LAW OF GEORGIA

CRIMINAL CODE OF GEORGIA

GENERAL PART

SECTION ONE

CRIMINAL LAW

CHAPTER I - Criminal Legislation of Georgia

Article 1 - Criminal legislation of Georgia and its purpose

1. The Criminal Code of Georgia establishes grounds for criminal liability, determines which acts are criminal and prescribes relevant punishment or other types of penal sanctions.

2. This Code complies with the Constitution of Georgia and universally recognised principles and standards of international law.

3. The purpose of this Code is to prevent criminal infringements and protect public order.

CHAPTER II - Scope of the Criminal Law

Article 2 - Application of the Criminal Law in time

1. The criminality and punishability of an act shall be determined by the criminal law applicable at the time of its commission.

2. The time of committing a crime shall be the time when the principal or accomplice was acting or should have acted. The time when the result occurs is irrelevant.

Article 3 - Retroactive force of criminal law

1. A criminal law that decriminalises an act or reduces penalty for it shall have retroactive force. A criminal law that criminalises an act or increases punishment for it shall not have retroactive force.

2. If a new criminal law mitigates punishment for an act for which the offender is serving it, this punishment shall be mitigated within the limits of the sanctions prescribed by this Criminal Law.

3. If the Criminal Law was amended several times between the commission of a crime and the delivery of the judgement, the most lenient law shall apply.

4. (Deleted – 12.6.2016, No 3714.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 4 - Operation of the Criminal Law with respect to crimes committed in the territory of Georgia

1. A person who has committed a crime in the territory of Georgia shall be criminally liable under this Code.

2. A crime shall be considered to have been committed in the territory of Georgia if it began, continued and terminated or ended in the territory of Georgia. This Code shall also apply to crimes committed on the continental shelf and in the Special Economic Zone of Georgia.

3. A person, who has committed a crime on or against a ship authorised to fly the national flag or national insignia of Georgia, shall be criminally liable under this Code, unless otherwise provided for by the treaties to which Georgia is a party.

4. If foreign diplomatic representatives or persons enjoying diplomatic immunity have committed a crime in the territory of Georgia, the question of their criminal liability shall be decided under the international law.

Article 5 - Criminal liability for crimes committed abroad

1. Citizens of Georgia and persons having a status of stateless person in Georgia, who have committed abroad such an act that is stipulated under this Code and that is considered to be a crime under the legislation of the state where it was committed, shall be criminally liable under this Code.

2. Citizens of Georgia and persons having a status of stateless person in Georgia who have committed abroad such act that is stipulated by this Code and that is not considered to be a crime under the legislation of the state where it was committed, shall be criminally liable under this Code, provided that the act constitutes a serious or particularly serious crime directed against the interests of Georgia or if criminal liability for this crime is prescribed by the treaties to which Georgia is a party.

3. Foreigners and stateless persons who commit crimes abroad shall be criminally liable under this Code, provided that the act constitutes a serious or particularly serious crime against the interests of Georgia or if criminal liability for this crime is prescribed by the treaties to which Georgia is a party.

4. Citizens of Georgia and persons having a status of stateless person in Georgia who have committed abroad such an act that is stipulated by Articles 221, 338, 339 or 339^1 and that is not considered to be a crime under the legislation of the state where it was committed, shall be criminally liable under this Code.

5. Foreign citizens and stateless persons who have committed abroad such an act that is stipulated by this Code and who exercise public legal powers for Georgia, shall be criminally liable under this Code for committing a crime provided for by Articles 221, 338, 339 or 339^1 of this Code.

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 6301 of 25 May 2012 – web-site, 12.6.2012

Article 6 - Surrender and extradition of offenders

1. Citizens of Georgia and persons having a status of stateless person in Georgia may not be extradited to another state for the purpose of criminal prosecution or serving a sentence, unless otherwise provided for a treaty to which Georgia is a party. Citizens of Georgia and persons having a status of stateless person in Georgia shall be surrendered to the International Criminal Court (ICC) in cases and in the manner prescribed by the Statute of the ICC (Rome Statute) and the Law of Georgia on the Cooperation of Georgia with the International Criminal Court.

2. Foreigners and stateless persons who have committed a crime and who are staying in Georgia may be extradited to another state or surrendered to the International Criminal Court for the purpose of criminal prosecution or serving a sentence under an international treaty to which Georgia is a party.

3. It shall be inadmissible to surrender an asylum seeker who has committed a crime and who is persecuted because of his/her political beliefs, or a person who has committed an act that is not considered a crime under the legislation of Georgia, or if the crime committed is subject to death penalty in the country seeking the surrender. The question of the criminal liability of such persons shall be decided under the international law.

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 2980 of 14 August 2003 – LHG I, No 26, 5.9.2003, Art. 191

Law of Georgia No 6301 of 25 May 2012 – LHG I, web-site, 12.6.2012

SECTION TWO

CRIME

CHAPTER III - Grounds for Criminal Liability and Categories of Crime

Article 7 - Grounds for criminal liability

1. The grounds for criminal liability shall be a crime, i.e. an unlawful and guilty act provided for by this Code. The grounds for criminal liability of legal persons shall be determined by the relevant provisions of this Code.

2. An act that, although formally containing the signs of an act provided for by this Code, has not caused, due to its insignificance, such harm or has not created the risk of such harm that would require criminal prosecution of its perpetrator shall not be deemed a crime.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 8 - Causation

1. If, under the relevant article of this Code, a crime is considered completed only when an act has caused an unlawful result or created a specific threat of the occurrence of such result, it shall be necessary to establish causation between this act and the result or threat.

2. Causation shall exist when an act constituted a necessary condition for the unlawful result or specific threat provided for under the relevant article of this Code, without which this time the result or such threat would not have occurred.

3. Omission shall be considered to be a necessary condition for the occurrence of an unlawful result or a specific threat provided for under the relevant article of this Code, when a person had a special legal obligation to act, was able to act and the result would have been avoided by taking mandatory and possible action.

Article 9 - Intentional crime

1. An act committed with direct or indirect intent shall constitute an intentional crime.

2. An act shall be considered to have been committed with direct intent, if the person [who commits it] is aware of the unlawfulness of the act, foresees its unlawful consequences and desires those consequences, or foresees the inevitability of the occurrence of such consequences.

3. An act shall be considered to have been committed with indirect intent if the person was aware of the unlawfulness of his/her action, was able to foresee the occurrence of the unlawful consequences and did not desire those consequences, but consciously permitted them or was negligent about the occurrence of those consequences.

Article 10 - Crime of negligence

1. An act that has been committed through reckless misconduct or negligence shall be considered a crime of negligence.

2. An act shall be considered to have been committed with reckless misconduct if the person was aware that the act was prohibited under the standard of care, foresaw the possibility of the occurrence of the unlawful consequences, but groundlessly counted on their being prevented.

3. An act shall be considered to have been committed with negligence if a person was not aware that of the act was prohibited under the standard of care, did not foresee the possibility of the occurrence of the unlawful consequences, although he/she was obliged and was able to foresee them.

4. An act committed through negligence shall be considered a crime only if so provided by the relevant article of this Code.

Article 11 - Liability for intentional crime with attendant consequences

1. If the Criminal Law prescribes an increase of punishment for the occurrence of the attendant consequences that were not intended by the offender, then such increase shall be permitted only when the person caused these consequences through negligence. Such crime shall be considered an intentional crime.

2. Other elements qualifying intentional crime shall be imputed to a person only when his/her intent contained this element.

Article 11^1 - Liability for domestic crime

Crime committed by one family member against another family member under Articles 108, 109, 115, 117, 118, 120, 125, 126, 137, 141, 143, 144-144^3, 149-151, 160, 171, 253, 255, 255^1, 381^1 and 381^2 shall be considered a domestic crime. Criminal liability for domestic crime shall be determined by the relevant article of the Criminal Code of Georgia specified in this article, by making reference to this article.

Note: For the purposes of this article, the following persons shall be considered family members: a spouse, mother, father, grandfather, grandmother, child (stepchild), foster child, adopting parent, adopting parent's spouse, adoptee, foster family (foster mother, foster father), guardian, grandchild, sister, brother, parents of the spouse, son-in-law, daughter-in-law, former spouse, also persons who maintain or maintained a common household.

Law of Georgia No 643 4 of 12 June 2012 – web-site, 25.6.2012

Law of Georgia No 2704 of 17 October 2014 – web-site, 31.10.2014

Law of Georgia No 3052 of 18 February 2015 – web-site, 26.2.2015

Article 12 - Categories of crime

1. According to the maximum term imprisonment prescribed as a punishment under an article or part of an article of this Code, the following three categories of crime shall apply:

a) less serious crime;

b) serious crime;

c) particularly serious crime.

2. An intentional crime or a crime of negligence for the commission of which the maximum sentence prescribed under this Code does not exceed five-years of imprisonment shall constitute a less serious crime.

3. An intentional crime for the commission of which the maximum sentence prescribed under this Code does not exceed 10 years of imprisonment , also a crime of negligence for the commission of which the maximum sentence prescribed under this Code exceed five years of imprisonment shall constitute a serious crime.

4. An intentional crime for the commission of which this Code stipulates punishment exceeding 10 years of imprisonment or life imprisonment shall constitute a particularly serious crime.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

CHAPTER IV - Types of Single Crime

Article 13 - Continuing crime

1. A crime provided for by one article or part of an article of this Code the commission of which starts with an action or inaction and which then is committed continuously, shall constitute a continuing crime.

2. A continuing crime shall be considered completed upon the termination of the act.

Article 14 - Continuous crime

1. A crime provided for by one article or part of an article of this Code, which includes two or more acts committed with a single purpose and intent shall constitute a continuous crime.

2. A continuous crime shall be considered completed upon the termination of the last act.

CHAPTER V - Multiple Crimes

Article 15 - Repeated crime

1. Repeated crime shall mean the commission by a previously convicted person of the crime provided for by the same article of this Code. Two or more crimes provided for by different articles of this Code shall be considered a repeated crime c if so provided for by the relevant article of this Code.

2. A crime shall not be considered as repeated if the person was released from criminal liability for the previous crime in accordance with the law, or if this person's conviction for the previously committed crime was cancelled or expunged.

3. (Deleted).

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Article 16 - Cumulative crimes

1. Cumulative crimes shall mean commission of two or more acts provided for by an article or part of an article of this Code for the commission of neither of which the person has been convicted. Commission of an act that contains elements of crimes provided for by two or more articles or part of an article of this Code shall also constitute a cumulative crime.

2. If an act is stipulated by general and special provisions, the cumulative crime does not exist and the person shall be criminally liable according to the special provisions.

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Article 17 - Recidivism

1. Recidivism shall mean the commission of an intentional crime by a person who has previously been convicted for an intentional crime.

2. (Deleted).

3. (Deleted).

4. When establishing recidivism, a previous conviction for a crime committed before the age of 18-years, as well a conviction that has been cancelled or expunged under Article 79 of this Code shall not be taken into account.

5. In the case of recidivism, a stricter punishment may be ordered based on the grounds and within the scope provided for by this Code.

Law of Georgia No 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Article 17^1 - Racketeering, racketeering group, racketeers

1. Racketeering is a multiple and organised activity carried out to obtain regular income or other material benefit that is related to the commission of an intentional crime (unless the conviction has been nullified or expunged), and if it has been conducted at least twice during five calendar years; this term does not include the term imprisonment and serving the sentence by a racketeer.

2. A legal person or any association of physical and/or legal persons whose activities are related to racketeering shall be considered a racketeering group.

3. A person who independently or jointly with other person(s) is engaged or otherwise participates in the activities of a racketeering group and who knows that this groups in engaged in racketeering, and who also illegally resolves or participates in the resolution of disputes between racketeering groups or the racketeering group and other persons, shall be considered a racketeer.

Law of Georgia No 212 of 24 June 2000 – LHG I, No 18, 9.7.2004, Art. 61

CHAPTER VI - Inchoate Crimes

Article 18 - Preparation of a crime

1. Intentional creation of conditions for committing a crime shall be considered preparation of a crime.

2. Criminal liability shall be prescribed only for the preparation of serious and particularly serious crimes and for the preparation of crimes provided for by articles 182(1), 186(1-2), 194^1(1-2), 202(1), 221(1-3), 332(1-2), 339(1), 339^1(1-2), 365(1-3) and 372(1) of this Code.

3. Criminal liability for the preparation of a crime shall be determined under the relevant article of this Code, which prescribes liability for inchoate crimes, by making reference to this article.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 403 of 23 October 2008 – LHG I, No 29, 4.11.2008, Art. 176

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 19 - Attempt

1. An attempt shall be an intentional act that was aimed at committing a crime, but the crime was inchoate.

2. Criminal liability for an attempted crime shall be determined under the relevant article of this Code which prescribes liability for a completed crime, by making reference to this article.

Article 20 - Releasing from liability for inchoate crimes

A person shall not be criminally liable for the preparation of a crime or for an attempt, if, due to his/her ignorance or other personal defect, the intended unlawful consequences could not have been accomplished through the means by which it was to be committed.

Article 21 - Voluntary abandonment of a crime

1. A person shall not be criminally liable, if he/she voluntarily and for good abandons the completion of a crime.

2. A person who voluntarily abandons the completion of a crime shall be criminally liable if the act actually committed by him/her comprises some other crime.

3. Organisers, abettors and aiders of a crime shall not be criminally liable if they dissuades the principal, timely informed relevant authorities or otherwise prevented the principal or other accomplices from completing the crime. An aider shall also not be criminally liable if he/she, before the

principal started the commission of the crime refused to perform the promised act, or before the principal completed the crime he/she took back the tools or means provided [to the principal] for the commission of the crime.

4. If, through their actions, the organiser, abettor and a person providing psychological assistance have failed to preclude the principal from completing the crime, then the court, in imposing punishment, may consider the measures taken by them as a circumstance mitigating their liability.

5. A person who has done everything he/she could to accomplish the relevant consequences of *corpus delicti*, but later, prevented those consequence through his/her voluntary act, shall also not be criminally liable.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

CHAPTER VII - Perpetration and Complicity in Crime

Article 22 - Perpetration

A principal is a person who immediately commits or has immediately participated in the commission of a crime together with another person (joint principal), also a person who has committed a crime through another person who, under this Code, shall not be criminally liable due to his/her age, insanity or other circumstances.

Article 23 - Complicity in a crime

Complicity in a crime shall mean joint participation of two or more persons in the commission of an intentional crime.

Article 24 - Types of accomplices

1. A person who organised the commission of a crime or directed its execution, as well as a person who created and guided an organised group, shall be deemed an organiser.

2. A person who persuaded another person to commit an intentional crime shall be deemed an abettor.

3. A person who provided assistance in the commission of the crime shall be an aider.

Article 25 - Liability of the principal and accomplice

1. A principal and accomplice shall be criminally liable only according to their own guilt based on the single unlawful act, taking into consideration the nature and extent of participation of each of them in the commission of the crime.

2. Criminal liability of a joint principal shall be determined under the relevant article of this Code, without making reference to this article.

3. Criminal liability of the organiser, abettor and aider shall be determined under the relevant article of this Code, by making reference to this article, except when they, at the same time, are joint principals of the crime.

4. When there is an element present in the personality of the principal or accomplice that is characteristic of an unlawful act, then this element shall be attributed to another principal or accomplice in whose person it was not present, if he/she was aware of this element.

5. Personal feature that is characteristic of guilt or personality of one of the principals or accomplices shall be attributed to the principal or accomplice who is characterised by that feature.

6. For complicity in a crime in which the principal may be a special subject of the relevant crime under this Code, the person shall be criminally liable as the organiser, abettor or aider.

7. If the principal has inchoate the crime, the accomplice shall bear criminal liability for complicity in the preparation of the crime or in the attempt. Criminal liability for the preparation of a crime shall also be imposed on the person who, due to the circumstances beyond his/her control, failed to persuade another person to commit the crime.

Article 26 - Excessive acts of the principal

1. Excessive acts of the principal shall mean the commission by the principal of such unlawful act that the other joint principals or accomplices did not intend to commit.

2. The other joint principals or accomplices shall not be criminally liable for the excessive acts of the principal.

Article 27 - Crimes committed jointly by more than one person

1. A crime shall be considered to have been committed jointly by more than one person if two or more principals jointly participated in its commission without prior agreement.

2. A crime shall be considered to have been committed jointly by more than one person with prior agreement if persons participating in its commission united in advance to jointly commit the crime.

3. A crime shall be considered to have been committed by an organised group if it was committed by a structured group formed and acting jointly within a specific period of time and the member of which united in advance to commit one or several crimes, or the purpose of which is to unlawfully obtain direct or indirect financial or other material benefit.

4. In cases provided for by the relevant articles of this Code, criminal liability for setting up or directing an organised group shall be imposed on the person who created or directed such a group. Liability for all the crimes committed by this group shall be imposed on the same person if the latter intended to commit those crimes. Other participants of an organised group shall bear liability for the participation of the group in cases provided for by the relevant article of this Code, as well as for the crime in the preparation or commission of which they participated.

Note: For the purposes of paragraph 3 of this article, a structured group shall be the group that has not been casually set up for immediate commission of a crime and that does not require formal distribution of roles among its members, or continuous membership or a developed structure.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

CHAPTER VIII - Circumstances Excluding the Criminality of an Action

Article 28 - Self-defence

1. A person shall not be considered to have acted unlawfully if he/she commits an act provided for by this Code in self-defence, i.e. injures the wrongdoer during the unlawful infringement to protect his/her or other person's legally protected interests.

2. A person shall have the right to self-defence regardless of whether or not he/she is able to prevent infringement or seek assistance from another person.

3. Injuring a perpetrator for the purpose of recovering the property or other legally protected interests that have been taken away through unlawful infringement shall be considered lawful even when it has occurred immediately after the wrongdoer took possession of the legally protected interests, and if the legally protected interests could still have been immediately recovered.

4. An excessive act of self-defence shall mean an act of the person acting in self-defence that is clearly disproportionate to the character and threat of the assault.

Article 29 - Seizure of the offender

1. A person shall not be considered to have acted unlawfully if he/she seizes the offender to bring him/her before public authorities without exceeding the measures required for this purpose.

2. Exceeding the measures required for seizing an offender shall mean clear incompatibility of this measure with the gravity of the crime committed by the person to be seized and the circumstances relating to seizure.

Article 30 - Extreme necessity

A person shall not be considered to have acted unlawfully if he/she commits an act provided for by this Code in absolute necessity, i.e. if he/she injures another person to avert the danger facing the legally protected interests of the injurer or of an any other person, provided that the danger could not have been avoided through other means and if the harm caused to these interests was of less significant than the harm averted.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Article 31 - Justified risk

1. A person shall not be considered to have acted unlawfully if he/she harms the legally protected interests provided the risk is justified to achieve socially useful goals.

2. Risk shall be considered justified unless this goal could have been achieved without risk and if the person has taken all measures to prevent harm to legally protected interests.

Article 32 - releasing from criminal liability for other legally justifiable acts

A person shall not be considered to have acted unlawfully if he/she commits an act provided for by this Code under such other circumstance that,

although not expressly referred to in this Code, fully complies with the lawful requirements for this act.

CHAPTER IX - Circumstances Excluding and Mitigating Guilt

Article 33 - Release from criminal liability due to age

A person who has not attained the age of 14 at the time of the commission of an unlawful act provided for by this Code shall be considered to act without guilt.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Law of Georgia No 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Article 34 - Release from liability due to mental Illness

1. Any person who at the time of the commission of an unlawful act provided for by this Code is incapable of appreciating the actual nature or unlawfulness of his/her actions or controlling those actions due to his/her chronic mental illness, temporary mental disturbance, debility or other mental condition shall be considered to act without guilt.

2. (Deleted).

3. If a sane person commits a crime and becomes mentally ill before his/her conviction, due to which he/she is unable to control or guide his/her acts, shall serve the sentence imposed by the court in the relevant medical institution until his/her recovery.

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 35 - Diminished capacity

1. An adult person who at the time of committing a crime was in a state of diminished capacity, i.e. due to his/her mental illness was unable to fully appreciate the actual nature or unlawfulness of his/her acts or control those acts shall not be released from criminal liability.

2. The court shall take into consideration the diminished capacity in imposing punishment.

3. (Deleted – 12.6.2016, No 3714.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 36 - Mistake of law

1. A person who lacks awareness that the act he/she is committing is prohibited shall not be punished only if the mistake is pardonable.

2. A mistake shall be considered pardonable if, under the given circumstances, the person was not and could not have been aware of the fact that he/she was committing a prohibited act.

3. When a mistake is not pardonable, the person may be held liable only for negligence, provided that the commission of this act is punished under this Code.

Article 37 - Execution of orders or instructions

1. A person who harms the legally protected interests when executing a mandatory order or instruction shall not bear criminal liability. Criminal liability for such harm shall be imposed on the person who issued the unlawful order or instruction.

2. A person who knowingly executes an unlawful order or instruction shall be criminally liable according to the general rules, unless there are other circumstances that exclude the guilt.

Article 38 - Releasing from criminal liability for other non-culpable actions

A person shall not be considered to act with guilt if he/she commits an act provided for by this Code under such other circumstances that, although not expressly referred to in this Code, fully satisfies the requirements for guiltlessness for this act.

SECTION THREE

SENTENCE

CHAPTER X - Goals and Types of Sentences

Article 39 - Goal of a [criminal] sentence

1. The goal of a sentence is to restore justice, prevent repetition of a crime and re-socialise the offender.

2. The goal of a sentence shall be accomplished by exerting influence on the convicted person and other persons in order to ensure that they develop a sense of responsibility before the law and the observance of public order. Such forms and measures of influence on convicted persons are provided for by the corrections legislation of Georgia.

3. The purpose of a sentence shall not be the physical torture or humiliation of a person.

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Article 40 - Types of sentences

1. Types of sentence are as follows:

a) fines;

b) deprivation of the right to occupy an official position or to carry out a particular activity;

c) community service;

d) corrective labour;

e) service restrictions for military personnel;

f) restriction of liberty;

g) fixed term imprisonment;

h) life imprisonment;

I) confiscation of property.

2. Types of sentences for a legal person shall be defined under the relevant provisions of this Code.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 41 - Main and ancillary penalties

1. Corrective labour, service restrictions for military personnel, fixed term imprisonment and life imprisonment may be imposed only as a main penalty.

2. Community service, fines or deprivation of the right to occupy an official position or to carry out a particular activity may be imposed both as main and ancillary penalties. Confiscation of property may be imposed only as an ancillary penalty.

2^1. Several ancillary penalties may be imposed simultaneously.

3. (Deleted).

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 1627 of 4 July 2007 – LHG I, No 23, 24.7.2002, Art. 113

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Article 42 - Fines

1. A fine is a monetary penalty.

2. The minimum amount of a fine shall be GEL 2 000. If the relevant article of the special part of this Code prescribes imprisonment for up to three years, the minimum amount of the fine shall be at least GEL 500.

3. The court shall determine the amount of a fine according to the gravity of the crime committed and the material status of the convicted person. The material status shall be determined based on the person's property, income and other circumstances.

4. The court, in its judgement, shall refer to the amount of the payable fine in lari.

5. A fine shall be imposed as an ancillary penalty also when it is not prescribed as an ancillary penalty under the relevant article of this Code, except for the crime under Article 1261 of this Code.

5^1. (Deleted – 12.6.2016, No 3714).

6. If a convicted person avoids paying the fine, or if the payment cannot be enforced, this penalty shall be substituted by community service, corrective labour, and restriction of liberty or imprisonment. At the same time, the period of time during which the convicted person was serving this sentence shall be counted towards the term of the community service, corrective labour or restriction of liberty based on the following calculation: GEL 50 of the imposed fine - 4 hours of community service, one day of corrective labour, one day of restriction of liberty. In addition, if a person maliciously avoids the community service, corrective labour or restriction of liberty that was imposed instead of the fine, it shall be substituted by imprisonment, to the extent and in the manner prescribed for this type of penalty by this Code.

Law of Georgia No 945 of 19 June 2001 – LHG I, No 20, 3.7.2001, Art. 75

Law of Georgia No 1822 of 30 June 2005 – LHG I, No 38, 15.7.2005, Art. 255

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 3052 of 18 February 2015 – web-site, 26.2.2015

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 43 - Deprivation of right to occupy an official position or carry out a particular activity

1. Deprivation of the right to hold an official position or carry out a particular activity shall mean that a convicted person is prohibited from occupying an appointed office in public service or in local self-government bodies or from pursuing professional or other activities.

2. Deprivation of the right to hold an official position or to carry out a particular activity shall be imposed as the main penalty for a term of from one to five years and as an ancillary sentence, for a term of from six months to three years.

3. Deprivation of the right to hold an official position or to carry out a particular activity may be imposed as an ancillary penalty even when it has not been prescribed as a penalty for the committed crime under the relevant article of this Code provided that, based on the character and quality of the threat of the crime and the offender's personality, the court considers it impossible to reserve him/her the right to occupy an official position or to carry out a particular activity.

4. At the time of the imposition of community service or corrective labour as the main penalty, also, in the case of a conditional sentence, the term of the ancillary penalty imposed in the form of the deprivation of the right to hold an official position or carry out a particular activity shall be calculated from the moment when the court judgement enters into force. The term of an ancillary penalty imposed in the form of the deprivation of the right to hold an official position or carry out a particular activity in addition to the imprisonment or restriction of liberty imposed as the main penalty, shall be calculated from the moment when the court judgement enters into force and shall extend over the entire term of service of the main penalty.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3649 of 10 November 2006 – LHG I, No 44, 27.11.2006, Art. 297

Article 44 - Community service

1. Community service shall mean free labour of a convicted person where the type of labour is determined by the probation bureau.

2. Community service shall be imposed for the term of from 40 to 800 hours. If a fine is substituted by community service, or in the case provided for by Article 73(3) of this Code, or if a plea bargain is concluded between the parties, it may be imposed for a longer period. The daily length of such service shall not exceed eight hours.

3. If a convicted person refuses to render or persistently avoids community service, this sentence shall be substituted by a fine, restriction of liberty or imprisonment. In addition, the time during which the convicted person was serving this sentence, shall be counted towards the term imprisonment or restriction of liberty, based on the following calculation: five hours of community service - one day of restriction of liberty, one day of imprisonment.

4. Community service shall not be imposed on disabled persons of first and second categories, pregnant women, women with children aged under seven, persons of retirement age, as well as for recruited military service persons.

5. Community service may be imposed as an ancillary penalty even when it has not been prescribed as a sentence under the relevant article of this Code.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 4430 of 11 March 2011 –web-site, 22.3.2011

Law of Georgia No 6252 of 22 May 2012 – web-site, 29.5.2012

Law of Georgia No 6 504 of 19 June 2012 – web-site, 2.7.2012

Article 45 - Corrective labour

1. Corrective labour shall be imposed for a term of from one month to two years and it shall be served at the place of work of the convicted person.

2. When imposing corrective labour, at least five and not more than twenty percent of the amount established by the judgement shall be deducted from the convicted person's salary in favour of the State.

3. If a convicted person persistently avoids corrective labour, this sentence shall be substituted by restriction of liberty or by imprisonment. In addition, the time during which the convicted person was serving this sentence, shall be counted towards the term imprisonment or restriction of liberty, based on the following calculation: one day of corrective labour - one day of restriction of liberty; three days of corrective labour - one day of imprisonment.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 46 - Service restriction of military person

1. Service restrictions for military personnel shall be imposed on a military person for committing the crime against military service provided for by the special section of this Code, also on a military servant convicted of another crime instead of the corrective labour provided for under the relevant article of this Code.

2. Service restrictions for military personnel shall be imposed for a term of from three months to two years.

3. When imposing service restrictions for military personnel, not more than twenty percent of the amount established under the judgement shall be deducted from the convicted person's salary in favour of the State. When serving this sentence, the convicted person may not be promoted or granted a higher military rank. The term of sentence shall not be counted towards the term of service for granting him/her the next military rank.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Article 47 - Restriction of liberty

1. Restriction of liberty shall mean the placement of a convicted person who, at the time when the judgement is delivered, has attained the age of 14 years, in a liberty restriction facility without isolation from the society and under supervision.

2. Restriction of liberty shall be imposed on a person with no previous convictions for a term of from one to five years.

3. If imprisonment, community service or corrective labour is substituted by the restriction of liberty, it may be imposed for a term of less than one year.

4. If a convicted person persistently avoids the restriction of liberty, this sentence shall be substituted by imprisonment, the term of which shall be the same as the term of the restriction of liberty established by the judgement. In addition, the time during which the convicted person was serving the sentence shall be counted towards the term imprisonment, based on the following calculation: one day of restriction of liberty - one day of imprisonment.

5. Restriction of liberty shall not be imposed on disabled persons of 1st and 2nd categories, pregnant women, women with a child aged under seven, persons of pension age as well as on persons called up for military service.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 5626 of 27 December 2011 – web-site, 12.1.2012

Article 48 - (Deleted)

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 49 - (Deleted)

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Article 50 - Fixed term imprisonment

1. Fixed term imprisonment shall mean the isolation of a convicted person from the society and his/her placement in a penitentiary institution provided for by law.

2. Fixed term imprisonment shall be imposed for a term of from six months to twenty years, except as provided for by Article 59 of this Code.

2^1. The Court may impose a sentence that is less than the lowest limit of the sentence prescribed under paragraph 2 of this article provided a plea bargain is concluded between the parties.

3. If community service, corrective labour, restriction of liberty or a fine is substituted by fixed-term imprisonment, it may be imposed for a term of less than six months.

4. (Deleted - 17.4.2013, No546).

5. When imposing a fixed term imprisonment, the court may, by its judgement order the service of a certain part of the sentence and count the other part as a conditional sentence provided the accused (convicted) person admits the crime (unless the person has been caught at the scene of the crime or immediately after the crime has been committed), names accomplices and collaborates with the investigation authorities. If, except for the conclusion of a plea bargain agreement, a particularly serious crime has been committed, a a conditional sentence may be deemed a quarter of the sentence imposed, one third of the sentence, in the case of a serious crime, and half of the sentence, in the case of a less serious crime.

6. (Deleted).

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 546 of 17 April 2013 – web-site, 8.5.2013

Law of Georgia No 2243 of 16 April 2014 – web-site, 2.5.2014

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 51 - Life imprisonment

1. Life imprisonment may be imposed only for particularly serious crimes.

2. Life imprisonment shall not be imposed on persons who have attained the age of 60 years by the time the judgement is delivered.

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 52 - Confiscation of property

1. Confiscation of property shall mean gratuitous deprivation in favour of the State of the object and/or instrument of the crime or of the article intended for the commission of a crime, and/or of the criminally obtained property.

2. Confiscation of the object and/or instrument of the crime, or of the article intended for the commission of a crime shall mean the deprivation in favour of the State of property owned or rightfully held by the accused or convicted person, which was used for the commission of an intentional crime or of property that was in any form intended for this purpose. The object and/or instrument of the crime, or the article intended for committing a crime shall be confiscated by the court for the commission of all intentional crimes provided for by this Code, when the object and/or the instrument of the crime or the article intended for committing a crime is available and their confiscation is necessary due to public and social interests or for protecting the rights and freedoms of individuals or for preventing new crimes.

3. Confiscation of criminally obtained property shall mean gratuitous deprivation in favour of the State from the convicted person of the criminally acquired property (all property and intangible assets as well as title deeds for property), also of any income from this property or of property that is equivalent in value. The court shall order the confiscation of criminally obtained property for all intentional crimes provided for by this Code, if it can be proved that this property has been obtained criminally.

Law of Georgia No 2361 of 8 September 1999 – LHG I, No 43(50), 21.9.1999, Art. 212

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

CHAPTER XI - Sentencing

Article 53 - Principles of sentencing

1. The court shall impose a fair sentence on an offender within the scope provided for by the relevant article of the special part of this Code and taking into consideration the provisions of the general part of this Code. A stricter sentence may be imposed only when less severe sentence fails to achieve the goal of the sentence.

2. A sentence more severe than the one provided for by the relevant article of the special part of this Code may be imposed in the case of cumulative crimes and cumulative sentences, according to Articles 59 and 60 of this Code. The grounds for imposing a sentence that is less severe than the one provided for by the relevant article of the special part are defined under Article 55 of this Code.

3. When imposing a sentence, the court shall take into consideration circumstances that mitigate or aggravate liability of the offender, in particular, the motive and goal of the crime, the unlawful intent demonstrated in the act, the character and degree of the breach of obligations, the modus operandi and unlawful consequence of the act, prior history of the offender, personal and financial circumstances, and conduct of the offender after the offence, in particular, the offender's desire to indemnify the damage and reconcile with the victim.

3^1. Commission of a crime on the grounds of race, colour, language, sex, sexual orientation, gender identity, age, religion, political or other beliefs, disability, citizenship, national, ethnic or social origin, material status or rank, place of residence or other discriminatory grounds shall constitute an aggravating circumstance for all the relevant crimes provided for by this Code.

4. If mitigating or aggravating circumstances are considered as a component of corpus delicti under an article or part of an article of the special part of this Code, the same circumstances shall not be taken into account when imposing a sentence.

Law of Georgia No 5925 of 27 March 2012 – web-site, 19.4.2012

Article 54 - Imposing a sentence under mitigating circumstances

If, after committing a crime, the offender appears and pleads guilty, actively assists in the discovery of a crime and there are no aggravating circumstances, the term or measure of the sentence shall not exceed three fourths of the maximum term or measure of the most severe sentence prescribed under the relevant article or part of an article of the special part of this Code.

Article 55 - Imposing more lenient sentences than prescribed by law

The court may impose a sentence that is less than the lowest limit of the measure of a sentence prescribed by the relevant article of this Code, or other,

more lenient sentence, if a plea bargain is concluded between the parties.

Law of Georgia No 3295 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 22

Law of Georgia No 2352 of 20 December 2005 – LHG I, No 55, 27.12.2005, Art. 374

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 56 - Imposing a sentence for an inchoate crime

1. When imposing a sentence for an inchoate crime, account shall be taken of the circumstances due to which the crime was not completed.

2. (Deleted).

3. (Deleted).

4. Life imprisonment may not be imposed for the preparation or attempt of a crime.

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Article 57 - Imposing a sentence for complicity in or perpetration of a crime

1. When imposing a sentence for complicity in or perpetration of a crime, account shall be taken of the character and degree of the actual participation of the person, importance of his/her participation for the accomplishment of the goal of the crime, his/her influence on the character and degree of the caused or potential damage.

2. Mitigating or aggravating circumstances that relate to the personality of one of the accomplices or the principal shall be taken into consideration only when imposing a sentence on this accomplice or principal.

Article 58 - Imposing a sentence in cases of recidivism

1. When imposing a fixed term imprisonment for recidivism the term of the sentence to be served shall exceed at least by one year the minimum term of the sentence prescribed for this crime under the relevant article or part of an article of this Code.

2. If an article or part of an article of the special part of this Code refers to conviction as an element qualifying the crime, as well as in case of circumstances provided for by Article 55 or Article 63(1) of this Code, the procedure prescribed under paragraph 1 of this article shall not be taken into consideration when imposing a sentence for recidivism.

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Law of Georgia No 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Article 59 - Imposing a sentence in the case of cumulative crimes and cumulative sentences

1. In the case of cumulative crimes the sentence shall be imposed for each individual crime.

2. When imposing a final sentence for cumulative crimes, the more severe sentence shall absorb the less severe sentence, while when imposing equal sentences, one sentence shall absorb the other sentence.

3. In the case of recidivism, when imposing a final sentence for cumulative crimes, a more severe sentence shall absorb a less lenient sentence, or the sentences prescribed for these crimes shall be added up in part or in full. In the case of recidivism, the term of imprisonment imposed as a final sentence may not exceed 30 years.

4. A sentence shall be imposed in the manner provided for by paragraphs 2 or 3 of this article if after delivering a judgment it is established that the convicted person is also guilty of another crime, which he/she committed before a judgement was delivered on the first case. In this case, the sentence that has been served in full or in part under the first judgement shall be considered to be the final sentence.

5. When imposing a sentence in the case of cumulative crimes, the court shall, fully or partially, add to the sentence imposed under the latest judgement the outstanding part of the sentence imposed under the previous judgement, or the sentence imposed under the latest judgement shall absorb the outstanding part of the sentence imposed under the previous sentence.

6. The final sentence imposed in the case of cumulative sentences shall be calculated from the day when the final judgement is delivered, except when the probation period for the conditional sentence imposed on the convicted person under the previous judgement has not expired by the time the last crime is committed. In this case, the sentence shall be calculated from the day when the person was detained for committing the crime provided for by the latest judgement. In the case of cumulative sentences, the term of imprisonment imposed as the final sentence may not exceed 35 years.

7. In the case of cumulative crimes or sentences, the extent of the final sentence, if it is more lenient than imprisonment, may not exceed the maximum extent prescribed under the general part of this Code for the given type of sentence.

8. In the case of cumulative crimes or sentences, an ancillary penalty may be imposed along with the main penalty. The final ancillary penalty imposed at the time of cumulation may not exceed the maximum extent prescribed under the general part of this Code for the given type of sentence

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 2644 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 34

Law of Georgia No 546 of 17 April 2013 – web-site, 8.5.2013

Article 60 - (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Article 61 - Accumulation of sentences

1. When summing up sentences in the case of cumulative crimes and cumulative sentences, on day of imprisonment shall be equal to:

a) two days of restriction of liberty;

b) three days of corrective labour or service restrictions for military personnel;

c) five hours of community service.

2. A fine or deprivation of the right to hold an official position or carry out a particular activity, when added to the restriction of liberty or imprisonment, shall apply independently.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 4430 of 11 March 2011 – web-site, 22.3.2011

Article 62 - Calculation of the term of a sentence and credit towards the sentence

1. The term for the deprivation of the right to hold an official position or carry out a particular activity, for corrective labour, service restrictions for military personnel, restriction of liberty and imprisonment shall be calculated in years and months, while the term for community service, in hours, except when a plea bargain is concluded between the parties.

2. When altering and accumulating sentences provided for by paragraph 1 of this article, as well as when crediting sentences, the term of the sentence may be calculated in days.

3. The term of detention pending trial shall be counted towards the term of the sentence, based on the following calculation: one day of detention - one day of imprisonment, two days of restriction of liberty, three days of corrective labour or service restrictions for military personnel, five hours of community service.

4. The term of detention before the entry into force of the judgement on the crime committed abroad, as well as the term of imprisonment served under the judgement, in the case of extraditing a person for enforcement of the judgement under Article 6 of this Code shall be counted in the following manner: one day for one day.

5. If a person detained pending the trial is imposed, in the form of the main penalty, a fine or deprivation of the right to hold an official position or carry out a particular activity, the court, taking into consideration the term of detention pending trial, shall mitigate the sentence imposed or completely release the person from it.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Law of Georgia No 4430 of 11 March 2011 – web-site, 22.3.2011

Law of Georgia No 6 504 of 19 June 2012 – web-site, 2.7.2012

CHAPTER XII - Conditional sentence

Article 63 - Grounds for imposing conditional sentences

1. If a plea bargain is concluded between the parties, the court may rule that the sentence imposed be considered conditional.

