount of 2,000 laris.

20. Repeated violation of part 19 of this Article, -

is subject to a fine in the amount of 4,000 laris."

5. Article 155<sup>4</sup> shall be removed.

6. Article 155<sup>4</sup> shall be changed to read as follows:

**"Article 155<sup>5</sup>. Not following the rules for displaying a medical warning approved by Georgian laws in places where tobacco products, tobacco accessories and/or tobacco devices are sold.**

1. Avoiding displaying a medical warning approved by Georgian laws in places where tobacco products, tobacco accessories and/or tobacco devices are sold or displaying such a warning that is not in compliance with the approved parameters, -

is subject to a fine in the amount of 200 laris.

2. Repeated violation of part 1 of this Article, -

is subject to a fine in the amount of 500 laris."

7. Article 155<sup>6</sup> shall be changed to read as follows:

**"Article 155<sup>6</sup>. Selling tobacco products without packaging, violating the rules of rotating medical warnings on the packaging.**

1. Selling tobacco products without packaging -

is subject to a fine in the amount of 150 laris.

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2. Repeated violation of part 1 of this Article, -  
is subject to a fine in the amount of 300 laris.

3. Selling tobacco products in the territory of Georgia, the name or any element of its packaging and/or label of which contains fraudulent, deceitful or misleading information about the properties of tobacco products, their harmful effects or emitted harmful substances; or using a word or abbreviation in the Georgian national language or a foreign language as well as using an image, graphics or a digit that directly or indirectly will form an incorrect opinion that this particular tobacco product is in any way less harmful than the other products, -  
is subject to a fine in the amount of 5,000 laris and confiscation of the corresponding tobacco products.

4. Violating the rules of Georgian Law on Tobacco Control for rotating medical warnings on the packaging of tobacco products -  
is subject to a fine in the amount of 5,000 laris."

8. Article 155<sup>7</sup> shall be added to the Code which shall read as follows:

**"Article 155<sup>7</sup>. Violating the rules governing the threshold limits of substances emitted from filtered and unfiltered cigarettes, their measurement and regulation as well as withholding information about the ingredients of the tobacco product.**

1. Selling filtered and unfiltered cigarettes in the territory of Georgia if the threshold of substances emitted from them and the principles of their measurement and regulation do not comply with the established requirements, -

is subject to a fine in the amount of 5,000 laris and confiscation of the corresponding filtered and unfiltered cigarettes.

2. Failure of the manufacturer and/or importer of filtered and unfiltered cigarettes to submit a report with the Ministry of Health, Labor and Social Affairs of Georgia on substances emitted from filtered and unfiltered cigarettes measured according to the established standards prior to 31st of May of each year -

is subject to a fine in the amount of 5,000 laris.

3. Selling of filtered and unfiltered cigarettes in the territory of Georgia while the information on the packaging does not correspond with the results received by following the established standards for measuring the emitted substances from filtered and unfiltered cigarettes, -

is subject to a fine in the amount of 5,000 laris and confiscation of the corresponding filtered and unfiltered cigarettes.

4. Failure of the manufacturer and/or importer of tobacco products to submit the information with the Ministry of Health, Labor and Social Affairs of Georgia on substances emitted from tobacco products (in particular, the list of ingredients, amount and weight) prior to 31st of May of each year -

is subject to a fine in the amount of 5,000 laris. "

9. Article 155<sup>8</sup> shall be added to the Code which shall read as follows:

**"Article 155<sup>8</sup>. Selling tobacco products in a packaging which does not correspond with the established requirements.**

Selling tobacco products in a packaging which does not correspond with the established requirements, -

is subject to a fine in the amount of 5,000 laris and confiscation of the corresponding tobacco products. "

10. Articles 171<sup>1</sup>-171<sup>3</sup> shall be changed to read as follows:

**"Article 171<sup>1</sup>. Violating the rules of tobacco consumption.**

1. Failure to comply with the rules prohibiting smoking in designated facilities and buildings and/or the agency property where they are conducting their business under paragraph 8 of Article 10 of Georgian Law on Tobacco Control; failure to have approved in-house policies on prohibiting/limiting smoking; failure to post a notification about the internal rules prohibiting/limiting smoking of tobacco in every entrance and other conspicuous areas of the corresponding facility and/or property; failure to post a message and signage on prohibiting/limiting smoking of tobacco products with a corresponding person's/agency's contact telephone number or other contact information; failure to stop the violations of rules prohibiting/limiting smoking; and the failure to follow other requirements established by Georgian Law on Tobacco Control -

is subject to a fine in the amount of 500 laris.

