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 shall establish grounds for criminal liability, define which acts are criminal and determine an appropriate punishment or any other type of a penal sanction.

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

3. The purpose of this Code shall be the prevention of criminal infringements and the protection of public order.

CHAPTER II – Scope of Criminal Law

Article 2 – Application of a 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 was about to act. The time when the result has occurred shall not matter.

Article 3 – Retroactive force of a 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 of this Criminal Law.

3. If the Criminal Law was amended several times between the commission of a crime and the delivery of the judgment, 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 an international agreement of Georgia.

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 an act under this Code, which is considered as 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 an act under this Code, which is not considered as 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 a particularly serious crime against the interests of Georgia, or if criminal liability for this crime is provided for by an international agreement of Georgia.

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

4. Citizens of Georgia and persons having a status of stateless person in Georgia who have committed abroad an act under Articles 221, 223^1, 223^2, 223^3, 223^4, 338, 339 or 339^1 of this Code, which is not considered as 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 an act under 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.

6. A person who has committed a crime in the territory of a diplomatic mission or a consular office of Georgia abroad shall be criminally liable under this Code, unless otherwise provided for by an international agreement of Georgia.

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 – website, 11.11.2011

Law of Georgia No 6301 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 2152 of 18 April 2018 – website, 1.5.2018

Law of Georgia No 3158 of 20 July 2018 – website, 6.8.2018

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 by an international agreement of Georgia. 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 under the procedure provided for by the Statute of the ICC (Rome Statute) and the Law of Georgia on International Cooperation in Criminal Matters.

2. Foreigners and stateless persons that 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 agreement of Georgia.

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, website, 12.6.2012

SECTION TWO

CRIME

CHAPTER III – Grounds for Criminal Liability and Categories of a 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 the result or such threat would not have occurred this time.

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 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 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 a criminal law provides for 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 a domestic crime

A domestic crime shall mean a crime under Articles 109, 115, 117, 118, 120, 126, 133^1, 133^2, 137-141, 143, 144-144^3, 149-151^1, 160, 171, 187, 253-255^1, 381^1 and 381^2 of this Code, which is committed by one family member against another family member. Criminal liability for a domestic crime shall be determined according to an appropriate article of the Criminal Code of Georgia specified in this article, with reference to that article.

Note:

1. For the purposes of this Code, the following persons shall be considered family members: a mother, father, grandfather, grandmother, spouse, person in an unregistered marriage, child (stepchild), foster child, foster carer (foster mother, foster father), stepmother, stepfather, grandchild, sister, brother, parent of the spouse, parent of the person in an unregistered marriage, spouse of the child (including the one in an unregistered marriage), former spouse, person who previously was in an unregistered marriage,

guardian, custodian, supporter, person under guardianship and custodianship, beneficiary of support, as well as other persons that maintain or maintained a common household.

2. A domestic crime under Articles 109, 115, 117, 118, 120, 126, 126^1, 137-139, 141, 143 and 144-144^3 of this Code shall be considered committed repeatedly if commission of a domestic crime under Article 126^1 or any other aforementioned article preceded that domestic crime.

Law of Georgia No 6434 of 12 June 2012 – website, 25.6.2012

Law of Georgia No 2704 of 17 October 2014 – website, 31.10.2014

Law of Georgia No 3052 of 18 February 2015 – website, 26.2.2015

Law of Georgia No 59 of 1 December 2016 – website, 13.12.2016

Law of Georgia No 754 of 4 May 2017 – website, 24.5.2017

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Law of Georgia No 6760 of 13 July 2020 – website, 20.7.2020

Article 12 – Categories of a crime

1. On the basis of the maximum term of imprisonment provided for as a punishment under an article or part of an article of this Code, a crime shall be of the following three categories:

a) a less serious crime;

b) a serious crime;

c) a particularly serious crime.

2. An intentional crime or a crime of negligence for the commission of which the maximum sentence provided for under this Code does not exceed 5 years of imprisonment shall constitute a less serious crime.

3. An intentional crime for the commission of which the maximum sentence provided for under this Code does not exceed 10 years of imprisonment, also a crime of negligence for the commission of which the maximum sentence under this Code exceed 5 years of imprisonment shall constitute a serious crime.

4. An intentional crime for the commission of which this Code provides for a sentence 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 a 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 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 committing none 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 provided for 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 18 years of age, and 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) if it has been conducted at least twice during five calendar years; this term does not include the period of detention and serving the sentence by a racketeer.

2. A legal person or any association of natural 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 2004 – 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 determined only for the preparation of serious and particularly serious crimes and for the preparation of crimes provided for by articles 182(1), 186(1) and (2), 194[1](1) and (2), 202(1), 221(1-3), 332(1) and (2), 339(1), 339[1](1) and (2), 365(1-3) and 372(1) of this Code.

3. Criminal liability for the preparation of a crime shall be defined under a respective article of this Code providing for liability for a completed crime, 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 – website, 11.11.2011

Article 19 – Attempted crime

1. An attempted crime 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 a respective article of this Code providing for 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 dissuaded the principal, timely informed relevant authorities or otherwise prevented the principal or other accomplices from completing the crime. An aider shall not be criminally liable either 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 instrument or means he/she has made available 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 not completed 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 preliminary agreement.

2. A crime shall be considered to have been committed jointly by more than one person with preliminary 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 members of which have come together 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 an 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 of the 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 an 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 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 under the conditions of a justified risk to achieve socially useful goals.

2. Risk shall be considered justified if this goal could not have been achieved without acting under 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 act unlawfully if he/she commits an act provided for in this Code under such another circumstance which, although not specifically mentioned in this Code, fully satisfies the requirements for the lawfulness of this act.

Article 33 – Releasing from criminal liability due to age

A person shall not be blamed for an unlawful act provided for by this Code if he/she has not attained 14 years of age before the act was committed.

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 – Releasing 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 act culpably if he/she commits an act provided for in this Code under such another circumstance that, although not specifically mentioned in this Code, fully satisfies the requirements for non-culpability of this act.

SECTION THREE

SENTENCE

CHAPTER X – Goals and Types of Sentences

Article 39 – The goal of a sentence

1. The goal of a sentence is to restore justice, prevent repeated commission 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 sentences are as follows:

a) a fine;

b) deprivation of the right to hold an office or carry out activities;

c) community service;

d) corrective labour;

e) service restrictions for military personnel;

f) (deleted – 1.6.2017, No 944);

f^1) house arrest;

g) fixed term imprisonment;

h) life imprisonment;

i) confiscation of property;

j) restriction of the rights regarding weapons.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Article 41 – Basic and supplementary punishments

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

2. Community service, house arrest, fine and deprivation of the right to hold an office or carry out activities may be imposed as both basic and supplementary punishments. Confiscation of property and restriction of the rights regarding weapons may be imposed only as a supplementary punishment.

2^1. Several supplementary punishments 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 2002 – 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Article 42 – A fine

1. A fine shall be a monetary penalty.

2. The minimum amount of a fine shall be GEL 2 000. If an appropriate article of the Special Part of this Code provides for 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 shall, in its judgment, refer to the amount of a payable fine in laris.

5. A fine may also be imposed as a supplementary punishment when it is not considered as a supplementary punishment under an appropriate article of this Code, except for a crime under Article 126^1 of this Code.

5^1. (Deleted – 12.6.2016, No 3714).

6. If a convicted person evades paying the fine or if the payment cannot be enforced, this punishment shall be substituted by community service, corrective labour, house arrest 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 house arrest based on the following calculation: GEL 50 of the imposed fine – 4 hours of community service, one day of corrective labour, one day of house arrest. In addition, if a person maliciously evades the community service, corrective labour or house arrest imposed instead of the fine, it shall be substituted by imprisonment, to the extent and under the procedure determined by this Code for this type of punishment.

7. A fine may not be imposed as basic punishment for domestic violence under Article 126^1 of this Code, or for committing domestic crime under 11^1 of 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 – website, 26.2.2015

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 5027 of 20 September 2019 – website, 01.10.2019

Article 43 – Deprivation of the right to hold an office or carry out activities

1. Deprivation of the right to hold an office or carry out activities shall mean that a convicted person shall not hold an appointed office in public service or in municipal bodies or pursue professional or other activities.