2. If the convicted person has committed a particularly serious or intentional serious crime, the sentence imposed may not be considered a conditional sentence.

3. If the convicted person has committed a less serious crime or a crime of negligence and he/she admits it and/or collaborates with investigative authorities, the court may rule that the sentence imposed be considered as a conditional sentence, unless the convicted person had previous conviction for particularly serious or intentional serious crime in the past.

4. If the convicted person has previous conviction for committing two or more intentional serious crimes in the past, the imposed sentence may not be considered as conditional.

5. (Deleted – 12.6.2016, No 3714).

6. In the case of a conditional sentence, an ancillary penalty may be imposed.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 64 - Probation period

In the case of the circumstances provided for by Articles 50(5) and 63 of this Code, the court shall prescribe a probation period during which the convicted person may not commit a new crime and shall fulfil the obligation assigned. When imposing a sentence that is more lenient than imprisonment, the probation period shall be at least one year and not longer than three years, when imposing imprisonment, at least one year and not longer than six years, and when imposing the final sentence based on the accumulation of sentences in the case of cumulative crimes and cumulative sentences,- at least two years and not longer than six years.

Law of Georgia No 2644 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 34

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 1471 of 4 October 2013 – web-site, 16.10.2013

Article 65 - Imposition of obligations

In the case of conditional sentence, if there are relevant grounds, the court may impose on the convicted person certain obligations: not to change permanent place of residence without the permission of the Probation Bureau, not to establish relationships with persons who may engage him/her in anti-social activities, not to visit a particular place, to provide material support to the family, to undergo a treatment course for alcoholism, drug addiction, toxic addiction or venereal disease, and if the convicted person has committed a domestic crime, to undergo a mandatory training course directed at changing violent behaviour and conduct. The court may also impose on the convicted person other obligations which will help to correct him/her.

Law of Georgia No 945 of 19 June 2001 – LHG I, No 20, 3.7.2001, Art. 75

Law of Georgia No 2160 of 7 May 2003 – LHG I, No 13, 2.6.2003, Art. 72

Law of Georgia No 2704 of 17 October 2014 – web-site, 31.10.2014

Article 66 - Monitoring and assistance

1. The Probation Bureau shall monitor the conduct of a probationer and assist him/her. This agency shall supervise the fulfilment of obligations imposed on a person, and immediately notify the court of their non-fulfilment.

2. The functions provided for by paragraph 1 of this article shall be performed with regard to a military service person on probation by the administration of the military unit.

3. During the probation period, the court may, on the recommendation of the body responsible for monitoring and assisting the probationer, cancel, in full or in part, the obligation imposed on the probationer, or impose a new obligation on him/her.

Law of Georgia No 945 of 19 June 2001 – LHG I, No 20, 3.7.2001, Art. 75

Article 67 - Lifting a conditional sentence or extending/reducing the probation period

1. If, after the lapse of at least half of the probation period, the probationer proves his/her correction by his/her conduct, the Standing Commission on Revocation of Conditional Sentences operating under the National Agency for Enforcement of Non-custodial Sentences and Probation - the legal entity under public law under the Ministry of Corrections and Legal assistance of Georgia shall, based on the petition of the agency responsible for monitoring and assisting convicted persons, make a decision on revoking a conditional sentence and removing the previous conviction of the probationer.

1^1. A probationer may be released from a conditional sentence as provided for by paragraph 1 of this article and may have his/her previous conviction removed due to his/her health status, even before the expiration of the half of the probation period.

2. Taking into consideration the conduct of the probationer, the court, on the recommendation of the agency referred to in paragraph 1 of this article, may extend (for not longer than one year) or reduce the probation period.

3. If, during the probation period, the probationer systematically or persistently avoids the fulfilment of the assigned obligations, the court may, on the recommendation of the agency referred to in paragraph 1 of this article, order the revocation of the conditional sentence and the enforcement of the sentence imposed under the judgement.

4. If during the probation period the probationer commits a crime of negligence, the court shall decide whether to revoke the conditional sentence or leave it in force.

5. If, during the probation period, the probationer commits an intentional crime, the court shall revoke the conditional sentence and impose a sentence on the convicted person under Article 59 of this Code. The same procedure shall apply when imposing a sentence in cases provided for by paragraph 4 of this article. As an exception, a conditional sentence may be imposed when concluding a plea bargain under Chapter XXI of the Criminal Procedural Code of Georgia, which shall be agreed with the Chief Prosecutor or Deputy Chief Prosecutor of Georgia.

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 466 of 1 November 2008 – LHG I, No 30, 7.11.2008, Art. 186

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 5266 of 11 November 2011 – web-site, 24.11.2011

Law of Georgia No 5924 of 27 March 2012 – web-site, 19.4.2012

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2013

Article 67^1 - Civil law agreement

1. The agency referred to in Article 67(1) may revoke a conditional sentence and remove the previous conviction of the probationer before half of the probation period expires if the prosecutor has concluded a civil law agreement with the probationer and the probationer duly fulfilled the obligations imposed under the civil law agreement, and if there exist no grounds provided for under Article 67(3-5) and if, under Article 67(2), the court has not decided to extend the probation period.

2. The prosecutor may, taking into consideration the conduct of the probationer, conclude a civil law agreement with the probationer, if he/she is willing and able to share his/her knowledge and experience in a certain field with others. The civil law agreement shall set for the obligations of the probationer and the time limits within which these obligations are to be fulfilled and after the expiration of which the conditional sentence may be revoked and the record of conviction of the probationer may be removed.

3. The Probation Bureau shall supervise the fulfilment of obligations undertaken by the probationer under the civil law agreement. The Probation Bureau shall periodically provide the prosecutor with information on the performance of the terms of this agreement.

Law of Georgia No 6252 of 22 May 2012 – web-site, 29.5.2012

SECTION FOUR

RELEASING FROM CRIMINAL LIABILITY AND PUNISHMENT

CHAPTER XIII - Releasing from Criminal Liability

Article 68 - Releasing from criminal liability due to active repentance

1. A person who has, for the first time, committed a crime for which the maximum sentence provided for by an article or part of an article of the special part of this Code does not exceed three years of imprisonment, may be released from criminal liability, if, after committing the crime, he/she voluntarily

appears and admits his/her guilty, assists in the discovery of the crime and indemnifies the damage.

2. A person who has committed a crime of any other category, may be released from criminal liability, if so provided for by the relevant article of the special part of this Code.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Article 69 - (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 70 - Releasing from criminal liability due to changed circumstances

The offender may be released from criminal liability if it is established that it is not expedient to impose criminal liability for the given act due to the changed circumstances.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Article 70^1 - Releasing from criminal liability due to the collaboration of the accused with investigative authorities

In exceptional cases, when the collaboration of the accused with investigative authorities has revealed the identity of an official and/or person(s) who has (have) committed a particularly serious crime, and the accused directly participated in the creation of essential conditions required for the discovery of the crime, the court may release the accused from criminal liability.

Law of Georgia No 3295 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 22

Article 71 - Releasing from criminal liability due to the expiration of the period of limitation

1. A person shall be released from criminal liability, if:

a) two years have passed after the commission of the crime for which the maximum sentence prescribed by the special part of this Code does not exceed a two-year term of imprisonment;

b) six years have passed after the commission of another, less serious crime;

c) 10 years have passed after the commission of a serious crime;

c^1) 15 years have passed after the crimes provided for by Articles 332-342^1 of this Code, unless they constitute particularly serious crimes;

d) 25 years have passed after the commission of a serious crime.

2. The period of limitation shall be calculated starting from the day when the crime is committed up to the day when formal charges are brought against the person. If a new crime is committed, the period of limitation shall be calculated for each individual crime.

3. The period of limitation shall be suspended if the offender has absconded during the investigation or trial. In this case, the flow of the period of limitation shall be resumed upon the detention of the offender is detained or his/her appearance with the confession of guilt.

4. The court shall decide whether to apply the period of limitation to a person sentenced to life imprisonment. If the court considers it impossible to apply the period of limitation, life imprisonment shall be substituted by a fixed term imprisonment.

5. The period of limitation shall not apply in cases prescribed under the treaties to which Georgia is a party.

6. The period of limitation shall be suspended for the period during which the person is protected by immunity.

7. Except for the cases provided for by paragraphs 3 and 6 of this article, the period of limitation shall also be suspended during the time when the procedural actions prescribed by Article 16(2) of the Law of Georgia on International Cooperation in Criminal Law cannot be applied to a person extradited to Georgia.

8. When criminal case materials and their duly certified copies are transmitted for their use in subsequent legal proceedings in Georgia according to Article 42 of the Law of Georgia on International Cooperation in Criminal Law, the grounds provided for by the legislation of the foreign country for suspending the period of limitation shall be taken into consideration by the agency in Georgia responsible for the proceedings only if these grounds are similar to the grounds provided for by this article for suspending the period of limitation.

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

CHAPTER XIV - Release from Punishment

Article 72 - Release on parole

1. A person who has been imposed community service, corrective labour, service restrictions for military personnel or restriction of liberty, may be released on parole if the court considers that serving of the full sentence is no longer required for his/her correction, and if the person has been sentenced to imprisonment, he/she may be released on parole if the Local Council of the Ministry of Corrections and Legal Assistance considers that serving of the full sentence is no longer required for his/her correction. In addition, this person may in full or in part be released from serving the ancillary penalty.

2. When released on parole, the convicted person may be imposed the obligation provided for by Article 65 of this Code, which he/she shall fulfil during the period of the outstanding sentence.

3. A convicted person may be released on parole only when he/she has actually served:

a) at least half of the term of the sentence for a less serious crime;

b) at least two thirds of the term of the sentence for a serious crime;

c) at least three fourths of the term of the sentence for a particularly serious crime;

d) three fourths of the term of the sentence that has been imposed to the person who has previously been released on parole and the release on parole was revoked under paragraph 6 of this article.

4. The term of imprisonment actually served by the convicted person shall be at least six months.

5. The conduct of a convicted person who has been released on parole shall be monitored by the duly authorised enforcement bureau, and the conduct of the military servant, by the military unit's administration.

6. If, during the outstanding term of the sentence, the convicted person:

a) persistently avoids the fulfilment of the obligation imposed on him/her upon release on parole, the court may, on the recommendation of the authorities referred to in paragraph 5 of this article, revoke the parole and order the service of the outstanding sentence;

b) commits a crime of negligence, the court shall decide whether to revoke the parole or leave it in force;

c) commits an intentional crime, the court shall impose on him/her a sentence as prescribed under Article 59 of this Code. A sentence for a crime of negligent shall be imposed in the same manner if the court revokes the parole.

7. A convicted person may be released from life imprisonment if he/she has actually served twenty years of imprisonment and if the Local Council of the Ministry of Corrections and Legal Assistance of Georgia considers that it is no longer required that the convicted person continue serving the sentence.

8. For a convicted person who is released on parole from a sentence imposed in the form of community service provided for by Article 73(3) of this Code the term of the sentence actually served in the form of community service shall be counted towards the term provided for by paragraph 3 of this article, based on the following calculation: five hours of community service - one day of imprisonment.

9. For a convicted person who is released on parole from the sentence imposed in the form of restriction of liberty provided for by Article 73(3^1) of this Code, the term of the sentence actually served in the form of restriction of liberty shall be counted towards the term provided for by paragraph 3 of this article, based on the following calculation: one day of restriction of liberty - one day of imprisonment.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 945 of 19 June 2001 – LHG I, No 20, 3.7.2001, Art. 75

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Law of Georgia No 5626 of 27 December 2011 – web-site, 12.1.2012

Law of Georgia No 6 504 of 19 June 2012 – web-site, 2.7.2012

Law of Georgia No 1796 of 13 December 2013 –web-site, 28.12.2013

Article 73 - Commutation of the outstanding sentence

1. The Local Council of the Ministry of Corrections and Legal Assistance of Georgia may substitute the outstanding sentence of the person sentenced to imprisonment for less serious crime by a more lenient sentence, based on his/her conduct during the service of the sentence. In addition, this person may in full or in part be released from serving the ancillary penalty (except for confiscation of property).

2. The outstanding sentence may be substituted by a more lenient sentence only if the convicted person has actually served at least one third of the term of the sentence.

3. The Local Council of the Ministry of Corrections and Legal Assistance of Georgia may substitute the outstanding sentence of a person sentenced to imprisonment by a community service based his/her consent. In this case, the provisions of Article 44 (except for paragraphs 1 and 2) of this Code shall not apply. In addition, a convicted person may, in full or in part, be released from serving the ancillary penalty (except for confiscation of property).

3. The Local Council of the Ministry of Corrections and Legal Assistance of Georgia may substitute the outstanding sentence of a person sentenced to imprisonment by restriction of liberty, which the convict will serve in a liberty restriction facility. In this case, provisions of Article 47 (4 and 5) of this Code shall not apply. In addition, a convicted person may, in full or in part, be released from serving the ancillary penalty (except for confiscation of property).

4. The outstanding sentence of the convicted person specified in paragraphs 3 and 3^1 of this article may be substituted by community service or restriction of liberty only if he/she has actually served:

a) at least one third of the term of sentence to be served for a less serious crime;

b) at least half of the term of sentence to be served for a serious crime;

c) at least two thirds of the term of sentence to be served for a particularly serious crime;

d) two thirds of the term of sentence that has been imposed on the person who was previously released on parole under Article 72(6) of this Code.

5. (Deleted – 12.6.2016, No 3714).

6. The term of actually served term of imprisonment of the convicted person specified in paragraphs 3 or 3^1 of this article shall be at least three months.

7. Life imprisonment of the convicted person may be substituted by a community service or restriction of liberty if he/she has actually served 15 years of imprisonment and if the Local Council of the Ministry of Corrections and Legal Assistance of Georgia considers that it is longer required that the convict continue serving this sentence.

8. If part of the sentence of imprisonment imposed on a convicted person specified in paragraphs 3 or 3^1 of this article has been deemed as conditional, the probation period shall commence from the day when the community service or restriction of liberty imposed as a sentence has been served.

9. The conduct of the convicted person specified in paragraphs 3 or 3^1 of this article shall be monitored by the duly authorised probation bureau.

10. If, when serving community service, the convicted person specified in paragraph 3 of this article:

a) persistently avoids community service, or serving of the sentence is not expedient due to any other reasons, the court may, on the recommendation of the Probation Bureau, rule that the community service be revoked and the outstanding sentence of imprisonment be enforced;

b) commits a crime of negligence, the court shall decide whether to revoke the community service or leave it in force;

c) commits an intentional crime, the court shall revoke the community service and impose a sentence to the convicted person under Article 59. A sentence for a crime of negligence shall be imposed in the same manner if the court revokes the community service. In exceptional cases, community service may be imposed only at the time of the conclusion of a plea bargain between the parties under Chapter XXI of the Criminal Procedural Code of Georgia, which shall be agreed with the Chief Prosecutor or Deputy Chief Prosecutor of Georgia.

11. In cases specified in paragraph 10 of this article, the period during which the convicted person served community service shall be included in the term of imprisonment, based on the following calculation: five hours of community service - one day of imprisonment.

12. If, when serving the restriction of liberty, the convicted person specified in paragraph 3^1 of this article:

a) persistently avoids the fulfilment of the obligation imposed, or further service of the sentence is not expedient due to any other reasons, the court may, on the recommendation of the liberty restriction facility order that the restriction of liberty be revoked and the outstanding sentence of imprisonment be enforced;

b) commits a crime of negligence, the court shall decide whether to revoke restriction of liberty or leave it in force;

c) commits an intentional crime, the court shall revoke the restriction of liberty and impose a sentence on the convicted person under Article 59. A sentence for a crime of negligence shall be imposed in the same manner if the court revokes the restriction of liberty. As an exception, imprisonment may only be applied when concluding a plea bargain between the parties under Chapter XXI of the Criminal Procedural Code of Georgia, which shall be agreed with the Chief Prosecutor or Deputy Chief Prosecutor of Georgia.

13. In cases specified in paragraph 12 of this article, the period during which the convicted person served the restriction of liberty shall be included in the term of imprisonment, based on the following calculation: one day of restriction of liberty - one day of imprisonment.

14. In cases specified in paragraph 12 of this article, the court decision may be appealed in accordance with the legislation of Georgia.

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Law of Georgia No 1398 of 11 July 2009 – LHG I, No 20, 28.7.2009, Art. 94

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 5626 of 27 December 2011 – web-site, 12.1.2012

Law of Georgia No 6 504 of 19 June 2012 – web-site, 2.7.2012

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2013

Law of Georgia No 2757 of 31 October 2014 – web-site, 11.11.2014

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 73[1] - Review of the sentence of a person sentenced to imprisonment as a result of his/her collaboration with investigative authorities

1. In exceptional cases, when the identity of an official and/or of a person who has committed a particularly serious crime is revealed as a result of the collaboration with investigative authorities of a person sentenced to imprisonment, and if this person assists in the creation of essential conditions for the discovery of the crime, the Chief Prosecutor of Georgia may file a motion with the court requesting the review of the sentence imposed on the convicted person.

2. If the motion is granted, the court shall deliver the relevant decision to reduce the term of the sentence or to change the type of the sentence or to fully exempt the convicted person from the sentence.

3. A convicted person may not be fully exempted from the sentence in the criminal cases provided for by Articles 144[1], 144[2] and 144[3]of this Code.

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 74 - releasing from punishment due to illness or old age

1. (Deleted).

2. A court, and in the case of a sentence of imprisonment, the joint standing commission of the Ministry of Corrections and Legal Assistance and the Ministry of Labour, Health and Social Affairs of Georgia, may release from punishment a person who, before or after committing the crime, becomes seriously ill, which prevents him/her from serving the sentence.

3. (Deleted).

4. In the case of the recovery of the person specified in paragraph 2 of this article, he/she may be held criminally liable and sentenced again, unless the periods of limitation provided for by Articles 71 and 76 of this Code have expired.

5. A court, and in the case of a sentence of imprisonment, the joint standing commission of the Ministry of Corrections and Legal Assistance and the Ministry of Labour, Health and Social Affairs of Georgia, may exempt from further service of the sentence a person who, when serving the sentence, attained an old age (women – from 65 years, men – from 70 years), provided they are not sentenced to life imprisonment and have served at least half of the sentence.

6. The grounds for releasing from punishment prescribed by this article shall not apply to the sentence under Article 40(1)(i).

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 1629 of 4 July 2007 – LHG I, No 23, 24.7.2002, Art. 114

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2013

Article 75 - Deferral of serving of a sentence by pregnant women

1. A court may defer the serving of a sentence for a pregnant woman for up to a year after the labour.

2. If, after being warned by the Probation Bureau, a convicted person reject the child or evades nurturing of the child, the court may, upon the recommendation of the Probation Bureau, vacate the deferral of serving the sentence and send the convicted person to serve the sentence at the place assigned under the judgement.

3. When the child attains the age of one year, the court shall exempt the convicted person from serving the outstanding sentence or substitute the outstanding sentence with a more lenient sentence or deliver a decision to return the convicted person to the respective institution to serve the outstanding sentence.

4. If during the period of deferral of serving the sentence, the convicted person commits a new crime, the court shall impose punishment on him/her under Article 61 of this Code.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 945 of 19 June 2001 – LHG I, No 20, 3.7.2001, Art. 75

Law of Georgia No 2160 of 7 May 2003 – LHG I, No 13, 2.6.2003, Art. 7

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 76 - Relief from serving the punishment due to the expiry of periods of limitation of judgement of conviction

1. A convicted person shall be released from the serving of the sentence if the judgement of conviction that has entered into force is not enforced within the following time limits:

a) two years from the commission of a crime for which the maximum sentence imposed under the special part of this Code does not exceed two-years of imprisonment;

b) six years in the event of conviction for other, less serious crime;

c) 10 years in the event of conviction for a serious crime;

d) 15 years in the event of conviction for a particularly serious crime.

2. The running of the period of limitation shall be suspended if the convicted person evades serving the sentence. In this case, the period of limitation shall be resumed from the moment the convicted person is detained or admits his/her guilt. The time elapsed until the avoidance of serving the sentence shall be counted towards the period of limitation.

3. The court shall decide whether to apply the period of limitation to a person sentenced to life imprisonment. If the court considers it impossible to apply the period of limitation, life imprisonment shall be substituted by a fixed term imprisonment.

4. The period of limitation shall not apply in cases prescribed under the treaties to which Georgia is a party.

5. The running of the period of limitation shall be suspended for the period during which the person is protected by immunity.

6. Except for the cases provided for by paragraphs 2, 4 and 5 of this article, the running of the period of limitation shall also be suspended for the period during which it is impossible to apply the procedural actions prescribed by Article 16(2) of the Law of Georgia on International Cooperation in Criminal Law to a person extradited to Georgia.

7. When a judgement passed by an authorised foreign court is transmitted to Georgia for enforcement under Chapter VI of the Law of Georgia on International Cooperation in Criminal Law, the relevant authorities of Georgia shall take into consideration the grounds for suspending the running of the period of limitation only if they are similar to the grounds for suspending the running of the period of limitation provided for by this article.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

CHAPTER XV - Amnesty, Pardon, Record of Conviction

Article 77 - Amnesty

1. Amnesty shall be declared by the Parliament of Georgia with respect to an individually unspecified group of people.

2. Under an act of amnesty, an offender may be released from criminal liability and a convicted person may be exempted from punishment or the

sentence imposed on him/her may be reduced or substituted by a more lenient punishment.

3. Under an act of amnesty, the record of conviction may be removed from persons who have served the sentence.

Article 78 - Pardon

1. Pardon shall be granted by the President of Georgia to individually a specific person.

2. Under an act of pardon, a convicted person may be released from further serving the sentence, or the sentence imposed on him/her may be reduced or substituted by a more lenient sentence.

3. Under an act of pardon, the record of conviction may be removed from a person who has served the sentence.

Article 79 - Record of conviction

1. A convicted person shall be considered to have a record of conviction from the day of entry into force of the judgment of conviction up to the moment when the record of conviction is cancelled or removed. The record of conviction shall be taken into consideration when making a decision on matters relating to criminal liability, qualification of crime and measures of correction and prevention.

2. The person relieved from punishment shall be considered no to have a record of conviction.

3. A record of conviction shall be cancelled with respect to:

a) probationers - after the probation period expires;

b) persons sentenced to a milder punishment than imprisonment – upon expiry of one year after serving the sentence;

c) persons sentenced to imprisonment for a less serious crime – upon expiry of three years after serving the sentence;

d) persons sentenced to imprisonment for a serious crime – upon expiry of six years after serving the sentence;

e) persons sentenced to imprisonment for a particularly serious crime – upon expiry of eight years after serving the sentence.

4. If a convicted person is released on parole in accordance with the law or if his/her outstanding sentence has been substituted by a more lenient sentence, the time limit for the cancellation of the record of conviction shall be calculated accordingly from the actually served sentence or from the moment of serving a more lenient punishment (main and ancillary).

5. If, after serving the sentence, the convicted person's conduct is impeccable, the court may, at his/her request, remove his/her record of conviction before the expiry of the term for the cancellation of the record of conviction.

6. Cancelled or removed conviction shall not be taken into consideration when deciding matters relating to criminal liability, qualification of a crime and coercive measures.

SECTION FIVE

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Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

CHAPTER XVI – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 80 – (Deleted)

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Law of Georgia No 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 81 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 82 – (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 83 – (Deleted)

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 84 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 85 – (Deleted)

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 86 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 86^1 – (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 87 - (Deleted)

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Article 88 – (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 89 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

CHAPTER XVII – (Deleted)

Article 89[1] - (Deleted)

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 90 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 91 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 92 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 93 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 94 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 95 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 96 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 97 – (Deleted)

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 98 – (Deleted)

Law of Georgia No 893 of 26 December 2008 – LHG I, No 41, 30.12.2008, Art. 317

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 5626 of 27 December 2011 – web-site, 12.1.2012

Law of Georgia No 6 504 of 19 June 2012 – web-site, 2.7.2012

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2013

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

Article 99 – (Deleted)

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Article 100 – (Deleted)

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 3714 of 12 June 2015 – website, 24.6.2015

SECTION SIX (Deleted)

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

CHAPTER XVIII - (Deleted)

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 101 - (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 102 - (Deleted)

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 103 - (Deleted)

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 104 - (Deleted)

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 105 - (Deleted)

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 106 - (Deleted)

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

Article 107 - (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 5181 of 3 July 2007 – LHG I. No 28, 18.7.2007, Art. 278

SECTION SIX[1]

CRIMINAL LIABILITY OF LEGAL PERSONS

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

CHAPTER XVIII[1] - Criminal Liability of Legal Persons, Types of Punishment, Procedures and Terms for their Application

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 107[1] - Grounds for criminal liability of a legal person

1. The provisions prescribed under this Code shall apply to legal persons. For the purposes of this Code, a legal person shall mean an entrepreneurial (commercial) or non-entrepreneurial (non-commercial) legal person (his/her legal successor).

2. A legal person shall be criminally liable for a crime provided for by this Code and committed on behalf of or through and/or in favour of the legal person, by the responsible person.

3. The responsible person referred to in paragraph 2 of this article shall be a person responsible for the management and representation of the legal person and for making decisions on behalf of the legal person, and/or a member of the supervisory, monitoring or audit body of the legal person.

4. A legal person shall be criminally liable also when the crime has been committed on behalf of or through and/or in favour of the legal person, regardless of whether or not the identity of the natural person who committed the crime has been established.

4[1]. A legal person shall be criminally liable also if, due to the improper performance of supervision and monitoring by the responsible person specified in paragraph 3 of this article, the physical person under the subordination of the legal person was able to commit the crime in favour of the legal person.

5. Releasing the responsible person from criminal liability shall not serve as grounds for releasing the legal person from criminal liability.

6. Criminal liability of a legal person shall not exclude criminal liability of the natural person with respect to the same crime.

7. Criminal liability shall not release the legal person from the obligation to indemnify the damage that he/she has caused as a result of the crime, or from other penalties prescribed against him/her under legislation.

8. If the circumstances excluding the guilt or unlawfulness of the actions of a legal person are established, the legal person shall be released from criminal liability.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 296 of 26 September 2008 – LHG I, No 22, 9.10.2008, Art. 153

Article 107[2] - Criminal liability of legal persons

Legal person shall be criminally liable only if so prescribed under the relevant article of this Code.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Law of Georgia No 5953 of 19 March 2004 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 403 of 23 October 2008 – LHG I, No 29, 4.11.2008, Art. 176

Law of Georgia No 795 of 19 December 2008 – LHG I, No 40, 29.12.2008, Art. 282

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Law of Georgia No 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 3466 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 6117 of 8 May 2012 – web-site, 29.5.2012

Article 107[3] - Types of sentences

1. Types of punishment for legal persons shall be as follows:

a) liquidation;

b) deprivation of the right to carry out activities;

c) fine;

d) confiscation of property.

2. Liquidation and deprivation of the right to carry out activities may be imposed only as the main penalty.

3. A fine may be imposed both as the main and ancillary penalty.

4. Confiscation of property may be imposed only as an ancillary penalty.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 107[4] - Liquidation

1. When imposing liquidation as a sentence, the court shall, except for the cases provided for by the Organic Law of Georgia on the National Bank of Georgia, appoint the liquidator(s) who shall ensure the liquidation of the legal person, in the manner prescribed under the legislation for the liquidation of legal persons. Costs associated with liquidation shall be borne by the convicted legal person.

2. In cases provided for by this Code, commercial banks and non-banking depositary institutions shall be liquidated by the liquidator (liquidators) appointed by the National Bank of Georgia, based on the final judgement of conviction.

3. Liquidation may be used when, if it is established that criminal activities are the main purpose of the establishment of the legal person or the major part of its activities.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 4191 of 3 September 2015 – web-site, 10.9.2015

Article 107[5] - Deprivation of the right to carry out activities

1. Deprivation of the right to carry out activities shall mean prohibiting a legal person from carrying out one or several types of activities indefinitely or for a term of from 1 to 10 years.

2. Deprivation of the right to carry out activities may apply to the activities during or with regard to the performance of which the crime was committed.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 107[6] - Fines

1. The minimum amount of a fine for a legal person shall be the sum that is 50 times the amount prescribed for a natural person under Article 42 of this Code.

2. The amount of fine shall be determined by the court, taking into consideration the gravity of the crime, the benefit obtained from the crime and the material status of the legal person, which shall be defined by his/her property, income and other circumstances.

3. If it is impossible to collect a fine from a legal person as the main penalty, this penalty shall be substituted by deprivation of the right to carry out activities or by liquidation.

4. If a fine is referred to as both the main and ancillary penalty in the note to an article of the special part of this Code, the fine shall not be applied as an ancillary penalty when it is applied as a main penalty.

5. (Deleted).

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Article 107[7] - Confiscation of property

Provisions of Article 52 of this Code shall apply to the confiscation of property of the physical person.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

SPECIAL PART

SECTION SEVEN

CRIME AGAINST HUMAN BEINGS

CHAPTER XIX - Crimes against Life

Article 108 - Murder

Murder, -

shall be punished by imprisonment for a term of a term of from seven to fifteen years.

Article 109 - Murder under aggravating circumstances

1. Murder:

a) (deleted);

b) related to hostage taking;

c) in a manner that intentionally endangers the life or health of other persons;

d) aimed at concealing or facilitating any other crime,

shall be punished by imprisonment for a term of nine to fourteen years.

2. Murder:

a) of a pregnant woman knowingly by the offender;

b) of a minor or a helpless person knowingly by the offender;

c) with hooligan motives;

d) due to racial, religious, national or ethnic intolerance;

e) by more than one person, –

shall be punished by imprisonment for a term of 13 to 17 years.

3. Murder:

a) of two or more persons;

b) with particular cruelty;

c) for mercenary purposes or by contract;

d) aimed at transplanting or otherwise using an organ, part of an organ or tissue of the victim's body;

e) repeatedly (except for the murders provided for by Articles 110-114 of this Code), –

f) related to the official duties or public duties of the victim or of the victim's close relative, –

shall be punished by imprisonment for a term of 16 to 20 years or life imprisonment.

Note: The following persons shall be considered close relatives under this Code: parents, adopting parents, children, adoptees, grandparents, grandchildren, siblings and spouses.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3466 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Article 110 - Killing at the victim's request

Killing at the victim's express request and according to his/her true will, committed for the purpose of relieving a dying person from severe physical pains, –

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 111 - Intentional murder in a state of sudden, strong emotional excitement

1. Intentional murder in a state of sudden, **strong emotional excitement caused by** unlawful violence, grave insult, or any other grave immoral act committed by the victim against the offender or his/her close relative, or by a psychological trauma caused by multiple unlawful or immoral conduct of the victim, –

shall be punished by restriction of liberty for up to three years or by imprisonment for a term of one to three years.

2. The same act committed against two or more persons, –

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 112 - Infanticide by the mother

Intentional murder of an infant by the mother during or immediately after the labour, –

shall be punished by imprisonment for a term of three to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 113 - Murder by exceeding the limits of self-defence

Murder that exceeds the limits of self-defence, –

shall be punished by corrective labour for up to two years or with restriction of liberty for up to three years, or with imprisonment for a term of one to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 114 - Murder by exceeding the measures required for seizing the offender

Murder that exceeds the measures required for seizing the offender, –

shall be punished by corrective labour for up to two years or with restriction of liberty for up to three years, or with imprisonment for a term of one to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 115 - Incitement to suicide

Incitement to suicide or attempted suicide accompanied with intimidation or cruel treatment of the victim or by degrading of the victim's honour or dignity, –

shall be punished by restriction of liberty for up to three years or by imprisonment for a term of two to four years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 116 - Negligent manslaughter

1. Negligent manslaughter, –

shall be punished by restriction of liberty for up to five years or by imprisonment for a term of two to four years.

2. The same act committed against two or more persons, –

shall be punished by restriction of liberty for up to five years or with imprisonment for a term of three to five years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

CHAPTER XX - Crimes against Health

Article 117 - Intentional infliction of grave injury

1. Intentional serious damage to health, i.e. bodily injury that is dangerous for life or which has caused the loss of eyesight, hearing, speech or any organ or its function, mental illness, interruption of pregnancy, permanent disfigurement of the face or other such bodily injury that is dangerous for life and causes permanent loss of general working ability by at least one third, or complete loss of professional working ability knowingly, –

shall be punished by imprisonment for a term of three to six years.

2. The same act that caused death, –

shall be punished by imprisonment for a term of four to seven years.

3. Intentional grave bodily injury:

a) in relation to the official or public duties of the victim or the victim's close relative;

b) related to hostage taking;

c) in a manner that intentionally endangers the life or health of other persons;

d) aimed at concealing or facilitating any other crime,

shall be punished by imprisonment for a term of five to eight years.

4. The act provided for by paragraph 3 of this article which has caused the loss of life, -

shall be punished by imprisonment for a term of six to nine years.

5. Intentional grave bodily injury caused:

a) by the offender knowingly to a pregnant women;

b) by the offender knowingly to a minor or a helpless person;

c) with hooligan motives;

d) due to racial, religious, national or ethnic intolerance;

e) by more than one person, -

shall be punished by imprisonment for a term of seven to ten years.

6. The act provided for by paragraph 5 of this article that caused the loss of life, -

shall be punished by imprisonment for a term of eight to eleven years.

7. Intentional grave bodily injury:

a) to two or more persons;

b) with particular cruelty;

c) for mercenary purposes or by contract;

d) aimed at transplanting or otherwise using an organ, part of an organ or tissue of the victim's body;

e) repeatedly (except for the murders provided for by Articles 110-114 of this Code), -

f) by a person who has previously committed the murder provided for by Articles 108 or 109 of this Code, -

shall be punished by imprisonment for a term of nine to thirteen years.

8. The act provided for by paragraph 7 of this article that caused the loss of life, -

shall be punished by imprisonment for a term of ten to fourteen years

Law of Georgia No 3705 of 12 June 2015 – website, 30.6.2015

Article 118 - Intentional less grave bodily injury

1. Intentional less grave bodily injury that is not dangerous for life and has not resulted in the consequence provided for by Article 117 of this Code, but which is related to a long-term deterioration of health or stable loss of general working ability by, at least one third, -

shall be punished by corrective labour for up to 18 months or with restriction of liberty for up to three years, or with imprisonment for a term of one to three years.

2. The same act that caused the loss of life, -

shall be punished by imprisonment for a term of two to four years.

3. Intentional less grave bodily injury under the aggravating circumstances provided for by paragraphs 3,5 or 7 of Article 117 of this Code, or which has been caused by a person who has previously committed an intentional grave bodily injury or the act provided for by Articles 108 or 109 of this Code, -

shall be punished by imprisonment for a term of three to five years.

4. The act provided for by paragraph 3 of this article which has cause the loss of life, -

shall be punished by imprisonment for a term of four to six years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 119 - (Deleted)

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 120 - Intentional less grave bodily injury

Intentional less grave bodily injury that has resulted in a short-term deterioration of health or an insignificant or non-permanent loss of general working ability, -

shall be punished by a fine or corrective labour for up to six months, or with imprisonment for up to two years.

Law of Georgia No 5592 of 24 June 2016 – website 12.7.2016

Article 121 - Intentional grave or less grave bodily injury caused in a state of sudden emotional excitement

Intentional infliction of grave or less grave bodily injury in a state of sudden emotional excitement caused by the unlawful violence, grave insult, or any other grave immoral act committed by the victim against the offender or his/her close relative, or by the psychological trauma caused by the repeated unlawful or immoral conduct of the victim, -

shall be punished by a fine or community service from 80 to 240 hours or with restriction of liberty for up to two years, or with imprisonment for up to two years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 122 - Intentional grave or less grave bodily injury by exceeding the limits of self-defence

Intentional grave or less grave bodily injury caused by exceeding the limits of self-defence, -

shall be punished by a fine or corrective labour for up to six months or with restriction of liberty for up to a year, or with imprisonment for the same term.

Article 123 - Intentional grave or less grave bodily injury by exceeding the measures required for seizing the offender

Intentional grave or less grave bodily injury caused by exceeding the measures required for seizing the offender, -

shall be punished by a fine or corrective labour for up to six months or with restriction of liberty for up to a year, or with imprisonment for the same term.

Article 124 - Grave or less grave bodily injury through negligence

Grave or less grave bodily injury caused through negligence, -

shall be punished by a fine or restriction of liberty for up to two years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Article 125 - Battery

1. Battery or other violence that has caused the victim physical pain, but has not incurred the consequences provided for by Article 120 of this Code, -

shall be punished by a fine or community service from 120 to 180 hours or with corrective labour for up to 15 months.

2. The same act committed knowingly against a minor, -

shall be punished by a fine or corrective labour from 15 to 24 months, or with imprisonment for up to a year.

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 126 - Violence

1. Regular beating or other violence that has caused the victim physical or mental pains, but did not entail the consequence provided for by Articles 117 or 118 of this Code, -

shall be punished by restriction of liberty for up to two years or with imprisonment for a term of one to three years.

2. The same act committed:

a) against two or more persons;

b) knowingly by the offender against a pregnant woman;

c) in relation to the official duties of the victim or his/her close relative;

d) knowingly by the offender against a helpless person or a person who depends on the offender materially or otherwise;

e) for hostage taking purposes;

f) by contract;

g) due to racial, religious, national or ethnic intolerance;

h) by abusing the official position;

i) repeatedly;

j) against a minor's family member in the presence of the minor;

k) by more than one person;

l) using a weapon, -

shall be punished by imprisonment for a term of four to six years, with or without deprivation of the right to hold an office or carry out a particular activity for up to three years.

Law of Georgia No 1751 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 250

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2704 of 17 October 2014 – web-site, 31.10.2014

Article 126^1 - Domestic violence

1. Violence, regular insult, blackmail, humiliation by one family member of another family member, which has resulted in physical pain or anguish and which has not entailed the consequences provided for by Articles 117, 118 or 120 of this Code, -

shall be punished by community service from 80 to 150 hours or imprisonment for up to a year.

2. The same act committed:

a) knowingly against a pregnant woman, minor or a helpless person;

b) against a minor's family member in the presence of the minor;

c) against two or more persons;

d) by a group of persons;

e) repeatedly, -

shall be punished by community service from 200 to 400 hours or with imprisonment for a term of one to three years.

Note: For the purposes of this article, the following persons shall be family members: a spouse, mother, father, grandfather, grandmother, child (stepchild), foster child, adopting parent, adopting parent's spouse, adoptee, foster family (foster mother, foster father), guardian, grandchild, sister, brother, parents of a spouse, son-in-law, daughter-in-law, former spouse, also persons who maintain or maintained a common household.

Law of Georgia No 643 4 of 12 June 2012 – web-site, 25.6.2012

Law of Georgia No 3052 of 18 February 2015 – web-site, 26.2.2015

CHAPTER XXI - Endangering Human Life and Health

Article 127 - Endangering life

Endangering life of a person who is not able to take measures to protect himself/herself, -

shall be punished by a fine or imprisonment for up to two years.