2. Repeated violation of part one of this Article, -

is subject to a fine in the amount of 1,000 laris.

3. Smoking tobacco products by an individual in the common areas of an apartment building (hallways, entrances, corridors, staircases, basement, attic, roof, elevator, etc.), -

is subject to a fine in the amount of 50 laris.

4. Repeated violation of part 3 of this Article, -

is subject to a fine in the amount of 100 laris.

5. Failure to follow the rules banning smoking by the driver of a public passenger transportation vehicle (vehicle) (except for the means of transportation by rail, water, air, in a taxi or a motorboat) as per paragraph "v" of Article 3 of Georgia Law on Tobacco Control; failure to interdict the violations of the rules prohibiting/limiting smoking; failure to follow other requirements of Georgian Law on Tobacco Control -

is subject to a fine in the amount of 500 laris.

6. Repeated violation of part 5 of this Article, -

is subject to a fine in the amount of 1,000 laris.

7. Failure of the owner of a public passenger transportation vehicle (vehicle) (except for a motorboat) to follow the rules banning/limiting smoking in such vehicles; failure to interdict the violations of the rules prohibiting/limiting smoking; failure to follow other requirements of Georgian Law on Tobacco Control -

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is subject to a fine in the amount of 500 laris.

8. Repeated violation of part 7 of this Article, -

is subject to a fine in the amount of 1,000 laris.

9. Smoking tobacco by an individual in a water or air public passenger transportation vehicle (vehicle) (except for a motorboat) and despite the warning of an authorized person instructing him to stop smoking, not following these instructions -

is subject to a fine in the amount of 50 laris.

10. Repeated violation of part 9 of this Article, -

is subject to a fine in the amount of 100 laris.

11. Smoking tobacco by an individual in a railway public passenger transportation vehicle (vehicle) and despite the warning of an authorized person instructing him to stop smoking, not following these instructions -

is subject to a fine in the amount of 50 laris.

12. Repeated violation of part 11 of this Article, -

is subject to a fine in the amount of 100 laris.

### **Article 171<sup>2</sup>. Direct and/or indirect (i. e. by other individual or legal entity) sponsorship by a tobacco manufacturer, importer and/or retailer.**

1. Direct and/or indirect (i. e. by other individual or legal entity) sponsorship by a tobacco manufacturer, importer and/or retailer -

is subject to a fine in the amount of 5,000 laris.

2. Repeated violation of part 1 of this Article, -

is subject to a fine in the amount of 10,000 laris.

### **Article 171<sup>3</sup>. Engaging individuals under the age of 18 in the tobacco industry.**

1. Engaging individuals under the age of 18 in the tobacco industry -

is subject to a fine in the amount of 5,000 laris.

2. Repeated violation of part 1 of this Article, -

is subject to a fine in the amount of 10,000 laris. "

11. Articles 171<sup>4</sup> and 171<sup>5</sup> shall be added to the Code and shall read as follows:

### **"Article 171<sup>4</sup>. Demonstrating the smoking of tobacco or other forms of its use.**

Demonstrating the smoking of tobacco or other forms of its use via mass media, other printed or electronic information resources, mass demonstrations and theatrical performances in violation of the provisions of Georgian law on Tobacco Control and Georgian law on Advertisement -

is subject to a fine in the amount of 5,000 laris.