2. Deprivation of the right to hold an office or carry out activities shall be imposed as a basic punishment for a term of one to five years and as a supplementary punishment for a term of six months to three years.

3. Deprivation of the right to hold an office or to carry out a particular activity may be imposed as a supplementary punishment even when it has not been considered as a punishment 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 hold an office or carry out activities.

4. At the time of imposing community service or corrective labour as a basic punishment, also, in the case of a conditional sentence, the term of a supplementary punishment imposed in the form of the deprivation of the right to hold an office or carry out activities shall be calculated from the moment when the court judgment enters into force. The term of a supplementary punishment imposed in the form of the deprivation of the right to hold an office or carry out activities in addition to the house arrest or imprisonment imposed as a basic punishment, shall be calculated from the moment when the court judgment enters into force and shall extend over the entire term of service of the basic punishment.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 6950 of 15 July 2020 – website, 28.7.2020

Article 44 – Community service

1. Community service shall mean free labour of a convicted person where the type of labour is determined by the Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation, a territorial body of the Legal Entity under Public Law within the governance of the Ministry of Justice of Georgia – the National Agency of Crime Prevention, Execution of Non-custodial Sentences and Probation ('the Agency').

2. Community service shall be imposed for a term of 40 to 800 hours. If a fine is substituted by community service, or in the case provided for by Article 73(3) and (7) of this Code, or if a plea bargain is concluded between the parties, it may also be imposed for a longer period. The daily length of the community service must not exceed eight hours.

3. If a convicted person refuses to render or deliberately evades community service, this punishment shall be substituted by a fine, house arrest or imprisonment. In addition, the time during which the convicted person was serving this sentence shall be counted towards the term of the house arrest or imprisonment based on the following calculation: five hours of community service – one day of house arrest, one day of imprisonment.

4. Community service shall not be imposed on disabled persons of first and second categories, pregnant women, and women with children under 7 years of age, persons of retirement age, as well as for recruited military service persons.

5. Community service may be imposed as a supplementary punishment even when it has not been considered 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 – website, 22.3.2011

Law of Georgia No 6252 of 22 May 2012 – website, 29.5.2012

Law of Georgia No 6504 of 19 June 2012 – website, 2.7.2012

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

Article 45 – Corrective labour

1. Corrective labour shall be imposed for a term of 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 judgment shall be deducted from the convicted person's salary in favour of the State.

3. If a convicted person deliberately evades corrective labour, this punishment shall be substituted by house arrest or imprisonment. In addition, the time during which the convicted person was serving this sentence shall be counted towards the term of the house arrest or imprisonment based on the following calculation: one day of corrective labour – one day of house arrest; 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 46 – Service restriction of military persons

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 three months to two years.

3. When imposing service restrictions for military personnel, the sum in the amount established by the verdict, but not more than twenty percent, 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 – (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 5626 of 27 December 2011 – website, 12.1.2012

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 47^1 – House arrest

1. House arrest shall mean imposition on a convicted person of the obligation to stay in his/her place of residence during the specific period of day.

2. House arrest shall be imposed on a person with no criminal record for a term of six months to two years.

3. If imprisonment, community service, corrective labour or fine is substituted by the house arrest, it may be imposed even for a term less than six months and more than two years.

4. If a convicted person deliberately evades house arrest, this punishment shall be substituted by imprisonment – for a term of the house arrest imposed under the court judgment. In addition, the time during which the convicted person was serving this sentence shall be counted towards the term of the imprisonment based on the following calculation: one day of house arrest – one day of imprisonment.

5. Generally, house arrest shall be enforced with the use of a means of electronic supervision. The decision about not using a means of electronic supervision shall be made by the Agency. 6. House arrest shall not be imposed on a conscripted military servant and on a person who has committed a domestic crime.

7. It shall be forbidden for a convicted person to cross the border of Georgia during the period of his/her serving the house arrest.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

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 six months to twenty years, except as provided for by Article 59 of this Code.

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

2^2. Fixed term imprisonment shall not apply to minors under Article 26(8) of the Code on Child Rights, except for the cases provided for by the legislation of Georgia.

3. If community service, corrective labour, house arrest 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, No 546).

5. When imposing a fixed term imprisonment, the court may, by its judgment 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 conditional sentence may be counted as a quarter of the sentence imposed, as one third of the sentence in the case of a serious crime, and as a 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 – website, 8.5.2013

Law of Georgia No 2243 of 16 April 2014 – website, 2.5.2014

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 5009 of 20 September 2019 – website, 27.9.2019

Law of Georgia No 5909 of 21 May 2020 – website, 25.5.2020

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 60 years of age by the time the judgment 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 the instrument of 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 the instrument of 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 the instrument of 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 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

Article 52[1] – Restriction of the rights regarding weapons

1. Restriction of the rights regarding weapons shall mean the restriction and/or prohibition of manufacturing or purchasing of weapons, and/or of keeping or carrying and/or using of weapons (including service weapons).

2. Restriction of the rights regarding weapons may be imposed as a supplementary punishment only when it is provided for under a respective article for commission of an offence.

3. When the restriction of the rights regarding weapons is imposed as a supplementary punishment, it is not necessary that a weapon be the instrument of crime or be intended for commission of crime.

4. The restriction of the rights regarding weapons shall be imposed as a punishment for a term of one to five years.

5. When community service, corrective labour or house arrest is imposed as a basic punishment, also in the case of a conditional sentence, the term of the restriction of the rights regarding weapons imposed as a supplementary punishment shall be calculated from the moment of entry of the court judgment into force. When imprisonment is imposed as a basic punishment, the term of the restriction of the rights regarding weapons imposed as a supplementary punishment shall be calculated from the moment of serving the basic punishment.

6. In the case of the restriction of the rights regarding weapons, a weapon shall be seized and the seized weapon shall be stored under the procedure established by the legislation of Georgia.

Note: For the purposes of this punishment, the word 'weapons' shall have the meaning provided for in Article 2(a) of the Law of Georgia on Weapons.

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

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 the 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]. (Deleted – 4.5.2017, No 763).

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 – website, 19.4.2012

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Article 53^1 – Aggravating factors for punishment

1. Commission of crime on the basis of race, skin colour, language, sex, sexual orientation, gender, gender identity, age, religion, political or other views, disability, citizenship, national, ethnic or social affiliation, origin, property or birth status, place of residence or other signs of discrimination with the reason of intolerance shall be an aggravating factor for liability for all respective crimes.

2. Commission of crime by one family member against another family member, against a helpless person, a minor or in his/her presence, with the extreme cruelty, with the use of a weapon or under the threat of using a weapon, by abusing the official position shall be an aggravating factor for liability for all respective crimes.

3. When imposing a fixed term imprisonment for a crime committed with an aggravating factor under paragraph 1 or 2 of this article, the term of a sentence to be served shall exceed, at least by one year, the minimum term of sentence provided for the committed crime under the respective article or part of an article of this Code.

4. If an article or part of an article of the Special Part of this Code refers to a factor under paragraph 1 or 2 of this article as to an element qualifying the crime, and if there are grounds under Article 55 or 63(1) of this Code, the procedure under paragraph 1 of this article shall not be taken into consideration when imposing a sentence.

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

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 under the respective article or part of an article of the Special Part of this Code.

Article 55 – Imposing more lenient sentences than provided for by law

The court may impose a sentence that is less than the lowest limit of the measure of a sentence provided for by an appropriate article of this Code, or another, 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 a sentence to be served shall exceed, at least by one year, the minimum term of the sentence provided for this crime under the respective 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 63(1) of this Code, the procedure 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 provided 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 paragraph 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 judgment was delivered on the first case. In this case, the sentence that has been served in full or in part under the first judgment 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 judgment the outstanding part of the sentence imposed under the previous judgment, or the sentence imposed under the latest judgment 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 judgment is delivered, except when the probation period for the conditional sentence imposed on the convicted person under the previous judgment 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 arrested for committing the crime provided for by the latest judgment. 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 provided for under the general part of this Code for the given type of sentence.