Article 128 - Abandoning in distress

Abandoning in distress, without providing assistance, of a person who was in a life-threatening situation and who was not able to take measures to protect himself/herself, provided that the person who had abandoned him/her was obliged to take care of and was able to assist him/her, -

shall be punished by a fine or corrective labour for up to a year or with community service from 120 to 240 hours or with imprisonment for up to two years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 129 - Refusal to assist

The refusal to provide necessary and obviously urgent assistance to a person who is in a life-threatening situation provided the offender was able to provide assistance without seriously endangering himself/herself or any other person, or the failure to notify the appropriate agency or person of the need of assistance, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to two years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 130 - Abandoning a sick person in distress

1. Failure of a medical worker to provide urgent medical aid to a sick person who is in a life-threatening situation without valid reasons, -

shall be punished by a fine or corrective labour for up to 15 months, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act which has resulted in a serious damage to health or death of the sick person, -

shall be punished by imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 131 - Infecting with AIDS

1. Creating a threat of intentional infection of another person with AIDS, -

shall be punished by imprisonment for up to three to five years.

2. Infecting intentionally other person with AIDS, -

shall be punished by imprisonment for up to four to seven years.

3. Infecting by negligence another person with AIDS when performing professional duties, -

shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. The act provided for by paragraphs 1, 2 or 3 of this article committed:

a) to two or more persons;

b) knowingly by the offender against a pregnant woman or a minor, -

shall be punished by imprisonment for a term of five to nine years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 132 - Infecting with particularly dangerous infectious diseases

1. Creating a threat of infecting other persons with particularly dangerous infectious diseases, -

shall be punished bya fine or corrective labour for up to six months, or with imprisonment for up to a year.

2. Infecting another person with a particularly dangerous infectious disease, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

3. The act provided for by paragraph 1 or 2 of this article committed:

a) to two or more persons;

b) knowingly by the offender against a pregnant woman or a minor, -

shall be punished by a fine or imprisonment for two to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 133 - Illegal abortion

1. Illegal abortion, -

shall be punished by community service from 120 to 300 hours or imprisonment for a term of one to two years.

2. The same act committed by a person convicted of illegal abortion, or which has resulted in a permanent loss of ability to procreate or other grave consequences, -

shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. Illegal abortion resulting in death, -

shall be punished by imprisonment for a term of four to six years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2671 of 21 October 2014 – web-site, 6.10.2014

Article 134 - Coercion into removing a human organ, part or tissue of an organ

1. Coercion into removing a human organ, part or tissue of an organ for the purposes of treatment, transplantation, experiment or manufacturing of medicinal products, -

shall be punished by imprisonment for a term of two to four years, with or without deprivation of the right to hold an office or carry out a particular activity for up to three years.

2. The same act committed knowingly by the offender against a pregnant woman, minor or helpless person or a person who materially or otherwise depends on the offender, -

shall be punished by imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 135 - Illegal trade in blood or blood components

Illegal trade in blood or blood components for mercenary reasons, -

shall be punished by a fine or imprisonment for up to a year.

Article 135[1] - Trade in human organs

1. Trade in human organs, -

shall be punished by imprisonment for a term of six to nine years.

2. The same act committed repeatedly, -

shall be punished by imprisonment for a term of eight to twelve years.

3. The same act committed by an organised group, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Law of Georgia No 1710 of 6 November 2002 – LHG I, No 30, 27.11.2002, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 136 - Genetic manipulations

Genetic manipulations, i.e. creation of human-like beings, -

shall be punished by imprisonment for up to three years.

CHAPTER XXII - Crime against Sexual Freedom and Sexual Inviolability

Article 137 - Rape

1. Rape, a sexual intercourse by use of violence, threat of violence or abusing the victim's helpless condition, -

shall be punished by imprisonment for a term of six to eight years.

2. The same act:

a) committed by abusing one's official position;

b) causing serious bodily injury or other grave consequences, -

shall be punished by imprisonment for a term of eight to ten years.

3. The same act committed:

a) repeatedly;

b) by a person who has previously committed any of the crimes provided for by Articles 138-141 of this Code;

c) by more than one person;

d) knowingly by the offender against a pregnant woman or a minor, -

shall be punished by imprisonment for a term of ten to thirteen years.

4. The same act:

a) committed against the victim or any other person with particular cruelty;

b) that has caused death;

c) committed against a person who has not attained the age of 14 years, -

shall be punished by imprisonment for a term of 15 to 20 years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1642 of 27 November 2013 – web-site, 16.12.2013

Article 138 - Violent act of sexual nature

1. Homosexuality, lesbianism or other sexual intercourse in perverted form committed using violence, threat of violence or the victim's helpless state, -

shall be punished by imprisonment for a term of six to eight years.

2. The same act:

a) committed by abusing one's official position;

b) causing serious bodily injury or other grave consequences, -

shall be punished by imprisonment for a term of eight to ten years.

3. The same act committed:

a) repeatedly;

b) by a person who has previously committed any of the crimes provided for by this article of by Articles 139-141 of this Code;

c) by more than once person;

d) knowingly by the offender against a pregnant woman or a minor, -

shall be punished by imprisonment for a term of ten to thirteen years.

4. The same act:

a) committed against the victim or any other person with particular cruelty;

b) that has caused death;

c) committed against a person who has not attained the age of 14 years, -

shall be punished by imprisonment for a term of 15 to 20 years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1642 of 27 November 2013 – web-site, 16.12.2013

Article 139 - Coercion into sexual intercourse or any other act of sexual nature

1. Coercion into a sexual intercourse, homosexual or lesbian or any other sexual intercourse by threatening to spread the defamatory information or to damage property, or by using material, official or other kind of dependence, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act committed against minors, -

shall be punished by imprisonment for a term of five to seven years.

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1642 of 27 November 2013 – web-site, 16.12.2013

Article 140 - Sexual intercourse or any other act of sexual nature with a person who has not attained the age of 16 years

Sexual intercourse, homosexual or lesbian or other sexual intercourse in a perverted form committed knowingly by an adult offender against a person who has not attained the age of 16 years, -

shall be punished by imprisonment for a term of seven to nine years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1642 of 27 November 2013 – web-site, 16.12.2013

Article 141 - Lewd acts

Lewd acts committed without violence and knowingly by the offender with a person who has not attained the age of 16 years, -

shall be punished by imprisonment for a term of five to seven years.

Law of Georgia No 1642 of 27 November 2013 – web-site, 16.12.2013

CHAPTER XXIII - Crime against Human Rights and Freedoms

Article 142 - Violation of human equality

1. Violation of human equality on the grounds of language, sex, age, nationality, origin, birthplace, place of residence, material or rank status, religion or belief, social belonging, profession, marital status, health status, sexual orientation, gender identity and expression, political or other views or of any

other signs that have substantially breached human rights, -

shall be punished by a fine or corrective labour for up to a year and/or with imprisonment for up two years.

2. The same act:

a) committed by abusing the official position;

b) causing grave consequences, -

shall be punished by a fine or imprisonment for up to three years, deprivation of the right to hold an official position or to carry out a particular activity for up three years or without this.

Note: For the act provided by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and/or with a fine.

Law of Georgia No 2393 of 2 May 2014 – web-site, 7.5.2014

Article 142^1 - Racial discrimination

1. Racial discrimination, i.e. an act committed to incite national or racial rivalry or discord in order to degrade national honour and dignity, as well as direct or indirect restriction of human rights or giving advantage to the person based on race, colour, national or ethnic belonging, which has substantially breached his/her right, -

shall be punished by imprisonment for up to three years.

2. The same act committed:

a) using violence or threat of violence dangerous for life or health, -

b) by abusing the official position;

shall be punished by imprisonment for a term of two to five years.

3. The act provided for by paragraph 1 or 2 of this article which:

a) has been committed by an organised group;

b) has caused the death of the victim or resulted in other grave consequences, -

shall be punished by imprisonment for a term of four to seven years.

Note: For the act provided by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and/or with a fine.

Law of Georgia No 2355 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 117

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2393 of 2 May 2014 – web-site, 7.5.2014

Article 142^2 - Restriction of rights of persons with disabilities

1. Denying persons with disabilities the opportunity to exercise the rights granted by law and/or treaties to which Georgia is a party, due to their disabilities, which substantially breaches their rights, -

shall be punished by a fine or restriction of liberty for up to three years and/or with imprisonment for the same term.

2. The same act:

a) committed repeatedly;

b) committed by abusing one's official position;

c) accompanied by violence or threat to use violence;

d causing grave consequences, -

shall be punished by a fine or restriction of freedom for up to five years or with imprisonment for a term of two to five years.

Note: For the act provided by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and/or with a fine.

Law of Georgia No 2355 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 117

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2393 of 2 May 2014 – web-site, 7.5.2014

Article 143 - Unlawful imprisonment

1. Unlawful imprisonment

shall be punished by imprisonment for a term of two to four years.

2. The same act committed:

a) by taking the victim abroad;

b) against official foreign representatives or persons subject to international legal protection;

c) for the purpose of concealing or facilitating any other the crime, -

shall be punished by imprisonment for a term of four to seven years.

3. The same act committed:

a) with a prior agreement by a group;

b) repeatedly;

c) against two or more persons;

d) knowingly by the offender against a pregnant woman, a minor or a helpless person;

e) using violence or threat of violence dangerous for life or health, -

shall be punished by imprisonment for a term of seven to ten years.

4. The act provided for by paragraphs 1, 2 or 3 of this article:

a) committed by an organised group;

b) caused the death of the victim or resulted in other grave consequences, -

shall be punished by imprisonment for a term of eight to twelve years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 143^1 - Human trafficking

1. Purchase or sale of human beings, or any unlawful transactions in relation to them, by means of threat, use of force or other forms of coercion, of abduction, blackmail, fraud, deception, by abuse of a position of vulnerability or power or by means of giving or receiving of payment or benefits to achieve the consent of a person having control over another person, as well as recruitment, carriage, concealing, hiring, transporting, providing, harbouring or receiving of a human being for exploitation, -

shall be punished by imprisonment for a term of seven to twelve years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed:

a) by the offender knowingly to a pregnant women;

b) knowingly by the offender against a helpless person or a person who financially or otherwise depends on the offender;

c) by abusing the official position, -

shall be punished by imprisonment for a term of nine to fourteen years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The same act committed:

a) repeatedly;

b) against two or more persons;

c) by taking the victim abroad;

d) using violence or threat of violence which is dangerous for life or health, -

shall be punished by imprisonment for a term of 12 to 15 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. The act provided for by paragraphs 1, 2 or 3 of this article:

a) committed by an organised group;

b) caused the death of the victim or resulted in other grave consequences, -

shall be punished by imprisonment for a term of 15 to 20 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note:

1. For the purposes of this article and Article 143^2 of this Code, the following shall constitute exploitation for the purpose of gaining material or other benefit:

a) inducing a person to perform labour or other services;

b) inducing a person to provide sexual services;

c) engaging a person in criminal activities, prostitution, pornographic or other anti-social activities;

d) removing, transplanting or otherwise using an organ, part of an organ or tissue of the human body by force or deception;

e) subjecting a human being to practices similar to slavery or to modern-day slavery. Subjecting a human being to modern-day slavery shall mean creation of such conditions when the person performs certain work or renders services in favour of another person in return for payment, inadequate payment or without payment, and he/she is not able to change these circumstances because of his/her dependence on that person. Dependence on a person may be caused by, among other things:

e.a) confiscation, control or intentional unlawful handling of personal identification documents

e.b) restriction of the right to free movement or control of free movement;

e.c) restriction or control of communication (including correspondence and phone calls) with family members or other persons;

e.d) creation of coercive or threatening environment.

2. For the purposes of this article and Article 143^2, it does not matter whether a person consents to his/her pre-determined exploitation.

3. For the acts provided for by this article, a legal person shall be punished by deprivation of the right to carry out activities or with liquidation and a fine.

Law of Georgia No 2355 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 117

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2006, Art. 196

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2473 of 29 May 2014 – web-site, 4.6.2014

Article 143^2 - Child trafficking

1. Purchase or sale of children, or other unlawful transactions in relation to them, as well as their recruitment, carriage, concealment, hiring, transportation, provision, harbouring or reception for exploitation, -

shall be punished by imprisonment for eight to twelve years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed:

a) by the offender knowingly to a pregnant women;

b) knowingly by the offender against a helpless person or a person who financially or otherwise depends on the offender;

c) by abusing the official position, -

shall be punished by imprisonment for a term of 11 to 15 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The same act committed:

a) repeatedly;

b) using coercion, blackmail or deception;

c) against two or more children;

d) by taking the victim abroad;

e) using violence or threat of violence dangerous for life or health, -

shall be punished by imprisonment for a term of 14 to 17 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. The act provided for by paragraphs 1, 2 or 3 of this article:

a) committed by an organised group;

b) causing the death of the victim or other grave consequences, -

shall be punished by imprisonment for a term of 17 to 20 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years or with life imprisonment.

Note: For the acts provided for by this article, a legal person shall be punished by deprivation of the right to carry out activities or with liquidation and a fine.

Law of Georgia No 2355 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 117

Law of Georgia No 2980 of 14 August 2003 – LHG I, No 20, 5.9.2003, Art. 191

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3309 of 20 June 2003 – LHG I, No 25, 13.7.2006, Art. 196

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2473 of 29 May 2014 – web-site, 4.6.2014

Article 143^3 - Using services of victims (person affected by) of human trafficking

1. Knowingly using the services rendered by a victim of or person affected by a crime provided for by Articles 143^1 and $143^2$of this Code, which, under Article 143^1 of this Code, constitutes exploitation, -

shall be punished by restriction of liberty for up to four years or with imprisonment for a term of three to five years.

2. The same act committed:

a) repeatedly;

b) knowingly by the offender against a pregnant woman;

c) knowingly by the offender against a helpless person or a person who financially or otherwise depends on the offender;

d) by abusing the official position, -

shall be punished by imprisonment for a term of five to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The same act committed:

a) against two or more persons;

b) using violence or threat of violence which is dangerous for life or health, -

shall be punished by imprisonment for a term of seven to twelve years, with deprivation of the right to hold an official position or to carry out a

particular activity for up to three years.

4. The act provided for by paragraphs 1, 2 or 3 of this article committed by an organised group, -

shall be punished by imprisonment for a term of 12 to 15 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note: A person who committed a crime stipulated by this Code shall be released from criminal liability if he/she voluntarily provided information about this to the investigative authorities in writing or by using any technical means of communication, contributed to the conduct of investigation and his/her actions do not contain elements of any other crime.

Law of Georgia No 4706 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 136

Law of Georgia No 2473 of 29 May 2014 – web-site, 4.6.2014

Law of Georgia No 2473 of 24 July 2015 – web-site, 4.8.2015

Article 144 - Taking hostages

1. Taking a hostage in order to force an organisation or a person to perform or not to perform certain acts as a condition for the hostage's release, -

shall be punished by imprisonment for a term of seven to ten years.

2. The same act committed:

a) with a prior agreement by a group;

b) repeatedly;

c) against two or more persons;

d) by taking the victim abroad;

e) for longer than seven days;

f) for mercenary purposes;

g) knowingly by the offender against a pregnant woman, a minor or a helpless person;

h) against official foreign representatives or persons subject to international legal protection;

g) using violence or threat of violence which is dangerous for life or health, -

shall be punished by imprisonment for a term of nine to fourteen years.

3. The act provided for by paragraph 1 or 2 of this article which:

a) committed by an organised group;

b) caused the death of the victim or resulted in other grave consequences, -

shall be punished by imprisonment for a term of thirteen to eighteen years.

Note: (Deleted).

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 144^1 - Torture

1. Torture, i.e. exposing a person, his/her close relative or the person who is dependent on him/her materially or otherwise to such conditions or treating him/her in a manner that causes severe physical pain or psychological or moral anguish, and which aims to obtain information, evidence or confession, threaten or coerce, or punish the person for the act he/she or a third person has committed or has allegedly committed, -

shall be punished by imprisonment for a term of seven to ten years.

2. The same act committed:

a) by an official or a person holding equivalent position;

b) by abusing the official position;

c) repeatedly;

d) against two or more persons;

e) by more than one person;

f) by violating the equality of persons, or due to their race, colour, language, sex, religion, belief, political or other views, national, ethnic, social belonging, origin, place of residence, material status or title;

g) knowingly by the offender against a pregnant woman, a minor, a person detained or otherwise deprived of freedom, a helpless person or a person dependent on the offender materially or otherwise;

h) by contract;

i) for the purpose of taking a hostage, -

shall be punished by imprisonment for a term of two to five years, with or without deprivation of the right to hold an office or carry out a particular activity for up to five years.

3. The same act committed by an organised group, -

shall be punished by imprisonment for a term of twelve to seventeen years, with deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

Law of Georgia No 1751 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 250

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 144^2 - Threat of torture

The threat of the creation of the conditions, or of the application of the treatment or punishment specified in Article 144^1 of this Law, which is carried out for the same purpose, -

shall be punished by a fine or restriction of liberty for up to two years.

Law of Georgia No 1751 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 250

Article 144^3 - Degrading or inhuman treatment

1. Degrading or coercing a person, or exposing a person to inhuman, degrading and humiliating conditions as a result of which he/she suffers severe physical and psychological pains, -

shall be punished by restriction of liberty for up to three years or by imprisonment for a term of two to five years.

2. The same act committed:

a) by an official or a person holding equivalent position;

b) by abusing the official position;

c) repeatedly;

d) against two or more persons;

e) by more than one person;

f) by violating the equality of persons, or due to their race, colour, language, sex, religion, belief, political or other views, national, ethnic, social belonging, origin, place of residence, material status or title;

g) knowingly by the offender against a pregnant woman, a minor, a person detained or otherwise deprived of freedom, a helpless person or a person dependent on the offender materially or otherwise;

h) by contract;

i) for the purpose of taking a hostage, -

shall be punished by imprisonment for a term of four to six years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

Note: The period of limitation provided for by Article 71 of this Code shall not apply to the acts prescribed under Articles 144^1-144^3 of the same Code.

Law of Georgia No 1751 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 250

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 145 - Provocation of crime

Provocation of crime, i.e. inducing another person to commit a crime for the purpose of his/her criminal prosecution, -

shall be punished by restriction of liberty for up to three years or by imprisonment for a term of one to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 146 - Malicious criminal prosecution of innocent persons

1. Malicious criminal prosecution of innocent persons, -

shall be punished by imprisonment for a term of two to five years, with or without deprivation of the right to hold an office or carry out a particular activity for up to three years.

2. The same act, if accompanied by a charge of a serious or a particularly serious crime, -

shall be punished by imprisonment for a term of four to seven years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 147 - Intentional illegal detention or arrest

1. Intentional illegal detention, -

shall be punished by restriction of liberty for up to two years or by imprisonment for a term of five to eight years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Intentional illegal arrest, -

shall be punished by imprisonment for a term of seven to ten years.

3. The act provided for by paragraph 1 or 2 of this article, which has resulted into grave consequences, -

shall be punished by imprisonment for a term of nine to twelve years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 148 - (Deleted)

Law of Georgia No 224 of 24 June 2004 – LHG I, No 19, 15.7.2004, Art. 80

Article 149 - Illegal placement or detention in a psychiatric hospital

1. Illegal placement or detention in a psychiatric hospital, -

shall be punished by imprisonment for a term of three to six years.

2. The same act:

a) committed by abusing one's official position;

b) which resulted in the death of the victim by negligence or other grave consequences, -

shall be punished by imprisonment for a term of five to nine years, with or without deprivation of the right to hold an office or carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 150 - Coercion

1. Illegal restriction of a person's freedom of action, i.e. coercing physically or mentally a person to perform or not to perform a certain action the implementation of or abstinence from which is his/her right, or coercing a person to experience an influence that is against his/her will, -

shall be punished by a fine, or corrective labour for up to one year or imprisonment for the same term.

2. The same act committed knowingly against a minor, -

shall be punished by corrective labour for up two years, or imprisonment for up to eighteen months.

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Article 150^1 - Forced marriage

1. Forced marriage (including an unregistered marriage), -

shall be punished by community service for two hundred to four hundred hours or with imprisonment for up to two years.

2. The same act committed knowingly against a minor, -

shall be punished by imprisonment for up to four years.

Law of Georgia No 2704 of 17 October 2014 – web-site, 31.10.2014

Article 151 - Threat

A threat of death or bodily injury or destruction of property, when the person threatened has reasonable fear that the threat will be carried, -

shall be punished by a fine or community service from 120 to 180 hours or corrective labour for up to a year or with imprisonment of up to a year.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 152 - Breach of the right to freely choose the place of residence

1. Infringement of the right of a person legally residing in Georgia to freely move across the entire territory of the country, to freely choose place of residence or to freely leave Georgia, or the right of Georgian nationals to freely enter Georgia, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to six months, or with imprisonment for up to a year.

2. The same act committed using violence, threat of violence or official position, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years, with deprivation of the right to hold an official position or to carry out activities for up to three years.

Article 153 - Encroachment upon freedom of speech

Illegal interference with the exercise of the freedom of speech or of the right to obtain or disseminate information, which has resulted in considerable damage, or performed by abusing one's official position, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 154 -Unlawful interference with the journalist's professional activities

1. Unlawful interference with the journalist's professional activities, i.e. coercing a journalist into disseminating or not disseminating information, -

shall be punished by a fine or community service from 120 to 140 or with corrective labour for up to two years.

2. The same act committed using threat of violence or official position, -

shall be punished by a fine or imprisonment for up to two years, with or without the deprivation of the right to hold an official position or to carry out a particular activity for up to three years or without this.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 155 -Unlawful interference with the performance of divine service

1. Unlawful interference with the performance of divine service or other religious rites or customs using violence or threat of violence, or if accompanied by an insult to a believer's religious feelings, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

2. The same act committed by abusing one's official position, -

shall be punished by a fine or imprisonment for a term of one to five years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

Article 156 - Persecution

1. Persecution of persons because of their speech, opinion, conscience, confession, faith or creed, or political, social, professional, religious or scientific activities, -

shall be punished by a fine, or restriction of liberty for up to two years or with imprisonment for the same term.

2. The same act:

a) committed using violence or threat of violence;

b) by abusing the official position;

c) which has resulted in considerable damage, -

shall be punished by a fine or restriction of liberty for up to three years, or with imprisonment for up to three years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 157 - Disclosure of information on private life or of personal data

1. Unlawful obtaining, storage, use, dissemination of or otherwise making available information on private life or personal data, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to three years.

2. Unlawful use and/or dissemination of information on private life or of personal data through a piece of work disseminated in a certain way, through internet, including social network, mass media or other public appearance, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to four years.

3. The act provided for in paragraph 1 or 2 of this article committed:

a) for mercenary purposes;

b) repeatedly, -

shall be punished by a fine, or restriction of liberty for up to five years or with imprisonment for the same term.

4. The act under paragraphs 1, 2 or 3 of this article committed by a person, who, due to his/her official position, professional activities or other circumstances, was obliged to keep this information or data confidential, or who committed the above act using his/her official position, -

shall be punished by imprisonment from four to seven years, or with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note:

1. A person shall not incur criminal liability for a crime (obtaining, storage) under paragraph 1 of this article if he/she has submitted the obtained/stored information specified in paragraph 1 of this article to investigative authorities and communicated information on any other committed/anticipated criminal act in this manner.

2. For committing an act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, or with liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 6326 of 25 May 2012 – web-site, 12.6.2012

Law of Georgia No 2378 of 2 May 2014 – web-site, 16.5.2014

Law of Georgia No 5152 of 3 June 2016 – website, 10.6.2016

Article 157^1 - Disclosure of secrets of personal life

1. Unlawful obtaining, storage, use, dissemination of or otherwise making available secrets of personal life, -

shall be punished with imprisonment from four to seven years.

2. Unlawful use and/or dissemination of secrets of personal life through a piece of work disseminated in a certain way, through internet, including social network, mass media or other public appearance, -

shall be punished with imprisonment from five to eight years.

3. The act provided for in paragraph 1 or 2 of this article committed:

a) for mercenary purposes;

b) repeatedly, -

shall be punished with imprisonment from six to nine years.

4. The act under paragraphs 1, 2 or 3 of this article committed by a person, who, due to his/her official position, professional activities or other circumstances, was obliged to keep this secret confidential, or who committed the above act using his/her official position, -

shall be punished with imprisonment from seven to ten years.

Note:

1. A person shall not incur criminal liability for a crime (obtaining, storage) under paragraph 1 of this article if he/she has submitted the obtained/stored information specified in paragraph 1 of this article to investigative authorities and communicated information on any other committed/anticipated criminal act in this manner.

2. For committing an act under this article, a legal person shall be punished with deprivation of the right to carry out activities, or with liquidation and a fine.

Law of Georgia No 5152 of 3 June 2016 – website, 10.6.2016

Article 158 - Violation of the secrecy of private communication

1. Unauthorised recording of or eavesdropping on private conversations, or unauthorised obtaining of the computer data or of the electromagnetic waves containing such data transmitted through or from a computer system during private communication using technical means, or unlawful storage of recordings of private communications or of the information or computer data obtained through technical means, -

shall be punished by a fine or restriction of liberty from two to four years and/or with imprisonment for the same term.

2. Unlawful use, dissemination of or otherwise making available of recordings of private communication, or information or computer data obtained through technical means, -

shall be punished by a fine or restriction of liberty from two to five years or with imprisonment of the same term.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) for mercenary purposes;

b) repeatedly, -

shall be punished by imprisonment for a term of three to six years.

4. The act provided for by paragraphs 1, 2 or 3 of this article: which:

a) has resulted in considerable damage;

b) was committed by abusing one's official position,-

shall be punished by imprisonment for a term of three to seven years, or deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note:

1. For the purposes of this article, `computer data`, `computer system` and `unauthorised` shall be construed according to the definitions provided for by Chapter XXXV of this Code.

2. A person who has submitted the obtained/stored information specified in paragraph 1 of this article to investigative authorities and communicated the information on any other committed/anticipated criminal act in this manner shall not incur criminal liability for the crime (obtaining, storage) provided for by paragraph 1 of this article.

3. For the acts specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 2378 of 2 May 2014 – web-site, 16.5.2014

Article 159 -Violation of secrecy of personal correspondence, phone conversations or other kinds of communication

1. Unlawful obtaining, opening or reading or storage of personal correspondence or mail messages, of the recordings of phone conversations or of conversations made with other technical means or of messages received or transmitted through telegraph, computer system, fax or other technical means, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to three years.

2. Unlawful use, dissemination or otherwise making available of personal correspondence or mail, of recordings of phone conversations or conversations made with other technical means or of messages received or transmitted through telegraph, computer system, fax or other technical means, -

shall be punished by imprisonment for a term of two to five years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) for mercenary purposes;

b) repeatedly, -

shall be punished by imprisonment for a term of three to six years.

4. The act provided for by paragraphs 1, 2 or 3 of this article:

a) has resulted in considerable damage;

b) was committed by abusing one's official position,-

shall be punished by imprisonment for a term of three to seven years, or deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note:

1. A person who has submitted the obtained/stored information specified in paragraph 1 of this article to investigative authorities and communicated the information on any other committed/anticipated criminal act in this manner shall not incur criminal liability for the crime (obtaining, storage) provided for by paragraph 1 of this article.

2. For the acts specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 2378 of 2 May 2014 – web-site, 16.5.2014

Article 160 - Violation of inviolability of domicile or of any other property

1. Unlawful entry into, unlawful search or any other act in a domicile or any other property against the will of its owner which violates the inviolability of the domicile or any other property, -

shall be punished by a fine, or corrective labour for up to two years or with imprisonment for the same term.

2. The same act:

a) committed using violence or threat of violence;

b) causing substantial damage, -

shall be punished by a fine or imprisonment for a term of one to three years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) by more than one person;

b) by using the official position or arms, -

shall be punished by a fine or imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 161 -Encroachment upon the right to assembly or demonstration

1. Unlawful interference with the exercise of the right to hold or participate in an assembly or demonstration using violence, threat of violence or official position, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed using arms or causing mass disorders, death or other grave consequences, -

shall be punished by imprisonment for a term of two to five years, or deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 162 - Interference with the expression of will in the elections, referendum or plebiscite

1. Interference with the expression of will in the elections, referendum or plebiscite, -

shall be punished by a fine or corrective labour for up to a year or with restriction of liberty for up to two years, or with imprisonment of the same term.

2. The same act committed:

a) using the official position or arms;

b) by deceit;

c) using violence or threat of violence;

e) by more than one person, -

shall be punished by a fine or imprisonment for a term of two to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 162^1 – Violence or threat of violence at a polling station, an election commission premises, or their adjacent territory, or violence or threat of violence during canvassing or election campaign

1. Battery or other violence, that has not incurred the consequences provided for by Article 120 of this Code, or threat of violence at a polling station, an election commission premises, or their adjacent territory, from the day of calling an election till the day of summing up the final results of the election, or during canvassing or an election campaign event, -

shall be punished by a fine and/or with imprisonment for up to two years.

2. Violence, that has resulted in an intentional less grave deterioration of health, at a polling station, an election commission premises, or their adjacent territory, from the day of calling an election till the day of summing up the final results of the election, or during canvassing or an election campaign event, -

shall be punished by a fine and/or with imprisonment for up to three years.

3. The act provided for by paragraph 2 of this article committed by more than one person, –

shall be punished with imprisonment for a term of two to five years.

Law of Georgia No 5592 of 24 June 2016 – website 12.7.2016

Article 163 -Interference with the work of electoral or referendum commissions

Interference with the work of electoral or referendum commissions which has resulted in the disruption of the elections, referendum or plebiscite or of the voting process at the polling station, -

shall be punished by corrective labour for up to two years or with imprisonment for a term of two to four years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 164 -Breach of the secrecy of the ballot, miscounting of votes or incorrect summing up of vote returns

Breach of the secrecy of the ballot during elections, referendum or plebiscite, forgery of documents related to the elections, referendum or plebiscite, intentional vote miscounting, incorrect summing up of vote returns or intentional incorrect determination of referendum or plebiscite results by a member of an electoral or referendum commission or by a person appointed as a trustee or observer to such commission, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

Article 164^1 -Vote buying

For election purposes offering, promising, handing over or rendering directly or indirectly money, securities (including financial instruments), other property, title in property, services or any other advantage, or knowingly accepting such offering, or entering into fraudulent, sham or other transactions to avoid statutory restrictions -

shall be punished by imprisonment for up to three years or with a fine.

Note:

1. The property provided for by this article shall not include inexpensive property associated with the campaign of a citizens' political union: T-shirts, caps, hats, flags and other similar property.

2. A person shall not incur criminal liability for offering, promising or handing over as a present the inexpensive property with the total value of not more than GEL 5 000, also for accepting this kind of presents within the scope of the celebration of festive events during a year.

3. A person who, for the election purposes, was offered or promised the provision or rendering, directly or indirectly, of money, securities (including financial instruments), other property, title in property, services or any other advantages, or participation in fraudulent, sham or other transactions for the purpose of avoiding statutory restrictions, shall be discharged from criminal liability if he/she has voluntarily reported this fact to the agency conducting criminal proceedings. A decision whether or not to discharge a person from criminal liability shall be made by the agency conducting criminal proceedings.

4. A person shall not incur criminal liability for political and election promises related to the future distribution of budgetary resources and to the implementation of the state policy in the future.

5. For the acts provided for by this article, a legal person (except for the party which is not held criminally liable) shall be punished by liquidation or deprivation of the right to carry out a particular activity and/or with a fine.

6. A person shall not incur criminal liability unless the amount in question (the amount of the transaction) exceeds GEL 100.

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 366

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2011

Law of Georgia No 6117 of 8 May 2012 – web-site, 29.5.2012

Article 164^2 - Participation in the elections, referendum or plebiscite with forged documents

Voting or multiple voting in the elections, referendum or plebiscite using the identity or forged documents of another person, -

shall be punished by imprisonment for up to two years.

Law of Georgia No 2261 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 366

Article 164^3 - Electoral fraud

Intentional falsification of documents related to elections: of voters lists, protocols, voting bulletins and control sheets, -

shall be punished by imprisonment for up to two years.

Law of Georgia No 2261 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 366

Article 165 - Encroachment upon the right to strike

Unlawful interference with the exercise of the right to strike using violence or threat of violence, or coercing persons into refraining from strike by using financial, official or other kind of dependence, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

Article 166 - Interference with the establishment of political, public or religious associations or with their activities

Unlawful interference with the establishment of political, public or religious associations or with their activities using violence, threat of violence or official position, -

shall be punished by a fine or corrective labour for up to a year, or with restriction of liberty for up to two years, or with imprisonment for the same term.

Article 167 -Refusal to provide access to information or provision of incorrect information

Unlawful refusal to provide a person with information or official documents existing about that person, or to provide documents or materials directly affecting his/her rights and freedoms, also incomplete or distorted provision of or prevention in any other way of access to such information, documents or materials, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to a year, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 168 - Encroachment upon the freedom to work

Encroachment upon the freedom to work, i.e. interference with any type of lawful labour activity using violence or threat of violence, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

Article 169 - Violation of the labour legislation

Coercion of a person into writing a resignation application on his/her own initiative or non-compliance with a court's decision on reinstating [a person] in work, -

shall be punished by a fine or imprisonment for up to two years, with or without the deprivation of the right to hold an official position or to carry out a particular activity for up to three years or without this.

Law of Georgia No 246 of 6 March 2013 – web-site, 20.3.2013

Article 170 -Breach of workplace safety rules

1. Breach of operational safety or other workplace safety rules by a person responsible for the observance of these rules, which has resulted in serious or less serious injury, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

2. The same act that has caused death, -

shall be punished by imprisonment for a term of two to five years, with or without deprivation of the right to hold an official position or carry out a particular activity for up to three years.

3. The act specified in paragraph 1 of this article that has resulted in the death of two or more persons, -

shall be punished by imprisonment for a term of four to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 171 -Engagement of minors into anti-social activities

1. Persuading minors to get involved in beggary or other anti-social activities, -

shall be punished by community service from 170 to 240 hours or with corrective labour for up to two years or with imprisonment for up to two years.

2. Involving minors into the abuse of intoxicating drugs or medications, -

shall be punished by restriction of liberty for up to three years or with imprisonment for up to three years.

3. Engaging minors in prostitution using violence, threat of violence or by deceit, -

shall be punished by imprisonment for a term of two to five years.

Note: For the acts specified in this article a legal person shall be punished by deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1728 of 11 December 2013 – web-site, 25.12.2013

Article 172 - Unlawful transactions with respect to minors for the purpose of their adoption

1. Purchase of a minor or any other unlawful transaction with respect to a minor for the purpose of their adoption -

shall be punished by a fine or imprisonment for up to a year.

2. The sale of a minor or any other unlawful transaction with respect to a minor for the purpose of their adoption, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2355 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 117

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Article 172^1 - Preliminary selection of pregnant women and creation of opportunities for taking pregnant women out of Georgia for childbirth or assistance in such placement for adoption

1. Preliminary selection, for adoption purposes, of pregnant women and creation of opportunities for taking pregnant women out of Georgia for childbirth or assistance in such placement for adoption, -

shall be punished by imprisonment for a term of three to seven years.

2. The same act committed repeatedly or by more than one person, -

shall be punished by imprisonment for a term of six to nine years.

Law of Georgia No 3078 of 26 August 2003 – LHG I, No 29, 18.9.2003, Art. 223

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 173 - Violation of the procedure for adoption or foster care

1. Violation of the procedure for adoption or foster care, which has resulted in grave consequences, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to two years.

2. The same act committed by abusing one's official position, -

shall be punished by a fine or imprisonment for up to four years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 174 - Substitution of children

Substitution of children for mercenary purposes or with other base motives, -

shall be punished by a fine or imprisonment for a term of three to five years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 175 - Disclosure of confidentiality of adoption

1. Disclosure of confidentiality of adoption without the will of the adopting parent, -

shall be punished by a fine or corrective labour for up to six months.

2. The same act:

a) committed by a person who is obliged to keep confidential the fact of adoption as an official or professional secret;

b) which has resulted in grave consequences, -

shall be punished by a fine or restriction of liberty for up to three years, or with imprisonment for the same term, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 176 - Persistent avoidance of the payment of alimony

Persistent avoidance of the payment of the alimony assigned under a court ruling, -

shall be punished by a fine or community service from 120 to 240 hours or with corrective labour of up to a year.

SECTION EIGHT

ECONOMIC CRIME

CHAPTER XXV - Crime against Property

Article 177 -Theft

1. Theft, i.e. secretly taking another person's movable property for its unlawful appropriation, -

shall be punished by a fine or restriction of liberty from one to three years or with imprisonment for the same term.

2. The same act:

a) has resulted in considerable damage;

c) committed by illegally entering the premises or any other storage facility, -

shall be punished by imprisonment for a term of three to five years.

3. The same act committed:

a) with a prior agreement by a group;

b) repeatedly;

c) by illegal entry into an dwelling place;

d) against a vehicle, -

shall be punished by imprisonment for a term of four to seven years.

4. The same act committed:

a) by an organised group;

b) in large quantities;

c) by a person who has two or more previous convictions for unlawful appropriation or extortion of another person's property;

d) with respect to the oil or gas flowing in the main pipeline, -

shall be punished by imprisonment for a term of six to ten years.

Note:

1. Under this Chapter, 'large quantities' shall mean property (property) worth more than GEL 10 000.

2. The offence provided for by Articles 177-186 of this Code shall be deemed to have been committed repeatedly if it has been preceded by any of the crimes provided for by those articles and Articles 224, 231, 237 and 264.

3. Under this Chapter of the Code, a considerable damage shall mean the value of a property(s) worth more than GEL 150.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Article 178 - Robbery

1. Robbery, i.e. explicit seizure of another person's movable property for its unlawful appropriation, -

shall be punished by a fine or restriction of freedom from two to three years or with imprisonment for a term of three to five years.

2. The same act:

a) has resulted in considerable damage;

c) committed by illegally entering the premises or any other storage facility, -

shall be punished by imprisonment for a term of four to six years.

3. The same act committed:

a) with a prior agreement by a group;

b) repeatedly;

c) by illegal entry into an dwelling place;

d) using violence or threat of violence which does not endanger human life or health;

e) against a vehicle,-

shall be punished by imprisonment for a term of five to eight years.

4. The same act committed:

a) by an organised group;

b) in large quantities;

c) by a person who has two or more convictions for unlawful appropriation or extortion of another person's property, -

shall be punished by imprisonment for a term of seven to eleven years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Article 179 - Aggravated robbery

1. Aggravated robbery, i.e. an assault for unlawfully appropriating another person's movable property using violence or threat of violence which endangers life or health, -

shall be punished by imprisonment for a term of five to seven years.

2. The same act committed:

a) by illegal entry into the premises or other storage facility;

b) by more than one person;

c) against a vehicle, -

shall be punished by imprisonment for a term of six to nine years.

3. The same act committed:

a) repeatedly;

b) by illegal entry into a dwelling place;

c) to seize large quantities of property, -

shall be punished by imprisonment for a term of eight to twelve years.

4. The same act committed:

a) by an organised group;

b) by a person who has two or more previous convictions for unlawful appropriation or extortion of another person's property, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Article 180 - Fraud

1. Fraud, i.e. taking property of another person or obtaining of title to the property by deceit for its unlawful appropriation, -

shall be punished by a fine or community service from 170 to 200 hours or with corrective labour or with imprisonment for a term of two to four years.