**Article 171<sup>5</sup>. Promoting tobacco products.**

1. Using tobacco products, tobacco accessories and/or tobacco devices in promotional raffles or lotteries as prizes and/or giving them out through lottery or gambling or making them accessible directly to consumers through electronic or mechanical devices -

is subject to a fine in the amount of 2,000 laris and confiscation of illegal tobacco products, tobacco accessories and/or tobacco devices as well as goods advertised and advertisement tools.

2. Repeated violation of part 1 of this Article, -

is subject to a fine in the amount of 4,000 laris and confiscation of illegal tobacco products, tobacco accessories and/or tobacco devices as well as goods advertised and advertisement tools.

3. Offering or giving gifts, giving tobacco products, tobacco accessories and/or tobacco devices or offering tobacco products for testing for the ultimate purpose of selling them -

is subject to a fine in the amount of 1,000 laris and confiscation of the gift items.

4. Repeated violation of part 3 of this Article, -

is subject to a fine in the amount of 2,000 laris and confiscation of the gift items.

5. Giving out coupons when selling tobacco products -

is subject to a fine in the amount of 2,000 laris.

6. Repeated violation of part 5 of this Article, -

is subject to a fine in the amount of 4,000 laris.

7. Direct personal communication, network marketing or giving promotional material, including information (in particular, a direct parcel) which is intended or has the potential of promoting tobacco products, its manufacturer or a wholesale retailer, -

is subject to a fine in the amount of 1,000 laris and confiscation of the tobacco products and corresponding materials.

8. Repeated violation of part 7 of this Article, -

is subject to a fine in the amount of 2,000 laris and confiscation of the tobacco products and corresponding materials.

9. Telemarketing and consumer research which will or may promote the tobacco product, tobacco manufacturer or a wholesaler, -

is subject to a fine in the amount of 5,000 laris.

10. Repeated violation of part 9 of this Article, -

is subject to a fine in the amount of 10,000 laris.

11. Paying or rewarding a retailer or making a contribution to the business of a retailer some other way with the intention of motivating it to sell more tobacco products, -

is subject to a fine in the amount of 5,000 laris.

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12. Repeated violation of part 11 of this Article, -  
is subject to a fine in the amount of 10,000 laris.

13. The payment or another type of contribution by a tobacco manufacturer, importer or wholesaler or other directly or indirectly related individuals towards an event, business of an individual or a company who, based on this, will promote the tobacco products, tobacco manufacturer, importer, wholesaler or their representatives, -  
is subject to a fine in the amount of 5,000 laris.

14. Repeated violation of part 13 of this Article, -  
is subject to a fine in the amount of 10,000 laris.

15. Selling or giving out such a toy, sweets or other product which is a tobacco product or which illustrates, simulates or imitates tobacco products, -  
is subject to a fine in the amount of 2,000 laris and confiscation of the corresponding items/products.

16. Repeated violation of part 15 of this Article, -  
is subject to a fine in the amount of 4,000 laris and confiscation of the corresponding items/products."

12. Article 208 shall be changed to read as follows:

**"Article 208. Administrative offenses within the jurisdiction of district (city/town) courts.**

District (city/town) court shall review cases of administrative offenses to which the following provisions of this law apply: Articles 42<sup>1</sup> and 42<sup>2</sup>; part 2 of Article 43; Articles 43<sup>1</sup>–44<sup>3</sup>, 44<sup>5</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>; part 5 of Article 127<sup>1</sup>; 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>, 153, 153<sup>1</sup> and 153<sup>3</sup>–153<sup>5</sup>; part 2 of Article 153<sup>6</sup>; Articles 154–154<sup>2</sup>, 155<sup>1</sup> and 155<sup>2</sup>; parts 11–20 of Article 155<sup>3</sup>; parts 3 and 4 of Article 155<sup>6</sup>; Articles 155<sup>7</sup>, 155<sup>8</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; part 3 of Article 171; Articles 171<sup>2</sup>–171<sup>4</sup>; part 2, 4, 6, 8 and 16 of Article; Articles 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>; part 4 of Article 174<sup>15</sup>; Articles 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; part 2 of Article 181<sup>1</sup>; 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>."