8. In the case of cumulative crimes or sentences, a supplementary punishment may be imposed along with the basic punishment. The final supplementary punishment imposed at the time of accumulation may not exceed the maximum extent provided for under the general part of this Code for a 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 – website, 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, one day of imprisonment shall be equal to:

a) two days of house arrest;

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 office or carry out activities, when added to house arrest or imprisonment, shall apply separately.

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 – website, 22.3.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 office or carry out activities, for corrective labour, service restrictions for military personnel, house arrest and imprisonment shall be calculated in years and months, while the term for community service shall be calculated 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 period of pre-trial detention 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 house arrest, and three days of corrective labour or service restrictions for military personnel, five hours of community service.

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

5. If a fine or deprivation of the right to hold an office or carry out activities was imposed on a person, who was in pre-trial detention, as a basic punishment, the court shall, taking the period of detention into account, either mitigate the sentence imposed or completely release him/her from serving 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 – website, 22.3.2011

Law of Georgia No 6504 of 19 June 2012 – website, 2.7.2012

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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. This rule shall not apply to the case provided for by paragraph 1^1 of this article.

1^1. If the convicted person has committed crimes under Article 137-139, 141 and 253-255^2 of this Code, the sentence imposed may not be considered as fully conditional.

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

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, provided that the convicted person was not previously convicted of committing a particularly serious or intentional serious crime.

4. If the convicted person was previously convicted of committing two or more intentional serious crimes, the sentence imposed may not be considered as conditional.

5. (Deleted – 12.6.2016, No 3714).

6. A supplementary punishment may be imposed in the case of a conditional sentence.

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

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 64 – Probation period

1. In the case of the circumstances provided for in Articles 50(5) and 63 of this Code, the court shall determine a probation period during which the convicted person must not commit another crime and must fulfil the duty imposed on him/her. When a more lenient punishment than imprisonment is imposed, the probation period must not be less than one and more than three years; and when imprisonment is imposed, the probation period must not be less than one and more than six years, and when the final punishment is imposed based on the accumulation of sentences in the case of cumulative crimes and cumulative sentences, the probation period must not be less than two and more than six years.

2. When there is a ground under Article 72^1(1) of this Code, the court shall fix the probation period of not less than two and not more than seven 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 – website, 16.10.2013

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 65 – Imposing obligations

In the case of a 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 Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation, 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 in correcting 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 – website, 31.10.2014

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

Article 66 – Monitoring and assistance

1. The Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation shall monitor the conduct of a probationer and assist him/her. This agency shall supervise the fulfilment of obligations imposed on a person, and shall, in the case of the non-fulfilment thereof, immediately notify the court to this effect.

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, upon 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

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

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

Article 67 – Lifting the 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 within the Agency shall, based on the petition of the agency responsible for monitoring the conduct of and assisting probationers, make a decision on revoking a conditional sentence and removing the previous conviction of the probationer.

1^1. (Deleted – 1.6.2017, No 944).

2. Taking into consideration the conduct of the probationer, the court, upon recommendation of the agency specified 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, upon recommendation of the agency specified in paragraph 1 of this article, order the revocation of the conditional sentence and the enforcement of the sentence imposed under the judgment.

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 Procedure Code of Georgia, which shall be agreed with the General Prosecutor of Georgia or his/her deputy.

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 – website, 24.11.2011

Law of Georgia No 5924 of 27 March 2012 – website, 19.4.2012

Law of Georgia No 1796 of 13 December 2013 – website, 28.12.2013

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 3813 of 30 November 2018 – website, 13.12.2018

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

Article 67^1 – Civil law agreement

1. The agency specified in Article 67(1) of this Code 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 has duly fulfilled the obligations imposed under the civil law agreement, and if there are no grounds provided for under Article 67(3-5) of this Code and the court has not decided to extend the probation period under Article 67(2) of this Code.

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 define 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 Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation 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 – website, 29.5.2012

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

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 has voluntarily appeared to admit his/her guilt, assisted in solving the crime and indemnified 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 the imposition of criminal liability for the given act is not appropriate 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 cooperation of an accused person with investigative authorities

In exceptional cases, when the cooperation of an accused person with investigative authorities has revealed the identity of an official and/or a person(s) who committed a particularly serious crime, and the accused personally assisted in creating essential

conditions required for solving the crime, the court may release the accused person 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 expiration of the limitation period

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

a) two years have passed after committing a crime for which the maximum sentence provided for under the Special Part of this Code does not exceed a two-year term of imprisonment;

b) six years have passed after committing another less serious crime;

c) ten years have passed after committing a serious crime;

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

c^2) twenty years have passed after committing crimes provided for in Articles 137-141 of this Code, unless they constitute particularly serious crimes;

d) thirty years have passed after committing a particularly serious crime.

2. The limitation period 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 another crime is committed, the limitation period shall be calculated for each individual crime.

3. The running of the limitation period shall be suspended if the offender absconds during the investigation or trial. In this case, the running of the limitation period shall be resumed from the moment the offender gets arrested or appears with the confession of guilt.

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

5. The limitation period shall not apply in the case provided for by an international agreement of Georgia.

5^1. The limitation period shall not apply to the acts provided for by Articles 144^1- 144^3 of this Code, as well as in respect of minors where the acts provided for by Articles 137-141 and 253-255^2 of this article have been committed.

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

7. Except as provided for by paragraphs 3 and 6 of this article, the running of the limitation period shall also be suspended during the time when it is impossible to carry out appropriate procedural actions under Article 16(2) of the Law of Georgia on International Cooperation in Criminal Matters against 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 Matters, the grounds provided for by the legislation of the foreign country for suspending the limitation period 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 limitation period.

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

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

Law of Georgia No 59 of 1 December 2016 – website, 13.12.2016

Law of Georgia No 4224 of 27 December 2018 – website, 27.12.2018

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

CHAPTER XIV – Releasing from Punishment

Article 72 – Release on parole

1. A person, on whom the community service, corrective labour, service restrictions for military personnel or house arrest are imposed, may be released on parole if the court considers that serving of the full sentence is no longer required for his/her correction, and a person who has been sentenced to the fixed term imprisonment, except for a convicted person placed in a penitentiary institution of special risk, may be released on parole if the Local Council of the Ministry of Justice of Georgia 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 supplementary punishment.

2. Upon the release of the convicted person on parole, the obligation provided for by Article 65 of this Code may be imposed on him/her, which he/she must 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 sentence for a less serious crime;

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

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

d) three fourths of the sentence imposed on a person who was released on parole in the past and the release on parole was revoked under paragraph 6 of this article;

e) three fourths of the sentence if it was imposed on a person whose unserved sentence was substituted by a more lenient punishment and the substituted punishment was cancelled under Article 73(10) of this Code.

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 Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation, 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 the release on parole, the court may, upon recommendation of the authorities specified 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 a sentence on him/her under the procedure provided for by 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. (Deleted – 1.6.2017, No 944).

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 serving the house arrest imposed as a punishment under Article 73(3[1]) of this Code, the actually served term of the house arrest as a punishment shall be counted towards the term defined in paragraph 3 of this article based on the following calculation: one day of house arrest – 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 – website, 19.5.2011

Law of Georgia No 5626 of 27 December 2011 – website, 12.1.2012

Law of Georgia No 6504 of 19 June 2012 – website, 2.7.2012

Law of Georgia No 1796 of 13 December 2013 – website, 28.12.2013

Law of Georgia No 2757 of 31 October 2014 – website, 11.11.2014

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

Article 72[1] – Revision of life imprisonment imposed as a punishment

1. If a convicted person on whom life imprisonment is imposed as a punishment has actually served 20 years of life imprisonment, the court may release him/her on parole from further serving the sentence for the probation period provided for in Article 64(2) of this Code. When making the decision, the court shall consider the character of crime, the way in which the convicted person behaved during his/her service of sentence, the fact of committing a crime by him/her in the past, his/her criminal record, the risk of repeated commission of crime, the family circumstances and the personality of the convicted person.