2. The same act:

a) committed by more than one person with a prior agreement;

b) causing substantial damage, -

shall be punished by a fine or imprisonment for a term of four to seven years.

3. The same act committed:

a) using the official position;

b) in large quantities;

c) repeatedly;

shall be punished by a fine or imprisonment for a term of six to nine years.

4. The same act committed:

a) by an organised group;

b) by a person who has two or more previous convictions for unlawful appropriation or extortion of another person's property, -

shall be punished by imprisonment for a term of seven to ten years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 181 - Extortion

1. Extortion, i.e. demanding another person to hand over property or title in property or the right to use property by threatening to use violence against the victim or the victim's close relative or to destroy or damage their property or to make public the information that may damage their reputation or otherwise damage substantially their rights, -

shall be punished by a fine or imprisonment of two to four years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly;

c) for obtaining property in large quantities, -

shall be punished by imprisonment for a term of four to seven years.

3. The same act committed:

a) by an organised group;

b) by a person who has two or more previous convictions for unlawful appropriation or extortion of another person's property, -

shall be punished by imprisonment for a term of six to nine years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 212 of 24 June 2000 – LHG I, No 18, 9.7.2004, Art. 61

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Article 182 - Appropriation or embezzlement

1. Unlawful appropriation or embezzlement of another person's property or property rights provided this property or property rights was lawfully held or managed by the misappropriator or embezzler, -

shall be punished by a fine or restriction of liberty for up to three years or with imprisonment for a term of three to five years.

2. The same act:

a) with a prior agreement by a group;

b) repeatedly;

c) that has resulted into considerable damage;

d) using the official position, -

shall be punished by a fine or imprisonment for a term of four to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up three years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) by an organised group;

b) in large quantities;

c) by a person who has two or more convictions for unlawful appropriation or extortion of another person's property, -

shall be punished by imprisonment for a term of seven to eleven years, or with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 403 of 23 October 2008 – LHG I, No 29, 4.11.2008, Art. 176

Article 182[1] - (Deleted)

Law of Georgia No 1565 of 21 June 2002 – LHG I, No 21, 12.7.2002, Art. 93

Law of Georgia No 595 of 11 November 2004 – LHG I, No 34, 16.11.2004, Art. 162

Article 182[2] - Enforcement activities without a licence

Enforcement activities without a licence provided for by the Law of Georgia on Enforcement Activities, -

shall be punished by a fine or imprisonment for up to a year.

Law of Georgia No 827 of 19 December 2008 – LHG I, No 41, 30.12.2008, Art. 305

Article 183 - Taking of property or documents holding particular historical, cultural, scientific or national value for their unlawful appropriation

1. Taking of property or documents holding particular historical, cultural, scientific or national value for their unlawful appropriation, -

shall be punished by imprisonment for a term of six to nine years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by imprisonment for a term of nine to twelve years.

3. The same act committed by an organised group, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 184 - (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Article 185 - Damage of property by deception

1. Damage of the property of the owner or holder of the property by deception unless there are signs of crime provided for by Article 180 of this Code, -

shall be punished by a fine or community service from 120 to 180 hours or with corrective labour for up to a year or with imprisonment for up to two years.

2. The same act:

a) with a prior agreement by a group;

b) repeatedly;

c) which has resulted in considerable damage, -

shall be punished by a fine or imprisonment for a term of one to three years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) by an organised group;

b) in large quantities;

c) by a person who has two or more previous convictions for unlawful appropriation or extortion of another person's movable property, -

shall be punished by imprisonment of four to six years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 186 - Purchase or sale of property obtained knowingly by illegal means

1. The use, purchase or sale of property obtained knowingly by illegal means, -

shall be punished by a fine or community service from 180 to 200 hours or with corrective labour for up to a year or with imprisonment for up to two years.

2. The same act committed:

a) with the preliminary agreement by a group;

b) repeatedly;

c) against a motor car;

d) in large quantities;

e) by a person who has two or more previous convictions for unlawful appropriation or extortion of another person's movable property, -

shall be punished by a fine or imprisonment for a term of two to five years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) by an organised group;

b) using the official position;

shall be punished by imprisonment for a term of four to seven years.

Note: For the act provided for by this article, a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5953 of 19 March 2004 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 403 of 23 October 2008 – LHG I, No 29, 4.11.2008, Art. 176

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 187 - Damage or destruction of property

1. Damaging or destroying another person's property which has resulted in substantial damage, -

shall be punished by a fine or community service from 100 to 180 hours or with corrective labour for up to a year or with imprisonment for up to three years.

2. The same act committed by setting fire, explosion or using any other universally dangerous means, -

shall be punished by imprisonment for a term of three to five years.

3. The act provided for by paragraph 2 of this article, which has resulted in death by negligence or other grave consequences, -

shall be punished by imprisonment for a term of six to ten years.

4. The act provided for by paragraph 2 of this article, which has resulted in death by negligence of two or more persons, -

shall be punished by imprisonment for a term of nine to twelve years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 188 -Negligent damage or destruction of property

1. Negligent damage or destruction of another person's property which has resulted in substantial damage, -

shall be punished by a fine or corrective labour for up to a year, or with restriction of liberty for up to two years.

2. The same act committed by careless handling of fire or other source of heightened danger, -

shall be punished by a fine or corrective labour for up to two years or with restriction of liberty for up to three years, or with imprisonment for up to two years.

3. The act provided for by paragraph 2 of this article which has resulted in death or other grave consequences, -

shall be punished by imprisonment for a term of three to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 189 - Encroachment upon the rights of a holder of copyright or allied rights and upon the rights of database manufacturers

1. Appropriation of authorship of a copyrighted work or coercion into co-authorship, -

shall be punished by a fine or corrective labour for up to two years.

2. The act provided for by paragraph 1 of this article committed repeatedly, -

shall be punished by restriction of liberty for up to three years in length or with imprisonment for the same term.

3. Reproduction or unauthorised purchase, import, storage, sale, rent, transfer of a work, audio or video recording or database and/or other encroachments on the rights of a holder of the copyright, allied rights or of the manufacturer of a database in violation of the Law of Georgia on Copyrights and Allied Rights and committed to gain large income, -

shall be punished by a fine or restriction of liberty for up to two years.

4. The act provided for by paragraph 3 of this article

a) committed to gain particularly large income;

b) by a group with preliminary agreement, -

shall be punished by restriction of liberty for up to three years in length or with imprisonment for the same term.

Note:

1. The act provided for by this article shall be considered to have been committed to gain large income if the cost of the copies of the work, audio or video recording, or database or the income to be gained by the holder of the copyright, allied rights or by the manufacturer of a database in the case of lawful use of his/her rights exceeds GEL 5 000, and shall be considered to have been committed to gain particularly large income if the above cost or income exceeds GEL 10 000.

2. For the acts specified in this article a legal person shall be punished by deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 1733 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 247

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 189^1 -Encroachment upon industrial property right

1. Appropriation of authorship or coercion into co-authorship with respect to an invention, useful model, design, topographies of integrated circuits, or new species of plants or animals -

shall be punished by a fine or corrective labour for up to two years.

2. The act provided for by paragraph 1 of this article committed repeatedly, -

shall be punished by restriction of liberty for up to three years in length or with imprisonment for the same term.

3. Illegal use knowingly of another person's invention, useful model, design, integrated circuit topography, new species of plants or animals to gain income -

shall be punished by a fine or restriction of liberty for up to two years.

4. The act provided for by paragraph 3 of this article which has been committed jointly by more than one person with prior agreement, -

shall be punished by restriction of liberty for up to three years in length or with imprisonment for the same term.

Law of Georgia No 1733 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 247

Law of Georgia No 3033 of 4 May 2010 – LHG I, No 27, 24.5.2010, Art. 185

CHAPTER XXVI - Crimes against entrepreneurial or other economic activities

Article 190 - Interference with lawful entrepreneurial activities

Unjustified refusal to register an enterprise, or to issue a permit or license, or restriction of the right or freedom to carry out economic activities, exercise of control over the operation of the enterprise in violation of the legislation of Georgia, or interference with the activities of an enterprise, which has resulted in considerable damage,

shall be punished by a fine or community service for 120 to 180 hours, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years, or with imprisonment for up to a year.

Law of Georgia No 923 of 8 June 2001 – LHG I, No 18, 28.6.2001, Art. 59

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Article 191 - Illegal registration of transactions related to land

Illegal registration of transactions related to land, distortion of registration data in the public land cadastre or reduction of the land tax for mercenary purposes or any other personal motives, -

shall be punished by a fine or community labour from 120 to 180 hours or with the deprivation of the right to hold an official position or to carry out a particular activity for up to three years or with imprisonment for up to a year.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 192 - Illegal entrepreneurial activities

1. Carrying out illegal entrepreneurial activities without registration, permit or license, or in violation of the permit or licence terms, which has resulted in substantial damage or which was accompanied by receipt of large income, -

shall be punished by a fine or imprisonment for a term of one to three years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly;

c) by a person convicted for this kind of offence, -

shall be punished by a fine or imprisonment for a term of three to five years.

Note:

For the act specified in this article a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with

liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Article 192[1] - Illegal educational activities

1. Issuance of education certificates recognised by the state without appropriate authorisation, or unauthorised use of the name of a general, vocational or higher educational institution, -

shall be punished by a fine.

2. The same act committed:

a) repeatedly;

b) by a person convicted for this kind of offence, -

shall be punished by a fine or imprisonment for a term of one to three years.

Note: For the acts provided for by this article a legal person shall be punished by a fine or liquidation and a fine.

Law of Georgia No 3538 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 307

Article 192[2] - Illegal upbringing activities

Upbringing activities without a licence for upbringing activities provided for by the Law of Georgia on Licensing of Upbringing Activities, or upbringing activities of a branch specified in the same Law without observance of procedures under the Law of Georgia on Licensing of Upbringing Activities, which are carried out by a person who has been punished by an administrative penalty for such an act, or by a person who has had a previous conviction for this offence, –

shall be punished by a fine, or with imprisonment for up to two years.

Note:

1. A fine imposed on a natural person for committing an act under this article may not be less than doubled the amount of a fine defined under Article 46[2] of the Administrative Offences Code of Georgia.

2. For committing an act under this article, a legal person shall be punished with deprivation of the right to carry out activities, or with liquidation and a fine.

Law of Georgia No 5363 of 8 June 2016 – website, 17.6.2016

Article 193 – Pseudo-entrepreneurship

Pseudo-entrepreneurship, i.e. establishment of an enterprise without an intention to carry out entrepreneurial activities in order to borrow a loan or gain other kind of material benefit, or to conceal prohibited activities, which has resulted in substantial damage, -

shall be punished by a fine or imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 194 - Legalisation of illegal income (money laundering)

1. Legalisation of illegal income, i.e. giving legal form to illicit and/or undocumented property (use, purchase, possession, conversion, transfer or other actions in connection with property) in order to conceal its illegal and/or undocumented origin or to assist another person in evading liability, as well as concealment or disguising of its genuine nature, source of origin, location, dislocation, movement, its title and/or of other rights related to it, -

shall be punished by a fine or imprisonment for a term of three to six years.

2. The same act:

a) committed jointly by more than one person;

b) committed repeatedly;

c) which was accompanied by receipt of large income, -

shall be punished by imprisonment for a term of six to nine years.

3. The same act:

a) committed by an organised group;

b) committed using one's official position;

c) accompanied by receipt of particularly large income, -

shall be punished by imprisonment for a term of nine to twelve years.

Note:

1. For the purposes of this article, property, as well as income, or shares (interest) gained from this property shall be considered illicit if acquired unlawfully by the person, the person's family member, close relative or related person.

2. For the purposes of this article, property, as well as income, or shares (interest) gained from this property shall be considered undocumented if the person, the person's family member, close relative or related person does not have the documents that confirm that it has been acquired by legal means or if it has been obtained by the monetary resources gained from the alienation of the illicit property.

3. Under this article, large income shall mean income from GEL 30 000 to 50 000, and particularly large income shall mean income exceeding 50 000.

4. For the act provided for by this article, a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5196 of 4 July 2007 – LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 5953 of 19 March 2004 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 194[1] - Use, purchase, possession or sale of property acquired through the legalisation of illegal income

1. The use, purchase, possession or sale of property acquired through the legalisation knowingly of illegal income, -

shall be punished by a fine or community service from 180 to 200 hours or with corrective labour for up to a year or with imprisonment for up to two years.

2. The same act committed:

a) with the preliminary agreement by a group;

b) repeatedly;

c) in large quantities, -

shall be punished by a fine or imprisonment for a term of two to five years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) by an organised group;

b) using the official position;

c) in particularly large quantities,-

shall be punished by imprisonment for a term of four to seven years.

Note:

1. Under this article, large income shall mean income from GEL 30 000 to 50 000, and particularly large income shall mean income exceeding 50 000.

2. For the act specified in this article a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and a fine.

Law of Georgia No 5953 of 19 March 2008 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 195 - (Deleted)

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 6153 of 8 May 2012 – LHG I, web-site, 25.5.2012

Article 195[1] - Violation of the procedure for participating in public procurements

1. In the case of participation in the procedures provided for by the Law of Georgia on Public Procurement, a preliminary agreement between the entities participating in a procurement process or any other arrangement for gaining material benefit or advantage for themselves or other persons which results in substantial violation of the legitimate interests of the contracting agency, -

shall be punished by a fine or imprisonment for up to two years.

2. The same act committed repeatedly, -

shall be punished by a fine or imprisonment of two to four years.

Note: For the act specified in this article a legal person shall be punished by deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 3466 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Article 196 - Unlawful use of trade (service) marks or other commercial designations

1. Illegal manufacturing or use of another person's trade (service) marks, designations of origin or geographical indications in large quantities, as well as production or introduction into civil circulation of goods illegally marked with another person's trade (service) marks, designation of origin or geographical indications or with the registered brand name, which has resulted in considerable damage, -

shall be punished by a fine, or corrective labour for up to two years or with imprisonment for the same term.

2. False indication of a warning mark along with a non-registered trade (service) mark, designation of origin or geographical indication, -

shall be punished by a fine or community service from 120 to 180 hours and/or with corrective labour for up to a year or with imprisonment for a term of two to three years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) repeatedly;

b) by a person convicted for this kind of offence;

c) with the preliminary agreement by a group, -

shall be punished by a fine or restriction of liberty for up to three years or with imprisonment for a term of three to five years.

Note: The illegal manufacturing of another person's trade (service) mark, designation of origin or geographical indication of goods is considered to be in large quantities if their total quantity is over 1 000, and an offence shall be deemed to have resulted in considerable damage if the cost of the goods manufactured or introduced into civil circulation and illegally marked with another person's trade (service) marks, designation of origin, geographical indication or registered brand name exceeds GEL 5 000.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 1733 of 23 June 2005 – LHG I, No 38, 15.7.2005, Art. 247

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 197 -Falsification

1. Falsification, i.e. changing of an item's qualitative properties by deception by the manufacturer or seller, committed for mercenary purposes, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for a term of one to three years, with or without deprivation

of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed repeatedly, -

shall be punished by restriction of liberty for up to three years or with imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. For the act provided for by paragraphs 1 or 2 of this article which could have endangered human life or health, -

shall be punished by imprisonment for a term of five to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. The act provided for by paragraphs 1 or 2 of this article which has resulted in death or other grave consequences, -

shall be punished by imprisonment for a term of seven to ten years, or deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Article 197[1] -Illegal transportation or sale of forged goods

Illegal transportation or sale knowingly of the forged goods, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to two years.

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Article 198 - Manufacturing, import or sale of products hazardous to human life or health

1. Manufacturing, import or sale of products hazardous to human life or health, or illegal usage of labels on such products, -

shall be punished by a fine or corrective labour or with restriction of liberty for up to three years or with imprisonment for a term of three to five years.

2. The same act that has endangered human life or health, -

shall be punished by restriction of liberty for up to three years or with imprisonment for a term of five to eight years.

3. The same act that caused the death of the victim or resulted in other grave consequences, -

shall be punished by imprisonment for a term of eight to twelve years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 199 - Illegal use of Ecomark

Illegal use of Ecomark that has resulted in considerable damage, -

shall be punished by a fine or restriction of liberty for up to two years.

Article 200 - Release, storage, sale or transportation of excisable goods without excise stamps

1. Release, storage, sale or transportation of excisable goods without excise stamps, -

shall be punished by a fine or imprisonment of two to four years.

2. The same act committed:

a) repeatedly;

b) in large quantities;

c) by more than one person, -

shall be punished by imprisonment of four to six years.

3. The act provided for by paragraph 1 or 2 of this article, committed in particularly large quantities, -

shall be punished by imprisonment for a term of six to eight years.

4. The act provided for by paragraphs 1, 2 or 3 of this article committed:

a) by an organised group;

b) by a person who has two or more previous convictions for the act provided for under this Chapter, -

shall be punished by imprisonment for a term of seven to ten years.

Note:

1. For the act provided for by paragraph 1 of this article a person shall incur criminal liability if the cost of the goods subject to mandatory excise stamping exceeds GEL 2 000.

2. Under this article, large quantities shall mean the cost of excisable goods that exceeds GEL 5 000, and particularly large quantities shall mean the cost of such goods that exceeds GEL 10 000.

Law of Georgia No 1822 of 30 June 2005 – LHG I, No 38, 15.7.2005, Art. 255

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 200[1] - Manufacturing, sale and/or use of counterfeit excise stamps

1. Production, sale and/or use of counterfeit excise stamps, -

shall be punished by imprisonment for a term of two to four years.

2. The same act committed:

a) repeatedly;

b) by a group of persons with prior agreement;

c) in large quantities, -

shall be punished by imprisonment of four to six years.

3. The same act committed by a public official by abusing the official position, -

shall be punished by imprisonment for a term of six to nine years.

[3. The same act committed by a government servant by abusing the official position, -

shall be punished by imprisonment for a term of six to nine years. ***(Shall become effective from 1 January 2017)]***

4. The same act committed:

a) in particularly large quantities;

b) by an organised group;

c) by a person who has two or more previous convictions for the act provided for under this Chapter, -

shall be punished by imprisonment for a term of nine to twelve years.

Note: With respect to the act provided for by this article, large quantities shall mean the manufacturing, sale and/or use of over 1 000 counterfeit excise stamps, and particularly large quantities shall mean manufacturing, sale and/or use of over 5 000 counterfeit excise stamps.

Law of Georgia No 917 of 29 December 2004 – LHG I, No 5, 18.1.2005, Art. 27

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4377 of 27 October 2015 – web-site, 11.11.2015

Article 200[2] - Sale, purchase and use and/or transfer to another person of excise stamps for their reuse

1. Sale, purchase and use and/or transfer by a person to another person of excise stamps for their reuse, except when the importer of excisable goods transfers to the manufacturer of the imported excise goods excise stamps for affixing them to the goods, -

shall be punished by imprisonment for up to six months.

2. The same act committed:

a) repeatedly;

b) by a group of person with prior agreement;

c) in large quantities, -

shall be punished by imprisonment for a term of one to three years.

3. The same act committed by a public official by abusing the official position, -

shall be punished by imprisonment for a term of three to five years.

[3. The same act committed by a government servant by abusing the official position, -

shall be punished by imprisonment for a term of three to five years. ***(Shall become effective from 1 January 2017)]***

4. The same act committed:

a) in particularly large quantities;

b) by an organised group;

c) by a person who has two or more previous convictions for the act provided for under this Chapter, -

shall be punished by imprisonment for a term of five to eight years.

Note: For the act provided for by this article, large quantities shall mean the sale, purchase and use and/or transfer for reuse to another person of over 1 000 excise stamps ,and particularly large quantities shall mean the sale, purchase and use and/or transfer for reuse to another person of over 5 000 excise stamps. Removal of excise stamps from the marked goods and their placement on other, non-marked goods of similar kind shall be considered to be the reuse of excise stamps.

Law of Georgia No 917 of 29 December 2004 – LHG I, No 5, 18.1.2005, Art. 27

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4377 of 27 October 2015 – web-site, 11.11.2015

Article 200^3 - Transportation of goods for entrepreneurial activities without a consignment note, failure to issue a consignment note upon the buyer's request or refusal to accept the consignment note when purchasing goods

1. Transportation of goods for entrepreneurial activities without a consignment note, failure to issue a consignment note upon the buyer's request or refusal to accept a consignment note when purchasing goods, provided the cost of the goods supplied/to be supplied is high, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act committed:

a) repeatedly;

b) in particularly large quantities, -

shall be punished by a fine or imprisonment for up to a year.

Note:

1. Under this article, large quantities shall mean the cost of goods supplied/to be supplied that exceeds GEL 10 000, and particularly large quantities shall mean the cost of similar goods that exceeds GEL 25 000.

2. For the act provided for by this article a legal person shall be punished by liquidation or a fine.

3. A person shall not incur liability provided for by this article:

a) upon transportation or supply of primary agricultural products (prior to industrial processing - change of the commodity code) manufactured in Georgia, as well as upon regular and uninterrupted transportation or supply of goods (electrical or thermal power, gas, water);

b) upon transportation of goods with the documents associated with moving goods across the customs border of Georgia;

c) if a special VAT invoice is available;

d) in the case of free distribution of only those advertising goods, including through a retailer, that have no independent consumer properties and which are an integral part of the supply of primary goods/services;

e) if it has the status of a micro or small business or of a fixed tax payer determined by the Tax Code of Georgia;

f) upon transportation by publishers of newspapers, magazines and of goods placed in one packaging with them, except in the case of primary supply by the publisher;

g) upon transportation of relevant goods in emergency situations and for providing urgent aid (fire, rescue, urgent medical aid, for elimination of accident-caused damage in the systems of the supply of natural gas, water and electricity or in sewerage systems);

h) if a consignment note is not issued in accordance with the Order of the Minister of Finance of Georgia in the given case.

4. For the purposes of this article, money and plastic cards of the bank shall not be considered to be goods.

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Art. 414

Law of Georgia No 5920 of 27 March 2012 – web-site, 12.4.2012

Law of Georgia No 6447 of 12 June 2012 – web-site, 25.6.2012

Article 200^4 - Issuance, storage, sale or transportation without marking of non-excisable goods subject to mandatory marking

1. Issuance, storage, sale or transportation without marking of non-excisable goods subject to mandatory marking, -

shall be punished by a fine or imprisonment of two to four years.

2. The same act committed:

a) repeatedly;

b) in large quantities;

c) by more than one person, -

shall be punished by imprisonment of four to six years.

3. The act provided for by paragraph 1 or 2 of this article, committed in particularly large quantities, -

shall be punished by imprisonment for a term of six to eight years.

4. The act provided for by paragraphs 1, 2 or 3 of this article committed:

a) by an organised group;

b) by a person who has two or more previous convictions for the act provided for under this Chapter, -

shall be punished by imprisonment for a term of seven to ten years.

Note:

1. For the act provided for by paragraph 1 of this article a person shall incur criminal liability of the cost of the non-excisable goods subject to mandatory marking exceeds GEL 2 000.

2. Under this article, large quantities shall mean the cost of non-excisable goods subject to mandatory marking which exceeds GEL 5 000, and particularly large quantities shall mean the cost of such goods that exceeds GEL 10 000.

Law of Georgia No 6254 of 22 May 2012 – web-site, 6.6.2012

Article 200^5 - Production, sale and/or use of counterfeit marking of non-excisable goods subject to mandatory marking

1. Production, sale and/or use of counterfeit marking of non-excisable goods subject to mandatory marking, -

shall be punished by imprisonment for a term of two to four years.

2. The same act committed:

a) repeatedly;

b) by a group of persons with prior agreement;

c) in large quantities, -

shall be punished by imprisonment of four to six years.

3. The same act committed by a public official by abusing the official position, -

shall be punished by imprisonment for a term of six to nine years.

[3. The same act committed by a government servant by abusing the official position, -

shall be punished by imprisonment for a term of six to nine years. ***(Shall become effective from 1 January 2017)]***

4. The same act committed:

a) in particularly large quantities;

b) by an organised group;

c) by a person who has two or more previous convictions for the act provided for under this Chapter, -

shall be punished by imprisonment for a term of nine to twelve years.

Note: For the act provided for by this article, large quantities shall mean the manufacturing, sale and/or use of over 1 000 counterfeit markings for non-excisable goods subject to mandatory marking, and particularly large quantities shall mean the manufacturing, sale and/or use of over 5 000 counterfeit markings for non-excisable goods subject to mandatory marking.

Law of Georgia No 6254 of 22 May 2012 – web-site, 6.6.2012

Law of Georgia No 4377 of 27 October 2015 – web-site, 11.11.2015

Article 200^6 - Sale, purchase and use and/or transfer to another person for reuse of markings of non-excisable goods subject to mandatory marking

1. Sale, purchase and use and/or transfer by a person to another person for reuse of markings of non-excisable goods subject to mandatory marking, except when the importer of non-excisable goods subject to mandatory marking transfers the markings to the manufacturer of the imported goods to mark the goods, -

shall be punished by imprisonment for up to six months.

2. The same act committed:

a) repeatedly;

b) by a group of persons with prior agreement;

c) in large quantities, -

shall be punished by imprisonment for a term of one to three years.

3. The same act committed by a public official by abusing the official position, -

shall be punished by imprisonment for a term of three to five years.

[**3.** The same act committed by a government servant by abusing the official position, -

shall be punished by imprisonment for a term of three to five years. ***(Shall become effective from 1 January 2017)]***

4. The same act committed:

a) in particularly large quantities;

b) by an organised group;

c) by a person who has two or more previous convictions for the act provided for under this Chapter, -

shall be punished by imprisonment for a term of five to eight years.

Note:

1. For the act provided for by this article, large quantities shall mean the sale, purchase and use and/or transfer to another person for reuse of over 1 000 counterfeit markings of non-excisable goods subject to mandatory marking, and particularly large quantities shall mean the sale, purchase and use and/or transfer to another person for reuse of over 5 000 counterfeit markings of non-excisable goods subject to mandatory marking.

2. Marking other non-marked goods of similar type with the marking of non-excisable goods subject to mandatory marking shall be considered to be

the reuse of markings.

Law of Georgia No 6254 of 22 May 2012 – web-site, 6.6.2012

Law of Georgia No 4377 of 27 October 2015 – web-site, 11.11.2015

Article 201 - False advertising

Intentionally misleading of consumers by an advertising customer, producer or disseminator, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to a year.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 202 - Illegal collection, transfer, disclosure or use of inside information or of information containing commercial or bank secrets

1. Illegal collection, transfer, disclosure or use of inside information or of information containing commercial or bank secrets for the purpose of its transfer, disclosure or use, also illegal transfer , disclosure or use of such information, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for a term of two to four years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act:

a) committed by a group of persons with prior agreement;

b) committed repeatedly;

c) committed by abusing one's official position;

d) committed for mercenary purposes or with other personal motives;

e) which has resulted in considerable damage, -

shall be punished by a fine or restriction of liberty for up to three years, or with imprisonment for a term of four to seven years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 202^1 - Disclosure of the existence of an instruction of the Financial Monitoring Service of Georgia on the suspension of the execution of a particular deal (transaction) or disclosure of the fact of the provision of information on a specific transaction subject to monitoring

1. Disclosure by the officials or employees of the Financial Monitoring Service of Georgia or those responsible for the conduct of monitoring of the existence of an instruction of the Financial Monitoring Service of Georgia concerning the suspension of execution of a particular transaction (deal) or disclosure of the fact of the provision of information to the relevant authorities on a specific transaction subject to monitoring, -

shall be punished by a fine and/or with the deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that has caused considerable damage, -

shall be punished by imprisonment for up to two years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 5953 of 19 March 2004 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 3902 of 3 July 2015 – web-site, 10.7.2015

Article 203 -Bribing a participant or organisation in a professional sports or commercial entertaining competition

1. Bribing a participant, referee, trainer, team manager or organisation in a professional sports competition, or the organiser of the commercial entertaining competition or of judges, in order to influence the outcome of the competition or contest, -

shall be punished by a fine or community service from 120 to 180 hours or with corrective labour from six months to a year or with imprisonment for up to a year.

2. The same act committed repeatedly, -

shall be punished by restriction of liberty for up to three years or with imprisonment for a term of two to five years.

3. The act provided for by paragraphs 1 or 2 of this article committed by an organised group, -

shall be punished by imprisonment of four to six years.

4. Illegal acceptance of money, securities or other property or use of property services by a participant of a professional sports competition in order to influence the outcome of the competition or contest, -

shall be punished by imprisonment for up to two years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

5. Illegal acceptance of money, securities or other property or use of property services by the referee, trainer, team manager or organisation, or by the organiser or judges of the professional sports competition in order to influence the outcome of the competition or contest, -

shall be punished by a fine, deprivation of the right to hold an official position or to carry out a particular activity for up to three years or with imprisonment for up to a year.

Note: A person who voluntarily informs public authorities that he/she has given money, securities or other property or provided property services to any of the persons provided for by paragraph 1 of this article, shall be discharged from criminal liability.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 204 - (Deleted)

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 204[1] - Violation of accounting rules

1. Creation and use by a person charged with keeping accounting records of an accounting document containing incorrect or incomplete information, or accounting for tax documents in order to gain some benefit or advantage for oneself or another person, to trade in influence or to conceal such activities, -

shall be punished by a fine.

2. The same act:

a) committed repeatedly;

b) which has resulted in considerable damage, -

shall be punished by imprisonment for up to a year.

Law of Georgia No 5920 of 14 March 2008 – LHG I, No 7, 26.3.2008, Art. 40

Article 205 - Unlawful actions in the case of insolvency

In the case of insolvency, disposal or concealment with the intention to make it inaccessible for creditors, of the part of the property that would have become trust property in the case of institution of insolvency proceedings, also damage or destruction of property in violation of the requirements for proper management of economic activities, -

shall be punished by a fine or imprisonment for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4527 of 28 March 2007 – LHG I, No 9, 31.3.2007, Art. 92

Article 205[1] - Concealment of property using fraudulent and/or sham transactions

1. Concealment of property by persons holding managerial, representative or other special powers in an enterprise or other organisation using fraudulent and/or sham transactions committed to avoid the expected and/or already existing material liability, -

shall be punished by a fine or community service from 170 to 200 hours or with corrective labour or with imprisonment for a term of two to four years.

2. The same act committed by a group with prior agreement, -

shall be punished by a fine or imprisonment for a term of four to seven years.

3. The same act committed:

a) using the official position;

b) in large quantities;

c) repeatedly;

shall be punished by a fine or imprisonment for a term of six to nine years.

4. The same act committed by an organised group, -

shall be punished by imprisonment for a term of seven to ten years.

Note: Under this article, large quantities shall mean the cost of the property concealed using fraudulent and/or sham transactions which exceeds GEL 10 000.

Law of Georgia No 4981 of 1 July 2011 – web-site, 14.7.2011

Article 206 - Breach of the procedure for books of account in the case of insolvency

Breach of the procedure for keeping books of account in the case of insolvency, which has made it more difficult to evaluate the actual financial situation, -

shall be punished by a fine or imprisonment for up to two years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4527 of 28 March 2007 – LHG I, No 9, 31.3.2007, Art. 92

Article 207 - Failure to file an application for initiating insolvency proceedings in the case of insolvency

Failure of a person with managing powers or of the liquidator to file an application for initiating insolvency proceedings in the case of insolvency, -

shall be punished by a fine, or corrective labour for up to a year or with imprisonment for the same term.

Law of Georgia No 4527 of 28 March 2004 – LHG I, No 9, 31.3.2007, Art. 92

Article 207^1 - Non-performance of the person responsible for the management and representation of the debtor of the obligation to provide information to the trustee

Failure of the person responsible for the management and representation of the debtor to provide, in a prescribed manner, information on the property, liabilities, financial status and activities of the debtor, or on the disputes pending in court, or intentional delay or provision of false information, -

shall be punished by a fine, or corrective labour for up to a year or with imprisonment for the same term.

Law of Georgia No 4527 of 28 March 2007 – LHG I, No 9, 31.3.2007, Art. 92

Article 207^2 – Import and/or export of live genetically modified organisms

Import of live genetically modified organisms (except for the case when they are imported for their use in the closed system as determined by the Legislation of Georgia) and/or their re-export -

shall be punished by imprisonment from two to five years.

Note: For an act defined in this article, a legal person shall be punished by a liquidation or deprivation of the right to carry out an activity.

Law of Georgia No 4801 of 2 March 2016 – website 22.3.2016

CHAPTER XXVII - Crime in Monetary and Credit System

Article 208 - Illegal obtaining of a credit

1. Provision to a bank or other creditors false information on the economic or financial status in order to obtain a credit or to increase its amount or to obtain preferential credit, also failure to use special-purpose loans for their intended purpose, which has resulted in considerable damage, -

shall be punished by a fine or imprisonment for a term of two to five years.

2. Illegal obtaining of state special-purpose loans or failure to use them for the intended purpose, which has resulted in considerable damage, -

shall be punished by a fine or imprisonment for a term of five to eight years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 209 - (Deleted)

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4280 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 439

Article 210 - Manufacturing, sale or use of forged credit cards or charge cards

1. manufacturing or purchasing forged credit cards or charge cards, or other payment documents or of title documents other than securities in order to sell or use them, also their sale or use, -

shall be punished by corrective labour for up to two years or with restriction of liberty for up to three years or imprisonment for a term of two to four years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by a fine or imprisonment for a term of four to seven years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3466 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Article 211 - Misuse of cheques or credit cards

Misuse of cheques or credit cards which has caused considerable damage to the person who cashes it, -

shall be punished by a fine or imprisonment for up to three years.

Article 212 - Manufacturing or sale of forged money or securities

1. Manufacturing, purchase, storage for resale purposes or sale of forged banknotes, metal coins, securities or currency, -

shall be punished by imprisonment for a term of four to seven years.

2. The same act committed:

a) in large quantities;

b) by a person convicted for this kind of offence;

c) with the preliminary agreement by a group, -

shall be punished by imprisonment for a term of seven to ten years.

3. The act provided for by paragraphs 1 or 2 of this article committed by an organised group, -

shall be punished by imprisonment for a term of ten to fifteen years.

4. Illegal manufacturing , purchase, storage or transportation for resale purposes or sale of any printing form, matrix, paper, paint and other articles or substances used to produce forged banknotes, metal coins, securities or currency, -

shall be punished by imprisonment for a term of two to five years.

Note: Under this article, large quantities shall mean a forged banknote, metal coin, security or currency the quantitative indicator of which exceeds GEL 10 000.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Article 213 - Breach of the securities market rules

1. Intentional public offer of securities without due authorisation, without the issue prospectus or with suspended issue prospectus, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for a term of one to three years.

2. Intentional omission of a substantial fact or event in the issue prospectus, which has resulted in considerable damage, -

shall be punished by a fine or imprisonment of two to four years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

CHAPTER XXVIII - Crime in Financial Activities

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 989 of 22 June 2001 – LHG I, No 22, 6.7.2001, Art. 79

Law of Georgia No 3110 of 26 August 2003 – LHG I, No 29, 18.9.2003, Art. 228

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4280 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 439

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Law of Georgia No 3466 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Article 214 - Breach of the procedure related to the movement of goods across the customs border of Georgia

1. Moving large quantities of movable property across the customs border of Georgia by circumventing customs control or in secret involving deceptive use of documents or means of identification, entry of false data into the customs declaration, -

shall be punished by a fine or imprisonment for a term of three to five years.

2. The same act committed by an organised group, -

shall be punished by a fine or imprisonment for a term of five to seven years.

3. Movement across the customs border of Georgia of monuments of cultural heritage or other articles of cultural heritage registered in accordance with the legislation of Georgia, or of jewellery made of precious metals or of scrap jewellery in violation of the rules, -

shall be punished by a fine or imprisonment for a term of four to seven years.

4. Movement across the customs border of Georgia of poisonous, toxic, radioactive or explosive substances, armament, explosive equipment, firearms, those materials or equipment that may be used for the production of weapons of mass destruction or strategically important raw materials in violation of the rules, -

shall be punished by imprisonment for a term of five to eight years.

5. The act provided for by paragraphs 2, 3 or 4 of this article which has been committed:

a) repeatedly;

b) by an official or a person of equal status by abusing the official position;

c) using violence against the person exercising customs control;

d) by a group with prior agreement ;

shall be punished by imprisonment for a term of eight to eleven years.

6. The act provided for by paragraphs 1, 2, 3 or 4 of this article committed by an organised group, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Note:

1. Under this article, except for paragraph 2 of this Note, the large quantities shall mean an article the customs value of which exceeds GEL 15 000, and particularly large quantities shall mean an article with customs value exceeding GEL 25 000.

2. In the case of articles imported using hiding places or by avoiding customs control by illegally crossing the customs border of Georgia, large quantities shall mean an article with customs value exceeding GEL 5 000, and particularly large quantities shall mean an article with the customs value exceeding GEL 15 000.

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Art. 414

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Law of Georgia No 5950 of 27 March 2012 – web-site, 12.4.2012

Article 215 - Failure to return to Georgia of a cultural monument taken abroad or of an object having the signs of a monument as defined by the legislation of Georgia

Failure to return to Georgia, within the defined period, of a cultural monument taken abroad or of an object having the signs of a monument as defined by the legislation of Georgia, -

shall be punished by a fine or imprisonment of two to four years.

Law of Georgia No 989 of 22 June 2001 – LHG I, No 22, 6.7.2001, Art. 79

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 216 - Breach of the procedure for using the national currency in circulation in the territory of Georgia

1. Breach of the procedure for using the national currency in circulation in the territory of Georgia, which has resulted in considerable damage, -

shall be punished by a fine or deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed:

a) jointly by more than one person;

b) by a person convicted for this kind of offence, -

shall be punished by a fine or imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 217 - Failure to return a sum from abroad in a foreign currency

Failure to return a sum from abroad in a foreign currency, if, under the legislation of Georgia, it must be transferred to the account of an authorised bank in Georgia, which has resulted in considerable damage, -

shall be punished by a fine or imprisonment for up to three years.

Article 218 - Tax evasion

1. Intentional evasion of taxes in large amount, -

shall be punished by a fine or imprisonment for a term of three to five years.

2. The same act committed:

a) repeatedly;

b) in particularly large quantities;

c) by a group with prior agreement ;

shall be punished by imprisonment for a term of five to eight years.

3. Alienation of property or its part to evade taxes, -

shall be punished by a fine or imprisonment for a term of two to three years.

Note:

1. Under this article, large amount shall mean the payable amount exceeding GEL 50 000, and particularly large amount, when payable amount exceeding GEL 100 000.

2. A person shall not incur criminal liability under this article if the imposed principal payable amount has been paid, deferred or adjusted within 45 working days after receipt of a tax notice in response to a tax audit findings, or if the obligation of its payment has been suspended based on the law.

Law of Georgia No 917 of 29 December 2004 – LHG I, No 5, 18.1.2005, Art. 27

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19, 28.04.2005, Art. 128

Law of Georgia No 1822 of 30 June 2005 – LHG I, No 38, 15.7.2005, Art. 255

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4280 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 439

Law of Georgia No 2802 of 23 March 2010 – LHG I, No 14, 30.3.2010, Art. 88

Law of Georgia No 3466 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Art. 414

Law of Georgia No 5648 of 27 December 2011 – web-site, 9.1.2012

Article 219 - Deception of consumers

1. Deceiving consumers as to the size, weight or calculation, or misleading consumers as to the consumer properties or quality of goods, as well as their deception in any other manner when rendering services, which has resulted inconsiderable damage to the consumers, -

shall be punished by a fine or corrective labour from one to two years.