13. Article 209:

a) Text of part 1 shall read as follows:

"1. The agencies of internal affairs of Georgia shall review the cases of administrative offenses where the following provisions of this Code are applicable: Articles 58<sup>3</sup>, 86<sup>1</sup>, 107<sup>1</sup>–107<sup>3</sup>, 107<sup>5</sup>, 108, 114<sup>1</sup>, 114<sup>2</sup>, 116–116<sup>3</sup>, 118–119, 120–123, 125 and 127; part 2, 6 and 7 of Article 127<sup>1</sup>; parts 1 and 2 of Article 128; Article 129<sup>1</sup>; Article 131 (for violations involving a motor vehicle), Articles 134 and 139<sup>5</sup>; parts 1 and 3 of Article 153<sup>6</sup>; Articles 155 and 170; part 1 and 2 of Article 171; Article 171<sup>1</sup> (against all agencies (except for medical and pharmaceutical, armed forces and penitentiaries), drivers of a public transportation vehicles (except for railway, water and air transportation vehicles), the owner of railway, water and air transportation vehicles, as



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well as against individuals (except for the violations committed by an individual in a railway vehicle)), Article 174<sup>15</sup> (except for part 4 of Article 174<sup>15</sup>), Article 174<sup>16</sup> and 176<sup>1</sup>; part 1 of Article 181<sup>1</sup>; Articles 182<sup>1</sup>, 182<sup>2</sup>, 190, 190<sup>2</sup> and 191.”;

b) Text of part 2<sup>1</sup> shall read as follows:

"2<sup>1</sup>. According to Articles 86<sup>1</sup> and 114<sup>2</sup> of this Code, as well as parts 1 and 3 of Article 153<sup>6</sup>, if an administrative offense committed under Articles 171<sup>1</sup> (against all agencies (except for medical and pharmaceutical, armed forces and penitentiaries), drivers of a public transportation vehicle (except for railway, water and air transportation vehicles), the owner of railway, water and air transportation vehicles, as well as against individuals (except for the violations committed by an individual in a railway vehicle)), 190 and 190<sup>2</sup>, does not require an administrative investigation, an authorized person of the Ministry of Internal Affairs of Georgia shall review the case of an administrative offense at the scene and issue an administrative penalty to the offender at the scene of the offense.”.

14. Article 211:

a) Text of part 1 shall read as follows:

"1. Within their jurisdiction, applicable railway agencies of Georgia will review administrative cases committed under Article 44 of this Code (for violations committed in railway transportation vehicles) as well as under Articles 106 and 107; part 1 of Article 115; part 1 of Article 129; Articles 130 and 131 (for violations committed in railway transportation vehicles); and parts 11 and 12 of Article 171<sup>1</sup> (for violations committed in railway transportation vehicles).

b) Text of part 3 shall read as follows:

"3. Under part 5 of Article 106 of this Code, as well as parts 2 and 3 of Article 107, part 129 of Article 129 (for violations committed in the railway transportation vehicle), parts 2 and 3 of Article 130 (for violations committed in the railway transportation vehicle) and parts 11 and 12 of Article 171<sup>1</sup> (for violations committed in the railway transportation vehicle), an authorized person of an applicable railway agency of Georgia has the right to issue a ticket for the payment of a penalty at the scene of a corresponding administrative violation without filing a violation protocol if the violator does not object to the administrative penalty imposed on him/her.

If the violator disagrees with the decision, the authorized representative shall issue a ticket and complete an administrative offense protocol.”.

15. Part 3 of Article 212 shall be changed to read as follows:

3. For violations under part 1 of Article 129 of this Code (for offenses committed in water transportation vehicles) as well as parts 2 and 3 of Article 130 (for offenses committed in water transportation vehicles), the captain of the port has the right to issue a ticket for the payment of a penalty at the scene of a corresponding administrative violation without filing a violation protocol if the violator does not object to the administrative penalty imposed on him/her.”.