2. If, within the probation period, a convicted person:

a) deliberately evaded performance of a duty imposed on him/her, the court may, upon recommendation of the bodies provided for in Article 72(5) of this Code, hold that the probation period be revoked and the life imprisonment be enforced;

b) committed a crime of negligence, the question of whether the probation period be revoked or remain effective shall be decided by the court;

c) committed an intentional crime, the court shall impose a punishment on him/her under the procedure established by Article 59 of this Code. The same procedure shall apply when a punishment is imposed on a convicted person for committing a crime of negligence if the court revokes the probation period.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 73 – Commutation of the outstanding sentence

1. The Local Council of the state sub-agency institution operating within the system of the Ministry of Justice of Georgia – the Special Penitentiary Service may substitute the outstanding sentence of the person sentenced to imprisonment for a 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 supplementary punishment (except for the 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 state sub-agency institution operating within the system of the Ministry of Justice of Georgia – the Special Penitentiary Service can substitute the unserved portion of a sentence of a convicted person on whom a fixed term imprisonment is imposed as a punishment, except for a convicted person placed in a special risk penitentiary institution, by community service with his/her own consent. In this case, the provisions of Article 44 (except for paragraphs 1 and 2) of this Code shall not apply. In addition, it is possible that a convicted person be released, in full or in part, from serving the supplementary punishment (except for the confiscation of property).

3^1. The Local Council of the state sub-agency institution operating within the system of the Ministry of Justice of Georgia – the Special Penitentiary Service can substitute the unserved portion of a sentence of a convicted person on whom a fixed term imprisonment is imposed as a punishment, except for a convicted person placed in a special risk penitentiary institution, by house arrest. In this case, provisions of Article 47^1(2), (4) and (6) of this Code shall not apply. In addition, it is possible that a convicted person be released, in full or in part, from serving the supplementary punishment (except for the confiscation of property).

4. The unserved portion of a sentence of a convicted person under paragraphs 3 and 3^1 of this article may only be substituted by community service or house arrest if he/she has actually served:

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

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

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

d) two thirds of a sentence which was imposed on a person who was released on parole in the past and the release on parole was revoked under Article 72(6) of this Code;

e) two thirds of a sentence which was imposed on a person whose unserved portion of a sentence was substituted by a more lenient punishment in the past and the substituted sentence was revoked under paragraph 10 of this article.

5. (Deleted – 12.6.2016, No 3714).

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

7. Life imprisonment of a convicted person may be substituted by a community service or house arrest if he/she has actually served 15 years of imprisonment and if the court considers that it is no longer required that the convict continue serving this sentence. When making the decision, the court shall consider the character of crime, the way in which the convicted person behaved during his/her service of sentence, the fact of committing a crime by him/her in the past, his/her criminal record, the risk of repeated commission of crime, the family circumstances and the personality of the convicted person. Life imprisonment of a convicted person may be substituted by house arrest for a term of at least five and not more than ten years, and by community service – for the same term, based on the calculation under Article 62(3) of this Code.

8. If a portion of the imprisonment imposed as a punishment on a convicted person under paragraph 3 or 3^1 of this article has been counted as conditional, the probation period shall commence from the moment of serving the community service or house arrest imposed as a punishment.

9. The conduct of the convicted person specified in paragraph 3 or 3^1 of this article shall be monitored by the duly authorised Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation.

10. If, when serving community service, a convicted person under paragraph 3 or 7 of this article:

a) deliberately evaded community service, or if further serving of a sentence is not appropriate due to any other reason, the court may, upon recommendation of the Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation, hold that the community service be revoked and the unserved portion of imprisonment imposed as a punishment be enforced;

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

c) committed an intentional crime, the court shall revoke the community service and impose a punishment on a convicted person under the procedure established by Article 59 of this Code. A punishment for committing a crime of negligence shall be imposed on him/her under the same procedure if the court revokes the community service. In exceptional cases, community service may only be applied when a plea bargain is concluded between the parties under Chapter XXI of the Criminal Procedure Code of Georgia, which must be agreed upon with the Chief Prosecutor or a 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, during serving the house arrest, a convicted person under paragraph 3^1 or 7 of this article:

a) deliberately evaded fulfilment of the duties imposed, or if further serving of a sentence is not appropriate due to any other reason, the court may, upon recommendation of the Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation, hold that the house arrest be revoked and the unserved portion of the imprisonment imposed as a punishment be enforced;

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

c) committed an intentional crime, the court shall revoke the house arrest and impose a punishment on a convicted person under the procedure established by Article 59 of this Code. A punishment for committing a crime of negligence shall be imposed under the same procedure if the court revokes the house arrest. In an exceptional case, house arrest may only be applied when a plea bargain is concluded between the parties under Chapter XXI of the Criminal Procedure Code of Georgia, which shall be agreed upon with the General Prosecutor of Georgia or his/her Deputy.

13. In cases specified in paragraph 12 of this article, the period during which a convicted person served the sentence in the form of house arrest shall be included in the term of imprisonment, based on the following calculation: one day of house arrest – 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 – website, 12.1.2012

Law of Georgia No 6504 of 19 June 2012 – website, 2.7.2012

Law of Georgia No 1796 of 13 December 2013 – website, 28.12.2013

Law of Georgia No 2757 of 31 October 2014 – website, 11.11.2014

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 3813 of 30 November 2018 – website, 13.12.2018

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

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 cooperation of a person sentenced to imprisonment with investigative authorities, and if this person assists in creating essential conditions for solving the crime, the General 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 released from serving the sentence in the criminal cases provided for by Articles 144[1]-144[3] of this Code, as well as where the crimes provided for by Articles 137-139, 141 and 253-255[2] of this Code have been committed against a minor.

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

Law of Georgia No 3813 of 30 November 2018 – website, 13.12.2018

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 74 – Releasing from punishment due to illness or old age

1. The court may release a convicted person from further serving the sentence if his/her health status is not compatible with serving the sentence and if, based on the expert report, the recovery and/or substantial improvement of the health status of the convicted person is not expected.

2. The joint standing commission of the Ministry of Justice of Georgia and the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia may release a convicted person placed in a penitentiary institution from further serving the sentence if he/ she has an illness or a combination of illnesses and it is difficult to maintain his/her basic life indicators irrespective of the treatment being administered, and if, furthermore, the expectation of lethality determined by the council of physicians on the basis of consensus is high.

3. Criminal liability may again be imposed on a convicted person released from further serving the sentence under this article, and a sentence may be fixed again in the case of his/her recovery if the periods of limitation provided for in Articles 71 and 76 of this Code have not passed.

4. The court may release a person that has attained an elderly age during his/her service of sentence (65 years for women, and 70 years for men) from further serving the sentence if life imprisonment is not imposed on him/her as a punishment and he/she has served at least half of the sentence.

5. When reviewing the issues under paragraphs 1 and 4 of this article, the court shall consider the appropriateness of enforcement of the imprisonment imposed as a punishment, personality of the convicted person, the fact of his/her commission of a crime in the past, the character of crime, its motive and purpose, the consequence, the risk of repeated commission of crime, the way in which the convicted person behaved during his/her service of sentence, and other circumstances that may have an influence on the court decision.

6. The grounds under this article for the release from further serving the sentence shall not apply to the punishment under Article 40(1)(i) of this Code.

7. If a convicted person is released from further serving the sentence under this article, he/she may also be released from serving a supplementary punishment.

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 – website, 28.12.2013

Law of Georgia No 2243 of 16 April 2014 – website, 2.5.2014

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Article 75 – Deferral of serving a sentence by pregnant women

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

2. If, after being warned by the Bureau of Crime Prevention, Execution of Non-custodial Sentences and Probation, a convicted person rejects the child or evades nurturing the child, the court may, upon recommendation of the Probation Bureau, cancel the deferral of serving the sentence and send the convicted person to serve the sentence at the place assigned under the judgment.

3. When the child attains the age of 12 months, the court shall release 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 another crime, the court shall impose a 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. 72

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

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

Article 76 – Releasing from serving the punishment due to the expiry of periods of limitation of judgment of conviction

1. A convicted person shall be released from serving the sentence if the judgment of conviction that has become effective 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 another less serious crime;

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

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

2. The running of the limitation period shall be suspended if the convicted person evades serving the sentence. In this case, the limitation period shall be resumed from the moment the convicted person gets arrested or appears with the confession of guilt. The time elapsed until the avoidance of serving the sentence shall be counted towards the limitation period.