2. The same act committed:

a) with the preliminary agreement by a group;

b) in large quantities;

c) by a person convicted for this kind of offence, -

shall be punished by a fine or imprisonment for up to two years.

Note: Under this article, large quantities shall mean the amount of damage caused by deception and exceeding 20 per cent of the cost payable by the consumer.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 219^1 - (Deleted)

Law of Georgia No 3110 of 26 August 2003 – LHG I, No 3110, 18.9.2003, Art. 228

Law of Georgia No 314 of 1 July 2007 – LHG I, No 20, 16.7.2004, Art. 107

Article 220 - Abuse of powers

Abuse of managerial, representative or other special powers in an enterprise or other organisation against the lawful interests of this organisation for acquiring benefits or advantage for oneself or another person, which has resulted in considerable damage, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for a term of three to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395

Article 220^1 - Negligence

1. Negligence, i.e. failure of a person holding managerial, representative or other special powers in an enterprise or other organisation to fulfil his/her official duties or inappropriate fulfilment of those duties due to this person's careless attitude, which has resulted in substantial breach of the lawful interests of the state, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act that caused the death of the victim or resulted in other grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Article 221 - Commercial bribery

1. Offering, promising, transferring or rendering, directly or indirectly, money, securities, other property or property-services and/or other undue advantage to a person holding managerial, representative or other special powers in an enterprise or organisation or working in that enterprise or organisation, in order for that person to act or refrain from certain actions, in violation of his/her official duties, in favour of the interests of the briber or any other person, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to three years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by a fine or restriction of liberty for up to four years, or with imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. Request or acceptance of offering, promise, transfer or services, directly or indirectly, of money, securities, other property or property services and/or of other undue advantage by a person holding managerial, representative or other special powers or working in an enterprise or organisation, for his/her or another person's benefit, in order for that person to act or refrain from taking certain actions, in violation of his/her official duties in the interests of the briber or any other person, -

shall be punished by a fine or restriction of liberty for up to three years, or with imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. The act provided for by paragraph 3 of this article which has been committed:

a) jointly by more than one person;

b) repeatedly;

c) by extortion, -

shall be punished by a fine or imprisonment for a term of four to six years, with deprivation of the right to hold an official position or to carry out a particular activity for up three years.

Note:

1. A person who commits the act provided for by paragraph 1 or 2 of this article shall be discharged from criminal liability if he/she voluntarily notifies the agency conducting criminal proceedings of such commission. A decision to discharge a person from criminal liability shall be made by the agency conducting criminal proceedings.

2. For the act provided for by this article, a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

SECTION NINE

CRIME AGAINST PUBLIC SECURITY AND PUBLIC ORDER

CHAPTER XXX - Crime against Public Security and Public Order

Article 222 -Seizure or blockage of a broadcasting or communications organisation or of a facility of strategic or special importance

1. Seizure or blockage of a broadcasting or communications organisation or of a facility of strategic or special importance, which has disrupted or could have disrupted the normal functioning of this organisation or facility, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to two years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by corrective labour for up to two years or with imprisonment for a term of two to four years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 222^1 - Blocking of transport communications

1. Organising a blocking of transport communications by putting up barriers, posts or by other illegal means that disrupted or could have disrupted the normal operation of railway, air, water transport or of the main pipeline, -

shall be punished by a fine or corrective labour for up to a year or with imprisonment for up to three years.

2. The same act:

a) committed repeatedly;

b) which has endangered human life or health;

c) accompanied by illegal inspection and examination of cargo, baggage or documents, -

shall be punished by restriction of liberty for up to five years or with imprisonment for a term of three to five years.

3. The act provided for by paragraphs 1 and 2 of this article which has resulted in considerable damage or serious bodily injury or death, -

shall be punished by imprisonment for a term of five to eight years.

Law of Georgia No 1629 of 4 July 2007 – LHG I, No 23, 24.7.2002, Art. 114

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 223 - Creation or management of illegal formations, or joining and participation in such formations, and/or implementation of other activities in favour of illegal formations

1. Creation or management of an illegal formation (militia, units, detachments or other groups), -

shall be punished by imprisonment for a term of six to twelve years.

2. Joining and/participation in illegal formations, participation in the trainings arranged by such formations, recruiting persons to join, participate in or otherwise support the activities of such formations, their training or collection of persons, -

shall be punished by imprisonment for a term of three to seven years.

3. Dissemination or use of information materials and/or symbols associated with joining and/or participation in illegal formations if such action poses clear, direct and substantial risk of the occurrence of unlawful consequences, -

shall be punished by imprisonment for up to three years.

4. Funding of illegal formations, i.e. collection or supply of financial resources or other assets knowingly for their use or for their possible use for the activities of illegal formations, -

shall be punished by imprisonment for a term of five to eight years.

5. The act provided for by paragraphs 1, 2, 3 or 4 of this article committed by abusing the official position, -

shall be punished by imprisonment for a term of eight to fifteen years.

6. Public incitement to the crime provided for by paragraphs 1,2,3 or 4 of this article if this poses clear, direct and substantial risk of the occurrence of illegal consequences, -

shall be punished by imprisonment for up to two years.

Note:

1. For the purposes of this article, `illegal formation` (militia, unit, detachment or other group) shall mean any formation (except the ones subordinated to a public authority), equipped with firearms, ammunition, explosive and highly flammable substances, explosive equipment, tear gas, radioactive substances, nerve agents, poisonous substances, melee weapons or such devices or objects that may be used to harm or destroy living or other objects, provided that such formation has been set up for criminal purposes.

2. A person who voluntarily ceases the act provided for by this article and hands in the property specified in in paragraph 1 of this note (in the case of possession) shall be discharged from criminal liability, unless there are any other elements of crime in his/her actions.

3. For the act provided for by this article, a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4981 of 1 July 2011 – web-site, 14.7.2011

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.06.2015

Article 223[1] - Membership of the criminal underworld; thief in law

1. Membership of the criminal underworld, -

shall be punished by imprisonment for a term of five to eight years, with or without a fine.

2. Being a thief in law, -

shall be punished by imprisonment for a term of seven to ten years, with or without a fine.

Law of Georgia No 2355 of 20 December 2005 – LHG I, No 57, 29.12.2005, Art. 439

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 224 - Banditry

1. Establishment or management of a stable armed group (gang) to attack persons or organisations, -

shall be punished by imprisonment for a term of twelve to twenty years.

2. Participation in the activities of or attacks undertaken by the group (gang) provided for by paragraph 1 of this article, -

shall be punished by imprisonment for a term of eight to twelve years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 224[1] - Participation in the activities of racketeering groups

Management of the activities or participation in any other way in the activities of a racketeering group independently or together with another person(s), also illegal resolution of or participation in the illegal resolution of disputes between racketeering groups or between racketeering groups and other persons, -

shall be punished by imprisonment for a term of five to ten years.

Note: For the act provided for by this article, a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 225 - Organisation, management or participation in group violence

1. Organisation or management of a group activity accompanied by violence, raid, damage or destruction of another person's property, use of arms, armed resistance to or assault on representatives of public authorities, -

shall be punished by imprisonment for a term of six to nine years.

2. Participation in the act provided for by paragraph 1 of this article -

shall be punished by imprisonment of four to six years.

Note: For the purposes of this article, arms shall mean firearms, ammunition, explosive or inflammable substances, explosive equipment, tear gas, radioactive substances, nerve agents, poisonous substances, melee weapons or any device or object which may be used to harm or destroy living or other objects.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4981 of 1 July 2011 – web-site, 14.7.2011

Article 226 - Organisation of or active participation in a group activity that disrupts public order

The organisation of or active participation in a group activity that grossly violates public order or is related to the clear disobedience to the lawful demands of the representatives of public authorities, or that has disrupted the functioning of transport, enterprises, institutions or organisations, -

shall be punished by a fine or community service from 120 to 180 hours or with corrective labour for up to two years or with restriction of liberty for up to three years or with imprisonment for the same term.

Article 227 - Illegal seizure of aircraft, water vessels or railway rolling stock

1. Illegal seizure of aircraft, water vessels or railway rolling stock, -

shall be punished by imprisonment for a term of four to seven years.

2. The same act committed:

a) by a group with the preliminary agreement;

b) repeatedly;

g) using violence or threat of violence which is dangerous for life or health, -

shall be punished by imprisonment for a term of seven to ten years.

3. The act provided for by paragraphs 1 or 2 of this article which has resulted in death or other grave consequences, -

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 227[1] -Endangering the navigation of water vessels

1. Intentional provision of false information to a water vessel that endangers its navigation, -

shall be punished by imprisonment for a term of two to six years.

2. Violence or threat of violence against a person on board a water vessel that may endanger its navigation, -

shall be punished by imprisonment for a term of three to eight years.

3. Damage of marine navigation equipment or interference with its operation that endangers the navigation of the water vessel, -

shall be punished by imprisonment for a term of five to twelve years.

4. Placement on board a water vessel of such equipment or substances that may result in the destruction or damage of the water vessel or the cargo on board, which endangers the safe navigation of the water vessel, -

shall be punished by imprisonment for a term of seven to fifteen years.

5. Destruction or damage of a water vessel or its cargo, which may endanger its safe navigation, -

shall be punished by imprisonment for a term of eight to fifteen years.

Note: For the acts provided for by this article a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with liquidation.

Law of Georgia No 3542 of 25 July 2006 – LHG I, No 36, 7.8.2006, Art. 268

Article 227[2] - Illegal seizure, destruction or damage of a stationary platform

1. Illegal seizure, destruction or damage of a stationary platform (artificial island, equipment or structure fixed to the seabed for the purpose of prospecting or extracting natural resources or for other economic purposes) using violence or threat of violence, also violence against the persons on a stationary platform, which endangers its safety, -

shall be punished by imprisonment for a term of three to six years.

2. Placement on a stationary platform of such equipment or substances that may result in its destruction or damage, -

shall be punished by imprisonment for a term of five to ten years.

3. Destruction or damage of a stationary platform, -

shall be punished by imprisonment for a term of seven to fifteen years or with life imprisonment.

Note: For the acts provided for by this article a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with liquidation.

Law of Georgia No 3542 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 268

Article 227[3] - Posing danger to aircraft

1. Intentional provision of false information to an aircraft which endangers the safety of the craft during its flight, -

shall be punished by imprisonment for a term of two to six years.

2. Violence or threat of violence against persons on board an aircraft which may endanger the safety of the aircraft, -

shall be punished by imprisonment for a term of three to eight years.

3. Damage or destruction of navigation equipment or interference with its operation which endangers the safe flight of the aircraft, -

shall be punished by imprisonment for a term of five to twelve years.

4. Placement or facilitation of placement on board on aircraft such equipment or substance that may result in the destruction or damage of the aircraft or its cargo, which makes it impossible to carry out the flight, or which may endanger the safety of the aircraft during its flight, -

shall be punished by imprisonment for a term of seven to fifteen years.

5. Destruction or damage of an aircraft or its cargo, which makes it impossible to carry out a flight, or which may endanger the safety of the aircraft during its flight, -

shall be punished by imprisonment for a term of eight to fifteen years.

Note: For the act specified in this article a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with liquidation.

Law of Georgia No 5925 of 27 March 2012 – web-site, 19.4.2012

Article 228 - Piracy

1. Piracy, i.e. assaulting a water vessel or other floating object in order to seize another person's property, to unlawfully appropriate it, using violence or threat of violence, -

shall be punished by imprisonment for a term of seven to ten years.

2. The same act:

a) repeatedly;

b) causing death or other grave consequences, -

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 229 - Explosion

1. Transportation, placement, shooting, blasting of or other manipulation with explosive or other life and health endangering equipment or substances carried out for the purpose of causing death, grave bodily injury, substantial material damage or other grave consequences, -

shall be punished by imprisonment for a term of four to seven years.

2. The act provided for by paragraph 1 of this article, committed in public places, public institutions and public transport system or on or against an infrastructure facility for the purpose of causing death or grave bodily injury and/or damage the above places, institutions, system or facilities, where this damage results or may result in considerable economic loss, -

shall be punished by imprisonment for a term of six to nine years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) repeatedly;

b) by a person who has two or more previous convictions for such crimes;

c) by a group with prior agreement;

shall be punished by imprisonment for a term of seven to ten years.

4. The act provided for by paragraphs 1 or 2 of this article which:

a) has resulted in death or other grave consequences;

a) has been committed by an organised group;

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5744 of 2 March 2012 – web-site, 15.3.2012

Article 229^1 - Breach of procedures for using energy resources

1. Breach of the procedures for using electricity or thermal power, gas, oil or oil products, which has resulted in substantial damage, -

shall be punished by a fine or restriction of liberty for up to a year.

2. The same act committed:

a) repeatedly;

b) using the means that have endangered human life or health, -

shall be punished by imprisonment for up to three years.

3. The act provided for by paragraphs 1 or 2 of this article that has caused an accident on a facility supplying electric or thermal power, gas, oil or oil products, or which has resulted in grave bodily injury or death or other grave consequences, -

shall be punished by imprisonment for a term of three to five years.

Law of Georgia No 1629 of 4 July 2007 – LHG I, No 23, 24.7.2002, Art. 114

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 230 - Illegal handling of nuclear material or equipment, radioactive waste and radioactive substances

1. Illegal purchase, storage, possession or disposal, use, processing, testing, transfer, transportation, export, import, sale or other kinds of illegal handling of nuclear material or equipment, radioactive waste(including used nuclear fuel), radioactive substances, also any type of device, equipment, tool or article containing radioactive substances, as well as any transaction related thereto, -

shall be punished by imprisonment for a term of five to ten years.

2. The same act:

a) committed repeatedly;

b) causing death or other grave consequences, -

shall be punished by imprisonment for a term of eight to fourteen years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3053 of 4 May 2010 – LHG I, No 26, 20.5.2010, Art. 181

Article 231 - Seizure of nuclear material, radioactive substances or other sources of ionizing radiation

1. Seizure of nuclear material, radioactive substances or other sources of ionizing radiation, -

shall be punished by imprisonment for a term of five to eight years.

2. The same act committed by using or threatening to use such violence that is dangerous for life or health, -

shall be punished by imprisonment for a term of eight to twelve years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 231^1 - Unlawful demand of nuclear materials

Demanding nuclear substances by using violence or threat of violence, -

shall be punished by imprisonment for a term of four to eight years.

Note: For the acts specified in this article a legal person shall be punished by deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 3542 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 268

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 231^2 - Threat to illegally seize or use nuclear substances

Threats to illegally seize or use nuclear substances, -

shall be punished by imprisonment for a term of four to eight years.

Note: For the acts specified in this article a legal person shall be punished by deprivation of the right to carry out a particular activity or with liquidation

and a fine.

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 232 - Manufacturing of nuclear weapons or other nuclear explosive equipment

1. Manufacturing of nuclear weapons or other nuclear explosive equipment, -

shall be punished by imprisonment for a term of seven to ten years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 233 - Concealment or distortion of information concerning an accident or breakdown on nuclear or radioactive facilities

1. Concealment or distortion of information concerning an accident or breakdown on nuclear or radioactive facilities which could have resulted in death or other grave consequences, -

shall be punished by a fine or imprisonment for a term of five to ten years.

2. The same act that has resulted in death or other grave consequences, -

shall be punished by imprisonment for a term of seven to twelve years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 234 - Transit or import of radioactive, toxic, industrial or household waste in the territory of Georgia

1. Transit or import of radioactive, hazardous waste, or import of non-hazardous waste in the territory of Georgia for the purpose of their storage, -

shall be punished by a fine or imprisonment for a term of five to ten years.

2. The same act causing grave consequences, -

shall be punished by imprisonment for a term of eight to fourteen years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4959 of 13 April 2016 – website, 26.4.2016

Article 235 - Illegal export of the technologies, scientific-technical information or services related to the manufacturing of weapons of mass destruction, armament or military hardware

Illegal export of the technologies, scientific-technical information or services related to the manufacturing of weapons of mass destruction, armament or military hardware which are subject to a special export control, -

shall be punished by a fine or imprisonment for a term of three to five years.

Article 236 - Illegal purchase, storage, carrying, manufacturing, transportation, forwarding or sale of firearms (other than hunting smooth-bore firearms (shotguns)), ammunition, explosives or explosive devices

1. Illegal purchase or storage of hunting firearms or sports firearms, -

shall be punished by a fine or imprisonment for up to two years.

2. Illegal purchase or storage of firearms (other than the arms provided for by paragraph 1 of this article), ammunition, explosive substances or equipment, as well as the act provided for by paragraph 1 of this article, committed repeatedly, -

shall be punished by imprisonment for up to four years.

3. Illegal carrying of firearms, ammunition, explosive substances or equipment, -

shall be punished by imprisonment of four to six years.

4. Illegal manufacturing, transportation, forwarding or sale of firearms, ammunition, explosive substances or equipment, -

shall be punished by imprisonment for a term of six to nine years.

5. The act provided for by paragraph 4 of this article which has been committed:

a) with the preliminary agreement by a group;

b) repeatedly, -

shall be punished by imprisonment for a term of eight to eleven years.

Note: A person who will voluntarily hands in the items provided for by this article shall be discharged from criminal liability unless there are other elements of crime in his/her act.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law No 3705 of 12 June 2015 of Georgia, web-site, 30.6.2015

Law of Georgia No 4007 of 10 July 2015 – web-site, 13.7.2015

Article 237 - Illegal taking of arms, ammunition, explosive substances or equipment for their appropriation or extortion

1. Illegal taking of firearms (other than hunting smooth-bore firearms (shotguns)), its component parts, ammunition, explosive substances or equipment for their appropriation or extortion, -

shall be punished by imprisonment for a term of five to eight years.

2. Illegal taking of nuclear, chemical, biological or other mass destruction weapons or of the materials or equipment used for the production of such weapons for their appropriation or extortion, -

shall be punished by imprisonment for a term of eight to eleven years.

3. The act provided for by paragraph 1 or 2 of this article which has been committed:

a) by a group with prior agreement;

b) repeatedly;

c) using the official position;

d) using violence not endangering life or health, or the threat of the immediate use of such violence, -

shall be punished by imprisonment for a term of nine to thirteen years.

4. The act provided for by paragraphs 1, 2 or 3 of this article committed:

a) by an organised group;

b) using violence or threat of violence endangering life or health or the threat of the immediate use of such violence;

c) by a person who has two or more convictions for unlawful appropriation or extortion of another person's property, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law No 3705 of 12 June 2015 of Georgia, web-site, 30.6.2015

Law of Georgia No 4007 of 10 July 2015 – web-site, 13.7.2015

Article 238 - Negligent storage of firearms (including hunting smooth-bore firearms (shotguns))

Negligent storage of firearms (including hunting smooth-bore firearms (shotguns)) which created conditions for their use by another person, which has resulted in death or in other grave consequences, -

shall be punished by a fine or corrective labour for up to a year or with restriction of liberty for up to two years, or with imprisonment for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law No 3705 of 12 June 2015 of Georgia, web-site, 30.6.2015

Law of Georgia No 4007 of 10 July 2015 – web-site, 13.7.2015

Article 238[1] - Carrying melee weapons

1. Carrying of a melee weapon by s person subjected to an administrative penalty for repeated carriage of melee weapons, or for using drugs or by a person convicted of a less serious crime, -

shall be punished by a fine or imprisonment for six months.

2. Carrying of melee weapons by a person who has been convicted of an intentional serious or particularly serious crime or for carrying melee weapons, -

shall be punished by a fine or imprisonment for up to three years.

Note:

1. Except when carrying of melee weapons causes the disturbance of public order, or poses clear risk, this article shall not apply to a person who is carrying melee weapons:

a) for personal hygiene purposes;

b) for carrying out one's professional activities;

c) for the purposes of hunting, fishing and/or gathering of plant products;

d) for carrying out agricultural and/or cattle-breeding activities;

e) at the time of wearing national garment and the melee weapons (dagger, sabre, etc.) are part of this garment.

2. For the purposes of this Code, `carrying of melee weapons` shall mean the existence of such circumstances in which a person carries melee weapons - holds them in his/her hand, has them fastened to his/her body, or keeps them in his/her clothes.

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 1701 of 11 December 2013 – web-site, 25.12.2013

Law No 3705 of 12 June 2015 of Georgia, web-site, 30.6.2015

Article 239 - Hooliganism

1. Hooliganism, i.e. an act that grossly violates public order and demonstrates clear disrespect towards the public, using violence or threat of violence, -

shall be punished by a fine or community service from120 to 180 hours or with corrective labour for up to a year or with imprisonment for the same term.

2. The same act committed:

a) by a group with the preliminary agreement;

b) against a representative of public authorities or a person preventing hooliganism;

c) by a person convicted of hooliganism, -

shall be punished by a fine or community service from180 to 200 hours or with corrective labour from one to two years or with imprisonment for a term of two to five years.

3. The act provided for by paragraphs 1 or 2 of this article committed by using firearms or any other object as a weapon, -

shall be punished by imprisonment for a term of four to seven years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 239[1] - Public incitement to acts of violence

1. Public incitement to acts of violence orally, in writing or using other means of expression in order to cause a discord between certain groups based on their racial, religious, national, provincial, ethnic, social, political, linguistic and/or characteristics, provided that this poses clear, direct and substantial risk of acts of violence, -

shall be punished by a fine or community service from 200 to 400 hours.

2. The same act causing grave bodily injury, death or other grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Note: For the act provided for by this article, a legal person shall be punished by liquidation or with deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.06.2015

CHAPTER XXXI - Breach of Safety Regulations at Work

Article 240 -Breach of safety regulations during mining, construction or other works

1. Breach of safety regulations during mining, construction or other works that results in less serious or serious bodily injury, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in death or other grave consequences, -

shall be punished by restriction of liberty for up to five years or by imprisonment for a term of two to five years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 240[1] -Breach of safety regulations at electric or thermal energy facilities, or at gas, oil or oil products facilities

1. Breach of safety regulations during the placement, design, construction or operation of electric or thermal energy facilities or gas, oil or oil products facilities that results in less serious or serious bodily injury or considerable damage, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in death or other grave consequences, -

shall be punished by imprisonment for a term of four to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act defined in paragraph 1 of this article that results in death of two or more persons, -

shall be punished by imprisonment for a term of 6 to 10 years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 1629 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 114

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 241 - Breach of safety regulations at a nuclear power facility

1. Breach of safety rules during the placement, design, construction or operation of a nuclear power facility, that results in death by negligence or radioactive contamination of the environment, -

shall be punished by a fine or restriction of liberty for up to five years, or by imprisonment for a term of two to four years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in death, -

shall be punished by imprisonment for a term of four to eight years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act defined in paragraph 1 of this article that results in death of two or more persons, radioactive contamination of the environment or other grave consequences, -

shall be punished by imprisonment for a term of 7 to 13 years, with deprivation of the right to hold a position or carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 242 -Breach of safety regulations at an enterprise or workshop vulnerable to explosion

1. Breach of production and technical safety regulations in an enterprise or workshop vulnerable to explosion that results in grave consequences by negligence, -

shall be punished by a fine or restriction of liberty for up to two years, or by imprisonment for up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Breach of production and technical safety regulations in an enterprise or workshop vulnerable to explosion that results in death or other grave consequences, -

shall be punished by restriction of liberty for up to five years or by imprisonment for a term of four to six years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. Breach of production and technical safety regulations in an enterprise or workshop vulnerable to explosion that results in death of two or more persons, -

shall be punished by imprisonment for a term of five to eight years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 243 -Breach of fire safety regulations

1. Breach of fire safety regulations by a person responsible for their observance that results in less serious or serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for the same term, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that has caused death or other grave consequences, -

shall be punished by restriction of liberty for up to five years or by imprisonment for a term of four to six years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act defined in paragraph 1 of this article that results in death of two or more persons or other grave consequences, -

shall be punished by imprisonment for a term of five to eight years, or with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 244 - Breach of regulations for keeping records of, storing, transporting, using or carrying explosive, highly flammable, toxic substances or pyrotechnic articles

Breach of regulations for keeping record of, storing, transporting or using explosive, highly flammable, toxic substances or pyrotechnic articles, as well

as their illegal carriage by post or baggage, which results in grave consequences, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 245 - Breach of regulations related to the handling of nuclear material, radioactive waste or other sources of ionizing radiation

1. Breach of regulations related to purchase, storage, burying, possession, use, processing, testing, transfer, keeping record of, transport, export, import of or other handling of nuclear material, radioactive residues or other sources of ionizing radiation that could result in death or other grave consequences, -

shall be punished by imprisonment for up to three years.

2. The same act that results in death or other grave consequences, -

shall be punished by imprisonment for a term of six to nine years.

3. The act defined in paragraph 1 or 2 of this article that has been committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by imprisonment for a term of eight to twelve years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

CHAPTER XXII - Crime against Public Health and Public Morals

Article 246 - Illegal medical or pharmaceutical practice

1. Illegal medical or pharmaceutical practice that results in health damage, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for the same term.

2. The same act that results in death, -

shall be punished by restriction of liberty for up to five years or by imprisonment for a term of three to seven years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 247 - Concealment or falsification of information concerning the circumstances hazardous for human life or health

1. Concealment or falsification of information concerning the circumstance, fact or event hazardous for human life, health or environment that has been committed by a person obliged to provide this information to the public, -

shall be punished by a fine or imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

2. The same act committed by an official, or resulting in bodily injury or other grave consequences, -

shall be punished by a fine or imprisonment for a term of three to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 248 - Breach of sanitary-epidemiological standards

1. Breach of sanitary-epidemiological standards that results in mass disease or poisoning of human beings, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in death, -

shall be punished by restriction of liberty for up to five years or by imprisonment for a term of three to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 249 - Breach of the regulations for poison circulation

1. Illegal manufacturing, production, purchase, storage, transportation or sale of poison for marketing purposes, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for the same term.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly;

c) in large quantities, -

shall be punished by imprisonment for a term of three to six years.

3. Breach of regulations for production, purchase, storage, keeping records of, issuance, transport or forwarding of poison that results in illegal circulation of such substance, or other grave consequences, -

shall be punished by a fine or imprisonment for a term of three to six years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 250 - Unlawful appropriation or extortion of poison

1. Unlawful appropriation or extortion of poison, -

shall be punished by a fine or imprisonment for a term of two to four years.

2. The same act committed:

a) jointly by more than one person;

b) in large quantities, -

shall be punished by imprisonment for a term of four to eight years.

3. The same act committed:

a) repeatedly;

b) using violence or threat of violence that is dangerous for life or health, -

shall be punished by imprisonment for a term of seven to ten years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 251 - Production or sale of substandard goods not conforming to safety requirements or performance of low quality work or delivery of low quality services

1. Production or sale of substandard goods or performance of low quality work or delivery of low quality services not conforming to safety requirements for a consumer's life or health, as well as illegal issuance or use of official documents that confirm compliance of the goods, work or services with safety requirements that results in harm to human health, -

shall be punished by a fine or restriction of liberty for up to two years or by imprisonment for the same term.

2. The same act that results in serious bodily injury or a bodily injury of two or more persons, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for a term of two to five years.

3. The act defined in paragraph 7 of this article that results in death, -

shall be punished by imprisonment for a term of four to seven years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 252 - Setting up or management of illegal associations or participation in such associations

1. Setting up or management of such religious, political or public associations the activities of which involve violence against human beings, -

shall be punished by a fine or imprisonment for up to three years.

2. Participation in an association defined in paragraph 1 of this article, -

shall be punished by a fine or imprisonment for up to two years.

Article 253 - Engagement in prostitution

1. Engagement in prostitution using violence, threat of violence or of destruction of property, blackmail or deception, -

shall be punished by a fine or imprisonment for up to two years.

2. The same act committed by an organised group or knowingly against minors, or acquiring benefit from the engagement of a minor into prostitution, -

shall be punished by imprisonment for a term of five to seven years.

Note: For the act specified in this article, a legal person shall be punished by deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2003, Art. 83

Law No 1728 of 11 December 2013 of Georgia web-site 25.12.2013

Article 254 - Making available an area or dwelling place for prostitution

Making available an area or dwelling place for prostitution,-

shall be punished by a fine or imprisonment for a term of two to four years.

Note: For the act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2003, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2013

Article 255 - Illegal making or sale of a pornographic work or other items

1. Illegal making, dissemination or advertisement of pornographic works, printed publications, images or similar items, as well as trade in or storage of these items for marketing or dissemination purposes, -

shall be punished by a fine or corrective labour for up to two years or by imprisonment for the same term.

2. Knowingly purchasing, storing, attending the demonstration of, offering, disseminating, transferring, advertising, providing access to or using pornographic work containing images of minors, -

shall be punished by a fine or corrective labour for up to two years and/or by imprisonment for up three years.

3. Knowingly making or selling pornographic work containing images of minors, -

shall be punished by imprisonment for a term of three to five years.

Note:

1. A pornographic work containing images of minors shall mean a visual or audio-visual material produced by any method, also a staged performance which, using various means, depicts the participation of minors or of characters with the appearance of a minor in the actual, simulated or computer-generated sexual scenes or displays genitalia of a minor for the gratification of a consumer's sexual needs. A work shall not be considered to be pornography if it has medical, scientific, educational or artistic value.

2. For the act defined in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 1584 of 3 June 2005 – LHG I, No 31, 27.6.2005, Art. 197

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 1728 of 11 December 2013 – web-site, 25.12.2013

Article 255^1 - Engagement of minors in illegal production and sale of pornographic works or other similar items

Engagement of minors in the illegal production and sale of pornographic works or other similar items, as well as in the dissemination, advertisement or trading of such material or acquiring benefit from such acts, -

shall be punished by imprisonment for a term of two to five years.

Note: For the act defined in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2458 of 20 June 2003 – LHG I, No 21, 15.7.2003, Art. 149

Law of Georgia No 1584 of 3 June 2005 – LHG I, No 31, 27.6.2005, Art. 197

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 1728 of 11 December 2013 – web-site, 25.12.2013

Article 255^2 - Offering a meeting of a sexual character to a person under the age of 16

The offer of a meeting knowingly made by an adult to a person under the age of 16 by using information and communication technologies for the purpose of committing the offence defined in Article 140(3) and/or Article 255(3) of this Code, where the offer was followed by actions directed towards the holding of such a meeting,

shall be punished by restriction of liberty for up to three years or by imprisonment for a term of one to three years.

Law of Georgia No 1728 of 11 December 2013 – web-site, 25.12.2013

Article 256 - Production or dissemination of works promoting a cult of violence or cruelty

Production, dissemination, demonstration or storage for dissemination and demonstration purposes of a film, video film or other work that promotes the cult of violence or cruelty, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to a year.

Article 257 - Damage or destruction of natural monuments

1. Damage or destruction of natural monuments, -

shall be punished by a fine or imprisonment for up to four years.

2. The same act that results in damage or destruction of an object of special value, -

shall be punished by a fine or imprisonment for a term of seven to twelve years.

3. Damage or destruction of natural monuments by negligence, -

shall be punished by a fine or imprisonment for up to two years.

4. The same act that results in damage or destruction of an object of a special value, -

shall be punished by a fine or imprisonment for up to three years.

Law of Georgia No 989 of 22 June 20001– LHG I, No 22, 6.7.2001, Art. 79

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 258 - Disrespect to the deceased

1. Desecration of a corpse or grave, as well as destruction or damage of a burial monument or other above-ground structures, -

shall be punished by a fine or community service for one hundred and twenty to one hundred and eighty hours or by corrective labour for up to a year or by imprisonment for up to a year.

2. Unlawful appropriation of an item placed in or on a grave, -

shall be punished by a fine or imprisonment for up to two years.

3. The same act committed:

a) jointly by more than one person;

b) due to racial, religious, national or ethnic intolerance;

c) using violence or threat of violence, -

shall be punished by restriction of liberty for up to three years or by imprisonment for up to three years.

Law of Georgia No 595 of 11 November 2004 – LHG I, No 34, 16.11.2004, Art. 162

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 259 - Cruelty to animals

1. Cruelty to animals that results in their death or mutilation, as well as torture of animals, -

shall be punished by a fine or corrective labour for up to a year.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly;

c) in attendance of a minor, -

shall be punished by a fine or imprisonment for up to two years.

CHAPTER XXII[1] - Crime against Cultural Heritage

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 259[1] -Illegal archaeological works; damage of archaeological sites

1. Performance of any works on archaeological sites without permission for archaeological works, or intentional actions taken at an archaeological site that results in its damage or destruction or due to which it is impossible to date or identify it or obtain other major scientific information from the site, -

shall be punished by a fine or imprisonment for up to two years.

2. The same act committed by negligence, -

shall be punished by a fine or imprisonment for up to a year.

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 259[2] - Damage or destruction of cultural heritage

1. Intentional damage or destruction of cultural heritage sites or of other cultural heritage protected under the legislation of Georgia, -

shall be punished by a fine or restriction of liberty for up to two years.

2. Intentional damage of monuments of national significance, -

shall be punished by a fine or imprisonment for a term of two to four years.

3. Destruction of a monument of national significance, as well as damage or destruction of a monument included in the world heritage list, -

shall be punished by imprisonment for a term of four to eight years.

4. An act defined in paragraph 1 or 2 of this article that has been committed by negligence:

shall be punished by a fine or imprisonment for up to a year.

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 259[3] -Violation of the regime of a protective zone of cultural heritage

Violation of the regime of a protective zone of cultural heritage in a physical protection area that has substantially deteriorated the perception or use of the monument, reduced its historical and cultural value or created risks for its damage or destruction, as well as violation of the regime of an archaeological protection zone that has created risks for the damage or destruction of the archaeological object, -

shall be punished by a fine or imprisonment for up to two years.

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 259[4] - Unauthorised removal of monuments and other cultural valuables from Georgia

Unauthorised removal of monuments, archaeological objects or of other cultural valuables provided for by the legislation of Georgia -

shall be punished by a fine or imprisonment for up to two years.

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

CHAPTER XXII[2] - International Crime in the Area of Cultural Heritage

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 259[5] - Violation of international regulations for protecting cultural valuables during armed conflict

Intentional violation of international regulations for protecting cultural valuables that are under enhanced protection during inter-state and intra-state armed conflict, in particular:

a) damage or destruction, theft, robbery or appropriation of a movable monument that is under enhanced protection;

b) damage or destruction of an immovable monument that is under enhanced protection;

c) undertaking a military attack against a monument that is under enhanced protection, against the buildings of museums, libraries, archives or special hiding places designed for storing cultural valuables in case of armed conflict or use of these buildings or their areas for military operations, -

shall be punished by imprisonment for a term of five to ten years.

Law of Georgia No 4718 of 8 May 2007 – LHG I, No 18, 22.5.2007, Art. 148

Article 260 -Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues, precursors or new psychoactive substances

1. Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of drugs, their analogues or precursors, -

shall be punished by imprisonment for up to six years. (***The normative content of Section one , under which imprisonment may be imposed as a criminal punishment for illegal purchase and storage of drugs and namely of dried Marijuana indicated in horizontal row 92 of Annex 2 of the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance ,shall be considered void***) – Ruling No 3/1/708,709,710 of the Plenary Session of the Constitutional Court of Georgia of 26 February 2016 – website 15.3.2016

2. Illegal manufacturing, production, purchase, storage, transportation or transfer of a new psychoactive substance, -

shall be punished by imprisonment for up to five years.

3. The act defined in paragraph 1 or 2 of this article that has been committed:

a) in large quantities, -

b) by a group with preliminary agreement;

c) using an official position, -

d) repeatedly;

e) by a person who has previously committed any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of five to eight years.

4. Illegal sale of drugs, their analogues, precursors or new psychoactive substances, -

shall be punished by imprisonment for a term of six to eleven years.

5. The act defined in paragraph 4 of this article that has been committed:

a) in large quantities, -

b) by a group with preliminary agreement;

c) using an official position, -

d) repeatedly;

e) by a person who has previously committed any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of seven to fourteen years.

6. The act defined in this article that has been committed:

a) in particularly large quantities;

b) by an organised group;

shall be punished by imprisonment for a term of eight to twenty years or by life imprisonment.

Note:

1. Persons who voluntarily turn in drugs, their analogues, precursors, new psychoactive substances, psychotropic substances, their analogues or potent substances shall be released from criminal liability stipulated for the crimes defined in this Chapter, unless there are elements of another offence in their actions.

2. For the purposes of this Chapter, voluntary turning in shall mean only such actions when a person, before the commencement of investigation declared in writing or through any technical means of communication, about the intention to deliver drugs, their analogues, precursors, new psychoactive substances, psychotropic substances, their analogues or potent substances and actively assists in their seizure.

3. For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and a fine.

4. Paragraphs two and four of this article shall apply to any quantity of a new psychoactive substance.

5. The aggravating circumstances provided for by paragraphs 3(a), 5(a) and 6(a) of this article shall not apply to new psychoactive substances.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5184 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 281

Law of Georgia No 2236 of 16 April 2014 – web-site, 28.4.2014

Law of Georgia No 3975 of 8 July 2015 – web-site, 17.7.2015

Ruling No 3/1/708,709,710 of the Plenary Session of the Constitutional Court of Georgia of 26 February 2016 –website 15.3.2016

Article 261 - Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of psychotropic substances, their analogues or potent substances

1. Illegal manufacturing, production, purchase, storage, transportation, carriage or sale of psychotropic substances or their analogues, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to three years.

2. Illegal manufacturing, production, purchase, storage, transportation, transfer or sale of potent substances, -

shall be punished by a fine or corrective labour for up to a year.

3. An act defined in paragraph 1 or 2 of this article that has been committed:

a) in large quantities, -

b) by a group with preliminary agreement;

c) using an official position;

d) repeatedly;

e) by a person who has previously been convicted of committing any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of three to seven years.

4. An act defined in paragraph 1 or 2 of this article that has been committed:

a) in particularly large quantities;

b) by an organised group;

shall be punished by imprisonment for a term of seven to twelve years.

Note: For the act specified in this article, a legal person shall be punished by deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5184 of 3 July 20067– LHG I, No 28, 18.7.2007, Art. 281

Article 262 - Illegal import or export of drugs, their analogues, precursors or new psychoactive substances to/from Georgia or their international transportation by transit

1. Illegal import or export of drugs, their analogues or precursors to/from Georgia or their international transportation by transit, -

shall be punished by imprisonment for a term of six to nine years.

1^1. Illegal import or export of new psychoactive substances to/from Georgia or their international transportation by transit, -

shall be punished by imprisonment for up to five years.

2. The act provided for by paragraph 1 or 2 of this article that has been committed:

a) in large quantities, -

b) by a group with preliminary agreement;

shall be punished by imprisonment for a term of eight to twelve years.

3. An act defined in paragraph 1 or 2 of this article that has been committed:

a) using an official position;

b) repeatedly;

c) by a person who has previously convicted of committing any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of eleven to fifteen years.