16. Article 219:

a) Text of part 1 shall read as follows:

"1. Applicable agencies of the Ministry of Finance of Georgia shall review administrative cases committed under Article 153<sup>7</sup>, parts 1 and 10 of Article 155<sup>3</sup>, Article 155<sup>5</sup>; parts 1 and 2 of

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Article 155<sup>6</sup>; Article 165; part 3 and 7 of Article 171<sup>5</sup> and Article 194 of this Code as well as the cases of administrative offenses under part 2 of Article 127<sup>1</sup>, Article 129<sup>1</sup>, 157 and 195 of this Code.”;

b) Text of paragraph "c" of part 2 shall read as follows:

"c) For administrative offenses under parts 1 and 10 of Article 155<sup>3</sup>, Article 155<sup>5</sup>, parts 1 and 2 of Article 155<sup>6</sup>, part 3 and 7 of Article 171<sup>5</sup> and Article 179<sup>3</sup> of this Code, - authorized individuals of applicable services of the Ministry of Finance of Georgia.”;

c) Part 4 shall be added after part 3 with the following text:

"4. For the offenses under parts 1 and 10 of Article 155<sup>3</sup>, Article 155<sup>5</sup>, parts 1 and 2 of Article 155<sup>6</sup> and parts 3 and 7 of Article 171<sup>5</sup> of this Code, if the given administrative offense does not require an administrative review, an authorized individual shall review the violation at the scene, complete a violation protocol and issue a ticket for the payment of a penalty at the scene of the violation.

If the administrative violation calls for investigation, the administrative violation protocol shall not be completed at the scene of the violation, but rather it will be sent to the violator according to the procedures established by the Tax Code of Georgia. In this case, signature of a violator is not required on the administrative violation protocol. In addition, the fact of administrative violation shall be documented by using technical media (photo and/or video). ”.

17. Article 220:

a) Text of part 1 shall read as follows:

"1. Agencies of the Ministry of Defense shall review the violations committed by the drivers of the transportation vehicles of the Ministry of Defense of Georgia, as well as the violations committed by active duty and reserve servicemen for the offenses under part 1 of Article 119, parts 1 and 2 of Article 125, Article 171<sup>1</sup> (for violations committed in the facilities of armed forces), Articles 196<sup>1</sup>, 197 and 198 of this Code.”;

b) Text of paragraph "c" of part 2 shall read as follows:

"c) For administrative offenses under Article 171<sup>1</sup> (for violations committed in armed forces facilities) and 197<sup>3</sup> of this Code, - the Military Police of the Ministry of Defense of Georgia.”.

18. Article 229<sup>6</sup> shall be changed to read as follows:

**"Article 229<sup>6</sup>. Applicable agencies of the Ministry of Labor, Health and Social Affairs of Georgia.**

Applicable agencies of the Ministry of Labor, Health and Social Affairs of Georgia have the right to review and impose penalties for the violations in their jurisdiction, in particular, the right to review the administrative violations and impose penalties for the violations under Article 171<sup>1</sup> (for violations committed only in medical and pharmaceutical facilities and their property) and Article 173<sup>13</sup> of this Code.”.

19. Article 239:

a) Text of part 19 shall read as follows:

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"19. Administrative violation protocols for violations under Article 66<sup>4</sup> and 91<sup>2</sup>; part 1 of Article 91<sup>3</sup>, part 2 of article 127<sup>1</sup>, Articles 153, 153<sup>1</sup>, 153<sup>5</sup>, 155<sup>1</sup> and 155<sup>2</sup>, parts 1-10 and 13-20 of Article 155<sup>3</sup>, Articles 155<sup>5</sup>, 155<sup>6</sup>, 157, 158, 164, 164<sup>4</sup>, 165–165<sup>3</sup>, 171<sup>5</sup>, 178, 179<sup>3</sup>, 194 and 195 of this Code shall be completed by the authorized individuals of applicable agencies of the Ministry of Finance of Georgia.";

b) Part 19<sup>1</sup> shall be added to part 19 with the following text:

"19<sup>1</sup>. Administrative violation protocols for violations under Article 155<sup>8</sup> of this Code shall be completed by the authorized individuals of applicable agencies of the Ministry of Finance of Georgia. ";

c) Text of part 35 shall read as follows:

"35. Administrative violation protocols for violations under Articles 141–142, 144<sup>1</sup> and 144<sup>3</sup>–144<sup>5</sup> and parts 11 and 12 of Article 155<sup>3</sup> of this Code shall be filed by the authorized individuals of applicable agencies of the National Regulatory Commission of Communications and Postal Services of Georgia.";

d) Text of part 38 shall read as follows:

"38. Administrative violation protocols for violations under Articles 44<sup>2</sup>, 44<sup>5</sup>, 44<sup>7</sup>–44<sup>12</sup>, 46<sup>2</sup>–46<sup>4</sup>, 155<sup>7</sup> and 171<sup>1</sup> (only for the violations committed in the facilities and property of medical and pharmaceutical agencies) of this Code shall be completed by the applicable agencies of the Ministry of Labor, Health and Social Affairs of Georgia.";

e) Text of part 48 shall read as follows:

"48. For administrative offenses committed under Articles 171<sup>1</sup> (against all agencies (except for medical and pharmaceutical, armed forces and penitentiaries), drivers of a public transportation vehicle (except for railway, water and air transportation vehicles), the owner of railway, water and air transportation vehicles, as well as against individuals (except for the violations committed by an individual in a railway vehicle)), 171<sup>3</sup> and 191, violation protocols shall be completed by the authorized agencies of the Ministry of Internal Affairs of Georgia within their competences.";

f) Parts 71 and 72 shall be added to part 70 with the following text:

"71. For administrative offenses under Article 171<sup>1</sup> (for the violations committed in armed forces facilities), violation protocols shall be completed by the agencies of the Ministry of Defense of Georgia.

72. Administrative violation protocols for violations under Article 171<sup>1</sup> and 171<sup>4</sup> of this Code shall be completed by the authorized individuals of applicable agencies of the Ministry of Finance of Georgia.";

20. Part 1 of Article 242 shall be changed to read as follows:

"1. In cases of violations under Article 98<sup>1</sup>, part 5 of Article 106, parts 2 and 3 of Article 107, Article 112, 114 and 115, part 3 of Article 128, Article 129, Article 130 (except for cases under paragraph "a" of part 4 of Article 130), Article 179<sup>4</sup> and 179<sup>5</sup>, as well as when, under Georgian laws, the particular violation is subject to fine and the payment of a penalty with the citation

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documented at the scene of the administrative violation, no protocol has to be completed to document the offense."

21. Paragraph "c" of part 1 of Article 295 shall be changed to read as follows:

"c) An authorized individual of an applicable agency of the Ministry of Finance of Georgia - for offenses committed under parts 9 and 10 of Article 155<sup>3</sup>, Article 157, parts 3 and 7 of Article 171<sup>5</sup> and Article 194;"

**Article 2**

1. This law, except for Article 1, shall become effective from the 1st of January 2018.
2. Parts 3 and 4 of Article 1 of this law, parts 1 and 14 of Article 155<sup>3</sup> of the Code parts under part 4; parts 5 and 6 of this law, as well as part 7 (except for part 3 of Article 155<sup>6</sup> of the Code under part 7), parts 8 & 10-18, paragraphs "a" and "c" - "f" of part 19 and parts 20-21 of this law shall become effective from the 1st of May 2018:
3. Parts 15 and 18 of Article 155<sup>3</sup> of the Code under part 4 of Article 1 of this law as well as part 3 of Article 155<sup>6</sup> of the Code under part 7 of this law shall become effective from the 1st of September 2018.
4. Parts 19 and 20 of Article 155<sup>3</sup> of the Code under part 4 of Article 1 of this law shall become effective from the 1st of January of 2021.
5. Paragraph "b" of parts 9 and 19 of Article 1 of this law shall become effective from the 31st of December 2022.

*Georgian Law # 1279, dated 26 July 2017 - webpage, 28 July 2017.*

**President of Georgia**

**Giorgi Margvelashvili**

**Kutaisi,**

**17 May 2017**

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