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

4. The limitation shall not apply in the case provided for in an international agreement of Georgia.

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

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

7. When a judgment 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 Matters, the relevant authorities of Georgia shall consider the grounds for suspending the running of the limitation period only when they are similar to the grounds for suspending the running of the limitation period 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 individually undefined persons.

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 in relation to an individually defined person, under the procedure established by the edict of the President of Georgia.

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.

Law of Georgia No 5041 of 1 October 2019 – website, 4.10.2019

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 expunged 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. A person exempted from punishment shall be considered as a person having no record of conviction.

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

a) probationers – after the probation period expires;

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

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

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

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

4. If a convicted person is released on parole under a statutory procedure or if his/her outstanding sentence has been substituted by a more lenient sentence, the time limit for the expungement of the record of conviction shall be calculated accordingly from the actually served sentence or from the moment of serving a more lenient punishment (basic and supplementary).

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 expungement of the record of conviction.

6. Expunged 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 – (Deleted)

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)

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

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 – website, 12.1.2012

Law of Georgia No 6504 of 19 June 2012 – website, 2.7.2012

Law of Georgia No 1796 of 13 December 2013 – website, 28.12.2013

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

Article 99 – (Deleted)

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

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

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 regulations established 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 under this Code, which is committed on behalf of or through and/or in favour of the legal person by a responsible person.

3. The responsible person specified 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 also be criminally liable 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 a natural person who committed the crime has been established.

4[1]. A legal person shall also be criminally liable if, due to the improper performance of supervision and monitoring by the responsible person specified in paragraph 3 of this article, a natural 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 the criminal liability of a 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 established against him/her under the 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

A legal person shall be criminally liable only when it is defined by an appropriate 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 2008 – 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 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 5170 of 28 October 2011 – website, 11.11.2011

Law of Georgia No 6117 of 8 May 2012 – website, 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 a basic punishment.

3. A fine may be imposed both as a basic and a supplementary punishment.

4. The Confiscation of property may be imposed only as a supplementary punishment.

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 under the statutory procedure for liquidating a legal person. Costs associated with the 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 legally effective final judgment of conviction.

3. Liquidation may be applied if it is established that criminal activities are the main purpose of setting up of the legal person or a 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 – website, 10.9.2015

Law of Georgia No 451 of 10 March 2017 – website, 22.3.2017

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 one to ten years.

2. Deprivation of the right to carry out activities may apply to the activities during or with regard to 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 – A fine

1. The minimum amount of a fine for a legal person shall correspond to a 50-fold amount of a fine considered for a natural person under Article 42 of this Code.

2. The amount of a 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 enforce payment of a fine by a legal person as a basic punishment, this punishment shall be substituted by deprivation of the right to carry out activities or by liquidation.

4. If a fine is specified as both a basic and a supplementary punishments in the note to an article of the Special Part of this Code, the fine shall not be applied as a supplementary punishment when it is applied as a basic punishment.

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 a natural 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 – Intentional killing

Intentional killing, –

shall be punished by imprisonment for a term of seven to fifteen years, with or without restriction of the rights regarding

weapons.

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Article 109 – Intentional killing under aggravating circumstances

1. Intentional killing:

a) related to hostage taking;

b) using the means that intentionally endanger the life or health of others;

c) aimed at concealing any other crime or facilitating its commission, –

shall be punished by imprisonment for a term of eleven to fourteen years, with or without restriction of the rights regarding weapons.

2. Intentional killing:

a) of a pregnant woman knowingly by an offender;

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

c) with hooligan motives;

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

d^1) on grounds of gender identity;

e) by a group of persons;

f) against a family member, –

shall be punished by imprisonment for a term of thirteen to seventeen years, with or without restriction of the rights regarding weapons.

3. Intentional murder:

a) of two or more persons;

b) with the extreme cruelty;

c) for mercenary purposes or by contract;

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

e) repeatedly (except for murders provided for in Articles 110-114 of this Code);

f) related to the official activities or performance of public duties of a victim or his/her close relative, –

shall be punished by imprisonment for a term of sixteen to twenty years or by life imprisonment, with or without restriction of the rights regarding weapons.

Note: In this Code, a close relative shall be a parent, adopting parent, child, foster child, grandfather, grandmother, grandchild, sister, brother, and spouse.

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 3446 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 754 of 4 May 2017 – website, 24.5.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Article 110 – Killing at 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 house arrest for a term of six months to two years or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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

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

shall be punished by house arrest for a term of six months to one year, or imprisonment for a term of one to three years.

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

shall be punished by house arrest for a term of one to two years or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 112 – Intentional infanticide by a mother

An intentional murder of an infant by a mother during the childbirth or immediately after the childbirth, –

shall be punished by house arrest for a term of six months to two years or 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 944 of 1 June 2017 – website, 20.6.2017

Article 113 – Murder exceeding the self-defence limits

Murder exceeding the self-defence limits, –

shall be punished by corrective labour for a term of up to two years or house arrest for a term of six months to two years, or by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 114 – Murder exceeding the degree required for seizing a perpetrator

Murder exceeding the degree necessary for seizing the perpetrator, –

shall be punished by corrective labour for a term of up to two years or house arrest for a term of six months to two years, or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 115 – Incitement to suicide

1. Incitement to suicide or attempted suicide by threatening or ill-treating the victim or by humiliating his/her honour or dignity, –

shall be punished by imprisonment for a term of two to four years, with or without the restriction of the rights regarding weapons.

2. The same act committed:

a) on the grounds of gender identity;

b) repeatedly, –

shall be punished by imprisonment for a term of three to six years, with or without the restriction of the rights regarding weapons.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Article 116 – Killing by negligence

1. Killing by negligence, –

shall be punished by house arrest for a term of six months to two years or imprisonment for a term of two to four years.

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

shall be punished by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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, with or without the restriction of the rights regarding weapons.

2. The same act that caused death, –

shall be punished by imprisonment for a term of four to seven years, with or without the restriction of the rights regarding weapons.

3. Intentional grave bodily injury inflicted:

a) in connection with the official activities or performance of public duties of a victim or his/her close relative;

b) with regard to hostage-taking;

c) by the means that intentionally endanger the life or health of others;

d) with the aim of concealing any other crime or facilitating its commission;

e) against a family member, -

shall be punished by imprisonment for a term of five to eight years, with or without the restriction of the rights regarding weapons.

4. The act provided for in 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, with or without the restriction of the rights regarding weapons.

5. Intentional grave bodily injury inflicted:

a) by an offender knowingly on a pregnant women;

b) by an offender knowingly on a minor or a helpless person;

c) with hooligan motives;

d) on the grounds of race, religion, national or ethnic intolerance;

d^1) on the grounds of gender identity;

e) by a group of persons, –

shall be punished by imprisonment for a term of seven to ten years, with or without the restriction of the rights regarding weapons.

6. The act provided for in paragraph 5 of this article, which has caused the loss of life, –

shall be punished by imprisonment for a term of eight to eleven years, with or without the restriction of the rights regarding weapons.

7. Intentional grave bodily injury inflicted:

a) on two or more persons;

b) with an extreme cruelty;

c) for mercenary purposes or by contract;

d) with the aim of transplanting or otherwise using an organ, part of an organ or a tissue of a victim's body;

e) repeatedly (except for murders under Articles 110-114 of this Code);

f) by a person who had previously committed a murder under Article 108 or 109 of this Code, –

shall be punished by imprisonment for a term of nine to thirteen years, with or without the restriction of the rights regarding weapons.

8. The act provided for in paragraph 7 of this article, which has caused the loss of life, –

shall be punished by imprisonment for a term of ten to fourteen years, with or without the restriction of the rights regarding weapons.

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

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

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 5027 of 20 September 2019 – website, 01.10.2019

Article 118 – Intentional less grave bodily injury

1. An intentional less grave bodily injury that is not dangerous for life and has not entailed a consequence provided for by Article 117 of this Code but which is related to a long-term deterioration of health or to a stable and less than one-third loss of general working ability, –

shall be punished by corrective labour for a term of up to 18 months or house arrest for a term of six months to two years, or by imprisonment for a term of one to three years, with or without the restriction of the rights regarding weapons.

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

shall be punished by imprisonment for a term of two to four years, with or without the restriction of the rights regarding weapons.