4. An act defined in paragraphs 1, 2 or 3 of this article and committed:

a) in particularly large quantities;

b) by an organised group;

shall be punished by imprisonment for a term of 15 to 20 years or by life imprisonment.

Note:

1. For an act defined in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

2. Paragraph 1^1 of this article shall apply to any quantity of new psychoactive substances.

3. Aggravating circumstances defined in paragraphs 2(a) and 4(a) of this article shall not apply to new psychoactive substances.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2236 of 16 April 2014 – web-site, 28.4.2014

Article 263 - Illegal import or export of psychotropic substances, their analogues or potent substances to/from Georgia or their international transportation by transit in large quantities

1. Illegal import or export of psychotropic substances, their analogues or potent substances to/from Georgia or their international transport by transit in large quantities, -

shall be punished by imprisonment for a term of two to five years.

2. An act defined in paragraph 1of this article that has been committed:

a) jointly by more than one person;

b) by a person who has been previously convicted of committing any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of five to eight years.

3. An act defined in paragraph 1 of this article that has been committed:

a) in particularly large quantities;

b) using an official position;

c) repeatedly;

shall be punished by imprisonment for a term of eight to twelve years.

Note: For an act defined in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 264 - Unlawful appropriation or extortion of drugs, their analogues, precursors, new psychoactive substances, psychotropic substances, their analogues or potent substances

1. Unlawful appropriation or extortion of drugs, their analogues, precursors, new psychoactive substances, psychotropic substances, their analogues or potent substances, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for a term of two to four years.

2. The same act committed:

a) in large quantities, -

b) by a group with preliminary agreement ;

c) using violence or threat of violence that is not dangerous to life or health,

shall be punished by imprisonment for a term of four to seven years.

3. An act defined in paragraph 1of this article that has been committed:

a) using an official position;

b) repeatedly;

c) by a person who has been previously convicted of committing any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of seven to eleven years.

4. An act defined in paragraphs 1, 2 or 3 of this article that has been committed:

a) in particularly large quantities;

b) by an organised group;

c) using violence or threat of violence that is dangerous for life or health, -

shall be punished by imprisonment for a term of 10 to 15 years.

Note:

1. For an act defined in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

2. Paragraph 1 of this article shall apply to any quantity of new psychoactive substances.

3. The aggravating circumstances defined in paragraphs 2(a) and 4(a) of this article shall not apply to new psychoactive substances.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2236 of 16 April 2014 – web-site, 28.4.2014

Article 265 - Illegal sowing, growing or cultivation of plants containing narcotics

1. Illegal sowing, growing or cultivation of plants containing narcotics, -

shall be punished by a fine or imprisonment for a term of two to five years.

2. The same act committed:

a) in large quantities, -

b) by a group with preliminary agreement;

c) using an official position, -

d) repeatedly;

e) by a person who has previously been convicted of committing any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of four to seven years.

3. An act defined in paragraph 1 or 2 of this article that has been committed:

a) in particularly large quantities;

b) by an organised group;

shall be punished by imprisonment for a term of six to twelve years.

Note: For an act defined in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5184 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 281

Article 266 - Arrangement or maintenance of a secret laboratory for illegal production of drugs, their analogues, precursors, new psychoactive substances, psychotropic substances or their analogues

1. Arrangement or maintenance of a secret laboratory for illegal production of drugs, their analogues, precursors, new psychoactive substances, psychotropic substances or their analogues, -

shall be punished by imprisonment for a term of four to seven years.

2. The same act committed:

a) jointly by more than one person;

b) using an official position;

c) by a person who has previously been convicted of committing any of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of seven to twelve years.

Note: For an act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5184 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 281

Law of Georgia No 2236 of 16 April 2014 – web-site, 28.4.2014

Article 267 - Making of forged prescriptions or other documents for purchasing drugs for marketing purposes, or their sale

1. Making of a forged prescription or other documents for purchasing drugs for marketing purposes, or their sale, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for a term of three to six years.

2. The same act committed:

a) repeatedly or for the purpose of rendering services to other persons;

b) using an official status, -

shall be punished by a fine or imprisonment for a term of six to ten years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

3. An act defined in paragraph 1 or 2 of this article that has been committed:

a) in large quantities, -

b) by a group with preliminary agreement;

shall be punished by imprisonment for a term of nine to thirteen years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note: For an act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5184 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 281

Article 268 - Making of a forged prescription or other documents for purchasing psychotropic or potent substances for marketing purposes, or their sale

1. Making of a forged prescription or other documents for purchasing psychotropic or potent substances for marketing purposes, or their sale, -

shall be punished by a fine or corrective labour for up to three years.

2. The same act committed:

a) repeatedly or for the purpose of rendering services to other persons;

b) using an official position, -

shall be punished by a fine or imprisonment for a term of three to six years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to a year.

3. The act defined in paragraph 1 or 2 of this article that has been committed:

a) in large quantities, -

b) by a group with preliminary agreement;

shall be punished by imprisonment for a term of six to eleven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note: For an act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5184 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 281

Article 269 - Violation of the procedures for manufacturing, production, receipt, keeping records of, issuance, storage, transportation, transfer or import of drugs or precursors

1. Violation of the procedures for manufacturing, production, receipt, keeping records of, issuance, storage, transportation, transfer or import of drugs or precursors that results in their illegal circulation, -

shall be punished by a fine or imprisonment for up to three years, deprivation of the right to hold an official position or to carry out a particular activity for up three years.

2. The same act that results in illegal circulation of large quantities of drugs or precursors, or other grave consequences, -

shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note: For an act specified in this article, a legal person shall be punished by deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 270 - Violation of procedures for manufacturing, production, receipt, keeping records of, issuance, storage, transportation, transfer or import of psychotropic or potent substances

1. Violation of procedures for manufacturing, production, receipt, keeping records of, issuance, storage, transportation, transfer or import of psychotropic or potent substances that results in their illegal circulation, -

shall be punished by a fine or corrective labour for up a year, with or without deprivation of the right to hold an official position or to carry out a particular activity.

2. The same act that results in illegal circulation of large quantities of psychotropic or potent substances or in other grave consequences, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for the same term, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note: For an act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 271 - Making a dwelling place or other premises available for illegal use of drugs, their analogues, new psychoactive substances, psychotropic substances or their analogues

1. Making a dwelling place or other premises available for illegal use of drugs, their analogues, new psychoactive substances, psychotropic substances or their analogues, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act committed:

a) repeatedly;

b) for mercenary purposes;

c) against a minor or a person who is undergoing a detoxification treatment, -

shall be punished by imprisonment for a term of two to five years.

3. Arrangement of special premises or organising illegal use on such premises of drugs, their analogues, new psychoactive substances, psychotropic substances or their analogues, -

shall be punished by imprisonment for a term of three to six years.

4. An act defined in paragraph 3 of this article that has been committed:

a) by an organised group;

b) repeatedly;

shall be punished by imprisonment for a term of five to nine years.

Note: For an act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2236 of 16 April 2014 – web-site, 28.4.2014

Article 272 - Inducement to use drugs, their analogues, new psychoactive substances, psychotropic substances or their analogues

1. Inducement to use drugs, their analogues, new psychoactive substances, psychotropic substances or their analogues, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act committed repeatedly, -

shall be punished by imprisonment for a term of three to six years.

3. An act defined in paragraph 1 of this article committed with respect to two or more persons or a minor, -

shall be punished by imprisonment for a term of six to ten years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2243 of 16 April 2014 – web-site, 2.5.2014

Article 273 - Illegal manufacturing, purchase, storage or illegal consumption without medical prescription of drugs, their analogues or precursors in small quantity for personal consumption

Illegal manufacturing, purchase, storage or illegal consumption without medical prescription of drugs, their analogues or precursors in small quantity for personal consumption, by a person who has been subjected to an administrative penalty for the commission of such an act, or who has been convicted of this crime, -

shall be punished by a fine or community service from120 to 180 hours or by imprisonment for up to a year.

Note: The fine defined in this article shall not be less than twice the amount of the fine determined by the relevant article of the Administrative Offences Code of Georgia. (***The normative content, under which imprisonment may be imposed as a criminal punishment for the consumption of Marijuana 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 deemed to be void***) – Ruling No 3/2/771, 775, 776, 777, 786, 787, 788 of the Plenary Session of the Constitutional Court of Georgia of 29 September 2016 – website 11.10.2016

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5184 of 3 July 2007 – LHG I, No 28, 18.7.2007, Art. 281

Ruling No 3/2/771, 775, 776, 777, 786, 787, 788 of the Plenary Session of the Constitutional Court of Georgia of 29 September 2016 – website 11.10.2016

Article 274 - Evading compulsory medical treatment

Persistent evasion by a drug addict of compulsory medical treatment in a special medical facility, -

shall be punished by imprisonment for up to a year.

CHAPTER XXXIV - Transport-related Crime

Article 275 - Violation of safety regulations or procedures for operating railway, water, air or cable way transport traffic

1. Violation of safety regulations or procedures for operation of railway, water, air or cable way transport traffic by a person specifically charged with the observance of these procedures that results in less serious or serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for a term of two to five years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of four to six years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act defined in paragraph 1 of this article that results in death, -

shall be punished by imprisonment for a term of five to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of six to nine years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

5. The act defined in paragraph 1 of this article that results in death of two or more persons, -

shall be punished by imprisonment for a term of six to ten years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

6. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of eight to twelve years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 276 - Violation of traffic safety rules or rules for operating transport

1. Violation of traffic safety rules or rules for operating a motor car, street-car, trolley-bus, tractor or other mechanical transport by persons driving them that results in less serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for the same term, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. An act defined in paragraph 1 of this article that results in serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to five years or by imprisonment for a term of three to five years, with deprivation of the right

to hold an official position or to carry out a particular activity for up to three years.

4. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of four to six years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

5. An act defined in paragraph 1 of this article that results in death, -

shall be punished by imprisonment for a term of four to seven years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

6. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of six to nine years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

7. An act defined in paragraph 1 of this article that results in death of two or more persons, -

shall be punished by imprisonment for a term of six to ten years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

8. The same act committed in a drunken state, -

shall be punished by imprisonment for a term of eight to twelve years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 277 - Poor quality repair of a vehicle, release for operation of malfunctioning transport

1. Poor quality repair of a vehicle, road, alarm system, communication equipment or other transport equipment, as well as release for operation of malfunctioning transport, committed by a person responsible for the technical state of the vehicle that results in less serious or serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for the same term, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in death,-

shall be punished by imprisonment for a term of three to seven years.

3. An act defined in paragraph 1 of this article that results in death of two or more persons,-

shall be punished by imprisonment for a term of six to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 278 - Rendering a vehicle unusable

1. Damage, destruction or otherwise rendering unusable of a vehicle, road, alarm system or communication equipment or other equipment of a vehicle, as well as blockage of transport communication lines that results in less serious or serious bodily injury, -

shall be punished by a fine or imprisonment for a term of two to four years.

2. The same act that results in death, -

shall be punished by imprisonment for a term of three to seven years.

3. An act defined in paragraph 1 of this article that results in death of two or more persons, -

shall be punished by imprisonment for a term of six to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 279 - Abandonment of a ship in distress by the captain

Abandonment by a ship captain of those in distress who are perishing at sea or other waterway, provided that the captain was able to provide aid to them without putting at serious risk the ship, crew or passengers, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 280 - Violation of international flight rules

1. Failure to adhere to the allowed route, specified flight altitude, landing area, air gateways or other violations of international flight rules, -

shall be punished by a fine or restriction of liberty for up to two years or by imprisonment for up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that has seriously endangered a populated area, -

shall be punished by restriction of liberty for up to three years or by imprisonment for up to two years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 281 - Violation of traffic safety regulations

1. Violation of traffic safety regulations by passengers, pedestrians or other participants of traffic, except for persons defined in Articles 275 or 276 of this Code that results in less serious or serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to three years or by imprisonment for up to two years.

2. The same act that results in death by negligence, -

shall be punished by imprisonment for a term of two to four years.

3. An act defined in paragraph 1 of this article that results in negligent death of two or more persons, -

shall be punished by imprisonment for a term of five to nine years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 282 - Arbitrary stop of a train

1. Stopping a train without necessity that results in death or other grave consequences, -

shall be punished by imprisonment for a term of four to seven years.

2. The same act that results in death of two or more persons, -

shall be punished by imprisonment for a term of six to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 283 - Violation of safety regulations during the construction, operation and repair of a main pipeline

1. Violation of safety regulations during the construction, operation and repair of a main pipeline that results unless serious or serious bodily injury, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for the same term, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that has resulted in death, -

shall be punished by imprisonment for a term of two to five years.

3. An act defined in paragraph 1 of this article that has resulted in death of two or more persons, -

shall be punished by imprisonment for a term of six to nine years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

CHAPTER XXXV - Cybercrime

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 284 - Unauthorised access to computer system

1. Unauthorised access to computer system, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for the same term.

2. The same act:

a) committed by a group with preliminary agreement;

b) committed using an official position;

c) committed repeatedly;

d) that has resulted in substantial damage, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for a term of two to five years.

Note:

1. A computer system is any mechanism or a group of inter-connected mechanisms that automatically processes data (including personal computers, any equipment with a microprocessor, also a mobile phone) by means of software.

2. Computer data are any information displayed in any form that can be processed in the computer system, including software that ensures the operation of the computer system.

3. Unauthorised shall mean illegal, also those cases when the owner of the right has not, directly or indirectly, transferred the right to the person committing the act.

4. For the purposes of this chapter 'substantial' shall mean damage exceeding GEL 2 000.

5. For the act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5940 of 19 March 2008 – LHG I, No 8, 28.3.2008, Art. 47

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 285 - Illegal use of computer data and/or computer system

1. Unauthorised making, storage, sale, dissemination of software and/or other equipment, also of a password, access code to the computer system or of other similar data or provision of access to the above in any other way for the purpose of committing the offence defined in this Chapter and by Articles 158 or 159 of this Code, -

shall be punished by a fine or corrective labour for up to two years and/or by imprisonment for up three years.

2. The act defined in paragraph 1 of this article:

a) committed by a group with preliminary agreement;

b) committed using an official position;

c) committed repeatedly;

d) that has resulted in substantial damage, -

shall be punished by a fine or corrective labour for up to two years, and/or by imprisonment for a term of three to six years.

Note: For the act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 2378 of 2 May 2014 – web-site, 16.5.2014

Article 286 - Unauthorised handling of computer data and/or computer systems

1. Unauthorised damage, deletion, replacement or concealment of computer data, -

shall be punished by a fine, or corrective labour for up to two years and/or by imprisonment for the same term.

2. The act defined in paragraph 1 of this article, also unauthorised insertion or transfer of computer datathat has resulted in considerable and intentional disruption of the operation of a computer system, -

shall be punished by a fine or corrective labour for up to two years and/or by imprisonment for up to three years.

3. An act defined in paragraph 1 or 2 of this article:

a) committed by a group with preliminary agreement;

b) committed using an official position;

c) committed repeatedly;

d) that has resulted in substantial damage, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for a term of three to five years.

Note: For committing an act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

SECTION TEN

CRIME AGAINST ENVIRONMENTAL PROTECTION AND NATURAL RESOURCE USE

CHAPTER XXXVI - Crime against Environmental Protection

Article 287 - Breach of environmental protection rules when performing work

Breach of the rules for design, arrangement, reconstruction, construction, commissioning of industrial, agricultural, scientific or other facilities, or breach of environmental protection rules during their operation that has resulted in substantial deterioration of the radioactive background, harm to human health, mass destruction of fauna or flora or other grave consequences, -

shall be punished by a fine or imprisonment for a term of two to five years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 288 - Violation of the procedures for handling environmentally hazardous substances or waste

1. Violation of the procedures for handling toxic, bacteriological, chemical or environmentally hazardous substances or waste during their production, transport, disposal, storage, burying or usethat could have substantially harmed human health or damaged the environment or resulted in other grave consequences, -

shall be punished by a fine or imprisonment for up to two years.

2. The same act that results in environmental contamination, poisoning or disease or harm to human health or mass destruction of fauna or flora, or committed under an environmental emergency or in the area of ecological disaster, -

shall be punished by imprisonment for a term of three to five years.

3. An act defined in paragraph 1 or 2 of this article that has resulted in death, or mass illness in humans, -

shall be punished by imprisonment for a term of five to eight years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 289 - Violation of the procedure for handling microbiological or other biological agents or toxins

1. Violation of the procedure for handling microbiological or other biological agents or toxins that results in injury of the human bodily, spread of epidemics or epizootic diseases or other grave consequences for the environment, -

shall be punished by a fine or imprisonment for up to three years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

2. The same act that has resulted in death, -

shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 289^1 - Violation of the procedures in the use of live genetically modified organisms

1. Violation of safety norms for transportation of live genetically modified organisms that has resulted in injury to human health and/or other grave consequences for the environment and biodiversity, -

shall be punished by a fine or imprisonment for up to a year with deprivation of the right to carry out a particular activity for up to two years.

2. Use of live genetically modified organisms within a closed system without the appropriate license, which has resulted in injury to human health and/or other grave consequences for the environment and biodiversity, -

shall be punished by a fine or imprisonment for up to two years, with forfeiture of property.

3. Introduction of live genetically modified organisms into the environment and/or their placement in the market network, -

shall be punished by imprisonment from three to five years, with or without deprivation of the right to carry out an activity.

Note: For an act defined in this article, a legal person shall be punished by a liquidation or deprivation of the right to carry out an activity.

Law of Georgia No 2661 of 18 September 2014 – web-site, 2.10.2014

Law of Georgia No 4801 of 2 March 2016 – website 22.3.2016

Article 290 - Violation of the veterinary-related legislation of Georgia

1. Violation of the veterinary-related legislation of Georgia that has resulted in the spread of epizootic diseases or other grave consequences, -

shall be punished by a fine or corrective labour for up to a year, or by imprisonment for a term of up to two years.

2. Violation of the veterinary-related legislation of Georgia that results in the spread of epizootic, zoonotic, zooanthroponotic diseases or other grave consequences, -

shall be punished by deprivation of the right to hold an official position or carry out a particular activity for up to three years, or by corrective labour for up to two years or by imprisonment for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2004, Art. 90

Article 291 - Breach of water use rules

Unauthorised seizure of water or unauthorised performance of hydrotechnic works on common use networks, as well as other breach of water use regulations that has resulted in considerable damage, -

shall be punished by a fine or corrective labour of up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 5642 of 27 December 2011 – web-site, 12.1.2012

Law of Georgia No 4 72 of 25 March 20123– web-site, 5.4.2013

Article 292 - Water contamination

1. Contamination, littering, drying out of or exerting other negative influence on a water body that may endanger public health, reduce the fish supply, deteriorate the water supply conditions and physical, chemical and biological properties of water, reduce the natural self-cleaning ability, disrupt the hydrological and hydrogeological regime, -

shall be punished by a fine or corrective labour for up to a year, or by imprisonment for up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that has harmed human health or resulted in mass destruction of fauna or flora, also the same act committed in the territory of the state reserve or protected area or under environmental emergency or in a zone of ecological disaster, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to three years.

3. The act defined in paragraph 1 or 2 of this article that has resulted in death or other grave consequences, -

shall be punished by imprisonment for at term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 293 - Sea contamination

1. Illegal discharge into the sea from a ship, other floating facility, platform or other structure artificially constructed in the sea of substances harmful to the human health or to living marine organisms, or other waste or materials, as well as contamination of the sea in violation of the procedure for their burial [of waste]that endangers human health or living marine organisms, or interferes with the lawful use of the sea, committed after an administrative penalty for such act has been imposed, -

shall be punished by a fine or corrective labour of up to a year, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Illegal discharge into the sea from the land or aircraft of substances harmful to human health or to living marine organisms, or other waste or materials, as well as contamination of the sea in violation of the procedure for their burial that endangers human health or living marine organisms, or interferes with the lawful use of the sea, -

shall be punished by a fine or corrective labour of up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. An act defined in paragraphs 1 and 2 of this article that seriously damages human health, fauna, the fish supply or other living organisms of the water, a recreation area or other interests protected by law, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

4. An act defined in paragraphs 1, 2 or 3 of this article that results in death, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 1629 of 4 July 2007 – LHG I, No 23, 24.7.2002, Art. 114

Article 294 -Failure to report a discharge into the sea of substances harmful to the human health or to living marine organisms, or of other waste or materials, by a person whose duty is to report such actions

Failure of a duly authorised official of a ship, other floating facility, aircraft, platform or other structure artificially constructed in the sea to notify the administration of the nearest sea port, or in the case of discharge for the purpose of burial, to additionally notify an organisation issuing permits for a discharge, of the fact that within Georgia's inner sea or territorial waters or in the open sea a discharge is being prepared or has already been carried out due to extreme necessity or there has been unavoidable loss of hazardous substances that are harmful to human health or living marine organisms, or of

such mixtures that contain such hazardous substances in excess of the norm, or of other waste or materials that may harm the recreational area or interfere with the lawful use of the sea, -

shall be punished by a fine or corrective labour for up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 295 - Contamination of ambient air

1. Breach of the rules for the emission of hazardous substances into the ambient air and for the operation of cleaning equipment, structure or other facility that has considerably deteriorated the quality of the ambient air, -

shall be punished by a fine or corrective labour for up to a year, or by imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in damage to human health, -

shall be punished by a fine or corrective labour for a term of one to two years, or by imprisonment for up to two years.

3. An act defined in paragraph 1 of this article that results in death, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 296 -Violation of the legislation related to Georgia's continental shelf, territorial waters or the Special Economic Zone

1. Unlawful erection of structures on the continental shelf, in the territorial waters or adjacent zones of Georgia, unlawful establishment of a safety zone around an artificial island, structure or equipment around the above structures or in the Special Economic Zone, or violation of the safety regulations for construction, reconstruction, operation, protection, demolition or conservation of the structures, or for sea navigation after an administrative penalty for such violation has been imposed, -

shall be punished by a fine or corrective labour for up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Exploration or prospecting of the continental shelf or the Special Economic Zone of Georgia without appropriate permission or the exploitation of their natural resources after an administrative penalty for the same violation has been imposed, -

shall be punished by a fine or corrective labour of up to two years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 1627 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 113

Article 297 -Making land unfit for use

1. Poisoning, degradation or making land otherwise unfit for use with harmful substances during entrepreneurial, economic or other activities caused by the breach of the procedure for handling fertilisers, plant growth stimulants, pesticides, other chemical or biological substances during their storage, use or transport that results in damage to human health or damage of the environment, -

shall be punished by a fine or corrective labour for up to three years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed under environmental emergency or in a zone of ecological disaster that has made a significant area of the land unfit for use, -

shall be punished by restriction of liberty for up to three years or by imprisonment for the same term.

3. An act defined in paragraphs 1 or 2 of this article that results in death, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 298 - Violation of the procedure for use or protection of mineral resources

Breach of the procedure for using or protecting mineral resources during the design, arrangement, reconstruction, demolition, commissioning or operation of a mining enterprise or underground structure, as well as unauthorised construction in the proximity of an area where the mineral resources are located that results in substantial damage, -

shall be punished by a fine or corrective labour for of up to two years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 299 - Illegal use of mineral resources

1. Illegal use of mineral resources that results in substantial damage, -

shall be punished by a fine or imprisonment for up to a year.

2. The same act committed repeatedly, -

shall be punished by a fine or imprisonment for up to three years.

Law of Georgia No 1893 of 22 October 20069– LHG I, No 33, 9.11.2009, Art. 212

Article 300 - Illegal fishing

1. Fishing using electric current, an electric-shock device or other prohibited means, explosive or poisonous substance, other means of mass destruction of fish or other living organisms of water, or illegally fish or other living organisms of water from a water craft with the total capacity of 100 tons or less and with the length exceeding 8 meters, or with the total capacity of more than 100 tons using fish-catching devices, or catching of fish or other living organisms of water included in the Red List of Georgia, after an administrative penalty for such violation has been imposed, -

shall be punished by a fine or corrective labour for up to six months, or by imprisonment for up to a year.

2. Fishing using electric current, an electric-shock device or other prohibited means, explosive or poisonous substances, other means for mass destruction of fish or other living organisms of the water, or catching of fish or other living organisms of the water included in the Red List of Georgia that results in considerable damage, -

shall be punished by a fine or corrective labour for up to a year, or by imprisonment for up to two years.

3. Fishing using electric current, an electric-shock device or other prohibited means, explosive or poisonous substances, other means of mass destruction of fish or other living organisms of the water, or from a water craft with the total capacity of 100 tons or less and with the length exceeding 8 meters, or with the total capacity of more than 100 tons using fish-catching devices, committed during the prohibited period or in the prohibited area or under environmental emergency or in the area of ecological disaster or in the territory of the state reserve, strict protection zone of nature of the national park, of a natural monument, of a zone of the nucleus of a biosphere reserve (strict nature reserve) or of an area of the world heritage, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 1627 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 113

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2477 of 25 December 2009 - LHG I, No 50, 31.12.2009, Art. 395

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 724 of 12 June 2013 – web-site, 3.7.2013

Article 301 - Illegal hunting

1. Hunting without appropriate permission, or in prohibited areas or during a prohibited period or using prohibited weapons or other means that results in substantial damage, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to a year, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Hunting in the state reserve or other protected area where it is completely prohibited, or hunting using a mechanical transport or mass destruction device, or hunting for the animals and birds either included in the Red List of Georgia or being in a helpless condition, also hunting under environmental emergency or in the area of ecological disaster, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5201 of 8 November 2011 – web-site, 14.11.2011

Law of Georgia No 4 72 of 25 March 2013 – web-site, 5.4.2013

Article 302 - Destruction of the habitat of the endangered wild animals or wild plants that have been included in the Red List of Georgia

1. Destruction of the natural habitat or breeding ground of endangered wild animals or wild plants that have been included in the Red List of Georgia, or use for other purposes of the places where the species included in the Red List of Georgia naturally dwell or grow that has through negligence created the risk of extinction of the species of plants or animals in those areas, -

shall be punished by a fine or restriction of liberty for up to three years, or by imprisonment for the same term, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in the extinction through negligence of the endangered wild animals or wild plants that have been included in the Red List of Georgia, -

shall be punished by a fine or imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2386 of 6 June 2003– LHG I, No 19, 1.7.2003, Art. 133

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 303 -Illegal felling of trees and bushes

1. Illegal felling of trees and bushes that results in substantial damage, -

shall be punished by a fine or corrective labour for up to a year, or by imprisonment for up to three years.

2. The same act committed repeatedly, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to four years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 304 - Damage or destruction of forest or plantation

1. Damage or destruction of forest or plantation by negligent handling of fire or any source of enhanced danger, or its contamination with harmful substances, -

shall be punished by a fine, or corrective labour for up to two years or by imprisonment for the same term.

2. Damage or destruction of forest or plants by setting fire, by explosion or using other universally dangerous means, -

shall be punished by imprisonment for a term of four to eight years.

Article 305 - Violation of the regime of protected areas

Violation of the regime of the state reserve, sanctuary, national park, natural monument, protected landscape or of other protected areas that results in substantial damage, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for the same term, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 306 - Activities conducted without an environmental impact permit

Conduct of activities without an environmental impact permit, committed after an administrative penalty for such an act has been imposed, -

shall be punished by a fine or corrective labour for up to two years, or by imprisonment for up to three years.

SECTION ELEVEN

CRIME AGAINST THE STATE

CHAPTER XXXVII - Crime against Constitutional Structure and Security Principles of Georgia

Article 307 - (Deleted)

Law of Georgia No 4698 of 27 April 2007 – LHG I, No 16, 7.5.2007, Art. 130

Article 308 -Violation of the territorial integrity of Georgia

1. An act committed against Georgia that is intended to transfer the entire territory of Georgia or its part to a foreign country or to separate a certain part from the Georgian territory, -

shall be punished by imprisonment for a term of ten to fifteen years.

2. The same act that results in loss of the entire territory of Georgia or its part, or other grave consequences, -

shall be punished by imprisonment for a term of fifteen to twenty years or by life imprisonment.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 309 - Entering into anti-constitutional agreements or conducting anti-constitutional negotiations

1. Conducting anti-constitutional negotiations with a foreign country, foreign organisations or their representatives that is intended to restrict Georgia's sovereignty or otherwise prejudice its state independence, -

shall be punished by imprisonment for a term of six to ten years, or by deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Conclusion of an anti-constitutional agreement with a foreign country or foreign organisation on behalf of Georgia that restricts state independence of Georgia, its sovereignty or endangers Georgia's peaceful co-existence with other states, or vesting others with authority to conclude such an agreement, --

shall be punished by imprisonment for a term of ten to fifteen years, or by deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 310 - Encroachment upon Georgia's foreign security

1. Joining a foreign country's or a foreign organisation's military service to the detriment of Georgia's foreign security, also persuasion of others to commit such an act, -

shall be punished by imprisonment for a term of five to eight years.

2. Establishment with a foreign country or a foreign organisation of such relationships that are intended to prepare or undertake a military action or other act of aggression against Georgia, or any other action intended to provoke such an act, -

shall be punished by imprisonment for a term of eight to twelve years.

3. The act defined in paragraph 1 or 2 of this article that results in grave consequences, -

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 311 - Joining a foreign intelligence service

Joining or working in a foreign intelligence service against Georgia, -

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 312 - Compromising Georgia's defence potential

1. Illegal transfer of a Georgian military unit, equipment or other means of defence to a foreign country, foreign organisation or its representative, -

shall be punished by imprisonment for a term of seven to ten years.

2. Damage, making unfit for operation or destruction of military equipment or military facilities of Georgia to the detriment of the defence capacity of Georgia, or interference with the normal functioning of any other military or defence-related enterprises, establishments, organisations or agencies, -

shall be punished by imprisonment for a term of ten to fifteen years.

3. An act defined in paragraph 1 or 2 of this article that is committed during war or armed conflicts, or that results in death, or other grave consequences, -

shall be punished by imprisonment for a term of twelve to twenty years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 313 - Divulging of state secrets

1. Divulging of a state secret, i.e. communication of a state secret of Georgia to a foreign country, foreign organisation or its representative to the detriment of Georgia or allowing state secrets to become known to the public, as well as any other act carried out for the same purpose that makes a state secret available to unauthorised persons and that has been committed by a person who is aware of this secret due to his/her official status or by a person to whom such secret has been confided in connection with specific circumstances, -

shall be punished by imprisonment for a term of eight to fifteen years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed during war, or that results in grave consequences, -

shall be punished by imprisonment for a term of twelve to twenty years, with deprivation of the right to hold a position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 314 - Espionage

1. Collection, storage, transfer or extortion or stealing of items, documents, information or other data containing state secrets of Georgia for the purpose of handing them to a foreign country, foreign organisation or their representatives, or collection or transfer of other information to the detriment of Georgia upon instructions of a foreign intelligence service or foreign organisation, -

shall be punished by imprisonment for a term of eight to twelve years.

[**Invalidated** - Decision of the Constitutional Court of Georgia No 2/2/516,542 of 14 May 2013 - web-site, 23.5.2013]

2. Espionage committed during war or armed conflict, or that has seriously prejudiced the interests of Georgia, -

shall be punished by imprisonment for a term of twelve to twenty years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Decision of the Constitutional Court of Georgia No 2/2/516,542 of 14 May 2013 - web-site, 23.5.2013

Article 315 - Conspiracy or rebellion intended to change the constitutional order of Georgia through violence

1. Any conspiracy intended to change the constitutional order of Georgia through violence, or to overthrow or seize state power, -

shall be punished by imprisonment for a term of five to eight years.

2. Any rebellion intended to change the constitutional order of Georgia through violence, or to overthrow or seize the state power, -

shall be punished by imprisonment for a term of seven to fifteen years.

3. An act defined in paragraph 2 of this article that results in death or other grave consequences, -

shall be punished by imprisonment for a term of fifteen to twenty years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4698 of 27 April 2007 – LHG I, No 16, 7.5.2007, Art. 130

Article 316 - Unlawful seizure of military command or disobedience to the legitimate authorities

1. Unlawful seizure of military command, -

shall be punished by imprisonment for a term of five to eight years.

2. Illegal movement, gathering or change of the place of deployment of a military force or equipment by a military commander, or other disobedience to legitimate authorities, -

shall be punished by imprisonment for a term of seven to twelve years.

3. An act defined in paragraphs 1 or 2 of this article that is committed during war, armed conflict, states of emergency or mass riots, or that results in grave consequences, -

shall be punished by imprisonment for a term of ten to fifteen years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 317 - Incitement to change the constitutional order of Georgia through violence, or to the overthrow of the state government

Public incitement to change the constitutional order of Georgia through violence, or to the overthrow of the state government, or dissemination of materials containing such an appeal, as well as appeal to take up arms for the same purpose, -

shall be punished by imprisonment for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 318 - Sabotage

1. Interference with the normal functioning of public or other enterprises, institutions, organisations or agencies for the purpose of weakening of Georgia, -

shall be punished by imprisonment for a term of two to four years.

2. The damage, making unfit for operation or destruction of enterprises, transport and communication facilities or mass media, roads, structures, equipment, documents, strategic raw materials, materials or products in large quantity, as well as of facilities that are required for the normal functioning of establishments or organisations vital for the public and which are designated for the maintenance of public security or public order, or of other special purpose facilities, -

shall be punished by imprisonment for a term of five to ten years.

3. An act defined in paragraph 2 of this article, committed by explosion, setting fire or using other universally dangerous means, as well as putting nuclear power out of control, spread of epidemics or epizootics, mass poisoning or any other act that results in death or damage to human health, -

shall be punished by imprisonment for a term of ten to twenty years or by life imprisonment.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 319 - Assistance to a foreign country, foreign organisation or an organisation controlled by a foreign state in hostile activities

Assisting a foreign country, foreign organisation or an organisation controlled by a foreign state in the activities intended to undermine the state interests of Georgia, unless there are elements of any of the acts defined in Articles 308, 310-314, 318, 322-325 and 329, -

shall be punished by imprisonment for a term of seven to fifteen years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 320 -Disclosure of state secrets

1. Disclosure of state secrets intentionally or by persons who are aware of those secrets due to their official status or to whom such secrets have been confided, unless there are elements of the crime defined in Articles 313 or 314 of this Code, -

shall be punished by imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in grave consequences for the interests of Georgia, -

shall be punished by imprisonment for a term of five to eight years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 321 - Breach of the procedure for keeping state secrets

1. Intentional or negligent breach of the procedure for handling documents or items containing a state secret that results in damage, destruction or loss of such document or item, -

shall be punished by imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act that results in disclosure of the state secret or other grave consequences, -

shall be punished by imprisonment for a term of two to six years, or by deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 321[1] - Financing of activities directed against the constitutional order and national security principles of Georgia or provision of other material support to such activities

1. Collection or supply of financial resources or other assets and/or material resources with prior knowledge that they will be used, or will possibly be used in full or in part, for the commission of any of the offences defined in this Chapter (other than the offences prescribed by Articles 320 and 321 of this Code), -

shall be punished by imprisonment for a term of six to ten years.

2. The same act committed:

a) by an organised group;

b) repeatedly;

shall be punished by imprisonment for a term of ten to fifteen years.

3. The act defined in paragraphs 1 or 2 of this article that results in grave consequences, -

shall be punished by imprisonment for a term of fifteen to twenty years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.6.2015

Article 322 - Active repentance of a crime against the State

A person who committed any of the offences defined in Articles 309, 311, 314(1), 315(1) and 319 of this Code shall be discharged from criminal liability if he/she voluntarily and timely notifies public authorities of this and if the potential damage against the interests of Georgia is prevented.

CHAPTER XXXVII[1] - Violation of the legal regime of the occupied territories

Law of Georgia No 795 of 19 December 2008 – LHG I, No 40, 29.12.2008, Art. 282

Article 322[1] - Breach of the procedure for entry into the occupied territories

1. Entry of foreigners or stateless persons into the occupied territories in violation of the Law of Georgia on the Occupied Territories, -

shall be punished by a fine or imprisonment for a term of two to four years.

2. The act defined in paragraph 1 of this article that has been committed:

a) jointly by more than one person;

b) repeatedly;

c) using violence or threat of violence, -

d) by a person convicted for such an offence, -

shall be punished by imprisonment for a term of three to five years.

Note: For the commission of the offence defined in this article, a foreigner or stateless person shall be released from criminal liability if he/she entered Georgia directly from the territories where his/her life or freedom was endangered under Article 1 of the 1951 UN Convention on the Status of Refugees and who is staying in Georgia illegally and who, according to the same Convention and the legislation of Georgia, seeks asylum from the authorities of Georgia provided that he/she will immediately appear at the public authority and provide appropriate explanation about his/her illegal entry or unauthorised stay in Georgia, and if his/her act contains no elements of a crime, also of a person committed the above act because of his/her being a victim of human trafficking, before acquiring the status of the victim of human trafficking.

Law of Georgia No 795 of 19 December 2008 – LHG I, No 40, 29.12.2008, Art. 282

Law of Georgia No 4060 of 17 July 2015 – web-site, 29.7.2015

Article 322[2] - Conduct of prohibited economic activities in the occupied territories

1. Conduct of such economic activities in the occupied territories that are prohibited under the Law of Georgia on the Occupied Territories, -

shall be punished by imprisonment for a term of three to five years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly;

d) by a person previously convicted of such offence, -

shall be punished by imprisonment for a term of four to six years.

Note: For the act specified in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or by liquidation and a fine.

Law of Georgia No 795 of 19 December 2008 – LHG I, No 40, 29.12.2008, Art. 282

CHAPTER XXXVIII - Terrorism

Article 323 - Act of Terrorism

1. An act of terrorism, i.e. explosion, setting fire, assault on a person, use of a weapon or any other act that creates the risk of death, substantial damage to property or the occurrence of other grave consequences that has been committed for terrorist purposes, -

shall be punished by imprisonment for a term of ten to fifteen years.

1[1]. Any threat of committing the act defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of six to twelve years.

2. The same act committed:

a) jointly by more than one person;

b) repeatedly;

c) using weapons of mass destruction, -

shall be punished by imprisonment for a term of twelve to seventeen years.

3. An act defined in paragraphs 1, 1^1 or 2 of this article that results in death or other grave consequences, -

shall be punished by imprisonment for a term of fifteen to twenty years or by life imprisonment.

Note:

1. For the purposes of this Chapter, 'terrorist purpose' means threatening public or coercing public authorities, foreign authorities or international organisations into taking or refraining from taking certain actions, or to undermining or destroying fundamental political, constitutional, economic or social structures of a country/foreign country/international organisation.

2. For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and a fine.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 4630 of 5 May 2011 – web-site, 19.5.2011

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 5744 of 2 March 2012 - web-site, 15.3.2012

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 323^1 - Unlawful purchase, storage, carrying, manufacturing, transportation, transfer, sale or use of firearms, ammunition, explosives or equipment for terrorist purposes

1. Unlawful purchase, storage, carrying, manufacturing, transportation, transfer, sale or use of firearms, ammunition, explosives or equipment for terrorist purposes, -

shall be punished by imprisonment for a term of six to nine years.

2. A threat to commit the act defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of four to eight years.

3. Use of firearms, ammunition, explosives or equipment for terrorist purposes, -

shall be punished by imprisonment for a term of ten to fifteen years.

