

### On Changes to the Georgian Law on Advertising

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## Georgian Law

### On Changes to the Georgian Law on Advertising

**Article 1.** The following changes shall be made in the Georgian Law on Advertising (Parliament Messenger, №11-12, 03.14.1998, pg. 15):

1. Paragraphs 7 and 8 of Article 2 shall be worded as follows:

“7. Paragraph 2 of Article 4 of this law does not apply to the trademarked commodities and equipment facilitating trade, the list of which is determined by the applicable regulation.

8. Broadcast advertisements and sponsorship are regulated by the Georgian Law on Advertising; however, the general requirements for advertising, commercials of special equipment for alcohol drinks, sex-related products, tobacco products, tobacco accessories and/or tobacco devices, pharmaceutical products, infant formulas or weapons and the protection of minors during broadcasting these commercials shall be regulated by this law.”.

2. Paragraph 12 of Article 3 shall be worded as follows:

“12. Advertising of tobacco products, tobacco accessories and/or tobacco devices - advertising tobacco products, tobacco accessories and/or tobacco devices or its manufacturer, importer, distributor and/or wholesaler and demonstrating tobacco products, tobacco accessories and/or tobacco devices, their boxes, cartons, process of consumption or activities associated with it.”.

3. Article 8:

a) Text of the title shall read as follows:

"Advertising of Alcoholic Beverages";

b) Text of parts 1-5 shall read as follows:

“1. Commercials for alcoholic beverages, despite the rules for their dissemination, shall not leave an impression that alcohol consumption helps to improve physical or mental state or to achieve success in social life or sports.

## Unofficial Translation

2. Commercials for alcoholic beverages shall not discredit abstinence from drinking alcohol. In addition, such commercials shall not contain information about the positive healing properties of alcohol.

3. Advertising campaigns for strong alcoholic beverages on avenues, bridges, in squares and in adjacent territories within a radius of 20 meters from these places, as well as on transportation vehicles in any way are prohibited.

4. Directing commercials for alcoholic beverages towards minors as well as disseminating the advertisement in a way that will end up appearing in movie theaters or video services, as well as radio or television programs and printed press where the intended audience are minors, shall be prohibited.

5. Advertising alcoholic beverages in kindergartens, educational and medical facilities, cultural and sports facilities, as well as within a radius of 100 meters of these facilities, is prohibited except for the cases under Articles 5<sup>1</sup> and 5<sup>2</sup> of this Article."

c) Paragraph 6 shall be removed;

d) Paragraph 7 shall be worded as follows:

"7. Advertising strong alcoholic beverages through radio and television as well as in newspapers or the cover pages of magazines is prohibited.";

e) Paragraphs 8 and 9 shall be removed.

4. Article 8<sup>2</sup> shall be added to the law which shall read as follows:

### **"Article 8<sup>2</sup>. Advertising tobacco products, tobacco accessories and/or tobacco devices.**

1. Any type of advertisement for tobacco products, tobacco accessories and/or tobacco devices is prohibited except for the printed or electronic material developed exclusively for industry representatives and designated for a particular individual and not reaching other individuals.

2. Films or other creative products demonstrating tobacco product consumption, tobacco accessories and/or tobacco devices are considered to be films/other creative products designed to harmfully influence minors under the age of 18. When running this footage, at the beginning and at the end of TV or radio programs, footage must be added with the material approved by the Ministry of Labor, Health and Social Affairs of Georgia. In the case of printed media, a pictogram must be present about the harmful effects of tobacco consumption."

5. a) Article 13 shall read as follows:

### **"Article 13. Sponsorship.**

According to this law, sponsorship means making contributions (in the form of money, property, outcomes of intellectual activities, providing services or providing labor) by individuals or legal entities to a business of another individual or legal entity with the condition that the recipient will provide advertising for the goods manufactured by the sponsor. Contributions made by the sponsor are viewed as payment for the cost of advertising. In this case, the sponsor and the object of sponsorship will be viewed as the customer and the contractor respectively. The sponsor does not have the right to interfere with the business of an advertising company. The company or individual does not have the right to be a sponsor if the advertising of its goods is prohibited by law. Direct and/or indirect sponsoring by the manufacturer, importer and retailer of tobacco products, tobacco accessories and/or tobacco devices (or by means of another individual or legal entity) is prohibited."

Unofficial Translation

**Article 2.** The Minister of Labor, Health and Social Affairs of Georgia shall issue a regulation under paragraph 2 of Article 82 of Georgian Law on Advertising and part 4 of Article 1 of this Law until the 1st of May 2018.

**Article 3**

1. This law, except for Article 1, shall become effective from the date it was published.
2. Article 1 of this law shall become effective from the 1st of May, 2018.

**President of Georgia**

**Giorgi Margvelashvili**

**Kutaisi,  
17 May 2017  
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