3. An intentional less grave bodily injury committed under the aggravating circumstances provided for by Article 117(3), (5) or (7) of this Code, or by a person who had previously committed an intentional grave bodily injury or an act provided for in Article 108 or 109 of this Code, –

shall be punished by imprisonment for a term of three to five years, with or without the restriction of the rights regarding weapons.

4. An act provided for in paragraph 3 of this article, which has caused the loss of life, –

shall be punished by imprisonment for a term of four to six years, with or without the restriction of the rights regarding weapons.

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 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

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

1. An intentional less grave bodily injury which has entailed a short- term deterioration of health or an insignificant or unstable loss of general working ability, –

shall be punished by a fine or corrective labour for a term of up to six months, or house arrest for a term of six months to two years, or imprisonment for a term of up to three years, with or without the restriction of the rights regarding weapons.

2. The same act committed:

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

b) against a family member, –

c) against two or more persons;

d) by a group of persons;

e) repeatedly, –

shall be punished by imprisonment for a term of two to four years, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 5027 of 20 September 2019 – website, 01.10.2019

Article 121 – Intentional grave or less grave bodily injury caused in the state of sudden and strong emotional excitement

Intentional infliction of grave or less grave bodily injury in the state of sudden and strong emotional excitement caused by wrongful violence, gross insult, or any other grievous immoral act committed by an affected person against the offender or his/her close relative, or by the psychological trauma caused by the repeated wrongful or immoral behaviour of the affected person, –

shall be punished by a fine or community service for a term of 80 to 240 hours or house arrest for a term of six months to two years, or by imprisonment for a term of 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 944 of 1 June 2017 – website, 20.6.2017

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

An intentional grave or less grave bodily injury caused by exceeding the self-defence limits, –

shall be punished by a fine or corrective labour for a term of up to six months or house arrest for a term of six months to two years, or imprisonment for a term of up to one year.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 123 – Intentional grave or less grave bodily injury by exceeding the degree necessary for seizing an offender

An intentional grave or less grave bodily injury caused by exceeding the degree necessary for seizing an offender, –

shall be punished by a fine or corrective labour for a term of up to six months or house arrest for a term of six months to two years, or imprisonment for a term of up to one year.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 124 – Grave or less grave bodily injury inflicted by negligence

Grave or less grave bodily injury inflicted by negligence, –

shall be punished by a fine or imprisonment for a term of 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 – (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

Law of Georgia No 59 of 1 December 2016 – website, 13.12.2016

Article 126 – Violence

1. Beating or another type of violence that caused the victim's physical pain but did not entail the consequence provided for by Article 120 of this Code, –

shall be punished by a fine or community service for a term of 120 to 180 hours or house arrest for a term of six months to two years, or imprisonment for a term of up to one year, with or without the restriction of the rights regarding weapons.

1^1. The same act committed:

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

b) by a group of persons;

c) against two or more persons;

d) repeatedly, –

shall be punished by a fine or community service from 180 to 240 hours or imprisonment for a term of up to two years, with or without the restriction of the rights regarding weapons.

1^2. Regular beating or another type of violence which caused physical or mental suffering of an affected person but did not entail a consequence provided for by Article 117 or 118 of this Code, –

shall be punished by house arrest for a term of one to two years, or imprisonment for a term of one to three years, with or without the restriction of the rights regarding weapons.

2. An act provided for in paragraph 1^2 of this article committed:

a) against two or more persons;

b) knowingly by the offender against a pregnant woman;

c) in connection with the official duties of the victim or his/her close relative;

d) knowingly by an offender against a minor, 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 one's official position;

i) repeatedly;

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

k) by a group of persons;

l) using a weapon, –

shall be punished by imprisonment for a term of four to six years, with or without the deprivation of the right to hold an office or

carry out activities for up to three years, with or without the restriction of the rights regarding weapons.

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 – website, 31.10.2014

Law of Georgia No 59 of 1 December 2016 – website, 13.12.2016

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Article 126^1 – Domestic violence

1. Violence, regular insult, blackmail, humiliation by one family member against 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 a term of up to two years, with or without the restriction of the rights regarding weapons.

2. The same act committed:

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

b) in the presence of a minor against his/her family member;

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 imprisonment for a term of one to three years, with or without the restriction of the rights regarding weapons.

Law of Georgia No 6434 of 12 June 2012 – website, 25.6.2012

Law of Georgia No 3052 of 18 February 2015 – website, 26.2.2015

Law of Georgia No 754 of 4 May 2017 – website, 24.5.2017

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

CHAPTER XXI – Endangering Human Life and Health

Article 127 – Endangering life

Endangering life of those who is not able to take measures to defend himself/ herself, –

shall be punished by a fine or house arrest for a term of six months to two years, or imprisonment for a term of up to two years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 128 – Leaving in danger

Leaving without help of a person whose life was endangered and who was not able to take actions to protect himself/herself if a person who left was obliged to take care of and could help him/her, –

shall be punished by a fine or corrective labour for a term of up to one year or community service for a term of 120 to 240 hours or house arrest for a term of six months to two years, or by imprisonment for a term of 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 129 – Failure to help

Failure to provide necessary and obviously urgent help to a person whose life is endangered if the offender was able to provide assistance without seriously endangering himself/herself or any other person, or failure to notify the appropriate agency or person about the need for help, –

shall be punished by a fine or corrective labour for a term of up to two years or house arrest for a term of six months to two years, or imprisonment for a term of 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 130 – Leaving a sick person in danger

1. Failure of a medical worker to provide urgent medical aid, without a valid reason, to a sick person whose life is endangered, –

shall be punished by a fine or corrective labour for a term of up to 15 months, with or without the deprivation of the right to hold an office or to carry out activities for a term of up to three years, or by house arrest for a term of six months to one year.

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

shall be punished by imprisonment for a term of three to five years, with the deprivation of the right to hold an office or to carry out activities for up to three years, or by house arrest for a term of one 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 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 131 – Infecting with AIDS

1. Creation of a threat of intentional infection of another person with AIDS, –

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

2. Intentional infection of another person with AIDS, –

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

3. Infection of another person with AIDS by negligence when performing professional duties, –

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

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

a) against two or more persons;

b) knowingly by an offender against a pregnant woman or a minor, –

shall be punished by imprisonment for a term of five to nine years, with the deprivation of the right to hold an office or to carry out activities for a term of 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. Creation of a threat of infecting another person with a particularly dangerous infectious disease, –

shall be punished by a fine or corrective labour for a term of up to six months or house arrest for a term of six months to two years, or imprisonment for a term of up to one year.

2. Infection of another person with a particularly dangerous infectious disease, –

shall be punished by a fine or corrective labour for a term of up to one year or house arrest for a term of one to two years, or imprisonment for a term of up to two years.

3. An act provided for in paragraph 1 or 2 of this article committed:

a) against two or more persons;

b) knowingly by an offender against a pregnant woman or a minor, –

shall be punished by a fine or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 133 – Illegal abortion

1. Illegal abortion, –

shall be punished by community service from 120 to 300 hours or house arrest for a term of six months to two years, 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 children or other grave consequences, –

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

3. Illegal abortion having resulted in death, –

shall be punished by imprisonment for a term of four to six years, with the deprivation of the right to hold an office or to carry out activities for a term of 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 – website, 6.10.2014

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 133^1 – Sterilisation without consent

1. Conducting an operation or manipulation on a person with the purpose of destroying his/her reproduction ability, –

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

2. The same act committed:

a) by a group of persons;

b) knowingly by an offender against a minor, a helpless person, a person with disability or a pregnant woman;

c) repeatedly, –

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

3. The same act that caused death or other serious consequences, –

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

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Article 133^2 – Female genital mutilation

1. Under the influence of a religious, ceremonial, ethnic or another tradition, or without such influence, complete or partial cutting, infibulation or another mutilation of female genitals, or coercion or persuasion of a woman to undergo such an operation, –

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

2. The same act committed:

a) by a group of persons;

b) knowingly by an offender against a minor, a helpless person, a person with disability or a pregnant woman;

c) repeatedly, –

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

3. The same act that caused death or another serous consequence, –

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

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

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 the deprivation of the right to hold an office or carry out activities for a term of up to three years.