4. A threat to commit the act defined in paragraph 3 of this article, -

shall be punished by imprisonment for a term of six to twelve years.

5. An act defined in paragraphs 1, 2, 3 or 4 of this article that results in death or other grave consequences, -

shall be punished by imprisonment for a term of twelve to twenty years or by life imprisonment.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 323^2 - Participation in international terrorism

1. Participation in international terrorism, and/or military support to a foreign country or the authorities thereof, to a group of persons or to other physical or legal persons, committed for terrorist purposes, -

shall be punished by imprisonment for a term of twelve to seventeen years.

1^1. Crossing or attempting to cross the state border of Georgia for the purpose of carrying out, preparing for or participating in terrorist activities or trainings, -

shall be punished by imprisonment for a term of six to nine years.

2. An act defined in paragraph 1:

a) committed repeatedly;

b) by a group with preliminary agreement;

c) committed by a terrorist organisation;

d) that has substantially damaged the state and/or results in death or other grave consequences, -

shall be punished by imprisonment for a term of eighteen to twenty years or by life imprisonment.

Note:

1. For the purposes of this article, international terrorism shall mean terrorist activities defined as `international terrorism` by Article 1(d) of the Law of Georgia on Combating Terrorism.

2. For the purposes of this article, military support shall mean selection or training of relevant personnel, purchase of equipment, participation in military actions, and provision of logistic, intelligence or functional support, provision of terrorists with a bodyguard or other military services.

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.6.2015

Article 324 - Technological terrorism

1. Unlawful purchase, storage, carrying, production, transportation, transfer or sale of biological, radiological, chemical or bacteriological (biological) weapons or components thereof, of radioactive and/or other substances harmful to human health, or research and development of biological and chemical weapons, committed for terrorist purposes, -

shall be punished by imprisonment for a term of six to nine years.

2. A threat to commit the act defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of four to eight years.

3. Use of biological, radiological, chemical or bacteriological (biological) weapons or components thereof, of pathogenic microorganisms, radioactive and/or other substances harmful to human health, including seizure of the facilities constituting nuclear, chemical or increased technological or ecological hazard, committed to influence physical and legal persons or for terrorist purposes, -

shall be punished by imprisonment for a term of ten to fifteen years.

4. A threat to commit the act defined in paragraph 3 of this article, -

shall be punished by imprisonment for a term of six to twelve years.

5. The act defined in paragraphs 1, 2, 3 or 4 of this article (other than the use of nuclear, radiological, chemical or bacteriological (biological) weapons or components thereof, pathogenic microorganisms, radioactive and/or other hazardous substances harmful for human health)that results in death or other grave consequences, -

shall be punished by imprisonment for a term of twelve to twenty years or by life imprisonment.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1908 of 28 December 2002 – LHG I, No 4, 22.1.2003, Art. 23

Law of Georgia No 3542 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 268

Law of Georgia No 5744 of 2 March 2012 – web-site, 15.3.2012

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 324^1 - Cyberterrorism

1. Cyber terrorism, i.e. unlawful appropriation, use or threat of using computer information protected by law giving rise to the danger of grave consequences that has been committed to threaten public and/or influence authorities, -

shall be punished by imprisonment for a term of ten to fifteen years.

2. The same act that results in death or other grave consequences, -

shall be punished by imprisonment for a term of twelve to twenty years or by life imprisonment.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by

a fine.

Law of Georgia No 1908 of 28 December 2006 – LHG I, No 4, 22.1.2003, Art. 23

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5744 of 2 March 2012 – web-site, 15.3.2012

Article 325 - Assault on public political officials of Georgia

1. Encroachment upon the life, health or property of the President of Georgia, other public political officials or their family members in connection with their official activities, -

shall be punished by imprisonment for a term of seven to twenty years or by life imprisonment.

2. A threat to commit an act defined in paragraph 1, -

shall be punished by imprisonment for a term of six to twelve years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 326 - Assault on persons or institutions enjoying international protection

1. Assault on representatives of a foreign country or on employees of a foreign organisation or on their official or residential buildings or vehicles that are under international protection, as well as encroachment upon the life, health or property of their family members with a political motive or with the purpose of complicating international relations, -

shall be punished by imprisonment for a term of seven to twenty years or by life imprisonment.

2. A threat to commit an act defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of six to twelve years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 327 - Membership in a terrorist organisation, participation in its activities or establishment or management of terrorist organisations

1. Membership in a terrorist organisation, -

shall be punished by imprisonment for a term of ten to twelve years.

2. Participation by a member of a terrorist organisation in the activities of the organisation or conduct of activities on behalf of the organisation or for the purpose of supporting or encouraging its activities, -

shall be punished by imprisonment for a term of twelve to fifteen years.

3. Establishment or management of a terrorist organisation, -

shall be punished by imprisonment for a term of fifteen to twenty years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1908 of 28 December 2002 – LHG I, No 4, 22.1.2003, Art. 23

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Article 327[1] - Recruiting a person as a member of a terrorist organisation or for carrying out terrorist activities

Recruiting a person as a member of a terrorist organisation or for carrying out terrorist activities, -

shall be punished by imprisonment for a term of five to ten years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.6.2015

Article 328 - Joining a foreign terrorist organisation or a terrorist organisation controlled by a foreign state or supporting this organisation in terrorist activities

Joining a foreign terrorist organisation or a terrorist organisation controlled by a foreign state or supporting this organisation in terrorist activities, -

shall be punished by imprisonment for a term of ten to seventeen years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1908 of 28 December 2002 – LHG I, No 4, 22.1.2003, Art. 23

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Article 329 - Taking a hostage for terrorist purposes

1. Taking a hostage for terrorist purposes or in order to coerce a religious organisation to perform or not to perform certain acts, -

shall be punished by imprisonment for a term of eight to twelve years.

2. A threat to commit an act defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of three to eight years.

3. An act defined in paragraphs 1 or 2 of this article that has been committed:

a) against public political officials of Georgia or their family members;

b) against official foreign representatives or persons under international legal protection;

c) jointly by more than one person;

d) repeatedly;

e) by a terrorist organisation, -

shall be punished by imprisonment for a term of ten to seventeen years.

4. The act defined in paragraphs 1, 2 or 3 of this article that results in death or other grave consequences, -

shall be punished by imprisonment for a term of fourteen to twenty years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Article 329[1] - Unlawfully taking possession of an aircraft or water craft, railway rolling stock or of other public or cargo transport for terrorist purposes

1. Unlawfully taking possession of an aircraft or water craft, railway rolling stock or of other public or cargo transport, committed for terrorist purposes, -

shall be punished by imprisonment for a term of five to nine years.

2. A threat to commit an act defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of four to eight years.

3. An act defined in paragraph 1 of this article that has been committed:

a) against public political officials of Georgia or their family members;

b) against official foreign representatives or persons under international legal protection;

c) jointly by more than one person;

d) repeatedly;

e) by a terrorist organisation, -

shall be punished by imprisonment for a term of eight to seventeen years.

4. A threat to commit the act defined in paragraph 3 of this article, -

shall be punished by imprisonment for a term of five to nine years.

5. The act defined in paragraphs 1, 2, 3 or 4 of this article that results in death or other grave consequences, -

shall be punished by imprisonment for a term of eleven to seventeen years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1642 of 27 November 2013 – web-site, 16.12.2013

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Article 330 - Taking possession of or blocking strategic or other facilities of special importance for terrorist purposes

1. Taking possession of or blocking strategic or other facilities of special importance for terrorist purposes, -

shall be punished by imprisonment for a term of ten to fifteen years.

2. An act defined in paragraph 1 of this article that results in death or other grave consequences, -

shall be punished by imprisonment for a term of twelve to twenty years or by life imprisonment.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 330[1] - Open support of terrorist activities and/or a terrorist organisation or public incitement to terrorism

1. Open support of terrorist activities and/or a terrorist organisation orally, in writing or by other forms of expression (except for an act defined in Article 331[1] of this Code), if such action creates a clear, immediate and substantial risk of terrorist activities, -

shall be punished by imprisonment for up to three years.

2. Public incitement to terrorist activities orally, in writing or by other forms of expression or public dissemination of information in order to carry out terrorist activities, regardless of whether or not the information contains a direct call for committing an offence, if such action creates a clear, immediate and substantial risk of terrorist activities, -

shall be punished by imprisonment for a term of two to six years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by

a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.6.2015

Article 330^2 - Providing training and instruction for terrorist activities

1. Providing instruction for committing or contributing to the commission of terrorist activities or for preventing the detection of such activities, and/or providing instruction in the use or manufacturing of explosives, firearms or other weapons or in the use of noxious or hazardous substances and/or of other specific methods and in the manufacturing or use of equipment for the purpose of committing or contributing to the commission of terrorist activities, -

shall be punished by imprisonment for a term of eight to eleven years.

2. Knowingly receiving the instruction defined in paragraph 1 of this article, -

shall be punished by imprisonment for a term of six to nine years.

3. Conduct of military training by a terrorist organisation, -

shall be punished by imprisonment for a term of ten to fifteen years.

4. Knowingly participating in the training defined in paragraph 3 of this article, -

shall be punished by imprisonment for a term of eight to eleven years.

5. An act defined in paragraphs 1 or 3 of this article that has been committed:

a) repeatedly;

b) against two or more persons;

shall be punished by imprisonment for a term of eleven to fifteen years.

Note:

1. For an act defined in paragraphs 1 or 3 of this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

2. For the purposes of this article it makes no difference whether instruction or training was provided to a specified or unspecified group of persons.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Article 330^3 - Theft for the purpose of committing one of the crimes defined in this Chapter

Theft for the purpose of committing one of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of ten to fifteen years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 330^4 - Extortion for the purpose of committing one of the offences defined in this Chapter

Extortion for the purpose of committing one of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of ten to fifteen years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 330[5] - Making of forged official documents for the commission of one of the offences defined in this Chapter

Making of forged official documents for the commission of one of the offences defined in this Chapter, -

shall be punished by imprisonment for a term of ten to fifteen years.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and by a fine.

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Article 331 - False notification on terrorism

1. False notification on terrorism, -

shall be punished by a fine or corrective labour for one to two years, or by imprisonment for a term of two to five years.

2. The same act:

a) committed by a group with preliminary agreement;

b) committed repeatedly;

c) that results in substantial damage, -

shall be punished by imprisonment for a term of five to seven years.

Law of Georgia No 1205 of 25 March 2005 – LHG I, No 15, 19.4.2005, Art. 104

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1271 of 20 September 2013 – web-site, 26.9.2013

Article 331[1] - Financing of terrorism, provision of other material support and resources to terrorists activities

1. Collection or supply of financial resources or other assets knowing that they will or may be used in full or in part by a terrorist or a terrorist organisation and/or for carrying out terrorist activities, or for the commission of one of the offences defined in Articles 144, 227, 227[1], 227[2], 227[3], 229, 230, 231, 231[1] and 231[2] of this Code, regardless of whether or not any of the offences defined in the above articles has been committed, and/or services have been knowingly rendered to a terrorist or a terrorist organisation, or a terrorist has been provided with a hiding place or shelter and/or resources or other material support have been provided to a terrorist or a terrorist organisation, -

shall be punished by imprisonment for a term of ten to fifteen years.

2. The same act committed:

a) by a group with preliminary agreement;

b) repeatedly, -

shall be punished by imprisonment for a term of fourteen to seventeen years.

3. An act defined in paragraphs 1 or 2 of this article:

a) committed by a terrorist organisation, -

b) that results in grave consequences, -

shall be punished by imprisonment for a term of seventeen to twenty years or by life imprisonment.

Note:

1. For the purposes of this article, a terrorist shall mean a person who participates in activities, the liability for which is stipulated by this Chapter and by Articles 144, 227-227[3], 229 and 230-231[2] of this Code.

2. For the purposes of this article, a terrorist organisation shall mean an organisation (regardless of its form) that has been established to carry out activities, the liability for which is stipulated by this Chapter and by Articles 144, 227-227[3], 229 and 230-231[2] of this Code. An organisation may be recognised as a terrorist organisation if it constitutes an organised association of more than two persons during a certain period of time. For the purposes of paragraph 3 of this article, an organised association shall mean an association that has not been randomly set up for immediate commission of a crime and that does not require formal distribution of roles among its members, continuous membership or developed structure.

3. For an act defined in this article. A legal person shall be punished by liquidation or deprivation of the right to carry out a particular activity and/or by a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5953 of 19 March 2004 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 5744 of 2 March 2012 – web-site, 15.3.2012

Law of Georgia No 1641 of 27 November 2013 – web-site, 16.12.2013

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – web-site, 29.6.2015

Article 331[2] - Failure to take measures to prevent acts of terrorism

Failure to take measures knowingly to prevent, within reasonable limits, the commission or completion of an act of terrorism or the occurrence of the consequences related thereto, unless the act would of prevention endangers the life, health or property of a person or of a person's close relative, -

shall be punished by imprisonment for up to five years.

Law of Georgia No 2185 of 4 April 2014 – web-site, 16.4.2014

CHAPTER XXXIX - Official Misconduct

Article 332 - Abuse of official powers

1. Abuse of official powers by an official or by a person equal thereto to the detriment of public interests, in order to gain some benefit or advantage for himself/herself or for another person, which has resulted in substantial violation of the rights of physical or legal persons, or of the lawful interests of the public or the state, -

shall be punished by a fine or imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Abuse of official powers by a public political official, -

shall be punished by a fine or imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act provided for by paragraphs 1 or 2 of this article which has been committed:

a) repeatedly;

b) using violence or a weapon;

c) by offending personal dignity, -

shall be punished by imprisonment for a term of five to eight years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note:

1. The subjects of the crime provided for by this Chapter also include employees of legal entities under public law (other than political and religious associations) that exercise public law powers, members and employees of provisional commissions of the Parliament of Georgia, electoral subjects (only for the purposes of the offence provided for by Article 338 of this Code), private enforcement officers, as well as any other persons who exercise public law powers based on the legislation of Georgia.

2. For the purposes of this Chapter, a person equal to an official shall also mean a foreign official (including an employee of a public authority exercising legislative and/or administrative powers), any person performing any public duty for another state, an official of an international organisation or agency, or an employee hired on a contractual basis, as well as any seconded or non-seconded person performing the duties relevant to the duties of this official or employee, foreign jury members who perform their duties based on a foreign legislation, a member of the international parliamentary assembly, a representative of the International Criminal Court, a judge or official of the international court or judicial body.

3. The subjects of the crimes provided for by Articles 338 and 339 of this Code shall also include members of the arbitration tribunals of Georgia and foreign countries, and the subjects of the crime provided for by Articles 338–339[1] of this Code shall also include jurors (juror candidates) who perform the said duties based on the legislation of Georgia.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2980 of 14 August 2003 – LHG I, No 26, 5.9.2003, Art. 191

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 403 of 23 October 20069 – LHG I, No 29, 4.11.2008, Art. 176

Law of Georgia No 795 of 19 December 2008 – LHG I, No 40, 29.12.2008, Art. 282

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 4 72 of 18 March 20123 – web-site, 5.4.2015

Article 333 - Exceeding official powers

1. Exceeding of official powers by an official or a person equal thereto that has resulted in the substantial violation of the rights of physical or legal persons, or of the lawful interests of the public or state, -

shall be punished by a fine or imprisonment for up to three years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. Exceeding the official powers by a public political official, -

shall be punished by a fine or imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act provided for by paragraphs 1 or 2 of this article which has been committed:

a) repeatedly;

b) using violence or a weapon;

c) by offending the personal dignity of the victim, -

shall be punished by imprisonment for a term of five to eight years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 334 - Unlawful discharge of the accused from criminal liability

Unlawful discharge of the accused from criminal liability, -

shall be punished by imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 335 - Providing explanation, evidence or opinion under duress

1. Coercion of a person by deception, blackmail or other unlawful act by an official or by a person equal thereto to provide an explanation or evidence, or coercion of an expert to provide an opinion, -

shall be punished by imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

2. The same act committed:

a) using violence or threat of violence dangerous for life or health, -

b) by an organised group, -

shall be punished by imprisonment for a term of five to nine years, with deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

Law of Georgia No 2355 of 6 June 2003– LHG I, No 19, 24.6.2003, Art. 117

Law of Georgia No 1751 of 23 June 2005– LHG I, No 38, 15.7.2005, Art. 250

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 336 - (Deleted)

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5205 of 4 July 2007– LHG I, No 28, 18.7.2007, Art. 290

Article 337 - Illegal participation in entrepreneurial activities

Establishment by an official or a person equal thereto, directly or through another person, of an enterprise, organisation or agency that aims to carry out entrepreneurial activities, or participation in the management thereof notwithstanding the prohibition prescribed by law, if it is related to the granting of unlawful preferences or privileges or any other form of patronage to him/her, -

shall be punished by restriction of liberty from two to three years or with imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 338 - Bribe-taking

1. Taking or demanding by an official or a person equal thereto, directly or indirectly, of money, securities, other assets, pecuniary gain or of any other unlawful advantage, or accepting an offer or promise thereof for his/her own benefit or for the benefit of another person in order for the official or the person equal thereto to take or not to take certain actions during the exercise of his/her official powers for the benefit of the bribe-giver, or to use his/her official standing to achieve similar goals, or to exercise official patronage, -

shall be punished by imprisonment for a term of six to nine years.

2. Bribe-taking

a) by a public political official;

b) in a large quantities;

c) by a group with prior agreement, -

shall be punished by imprisonment for a term of seven to eleven years.

3. The act provided for by paragraphs 1 and 2 of this article committed:

a) by q person convicted for bribe-taking;

b) repeatedly;

c) by extortion;

d) by an organised group;

e) in particularly large quantities, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Note: Taking of a bribe in large quantities shall mean the amount of money, securities, other assets or pecuniary gain exceeding GEL 10 000; bribe in particularly large quantities shall mean the amount exceeding GEL 30 000.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 403 of 23 October 2008 – LHG I, No 403, 4.11.2008, Art. 176

Article 339 - Bribe-giving

1. Promising, offering or granting to an official or a person equal thereto, directly or indirectly, money, securities, other assets, pecuniary gain or other unlawful advantage for the benefit of the official or the person equal thereto or another person in order for the official or the person equal thereto to take or not to take certain actions during the exercise of his/her official powers for the benefit of the bribe-giver, or to use his/her official standing to achieve a similar goal, or to exercise official patronage, -

shall be punished by a fine or corrective labour for up to two years, or with restriction of liberty for the same term or with imprisonment for up to three years.

2. The same act committed for the purpose of committing an unlawful act, -

shall be punished by a fine or imprisonment for a term of four to seven years.

3. The act provided for by paragraphs 1 or 2 of this article which has been committed by an organised group, -

shall be punished by imprisonment for a term of five to eight years.

Note:

1. A bribe-giver shall be discharged from criminal liability if he/she has voluntarily declared about it to the authorities conducting criminal proceedings. A decision to discharge a person from criminal liability shall be taken by the authorities conducting criminal proceedings.

2. A fine shall be imposed on a legal person for committing the act provided for by this article.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 339^1 - Influence peddling

1. Whoever in his/her own interests or in those of another person promises, offers or grants money, securities, other assets, material benefit or any other unlawful advantage, directly or indirectly, to a person claiming or confirming that he/she can exert an unlawful influence, for his/her own or another person's benefit, on the decisions of an official or a person equal thereto, regardless of whether or not such influence has been exerted and/or the desirable outcome of such influence has been obtained, -

shall be punished by a fine or corrective labour for up to two years, or with restriction of liberty for the same term or with imprisonment for up to two years.

2. If a person who claims or confirms that he/she can exert unlawful influence on the decision of an official or of a person equal to the official demands or accepts, directly or indirectly, for his/her own benefit or for the benefit of another person, money, securities, other assets, material benefit or any other unlawful advantage from a person who acts in his/her own or another person's interests, regardless of whether or not such influence has been exerted and/or the desirable outcome of such influence has been obtained,

shall be punished by imprisonment for a term of three to five years.

3. The act provided for by paragraph 2 of this article committed by an organised group, -

shall be punished by imprisonment for a term of four to seven years.

Note:

1. For the offence provided for by paragraph 1 of this article, criminal liability shall not apply to a person who has voluntarily notified this fact to the authorities conducting criminal proceeding. A decision to discharge a person from criminal liability shall be taken by the authorities conducting criminal proceedings.

2. A fine shall be imposed on a legal person for committing the act provided for by this article.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 340 - Accepting gifts prohibited by law

1. Acceptance by an official or a person equal thereto of gifts prohibited by law, -

shall be punished by a fine or community service from 100 to 300 hours or with deprivation of the right to carry out a particular activity for up to three years or with imprisonment for up to two years.

2. The same act committed repeatedly, -

shall be punished by a fine or community service from 200 to 400 hours or with deprivation of the right to carry out a particular activity for up to three years or with imprisonment for a term of two to four years.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 341 - Forgery by an official

Forgery by an official, i.e. entry of false information or record in official documents or registry, or preparation or issuance of a forged document or forgery of the official or private documents enclosed to the case file of an enterprise, establishment or organisation by an official or a person equal thereto for mercenary purposes or with other personal motives, -

shall be punished by a fine or imprisonment for a term of two to four years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 342 - Neglect of official duty

1. Neglect of official duties, i.e. non-performance or improper performance of official duties by an official or a person equal thereto due to the careless attitude to the duties, which has resulted in substantial breach of the rights of a physical or legal person or of the lawful interests of the public or state, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act that has resulted in death or in other grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2264 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 367

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 342^1 - Violation by employees or persons equal to them of the internal regulations of the Special Penitentiary Service or liberty restriction facility

1. Non-performance or improper performance by an employee or a person equal thereto of internal regulations of the Special Penitentiary Service or liberty restriction facility due to the careless attitude to the regulations, which has resulted in the escape of an accused/convicted person during his/her extradition or removal/transfer from a penitentiary facility or liberty restriction facility, or the disruption of the operation of a penitentiary facility or liberty restriction facility,

shall be punished by imprisonment for up to three years.

2. The same act that has resulted in death or other grave consequences, -

shall be punished by imprisonment for a term of three to five years.

Note: For the purposes of this article, the following shall be considered to be persons equal to an employee of the Special Penitentiary Service and of a liberty restriction facility: an employee of the Medical Department of the Ministry of Corrections of Georgia, an employee of the General Inspection, an employee of the Investigation Department, an employee of the Social Service of the Penitentiary Department, an employee of the social service of a penitentiary facility, also a public employee who directly performs logistical, financial, organisational or legal support functions in a penitentiary facility.

Law of Georgia No 845 of 10 April 2001 – LHG I, No 11, 30.4.2001, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3529 of 1 May 2015 – web-site, 18.5.2015

CHAPTER XL – Crime against Administrative Order

Article 343 - Desecration of the State Coat of Arms or of the national flag

Desecration of the State Coat of Arms or of the national flag, -

shall be punished by restriction of liberty for up to two years or with imprisonment for up to two years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 344 - Illegal crossing of the state border of Georgia

1. Illegal crossing of the state border of Georgia, -

shall be punished by a fine or imprisonment for a term of three to five years.

2. The act provided for by paragraph 1 of this article which has been committed:

a) jointly by more than one person;

c) using violence or threat of violence, -

shall be punished by imprisonment for a term of four to five years.

Note: A foreigner or a stateless person who has entered Georgia directly from the territories where his/her life or freedom was endangered under Article 1of the 1951 UN Convention on the Status of Refugees and who is staying in Georgia illegally and who, in accordance with the same Convention and the legislation of Georgia, seeks asylum from the authorities of Georgia shall be release from criminal liability for the offence provided for by this article, provided that he/she immediately appears before the public authorities and provides adequate explanation about his/her illegal entry or unauthorised stay in Georgia, and if his/her act contains no elements of any other crime, also a person who has committed the above act because of being a victim of human trafficking, before having gained the status of the victim of human trafficking.

Law of Georgia No 1627 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 113

Law of Georgia No 673 of 21 December 2004 – LHG I, No 42, 31.12.2004, Art. 214

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3309 of 20 June 2006 – LHG I, No 25, 18.7.2006, Art. 196

Law of Georgia No 4060 of 17 July 2015 – web-site, 29.7.2015

Article 344^1 - Illegal transfer of a migrant across the state border of Georgia and/or creation of the relevant conditions for a migrant's illegal stay in Georgia

1. Illegal transfer of a migrant across the state border of Georgia and/or creation of the relevant conditions (facilitation of) for the migrant's illegal stay in Georgia in violation of the procedures established by law, -

shall be punished by imprisonment for a term of two to five years.

2. The same act committed:

a) repeatedly;

b) with respect to two or more persons;

c) by endangering a migrant's life or health;

d) by inhuman or degrading treatment of a migrant, including exploitation;

e) using forged documents, -

shall be punished by imprisonment for a term of five to eight years.

3. The act provided for by paragraphs 1 or 2 of this article:

a) committed by an organised group;

b) causing the death of the victim or other grave consequences, -

shall be punished by imprisonment for a term of eight to fifteen years.

Note: For the act specified in this article a legal person shall be punished by deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Article 345 - Illegal change of the state border of Georgia

1. Illegal change of the state border of Georgia,

shall be punished by imprisonment for a term of two to four years.

2. The same act:

a) committed jointly by more than one person;

b) committed using violence or threat of violence;

c) repeatedly;

d) which has resulted in grave consequences, -

shall be punished by imprisonment for a term of four to eight years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 346 - Illegal flying of the national flag of Georgia

Illegal flying of the national flag or [displaying] an identification sign on a ship, -

shall be punished by a fine or imprisonment for up a year.

Article 347 - Violation of the procedure for holding an assembly or demonstration

Violation of the procedure for holding an assembly or demonstration by its organiser, which has resulted in grave consequences, -

shall be punished by a fine or restriction of liberty for up to two years or with corrective labour for up to a year.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 348 - Violation of the procedure for striking

Violation of the procedure for a strike by its organiser, which has resulted in grave consequences, -

shall be punished by a fine or restriction of liberty for up to two years or with corrective labour for up to a year.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Article 348[1] - Giving false evidence, false conclusions or testimonies during administrative proceedings or intentionally incorrect translation

Giving of false evidence by a witness, or false conclusion or testimony by an expert or intentionally incorrect translation by a translator during administrative proceedings, - shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with corrective labour for up to two years or with imprisonment for up to a year.

Note: A witness, expert or translator shall be discharged from criminal liability if he/she voluntarily declares about his/her false evidence, false conclusion or testimony or intentionally incorrect translation before the administrative body delivers a decision.

Law of Georgia No 5982 of 21 March 2008 – LHG I, No 9, 4.4.2008, Art. 69

Article 348[2] - Refusal of a witness to give evidence during administrative proceedings

Refusal of a witness to give evidence during administrative proceedings, if the obligation to give evidence is required by law, - shall be punished by a fine or community service from one hundred and twenty to one hundred and eighty hours or with corrective labour for up to a year or with imprisonment for up to a year.

Law of Georgia No 5982 of 21 March 2008 – LHG I, No 9, 28.3.2008, Art. 69

Article 349 - Non-compliance with a request of the provisional investigative commission of the Parliament of Georgia

Non-compliance with a lawful request of the provisional investigative commission of the Parliament of Georgia, -

shall be punished by a fine or imprisonment for up a year, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Article 350 - Giving false explanations to the provisional investigative commission of the Parliament of Georgia

Giving false explanations to the provisional investigative commission of the Parliament of Georgia, -

shall be punished by a fine or imprisonment of to a year or with community service from one hundred and eighty to two hundred and forty hours or with deprivation of the right to hold an official position or to carry out a particular activity for up to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 351 - Disclosure of the data of the provisional investigative commission of the Parliament of Georgia

Disclosure of the data of the provisional investigative commission of the Parliament of Georgia, -

shall be punished by a fine or corrective labour for up to a year, or with imprisonment for up to a year.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 352 - Influencing the Public Defender

1. Influencing the Public Defender in any manner in order to interfere with his/her official duties, -

shall be punished by a fine or corrective labour from one to two years, or with restriction of liberty for up to two years.

2. The same act committed using the official position, -

shall be punished by imprisonment for up to two years, with or without deprivation of the right to hold an official position.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 353 - Resistance, threat or violence against a protector of public order or other representative of the authorities

1. Resistance, threat or violence against a protector of public order or other representative of the authorities using violence or threat of violence, which aims to interfere with the protection of public order, terminate or modify the activities of the above person, or coercing him/her into committing a clearly unlawful act using violence or threat of violence, -

shall be punished by a fine or restriction of liberty for up to three years or with imprisonment for a term of two to five years.

2. The same act committed by a group -

shall be punished by imprisonment for a term of four to seven years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 795 of 19 December 2008 – LHG I, No 40, 29.12.2008, Art. 282

Article 353[1] - Assault on police officers or other representatives of the authorities or on a public institution

1. An assault on police officers or other representatives of the authorities or on their official or residential buildings, or on their vehicles or family members in connection with their official duties, -

shall be punished by imprisonment for a term of four to seven years.

2. Encroachment upon the health of police officers or other representatives of the authorities or their family members in connection with their official duties, -

shall be punished by imprisonment for a term of seven to eleven years.

3. Deprivation of life of police officers or other representatives of the authorities or their family members in connection with their official duties, -

shall be punished by imprisonment for a term of sixteen to twenty years or with life imprisonment.

Law of Georgia No 4981 of 1 July 2011 – web-site, 14.7.2011

Article 354 - Disclosure of details concerning the protection measures applied with respect to officials of law enforcement or controlling authorities

1. Disclosure of details concerning the protection measures applied with respect to officials of law enforcement or controlling authorities or their family members for the purpose of interfering with their official duties, -

shall be punished by a fine or imprisonment for up to a year.

2. The same act that has resulted in grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 355 - Failure to submit a [personal] property declaration or entry of incomplete or incorrect information therein

Failure to submit a personal property declaration after an administrative penalty has been imposed for such an act, or intentional entry of incomplete or incorrect information therein, -

shall be punished by a fine or corrective labour from one hundred and twenty to two hundred hours, with deprivation of the right to carry out a particular activity for up to three years.

Law of Georgia No 313 of 2 October 2008– LHG I, No 24, 20.10.2008, Art. 159

Article 356 - Avoidance of military service or alternative labour service by a person subject to military service

1. Evasion of military service by a person subject to military service, -

shall be punished by a fine or imprisonment for up to three years.

2. Evasion of an alternative labour service by a person subject to military service, -

shall be punished by a fine or community service from one hundred and eighty to two hundred hours or with imprisonment for up to a year.

3. The act provided for by paragraphs 1 or 2 of this article which has been committed during a war or emergency, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 357 - Avoidance of reserve military service

Avoidance of reserve military service by a person after an administrative penalty for such an act has been imposed, -

shall be punished by a community service from one hundred and eighty to two hundred and twenty hours or with imprisonment for up to a year.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4195 of 27 December 2006 – LHG I, No 49, 29.12.2006, Art. 367

Article 358 - Avoidance of mobilisation

Avoidance of mobilisation, -

shall be punished by imprisonment for a term of four to eight years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 359 - Avoidance of military duties or payment of taxes during a war

Avoidance of labour mobilisation or other duties or tax payment during a war, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for a term of two to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 360 - Arrogation

1. Arrogation, i.e. the exercise of one's actual or supposed right in violation of the legally established order, which has resulted in substantial damage, -

shall be punished by a fine or community service from one hundred and eighty to two hundred hours or with corrective labour from one to two years or with imprisonment for up to a year.

2. The same act committed using violence or threat of violence, -

shall be punished by restriction of liberty for up to three years or with imprisonment for a term of two to four years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 361 - Purchase or sale of official documents or state awards

Purchase or sale, for mercenary purposes, of an official document or a state award, which entitles a person to something or discharges the person from certain obligations, -

shall be punished by a fine or imprisonment for up to a year.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 362 - Making, sale or use of a forged document, seal, stamp or blank forms

1. Making, purchase, storage for sale or use, sale or use of forged identity cards or other official documents, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act:

a) committed repeatedly;

b) that has resulted in substantial damage, -

shall be punished by restriction of liberty for up to three years or with imprisonment for a term of three to six years.

Note:

1. This article shall not apply to a person who committed the above act before acquiring the status of a victim of human trafficking due to his/her being a victim of human trafficking.

2. For the act specified in this article a legal person shall be punished by a fine, deprivation of the right to carry out a particular activity or with liquidation and a fine.

3. For commission of the offence provided for by this article (except for the act related to the sale of forged official documents, seals, stamps or blank forms) criminal liability shall not be applied to foreigners or stateless persons who entered Georgia directly from the areas where their life or freedom was endangered under Article one of the 1951 UN Convention on the Status of Refugees and who, under the same Convention and the legislation of Georgia, seek an asylum from the authorities of Georgia, provided that they will immediately and voluntarily appear at the relevant public agency and provide appropriate explanation with regard to the reasons for committing the act provided for by this article, and unless their act contains elements of any other offence.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2046 of 10 November 2005 – LHG I, No 48, 29.11.2005, Art. 322

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3309 of 20 June 2006– LHG I, No 25, 13.7.2006, Art. 196

Law of Georgia No 3446 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 4060 of 17 July 2015 – web-site, 29.7.2015

Article 363 - Illegal appropriation of documents, seals, stamps or blank forms

1. Illegal appropriation, concealment, destruction or damage of a document, seal, stamp or blank form for mercenary purposes or other personal motives, -

shall be punished by a fine or restriction of liberty for up to two years.

2. Theft of a personal identity certificate or other important personal document, -

shall be punished by a fine or imprisonment of up to a year.

SECTION TWELVE

OFFENCE AGAINST JUDICIAL AUTHORITIES

CHAPTER XLI - Crime against the Activities of Judicial Bodies

Article 364 - Interference with legal proceedings, investigation, or conduct of defence

1. Any form of unlawful interference with the activities of a prosecutor or an investigator, as well as with the activities of a lawyer to conduct defence in order to disrupt the comprehensive, complete and objective investigation of a case, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours and/or with imprisonment for up to one year.

2. Gross interference with judicial activities in any manner in order to influence the legal proceedings, -

shall be punished by a fine or imprisonment for up to two years.

2^1. The unlawful interference with the activities of a jury (prospective juror) in any manner in order to influence the legal proceedings, -

shall be punished by a fine or imprisonment for up to two years.

3. The act provided for by paragraph 2 of this article, which has been committed by a public political official, -

shall be punished by a fine or imprisonment for a term of one to three years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

4. The act provided for by paragraphs 1, 2 or 2^1 of this article which has been committed using the official position, -

shall be punished by a fine or imprisonment for a term of two to four years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Note: For the act provided for by this article a legal person shall be punished by a fine or deprivation of the right to carry out a particular activity.

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19 28.4.2005, Art. 128

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 2694 of 26 February 2010 – LHG I, No 10, 16.3.2010, Art. 38

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 5444 of 22 June 2016 – website, 29.6.2016

Article 365 - Threat or violence with respect to legal proceedings, investigation, or conduct of defence

1. Any threat to kill or to damage the health or destroy the property of a member of the Constitutional Court, a judge, a juror or their close relatives in connection with the court hearing of a case or material, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act committed against a prosecutor, investigator, lawyer, expert, enforcement officer, other participant of the legal proceedings or their

close relatives, in connection with the investigation, conduct of defence, court hearing of a case or material and/or with the enforcement of a judgement or other court decisions, -

shall be punished by a fine or imprisonment for up to two years.

3. The act provided for by paragraphs 1 or 2 of this article committed using violence that is not dangerous for life or health, -

shall be punished by imprisonment for a term of two to five years.

4. The act provided for by paragraphs 1 or 2 of this article committed using violence that is not endangering life or health, -

shall be punished by imprisonment for a term of four to seven years.

5. The act provided for by paragraphs 1 or 2 of this article that has been committed:

a) jointly by more than one person;

b) repeatedly, -

shall be punished by imprisonment for a term of seven to ten years.

Note: For the act provided for by this article a legal person shall be punished by a fine or deprivation of the right to carry out a particular activity.

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 128

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 5444 of 22 June 2016 – website, 29.6.2016

Article 365[1] - Unlawful interference with the activities of members of the High Council of Justice of Georgia

Unlawful interference, in any manner, with the activities of members of the High Council of Justice of Georgia which is tasked with examining the activities of a judge appointed to office for three-years, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with imprisonment for up to a year.

Law of Georgia No 2648 of 1 August 2014 – web-site, 18.8.2014

Article 366 - Contempt of court

1. Contempt of court manifested in the insult of a participant of legal proceedings, -

shall be punished by a fine or community service for one hundred and eighty to two hundred and forty hours or with imprisonment for up to a year.

2. The same act manifested in the insult of a member of the Constitutional Court, of a judge or a juror, -

shall be punished by a fine or corrective labour from one to two years, or with imprisonment for up to two years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 367 - Disclosure of confidential information related to the security of a member of the Constitutional Court, of a judge, juror, participant of legal or criminal proceedings

1. Disclosure of confidential information related to the security of a member of the Constitutional Court, of a judge, juror or other participant of legal proceedings, of an enforcement officer, victim, witness or other participant of criminal proceedings, or their close relatives by a person who was aware of this confidential information due to his/her official position or who was entrusted with this information, -

shall be punished by a fine or restriction of liberty for up to two years.

2. The same act that has resulted in grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 367[1] - Breach of confidentiality of jury deliberation and ballot

Breach of confidentiality of jury deliberation and ballot, -

shall be punished by a fine or imprisonment for up to two years.

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Article 367[2] - Misleading of a court by a juror or a prospective juror

Failure of a juror or a prospective juror to submit to the court information regarding his/her incompatibility with the position of a juror, or submission of intentionally incorrect information, -

shall be punished by a fine or imprisonment for up to two years.

Law of Georgia No 6252 of 22 May 2012– website, 29.5.2012

CHAPTER XLII - Crime against the Procedural Rule for Obtaining Evidence

Article 368 - Destruction of evidence

Destruction of evidence in criminal, civil or administrative cases, -

shall be punished by a fine or imprisonment for a term of two to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 128

Law of Georgia No 5035 of 22 June 2007– LHG I, No 26, 11.7.2007, Art. 242

Article 369 - Forgery of evidence

Forgery of evidence by a participant or representative of the participant in a civil or administrative proceeding, -

shall be punished by a fine or corrective labour from one to two years, or with imprisonment for up to a year.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 128

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5035 of 22 June 2007– LHG I, No 26, 11.7.2007, Art. 242

Article 369[1] - Forgery of evidence in a criminal case

1. Forgery of evidence in a criminal case relating to a less serious crime, -

shall be punished by imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

2. The same act committed by a prosecutor, investigator or defender, -

shall be punished by imprisonment for a term of three to five years, with deprivation of the right to hold an official position or to carry out a particular activity for up to four years.

3. Forgery of evidence in a criminal case related to a serious or particularly serious crime, -

shall be punished by imprisonment for a term of four to six years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

Law of Georgia No 5035 of 22 June 2007– LHG I, No 26, 11.7.2007, Art. 242

Article 370 – False information, false testimony, false conclusion, failure to protect the object of the expert examination or incorrect translation

1. Obstruction of justice, which was expressed in the provision of false information or a false testimony by an interviewee, witness or victim, the provision of a false conclusion or a false testimony by an expert, the failure by an expert to protect the object of an expert examination intentionally or by negligence, and/or the intentional incorrect translation by an interpreter during the investigation or in court, –

shall be punished by imprisonment for a term of three years.

2. The same act committed for mercenary purposes or other personal motive, –

shall be punished by imprisonment for a term of two to four years.

3. An act under paragraph 1 of this article committed in connection with the criminal case, in which an accused person is charged for a serious or particularly serious crime, –

shall be punished by imprisonment for a term of two to six years.

4. An act under paragraph 1 or 3 of this article committed repeatedly, –

shall be punished by imprisonment for a term of three to seven years.

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 128

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Law of Georgia No 3446 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 4630 of 5 May 2011 – website, 19.5.2011

Law of Georgia No 4678 of 18 December 2015 – website, 29.12.2015

Article 371 - Refusal of a witness or victim to give testimony

Refusal of a witness or victim to provide a testimony, -

shall be punished by a fine or community service for one hundred and twenty to one hundred and eighty hours or with corrective labour for up to a year or with imprisonment for up to four years.

Note: A person who has refused to give testimony against himself/herself or against his/her close relatives, also a victim of human trafficking shall be discharged from criminal liability - for the term of the reflection period .

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3309 of 20 June 2006 – LHG I, No 25, 13.7.2006, Art. 196

Article 371^1 - Provision of a substantially contradictory testimony by a witness or a victim

1. Intentional interference with the administration of justice manifested by the provision of a substantially contradictory testimony by a witness or a victim, -

shall be punished by a fine or imprisonment for a term of one to three years.

2. The same act committed for mercenary purposes or with other personal motives, -

shall be punished by imprisonment for a term of two to four years.

3. The act provided for by paragraphs 1 or 2 of this article, which has been committed repeatedly, -

shall be punished by imprisonment for a term of three to five years.

Law of Georgia No 1822 of 30 June 2005 – LHG I, No 38, 15.7.2005, Art. 255

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 371^1 – (Deleted).

Law of Georgia No 4678 of 18 December 2015 – website, 29.12.2015

Article 372 - Exertion of influence on an interviewee, a witness, victim, expert or interpreter

1. Asking or persuading an interviewee, witness, victim, expert or interpreter to provide, respectively, a false information or a false testimony, or a false conclusion, or to refuse to provide information or a testimony, and/or to provide incorrect translation, or to change the information or testimony or conclusion he/she has provided, –

shall be punished by a fine or community service for one hundred and eighty to two hundred and forty hours, or by corrective labour for up to two years or imprisonment for a term of one to three years.

2. Subornation or coercion of an interviewee, witness, victim, expert or interpreter to provide, respectively, false information or a false testimony, or a false conclusion, or to intentionally interpret incorrectly, and/or to refuse to provide information or a testimony, or to change the testimony, if it is accompanied by an offer of any kind of material benefit to this person or his/her close relative, or by a threat to kill, exert violence, or to damage, destroy property of this person or his/her close relative and/or by other threats, –

shall be punished by a fine or imprisonment for a term of three to six years.

3. The act provided for by paragraph 2 of this article that has been committed using violence, -

shall be punished by imprisonment for a term of five to eight years.

4. The same act that is dangerous for life or health, -

shall be punished by imprisonment for a term of six to nine years.

Note: For the act provided for by this article a legal person shall be punished by a fine or deprivation of the right to carry out a particular activity and with a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3530 of 25 July 2006 – LHG I, No 37, 7.8.2006, Art. 271

Law of Georgia No 5035 of 22 June 2007– LHG I, No 26, 11.7.2007, Art. 242

Law of Georgia No 4678 of 18 December 2015 – website, 29.12.2015

Article 373 - False denunciation

1. False denunciation of the commission of a crime, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with corrective labour from one to two years or with imprisonment for up to four years.

2. The same act accompanied by a charge for serious or particularly serious crime, or by a forgery of evidence supporting the accusation, -

shall be punished by imprisonment for a term of two to four years.

3. The act provided for by paragraph 2 of this article:

a) committed for mercenary purposes or with other personal motives;

b) resulting in grave consequences, -

shall be punished by imprisonment for a term of four to six years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

CHAPTER XLIII - Actions against Timely Prevention and Detection of Crime

Article 374 - Disclosure of investigative information

Disclosure of materials related to operative-investigative activities or of investigative information by a person who has been duly warned that the disclosure of such information was prohibited, -

shall be punished by a fine or corrective labour for up to two years, or with imprisonment for up to a year.

Law of Georgia No 1356 of 20 April 2005 – LHG I, No 19, 28.4.2005, Art. 128

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Article 374[1] - Disclosure of data concerning the monitoring of bank accounts, the seizure of bank accounts or information on the investigative activities related to computer data

1. Disclosure of data concerning the monitoring of bank accounts provided for by Article 124[1] of the Criminal Procedure Code of Georgia, or of information on the investigative activities related to computer data provided for by Article 136-138, -

shall be punished by a fine or imprisonment for up to three years.

2. Disclosure of data concerning the investigative activities related to the seizure of bank accounts provided for by the Criminal Procedure Code of Georgia, before the account holder requests this information, -

shall be punished by a fine or imprisonment for up to three years.

Law of Georgia No 46 47 of 12 June 2012– web-site, 25.6.2012

Article 375 - Concealment of crime

Concealment of a serious or particularly serious crime as well as of the crimes provided for by Articles 182(1), 186(1) and (2), 194[1] (1-2), 202(1), 221(1-3), 332(1-2), 339(1), 339[1] (1-2), 365(1-3) and 372(1) without prior promise, -

shall be punished by a fine or imprisonment for a term of one to three years.

Note: Criminal liability for the offence provided for by this article and Article 376 of this Code shall not be incurred by:

a) a person who concealed a crime of a close relative without prior promise;

b) an authorised person of the institution (shelter) rendering services to victims of human trafficking provided for by the Law of Georgia on Combating Human Trafficking;

c) a member of the standing task group established under the Inter-Agency Coordination Council for implementing measures against human trafficking and reviewing issues relating to the granting of a status of the victim of human trafficking;

d) a member of the group established under the Inter-Agency Coordination Council for implementing measures against domestic violence provided for by the Law of Georgia on Prevention of Domestic Violence, Protection of and Assistance to Victims of Domestic Violence;

e) authorised persons of the temporary accommodation centre (shelter) of victims of domestic violence and of the Crisis Centre (except for the crimes committed against minors);

f) an operator of the toll-free line providing consultations to victims of domestic violence.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3309 of 20 June 2006– LHG I, No 25, 13.7.2006, Art. 196

Law of Georgia No 4213 of 29 December 20086– LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 403 of 23 October 2008– LHG I, No 29, 4.11.2008, Art. 176

Law of Georgia No 5170 of 28 October 2011 – web-site, 11.11.2011

Law of Georgia No 2704 of 17 October 2014 – web-site, 31.10.2014

Article 376 - Failure to report crime

Failure to report a crime by a person who is actually aware of the fact that a serious and/or particularly serious crime and/or the crime provided for by Articles 171(3), 255(2-3), 255[1] or 255[2]of this Code is being prepared or has been committed, –

shall be punished by a fine or imprisonment for a term of two to four years.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4213 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 16

Law of Georgia No 1728 of 11 December 2013 – web-site, 25.12.2013

CHAPTER XLIV - Crime against Enforcement of Judicial Acts

Article 377 - Unlawful acts related to inventoried or seized property or property subject to forfeiture

1. Embezzlement, alienation, concealment or illegal transfer of the inventoried or seized property by a person to whom this property has been entrusted, or conduct of bank transactions using seized funds (deposit, account) by an employee of a credit organisation, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with imprisonment for up to two years.

2. Concealment of property subject to forfeiture or evasion of the enforcement of a judgement (court decision) in any other manner, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 2619 of 28 December 2005 – LHG I, No 4, 18.1.2006, Art. 38

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 377^1 - Failure to submit a property list to the National Bureau of Enforcement/private enforcement officer

Failure of a debtor to submit a list of property required by law or submission of an incorrect or incomplete list to the National Bureau of Enforcement/private enforcement officer,

shall be punished by a fine or community service from two hundred to four hundred hours or with imprisonment for up to a year.

Law of Georgia No 638 of 5December 2000 – LHG I, No 48, 16.12.2000, Art. 138

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 223 of 15 July 2008 – LHG I, No 17, 28.7.2008, Art. 138

Law of Georgia No 3971 of 10 December 2010 – LHG I, No 72, 22.12.2010, Art. 435

Article 377^2 - Failure of a debtor to carry out the action ordered under the court decision

Failure of debtor to carry out the action ordered under the court decision, which only the debtor is able to carry out, -

shall be punished by a fine or community service from one hundred and fifty to three hundred hours or with imprisonment for up to a year.

Law of Georgia No 639 of 5 December 2000 – LHG I, No 48, 16.12.2000, Art. 138

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 378 - Interference with or disorganisation of the activities of a penitentiary facility or liberty restriction facility

1. Insubordination to lawful demands of an employee of a penitentiary facility or liberty restriction facility, accompanied by a threat to kill, endanger life or damage property of this person and/or his/her close relative in connection with the employee's official duties, or interference with and/or disorganisation of the activities of the facility in any other way, -

shall be punished by imprisonment for up to three years.

2. Coercion of a person placed in a penitentiary facility or liberty restriction facility into changing or refusing to give testimony, as well as coercion of a convicted person in order to interfere with the fulfilment of his/her civil duties, -

shall be punished by imprisonment for a term of three to five years.

3. Physical insult of and/or other forms of violence against employees of the Ministry of Corrections of Georgia or against the employees of a penitentiary facility or liberty restriction facility, or assault on the administration staff of this facility and/or creation of criminal groups or active participation in these groups for the same purpose in penitentiary facilities or liberty restriction facilitys or other places of detention, as well as during the removal/transfer or extradition, -

shall be punished by imprisonment for a term of six to eight years.

4. The same act:

a) which endangers life;

b) committed repeatedly;

c) which has resulted in grave consequences, -

shall be punished by imprisonment for a term of eight to ten years.

5. The act provided for by paragraphs 3 or 4 of this article which has been committed by a person convicted for serious or particularly serious offence, -

shall be punished by imprisonment for a term of ten to twelve years.

Law of Georgia No 845 of 10 April 2001 – LHG I, No 11, 30.4.2001, Art. 39

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5196 of 4 July 2006– LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 5255 of 11 November 2011 – web-site, 24.11.2011

Law of Georgia No 3529 of 1 May 2015 – web-site, 18.5.2015

Article 378[1] - Transfer of prohibited items to an accused/convicted person or to a person placed in a liberty restriction facility or penitentiary facility, or other place of detention, during his/her removal/transfer or extradition, also to a person placed in temporary detention facility or guardhouse

1. Transfer of prohibited items to an accused/convicted person or to a person placed in a liberty restriction facility or penitentiary facility, or in other place of detention, during his/her removal/transfer or extradition, also to a person in temporary detention facility or guardhouse, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act:

a) committed repeatedly;

b) committed by a person who previously committed any of the offences provided for by Articles 378-379 of this Code;

c) by a group with prior agreement ;

d) committed by transferring drugs, their analogues or precursors;

e) committed by transferring psychotropic substances, their analogues or potent substances;

f) committed by transferring a weapon;

g) which has resulted in grave consequences, -

shall be punished by imprisonment for a term of three to five years.

3. The same act committed using the official position, -

shall be punished by imprisonment for a term of five to seven years.

Note: Prohibited items shall include all items (things), other than the items (things) that the persons placed in a penitentiary facility, liberty restriction facility, temporary detention facility or in a guardhouse are allowed to carry.

Law of Georgia No 2378 of 20 December 2005 - LHG I, No 55, 27.12.2005, Art. 377

Law of Georgia No 5196 of 4 July 2007– LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3529 of 1 May 2015 – web-site, 18.5.2015

Article 378[2] - Purchase, storage, carrying, consumption and/or use of prohibited items by a person placed in a liberty restriction facility or penitentiary facility, or in other place of detention, during his/her removal/transfer or extradition, also by a person placed in a temporary detention facility or guardhouse

1. Purchase, storage, carrying, consumption and/or use of prohibited items by a person placed in a liberty restriction facility or penitentiary facility, or other place of detention, during his/her removal/transfer or extradition, also by a person places in a temporary detention facility or guardhouse, -

shall be punished by imprisonment for up to three years.

2. The same act:

a) committed jointly by more than one person;

b) committed repeatedly;

c) committed by a person who had previously committed any of the offences provided for by Articles 378-379 of this Code;

d) which has resulted in grave consequences, -

shall be punished by imprisonment for a term of three to five years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 5196 of 4 July 2007– LHG I, No 28, 18.7.2007, Art. 283

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3529 of 1 May 2015 – web-site, 18.5.2015

Article 379 - Escape of an accused/convicted person from the place of arrest, penitentiary facility, liberty restriction facility or other place of detention, during his/her removal/transfer or extradition

1. Escape of an accused/convicted person from the place of arrest, penitentiary facility, liberty restriction facility or other place of detention, during his/her removal/transfer or extradition, -

shall be punished by imprisonment for up to four years.

2. The same act committed:

a) jointly by more than one person;

b) using violence or threat of violence which is dangerous for life or health, -

shall be punished by imprisonment for a term of four to eight years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3529 of 1May 2015 – web-site, 18.5.2015

Article 380 - Evasion of the sentence of imprisonment

Evasion of a setence by a convicted person who is allowed to leave a penitentiary facility for a short period, -

shall be punished by imprisonment for up to two years.

Law of Georgia No 2697 of 9 March 2010 – LHG I, No 12, 24.3.2010, Art. 70

Law of Georgia No 3529 of 1 May 2015 – web-site, 18.5.2015

Article 381 - Failure to execute or interference with the execution of a judgement or other court decisions

1. Failure to execute or interference with the execution of a final judgement or other court decision, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with imprisonment for up to two years.

2. The same act committed by a representative of public authorities or by an official of state or local authorities, -

shall be punished by a fine or community service from two hundred and forty to three hundred and sixty hours or with imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

[**2.** The same act committed by a representative of authority or a government servant, -

shall be punished by a fine or community service from two hundred and forty to three hundred and sixty hours or with imprisonment for a term of two to four years, with deprivation of the right to hold an official position or to carry out a particular activity for up to three years. ***(Shall become effective from 1 January 2017)]***

Note: The offence against the judicial authority provided for by this Section also includes the offence against the International Criminal Court.

Law of Georgia No 2980 of 14 August 2003– LHG I, No 26, 5.9.2003, Art. 191

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3649 of 10 November 2004 – LHG I, No 44, 27.11.2006, Art. 297

Law of Georgia No 5035 of 22 June 2007– LHG I, No 26, 11.7.2007, Art. 242

Law of Georgia No 4377 of 27 October 2015 – web-site, 11.11.2015

Article 381^1 - Non-performance of the requirements and/or obligations provided for by a protective or restraining order. Non-observance of a social worker's decision on separation of a minor

1. Non-performance of the requirements and/or obligations provided for by a protective or restraining order by a person on whom an administrative penalty has been imposed under Article 175^2 (1) or (2) of the Code of Administrative Offences of Georgia, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with imprisonment for up to a year.

2. Non-observance of a social worker's decision on separation of a minor by a person on whom an administrative penalty has been imposed under Article $175^2(1^1)$ of the Code of Administrative Offences of Georgia, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with imprisonment for up to a year.

Law of Georgia No 2513 of 28 December 2009 – LHG I, No 3, 13.1.2010, Art. 10

Law of Georgia No 5452 of 22 June 2016 – website 12.7.2016

Article 381^2 - Failure to comply with the requirements of the guardianship authorities

The failure to comply with the requirements of the guardianship authorities related to the transfer of a child by a parent to another parent under a court decision, or related to the exercise of the right of the other parent or of any other family member to interact with the child under a court decision, which has been committed by a person on whom an administrative penalty has been imposed for such an act according to Article 173^{13} of the Code of Administrative Offences of Georgia, -

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or with imprisonment for up to a year.

Law of Georgia No 3971 of 10 December 2010 – LHG I, No 72, 22.12.2010, Art. 435

SECTION THIRTEEN

CRIME AGAINST MILITARY SERVICE

CHAPTER XLV - Crime against Procedure for Subordination and Protection of Military Dignity

Article 382 - Concept of crime against military service

1. A crime against military service shall be the act provided for by this Section that is directed against the procedure for military service in the military forces of Georgia and that has been committed by a military service person who is serving in the military forces of Georgia by conscription or on a contractual basis, as well as by a reservist when serving in the military reserve service.

2. Criminal liability for crime against military service during a war shall be determined by the legislation of Georgia on martial law.

Law of Georgia No 4195 of 27 December 2006– LHG I, No 49, 29.12.2006, Art. 367

Article 383 - Failure to comply with the superior's orders

1. Failure of a subordinate to comply with the duly given superior's orders issued, which has substantially damaged the interest of military service, -

shall be punished by a service restriction of a military person for up to two years or with imprisonment for up to a year.

2. The same act:

a) committed jointly by more than one person;

b) which has resulted in grave consequences by negligence, -

shall be punished by imprisonment for a term of two to five years.

3. Failure to comply with the duly given order due to the subordinate's negligent or dishonest attitude towards service, which has substantially damaged the interest of the military service, -

shall be punished by service restriction of the military person for up to a year.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 649, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 384 - Resisting or forcing a superior to breach official duties

1. Resisting, using violence or threat of violence, a superior or a person who performs military service duty, or forcing such person to breach that duty, -

shall be punished by service restriction of the military person for up to two years, or with imprisonment for a term of two to five years.

2. The same act:

a) jointly by more than one person;

b) by using a weapon;

c) that has resulted in less serious or serious health injury or other grave consequences, -

shall be punished by imprisonment for a term of four to eight years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 385 - Violence against a superior

1. Beating or any other form of violence against a superior during or in connection with the performance of military service duties, -

shall be punished by service restriction of a military person for up to two years, or with imprisonment for a term of two to four years.

2. The same act:

a) committed jointly by more than one person;

b) using a weapon;

c) that has resulted in less serious or serious health injury or other grave consequences, -

shall be punished by imprisonment for a term of four to eight years.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 386 - Breach of the subordination rules between military service persons not subordinated to each other

1. Breach of the subordination rules between military service persons not subordinated to each other, accompanied by the humiliation of the dignity or honour of the victim or his/her coercion, -

shall be punished by imprisonment for up to three years.

2. The same act:

a) committed jointly by more than one person;

b) towards two or more persons;

c) repeatedly;

c) committed using a weapon;

d) that has resulted in less serious health injury, -

shall be punished by imprisonment for a term of two to five years.

3. The act provided for by paragraphs 1 or 2 of this article, which has resulted in grave consequences, -

shall be punished by imprisonment for a term of four to nine years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.20030 Article 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 387 - Insulting a military service person

1. Insult of a military service person by another military service person during the performance of military service duties or in connection with the performance of these duties, -

shall be punished by service restriction of the military person for up to six months.

2. Insult of a superior by a subordinate or insult of a subordinate by a superior during performance of military service duties or in connection with the performance of these duties, -

shall be punished by service restriction of the military service person for up to a year.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Article 388 - Arbitrary abandonment of a military unit or another place of service

1. Arbitrary abandonment of a military unit or any other place of service by a military servant, or failure to report for duty (unit) on time without an valid reason for more than two days, but not longer than exceed ten days,-

shall be punished by imprisonment for up a year.

2. (Deleted).

3. The act provided for by paragraph 1 of this article committed for longer than 10 days but less than a month, -

shall be punished by service restriction of the military person for up to two years or with imprisonment for up three years.

4. The act provided for by paragraph 3 of this article committed for a period exceeding one month, -

shall be punished by imprisonment for a term of two to five years.

Note:

1. For the purposes of this article, a military service person shall be a military student/attendee/Junker, a person recruited for compulsory military service, a contractual (professional) military servant, a career officer, as well as a reservist during military training assemblies.

2. A military service person who commits for the first time the act provided for by this article may be discharged from criminal liability if they arbitrarily abandoned the military unit or other place of service due to grave circumstance.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 3017 of 27 April 2010 – LHG I, No 23, 4.5.2010, Art. 136

Law of Georgia No 2240 of 16 April 2014 – web-site, 28.4.2014

Article 389 -Desertion

1. Desertion, i.e. arbitrary abandonment of military unit or other place of service by a military service person or a reserve military service person in

order to avoid military service or reserve military service, or failure to appear for service for the same purpose, -

shall be punished by imprisonment for a term of three to seven years.

2. The same act committed:

a) using the weapon assigned for service use;

b) jointly by more than one person, -

shall be punished by imprisonment for a term of five to ten years.

Note: A military service person or reserve military service person who commits for the first time the act provided for by paragraph 1 of this article may be discharged from criminal liability if the desertion was caused by grave circumstances.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 4195 of 27 December 2006 – LHG I, No 49, 29.12.2006, Art. 367

Article 390 - Evasion of military service by malingering or using other forms of deception

1. Evasion of military service by malingering by inflicting self-injuries, using forged documents or other forms of deception, -

shall be punished by service restriction of the military person for up to two years, or with imprisonment for up to a year.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 390[1] - Evasion of reserve military service by malingering or using other forms of deception

Evasion of reserve military service by malingering, by inflicting self-injuries, using forged documents or other forms of deception, -

shall be punished by imprisonment for up to a year.

Law of Georgia No 4195 of 27 December 2006 – LHG I, No 49, 29.12.2006, Art. 367

Article 391 - Abandonment of a doomed war-ship

Abandonment of a doomed war-ship by the commander who has not completed the performance of his/her official duties, or by a crew member without the relevant order of the commander, -

shall be punished by service restriction of the military person for up to two years, or with imprisonment for a term of two to five years.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 4, 7 13.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 392 - Breach of procedures for combat duty (combat service)

1. Breach of procedures for combat duty (combat service) established for timely detection of a sudden attack on Georgia and for the repulsion of the attack, and/or for the purpose of ensuring the state security, which has or could have resulted in the violation of the interests of the state security, -

shall be punished by service restriction of the military person for up to two years, or with imprisonment for a term of two to five years.

2. The same act that has resulted in grave consequences, -

shall be punished by imprisonment for a term of four to ten years.

3. Breach of procedures for combat duty (combat service) due to negligent or dishonest attitude to these procedures, which has resulted in grave consequences, -

shall be punished by service restriction of the military person for up to two years or with imprisonment for up to three years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 393 - Breach of border service regulations

1. Breach of border service regulations by a person included in the composition of a border patrol unit or performs other duties related to border service, which has or could have resulted in the violation of the interests of the state security, -

shall be punished by service restriction of the military person for up to two years or with imprisonment for up three years.

2. The same act that has resulted in grave consequences, -

shall be punished by imprisonment for a term of two to five years.

3. Breach of border service regulations due to negligent or dishonest attitude to these regulations, which has resulted in grave consequences, -

shall be punished by service restriction of the military person for up to two years or with imprisonment for up to two years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 394 - Breach of procedures for guard duty

1. Breach of procedures for guard duty by a guard (watchman), which has resulted in damage of the object guarded, -

shall be punished by service restriction of the military person for up to two years or with imprisonment for up to two years.

2. The same act that has resulted in grave consequences, -

shall be punished by imprisonment for up to three years.

3. Breach of procedures for guard duty due to negligent or dishonest attitude to these procedures, which has resulted in grave consequences, -

shall be punished by imprisonment for up to a year.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 395 - Breach of service regulations when protecting public order and public security

1. Breach of service regulations by a person included in the composition of a military detail responsible for ensuring the protection of public order or public security, which has resulted in the violation of a person's rights or lawful interests, -

shall be punished by service restriction of the military person for up to two years or with imprisonment for up to two years.

2. The same act that has resulted in grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 396 - Breach of internal service regulations and patrolling routing in the garrison

Breach of internal service regulations by a person included in the composition of the daily detail of the unit (other than the guard duty and night-watch), or breach of patrolling routine in the garrison by a person included in the composition of the patrol unit, which has resulted in grave consequences, -

shall be punished by service restriction of the military person for up to two years, or with imprisonment for up to a year.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000– LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

CHAPTER XLVI - Crime against the Procedure for Storing or Operating Military Property

Article 397 - Intentional damage or destruction of military property, -

1. Intentional damage or destruction of arms, ammunition, vehicles, military equipment or other military property, -

shall be punished by a fine or service restriction of the military person for up to two years or with imprisonment for up to two years.

2. The same act that has resulted in death or other grave consequences, -

shall be punished by imprisonment for a term of two to five years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 398 - Damage or destruction of military property through negligence

Damage or destruction of arms, ammunition, vehicles, military equipment or other military property, which has resulted in grave consequences, -

shall be punished by a fine or service restriction of a military person for up to two years or with imprisonment for up to two years.

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 399 - Breach of procedures for storing military property

Breach of procedures for storing arms, ammunition, vehicles, military equipment or other military property entrusted for service use, which has resulted in their loss or unfitness for use through negligence, -

shall be punished by a fine or service restriction of the military person for up to six months or with imprisonment for up to two years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 400 - Breach of procedures for driving or operating vehicles

1. Breach of procedures for driving or operating a combat, special or transport vehicle, which has resulted in serious or less serious health injury, -

shall be punished by imprisonment for up to two years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up three years.

2. The same act that has resulted in deprivation of human life, -

shall be punished by imprisonment for a term of three to seven years, with or without deprivation of the right to hold an official position or to carry out a particular activity for up to three years.

3. The act provided for by paragraph 1 of this article, which has resulted in death of two or more persons, -

shall be punished by imprisonment for a term of six to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 401 - Breach of procedures for operating or maintaining flying machines

Breach of procedures for operating or maintaining military flying machines, which has resulted in the deprivation of human life or other grave consequences, -

shall be punished by imprisonment for a term of five to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 402 - Violation of procedures for operating or maintaining a vessel

Breach of the procedure for operating or maintaining a military ship, which has resulted in deprivation of human life or other grave consequences, -

shall be punished by imprisonment for a term of five to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 403 - Breach of procedures for handling weapons that pose increased risk to the persons near it

1. Breach of procedures for handling weapons, ammunition, radioactive, explosive or other substances or items that pose increased risk to the persons near it, which has resulted in a less serious or serious health injury, destruction of military equipment or other grave consequences, -

shall be punished by service restriction of the military person for up to two years, or with imprisonment for a term of two to five years.

2. The same act that has resulted in deprivation of human life, -

shall be punished by imprisonment for a term of four to six years.

3. The act provided for by paragraph 1 of this article that has resulted in death of two or more persons, -

shall be punished by imprisonment for a term of six to ten years.

Law of Georgia No 458 of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 83

Law of Georgia No 649 of 5 December 2000 – LHG I, No 47, 14.12.2000, Art. 134

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

SECTON FOURTEEN

OFFENCE AGAINST HUMANKIND

CHAPTER XLVII – Crime against Humanity, Peace and Security and against the International Humanitarian Law

Article 404 - Planning, preparation, commencement or execution of an act of aggression

1. The planning or preparation of an act of aggression, -

shall be punished by imprisonment for a term of seven to fifteen years.

2. The commencement or execution of an act of progression, -

shall be punished by imprisonment for a term of fifteen to twenty years or with life imprisonment.

Note:

1. For the act provided for by this article, a person who, due to his/her position, is able to exercise efficient control or management over the state political or military actions, shall incur criminal liability.

2. For the purposes of this Chapter, an "act of aggression" shall mean the use of the armed forces of the State against another state's sovereignty, territorial integrity or political independence, or in any other manner, which contradicts the Charter of the United Nations.

3. A person shall incur criminal liability for planning, preparation, commencement or execution of such an act of aggression which, in its nature, gravity and extent, clearly violates the Charter of the United Nations.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2727 of 30 October 2014 – web-site, 6.11.2014

Article 405 - Calling for planning, preparation, commencement or execution of an act of aggression

1. Calling for planning, preparation, commencement or execution of an act of aggression, -

shall be punished by a fine or imprisonment for up to three years.

2. The same act committed using mass media or by a public political official, -

shall be punished by a fine or imprisonment for a term of two to five years, with deprivation of the right to carry out a particular activity for up to three years.

Law of Georgia No 2727 of 30 October 2014 – web-site, 6.11.2014

Article 406 - Manufacturing, purchasing or selling weapons of mass destruction

Manufacturing, purchasing or selling weapons of mass destruction that are prohibited under international treaties to which Georgia is a party, -

shall be punished by imprisonment for a term of ten to fifteen years.

Note: For the act specified in this article a legal person shall be punished by a fine, with deprivation of the right to carry out a particular activity or with liquidation and a fine.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 2641 of 23 February 2010– LHG I, No 9, 15.3.2010, Art. 31

Article 407 -Genocide

Genocide, i.e. an act committed in order to accomplish an agreed plan to annihilate, in full or in part, a group the members of which are united by national, ethnic, racial, religious or any other signs and where such action has been manifested in the murder, serious bodily injury, intentional creation of hard living conditions for the group members, or in the forced reduction of their birth-rate or the forced transfer of children from one ethnic group to another, -

shall be punished by imprisonment for a term of twelve to twenty years or with life imprisonment.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 408 - Crime against Humanity

Crime against humanity, i.e. any act committed in the form of a large-scale or systematic assaults on civilian population or persons, manifested in murder, mass extermination, serious health injury, deportation, illegal imprisonment, torture, rape, sexual slavery, coercion of prostitution, forced pregnancy and sterilisation, persecution of a group of persons based on political, racial, national, ethnic, cultural, religious, sexual and other signs, apartheid and other inhuman treatment, which substantially impair the physical and/or mental condition of a person, -

shall be punished by imprisonment for a term of twelve to twenty years or with life imprisonment.

Law of Georgia No 2980 of 14 August 2003– LHG I, No 26, 5.9.2003, Art. 191

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 409 - Ecocide

1. Ecocide i.e. contamination of the atmosphere, soil, water resources, mass destruction of fauna or flora, or any other act that could have led to an ecological disaster, -

shall be punished by imprisonment for a term of twelve to twenty years.

2. The same act committed during armed conflicts, -

shall be punished by imprisonment for a term of fourteen to twenty years or with life imprisonment.

Law of Georgia No 2980 of 14 August 2003– LHG I, No 26, 5.9.2003, Art. 191

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 410 - Participation of mercenaries in armed conflicts or military actions

1. Enlistment, training, financing of or provision of other material support to mercenaries, as well as their use in armed conflicts or military actions, -

shall be punished by imprisonment for a term of five to seven years.

2. The same act committed using the official position or against a minor, -

shall be punished by imprisonment for a term of nine to thirteen years.

3. Participation of mercenaries in armed conflicts or military actions, -

shall be punished by imprisonment for a term of four to six years.

Note: Mercenaries shall be persons who are not citizens of the state involved in the armed conflict or military actions and who act for the purpose of gaining material benefit, who do not permanently reside in the territory of that state, as well as a person who has not been dispatched to perform official duties.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 411 - Intentional breach of the provisions of the international humanitarian law during armed conflicts

1. Intentional breach of the provisions of the international humanitarian law during armed conflicts between states or within a state, in particular:

a) assault on civilian population or civilians;

b) indiscriminate assault on civil population or civilian objects when it is known that it will result in casualties among civilians or damage to civilian objects;

c) assault on structures or equipment with elevated danger, when it is known that this will result in casualties among civilians or damage to civilian objects;

d) assault on an unprotected or demilitarised area;

e) assault on a person when it is known that he/she has ceased to participate in military actions;

f) improper use of a flag of temporary ceasefire, state flag, other markings, forms or signals of the adversary party, the United Nations, the Red Cross and Red Crescent or other markings recognised under the international humanitarian law, which has resulted in human casualties or serious bodily injury of people;

g) transfer by the occupant state of its civilians to the occupied territory or deportation or other unlawful expulsion of civilians of the occupied state within or beyond this territory;

h) unreasonable impediment of repatriation of prisoners of war or of civilians;

i) apartheid or other inhuman treatment based on racial discrimination that degrades human dignity;

j) assault on the property of the adversary party, including historical monuments, works of art or places of worship as on a part of the people's cultural heritage, which has resulted in their destruction or seizure and which has not been caused by military expediency, -

shall be punished by imprisonment for a term of ten to fifteen years.

2. Intentional breach of the provisions of the international humanitarian law during international or domestic armed conflicts against the persons who do not participate in military actions or who do not hold instruments of defence as well as against the wounded, the sick, medical personnel and the clergy, sanitary units and vehicles, prisoners of war, civilians, civilian population present in the occupied territory or in the area of military actions, refugees, apatrides, other persons who are under protection during military actions, in particular:

a) murder;

b) torture or other inhuman treatment, including medical experiments;

c) intentional infliction of serious suffering or injury that endangers a person's physical or mental state;

d) coercion of citizens of the adversary party, prisoners of war or other persons under protection into serving in the armed forces of the opposing party, and/or participate in the military actions against their own country, regardless of whether or not they served the party to the armed conflict before the

commencement of the conflict;

e) deprivation of the right to fair tries from prisoners of war, or citizens of the adversary party or other persons who are under protection;

f) deportation or other unlawful expulsion or imprisonment of persons who are under protection;

g) taking a hostage;

h) arbitrary and large-scale destruction or appropriation of property not caused by military expediency, -

shall be punished by imprisonment for a term of fifteen to twenty years or with life imprisonment.

Law of Georgia No 2980 of 14 August 2003 – LHG I, No 26, 5.9.2003, Art. 191

Article 412 - Intentional breach of provisions of the international humanitarian law during armed conflicts between states or within a state, by endangering health or by mutilation

Performance of such medical procedures against a person who is under the protection of the government of the adversary party or against a person whose liberty has been restricted in any other manner, which are not necessitated by their health condition and which do not comply with universally recognised medical standards, irrespective of the person's consent, in particular:

a) an act causing mutilation;

b) performance of a medical or scientific experiment;

c) removal of a human organ, part of organ or of a cell for transplantation purposes, -

shall be punished by imprisonment for a term of eight to twelve years.

Law of Georgia No 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Article 413 - Other violations of the provisions of the international humanitarian law

The acts that do not contain the elements of the crime provided for by Articles 411 or 412, in particular:

a) depredation, i.e. taking possession of items of the person killed or wounded during military actions as well as taking possession of citizens' property which is left in the zone of military actions, and/or robbery of settlements or other territorial entities;

b) use of citizens to protect the army or facilities from military procedures;
c) Use of such weapons, ammunition, military equipment or weapons of mass destruction in a military operation or an armed conflict, also use of such methods of waging war that cause excessive damage, unjustified suffering, or violation of the norms of the international law of armed conflicts; and if such weapons, ammunition, equipment, or methods of waging war are universally banned;

d) other war crimes that are stipulated in the international treaties to which Georgia is a party and that are not punishable under Articles 411 or 412 of this Code, -

shall be punished by imprisonment for a term of eleven to fifteen years.

Note: For the crimes provided for by this Chapter, the commander of the armed forces involved in the armed conflict, or the commander of their sub-units shall incur liability under this Chapter even when the above crime has been committed by the armed forces subordinated to the management and/or control of the commander, and the crime was caused by inactivity of the commander and/or of any other relevant superior.

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 2890 of 14 August 2003– LHG I, No 26, 5.9.2003, Art. 191

SECTION FIFTEEN

TRANSITIONAL AND FINAL PROVISIONS

CHAPTER XLVIII - Transitional Provisions

Article 414 - Measures related to the entry into force of the Code

1. The President of Georgia shall be requested to submit, before 7 September 1999, to the Parliament of Georgia for review a draft law on Narcotic and Psychotropic Substances.

2. (Deleted).

3. A draft Law on the Procedure for serving the sentence of restriction of liberty shall be prepared and discussed by the Parliament of Georgia before 1 January 2001.

4. (Deleted).

5. For the convicted person who was sentenced to corrective labour without deprivation of freedom at a place other than his/her working place (Article 28 of the Criminal Code of Georgia of 30 December 1960), the above sentence shall be replaced with the fine provided for by this Code. In this case, the amount of fine may not exceed the amount of the fine provided for by the respective article of the Criminal Code of Georgia.

6. A convicted person who has been sentenced to exile provided for by Article 23 of the Criminal Code of Georgia of 30 December 1960 (paragraph 1(2)), expulsion (paragraph 1(3)), public censure (paragraph 1(3)), transfer to labour-education therapy facility (Article 23(3)) or deprivation of parental rights (Article 23(5)(2)), shall be discharged from serving the sentence by removing the criminal record.

7. (Deleted).

8. The wording of Article 59 of this Code established by the Law of Georgia on the Amendments to the Criminal Code of Georgia of 17 April 2013 shall have a retroactive force with respect to a convicted person who has been imposed the final penalty in the case of cumulative offences/judgements before entry into force of the above amendments, according to the existing wording.

Law of Georgia No 945 of 19 June 2001 – LHG I, No 20, 3.7.2001, Art. 75

Law of Georgia No 4785 of 23 May 2007 – LHG I, No 19, 1.6.2007, Art. 166

Law of Georgia No 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 546 of 17 April 2012 – web-site, 8.5.2013

CHAPTER XLIX – Final Provisions

Article 415 - Entry into force of the Code

1. This Code, except for Articles 44 and 47 and Chapter XXXIII - with respect to psychotropic substances and their analogues - shall enter into force from 1 June 2000.

2. Article 44 shall enter into force upon entry into force upon entry into force of the Law of Georgia on the Procedure for Enforcement of Non-Custodial Sentences and on Probation.

3. The court shall prescribe the sentence provided for by Article 47 of this Code from 1 January 2017 and the Local Council of the Ministry of Corrections of Georgia shall replace the outstanding part of the sentence of imprisonment with restriction of liberty from 1 November 2013.

4. Chapter XXXIII of this Code with regard to psychotropic substances and their analogues shall be effective upon entry into force of the Law of Georgia on Drugs, Psychotropic Substances and Precursors.

5. Upon entry into force of this Code, the Criminal Code of Georgia of 30 December 1960 shall be declared repealed (Bulletin of the Supreme Council of the Soviet Socialist Republic of Georgia, 1961, No 1, Art. 10**).**

Law of Georgia No 2361 of 8 September 1999– LHG I, No 43(50), 21.9.1999, Art. 212

Law of Georgia No 68 of 10 December 1999 – LHG I, No 48(55), 16.12.1999, Art. 244

Law of Georgia No 292 of 5 May 2000 – LHG I, No 18, 15.5.2000, Art. 45

Law of Georgia No 333 of 30 May 2000 – LHG I, No 20, 31.5.2000, Art. 51

Law of Georgia No 386 of 14 June 2000– LHG I, No 22, 15.6.2000, Art. 57

Law of Georgia No 945 of 19 June 2001– LHG I, No 20, 3.7.2001, Art. 75

Law of Georgia No 1471 of 4 October 2013 – web-site, 16.10.2013

Law of Georgia No 1796 of 13 December 2013 – web-site, 28.12.2013

Law of Georgia No 2980 of 25 December 2014 – web-site, 30.12.2014

President of Georgia **Eduard Shevardnadze**

Tbilisi,

22 July 1999

No 2287-ES