2. The same act committed knowingly by an 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 the deprivation of the right to hold an office or to carry out activities for a term of 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 house arrest for a term of six months to two years, or imprisonment for a term of up to one year.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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

Article 136 – Genetic manipulations

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

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

CHAPTER XXII – Crime against Sexual Freedom and Sexual Inviolability

Article 137 – Rape

1. Rape, that is any form of penetration of a sexual nature of the body of a person with any bodily part or object, committed with violence, under the threat of violence or by abusing a helpless condition of a person affected, –

shall be punished by imprisonment for a term of six to eight years, with or without restriction of the rights regarding weapons.

2. The same act:

a) committed by abusing the official position;

b) that caused a serious damage to the health of a person affected, or other serious consequence, –

shall be punished by imprisonment for a term of eight to ten years, with or without restriction of the rights regarding weapons.

3. The same act committed:

a) repeatedly;

b) by a person who had previously committed any crime under Articles 138-141 of this Code;

c) by a group of persons;

d) knowingly by an offender against a person with disability or a pregnant woman;

e) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

shall be punished by imprisonment for a term of ten to thirteen years, with or without restriction of the rights regarding weapons.

4. The same act:

a) committed against a person affected or any other person with extreme cruelty;

b) that caused death of a person affected;

c) committed knowingly against a minor;

d) committed against a minor using trust, and authoritative and influential position, –

shall be punished by imprisonment for a term of fifteen to twenty years, or life imprisonment, with or without restriction of the rights regarding weapons.

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 – website, 16.12.2013

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 138 – Another action of a sexual nature

1. Another action of a sexual nature, which does not contain elements of crime under Article 137 of this Code, committed with violence, under the threat of violence or a helpless condition of a victim, –

shall be punished by imprisonment for a term of four to six years, with or without restriction of the rights regarding weapons.

2. The same act:

a) committed repeatedly;

b) committed by abusing the official position;

c) committed by a group of persons;

d) committed knowingly by an offender against a person with disability or a pregnant woman;

e) committed by a person who had previously committed any crime under Articles 137, 139, 140 and 141 of this Code;

f) committed against a person under the custodianship, guardianship or surveillance, or a family member, of an offender;

g) that has caused a serious damage to the health of a person affected, or other serious consequence, –

shall be punished by imprisonment for a term of six to nine years, with or without restriction of the rights regarding weapons.

3. The same act:

a) committed knowingly against a minor;

b) committed knowingly against a minor using trust, and authoritative and influential position;

c) that caused death of a person affected, –

shall be punished by imprisonment for a term of eleven to fifteen years, with or without restriction of the rights regarding weapons.

4. The same act:

a) committed knowingly by an offender against a person that has not reached 14 years of age;

b) committed with the extreme cruelty, –

shall be punished by imprisonment for a term of fifteen to twenty years, with or without restriction of the rights regarding weapons.

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 – website, 16.12.2013

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 139 – Coercion into penetration of a sexual nature into the body of a person, or into another action of a sexual nature

1. Coercion into penetration of a sexual nature into the body of a person, or into another action of a sexual nature, committed under the threat of damaging property, disclosing defamatory information, information representing private life or such information that may substantially affect the right of that person, and/or by abusing a helpless condition of a person affected, or material, official or other kind of dependence, –

shall be punished by a fine or imprisonment for a term of up to five years, with or without restriction of the rights regarding weapons.

2. The same act that has caused a serious damage to the health of a person affected, or other serious consequence, –

shall be punished by imprisonment for a term of five to seven years, with or without restriction of the rights regarding weapons.

3. The same act committed:

a) repeatedly;

b) by a person who had previously committed any crime under Articles 137, 138, 140 and 141 of this Code;

c) by a group of persons;

d) knowingly by an offender against a person with disability or a pregnant woman;

e) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

shall be punished by imprisonment for a term of seven to nine years, with or without restriction of the rights regarding weapons.

4. The same act:

a) having caused death of a person affected;

b) committed knowingly against a minor, –

shall be punished by imprisonment for a term of nine to fifteen years, with or without restriction of the rights regarding weapons.

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 – website, 16.12.2013

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Article 140 – Penetration of a sexual nature into the body of a person below 16 years of age

1. Penetration of a sexual nature into the body of a person below 16 years of age, committed knowingly by an adult, –

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

2. The same act committed:

a) knowingly by an offender against a person with disability or a pregnant woman;

b) by a group of persons;

c) against two or more persons;

d) repeatedly;

e) by a person who had previously committed any crime under Articles 137-139 and 141 of this Code, –

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

Law of Georgia No 1642 of 27 November 2013 – website, 16.12.2013

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 141 – Lewd act

1. A lewd act of an adult committed knowingly by an offender without violence against a person that has not reached 16 years of age, –

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

2. The same act committed:

a) knowingly by an offender against a person with disability or a pregnant woman;

b) by a group of persons;

c) repeatedly;

d) against two or more persons;

e) by a person who had previously committed any crime under Articles 137-140 of this Code;

f) knowingly by an offender against a person that has not reached 14 years of age;

g) using trust, and authoritative and influential position, –

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

Law of Georgia No 1642 of 27 November 2013 – website, 16.12.2013

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 5750 of 17 March 2020 – website, 23.3.2020

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

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 one year and/or by imprisonment for up to 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, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

Note: For the act provided for by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out activities and/or by a fine.

Law of Georgia No 2393 of 2 May 2014 – website, 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 humiliate 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 for by this article, a legal person shall be punished by liquidation or deprivation of the right to carry out activities and/or by 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 – website, 7.5.2014

Article 142^2 – Restriction of rights of persons with disabilities

1. Refusing a person with disabilities to exercise the right granted by law and/or an international agreement of Georgia based on his/her disabilities, which substantially encroached on his/her right, –

shall be punished by a fine or house arrest for a term of six months to two years and/or by imprisonment for a term of up to three years.

2. The same act:

a) committed repeatedly;

b) committed by abusing official position;

c) committed with violence or threat of violence;

d) which caused serious consequences, –

shall be punished by a fine or 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 deprivation of the right to carry out activities and/or by 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 – website, 7.5.2014

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 143 – Unlawful imprisonment

1. Unlawful imprisonment, –

shall be punished by imprisonment for a term of two to four years, with or without restriction of the rights regarding weapons.

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 crime, –

shall be punished by imprisonment for a term of four to seven years, with or without restriction of the rights regarding weapons.

3. The same act committed:

a) with a preliminary agreement by a group of persons;

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, with or without restriction of the rights regarding weapons.

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

a) committed by an organised group;

b) 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, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

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 office or to carry out activities for up to three years.

2. The same act committed:

a) by the offender knowingly to a pregnant woman;

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 office or to carry out activities 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;

e) by a group of persons with preliminary agreement, –

shall be punished by imprisonment for a term of 12 to 15 years, with deprivation of the right to hold an office or to carry out activities for up to three years.

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

a) committed by an organised group;

b) that 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 office or to carry out activities 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 of this Code, 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 by 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 3309 of 20 June 2006 – 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 – website, 4.6.2014

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

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 office or to carry out activities for up to three years.

2. The same act committed:

a) by the offender knowingly to a pregnant woman;

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 office or to carry out activities 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;

f) by a group of persons with preliminary agreement, –

shall be punished by imprisonment for a term of 14 to 17 years, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities for up to three years, or by 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 by 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 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 3309 of 20 June 2006 – 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 – website, 4.6.2014

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Article 143^3 – Abuse of services of a victim of (a person affected by) human trafficking

1. Premeditatedly using the services of a victim of a crime or of an affected person under Articles 143^1 and 143^2 of this Code, which is an exploitation under Article 143^1 of the same Code, –

shall be punished by 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 office or to carry out activities for up to three years.

3. The same act committed:

a) against two or more persons;

b) with violence or under the threat of violence which is dangerous for life or health;

c) by a group of persons with preliminary agreement, –

shall be punished by imprisonment for a term of seven to twelve years, with deprivation of the right to hold an office or to carry out activities for up to three years.

4. The act provided for in 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 office or to carry out activities for up to three years.

Note: A person who committed a crime under 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 – website, 4.6.2014

Law of Georgia No 4106 of 24 July 2015 – website, 4.8.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Article 144 – Taking a hostage

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, with or without restriction of the rights regarding weapons.

2. The same act committed:

a) with a preliminary agreement by a group of persons;

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;

i) 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, with or without restriction of the rights regarding weapons.

3. The act provided for in paragraph 1 or 2 of this article which:

a) is 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 thirteen to eighteen years, with or without restriction of the rights regarding weapons.

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 2395 of 30 May 2018 – website, 8.6.2018

Article 144^1 – Torture

1. Torture, i.e. exposing a person, or a third person 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, with or without restriction of the rights regarding weapons.

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 a group of persons;

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 arrested 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 hostage taking;

j) by way of medical manipulations, using medicines or special instruments (tools);

k) for mercenary purposes;

l) for the purpose of making a person confess in having committed a particularly serious crime, or for the purpose of making a false denunciation concerning the commission of a crime by a third person, –

shall be punished by imprisonment for a term of nine to fifteen years, with deprivation of the right to hold an office or to carry out activities for up to five years, with or without restriction of the rights regarding weapons.

3. The same act:

a) committed by way of sexual abuse;

b) committed by an organised group;

c) that caused death, –

shall be punished by imprisonment for a term of twelve to twenty years or life imprisonment, with deprivation of the right to hold an office or to carry out activities for up to five years, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 59 of 1 December 2016 – website, 13.12.2016

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Article 144[2] – Threat of torture

1. The threat of the creation of the conditions, or of the application of the treatment or punishment specified in Article 144[1] of this Code, which is carried out for the same purpose, if the threat is real and instant, –

shall be punished by a fine or imprisonment for up to two years, with or without restriction of the rights regarding weapons.

2. The same act committed repeatedly, –

shall be punished by imprisonment for a term of two to four years, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 59 of 1 December 2016 – website, 13.12.2016

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Article 144[3] – Humiliation or inhuman treatment

1. Humiliating or coercing a person, placing him/her in an inhuman, degrading and humiliating condition, which inflicts severe physical and psychological suffering on him/her, –

shall be punished by a fine or imprisonment for a term of three to seven years, with or without restriction of the rights regarding weapons.

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 arrested 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 hostage taking, –

shall be punished by imprisonment for a term of five to ten years, with or without deprivation of the right to hold an office or to carry out activities for up to five years, with or without restriction of the rights regarding weapons.

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 59 of 1 December 2016 – website, 13.12.2016

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

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 house arrest for a term of six months to two 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 to carry out activities 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 arrest or detention

1. An intentional illegal arrest, –

shall be punished by imprisonment for a term of five to eight years, or with or without deprivation of the right to hold an office or to carry out activities for a term of up to three years.

2. An intentional illegal detention, –

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 in 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 arrest in a psychiatric hospital

1. Illegal placement or arrest in a psychiatric hospital, –

shall be punished by imprisonment for a term of three to six years, with or without restriction of the rights regarding weapons.

2. The same act:

a) committed by abusing one's official position;

b) which resulted in the death of an affected person by negligence, or another grave consequence;

c) committed repeatedly, –

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 to carry out activities for a term of up to three years, with or without restriction of the rights regarding weapons.

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 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Article 150 – Coercion

1. Illegal restriction of a person's freedom to act, i.e. coercing him/her physically or mentally to perform or not to perform an action, performance of or abstaining from performance of which is his/her right, or to make him/her experience an influence against his/her own will, –

shall be punished by a fine, or corrective labour for a term of up to one year or house arrest for a term of six months to two years, or imprisonment for a term of up to one year, with or without restriction of the rights regarding weapons.

2. The same act committed:

a) knowingly by an offender against a minor, a person in a helpless condition, a person with disability or a pregnant woman;

b) by a group of persons;

c) repeatedly, –

shall be punished by corrective labour for a term of up to two years, or imprisonment for a term of up to eighteen months, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

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 by imprisonment for up to two years, with or without restriction of the rights regarding weapons.

2. The same act committed:

a) knowingly against a minor;

b) repeatedly, –

shall be punished by imprisonment for a term of two to four years, with or without restriction of the rights regarding weapons.

Law of Georgia No 2704 of 17 October 2014 – website, 31.10.2014

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Article 151 – Threat

1. A threat of killing, damaging health or destroying property, when a person threatened has started to have a reasonable sensation of fear that the threat will be carried out, –

shall be punished by a fine or community service for a term of 120 to 180 hours, or by corrective labour for a term of up to one year or house arrest for a term of six months to two years, or by imprisonment for a term of up to one year, with or without restriction of the rights regarding weapons.

2. The same act committed:

a) by a group of persons;

b) repeatedly;

c) premeditatedly by a perpetrator against a pregnant woman, a person in a helpless condition, a person with disabilities or a minor, –

d) against a family member, –

shall be punished by a fine or community service for a term of 170 to 200 hours, or by corrective labour for a term of up to two years and/or imprisonment for a term of up to three years, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 5027 of 20 September 2019 – website, 01.10.2019

Article 151[1] – Stalking

1. An illegal monitoring, personally or through a third person, of a person, his/her family member or a close relative, or establishment of an undesirable communication by a telephone, an electronic or other means, or any other intentional action conducted regularly and causing mental torture to a person, and/or a reasonable fear of using coercion against a person and/or his/her family member or a close relative, and/or of destroying property, which makes the person substantially change his/her lifestyle, or creates a real need for changing it, –

shall be punished by a fine or community service for a term of 120 to 180 hours, or by imprisonment for a term of up to two years, with or without restriction of the rights regarding weapons.

2. The same act committed:

a) knowingly by an offender against a minor, a person in a helpless condition, a person with disability or a pregnant woman;

b) by a group of persons;

c) repeatedly;

d) by abusing the official position, –

shall be punished by imprisonment for a term of two to five years, with or without restriction of the rights regarding weapons.

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

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 house arrest for a term of six months to one year, or by imprisonment for a term of up to one year.

2. The same act committed with violence, threat of violence or the use of official position, –

shall be punished by a fine or corrective labour for a term of up to one year or house arrest for a term of one to two years, or by imprisonment for a term of up to two years, with deprivation of the right to hold an office or to carry out activities for a term of up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 a term of up to one year or house arrest for a term of six months to one year, or by imprisonment for a term of up to two years, with or without deprivation of the right to hold an office or to carry out activities for a term of up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 for a term of 120 to 140 hours or by corrective labour for a term of up to two years, or house arrest for a term of six months 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 office or to carry out activities 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 944 of 1 June 2017 – website, 20.6.2017

Article 155 – Unlawful interference with the performance of a religious rite

1. Unlawful interference with the performance of divine services or other religious rites or customs using violence or threat of violence, or if it was accompanied by an insult to a believer's religious feelings, –

shall be punished by a fine or corrective labour for a term of up to one year or house arrest for a term of six months to one year, or by imprisonment for a term of up to two years.

2. The same act committed with the abuse of official position, –

shall be punished by a fine or house arrest for a term of one to two years, or imprisonment for a term of one to five years, with or without deprivation of the right to hold an office or to carry out activities for a term of up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to one year, or by imprisonment for a term of up to two years.

2. The same act:

a) committed with violence or threat of violence;

b) committed with the abuse of the official position;

c) which has resulted in considerable damage, –

shall be punished by a fine or house arrest for a term of one to two years, or by imprisonment for a term of up to three years, with or without deprivation of the right to hold an office or to carry out activities for a term of 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 944 of 1 June 2017 – website, 20.6.2017

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 by 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 by 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 imprisonment for a term of up to five 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 information or data confidential, or who committed the above act using his/her official position, –

shall be punished by imprisonment for a term of four to seven years, with or without deprivation of the right to hold an office or to carry out activities 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 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 6326 of 25 May 2012 – website, 12.6.2012

Law of Georgia No 2378 of 2 May 2014 – website, 16.5.2014

Law of Georgia No 5152 of 3 June 2016 – website, 10.6.2016

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by imprisonment for a term of 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 by imprisonment for a term of 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 by imprisonment for a term of 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 by imprisonment for a term of 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 by deprivation of the right to carry out activities, or by 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 imprisonment for a term of two to four years.

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 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, 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, with deprivation of the right to hold an office or to carry out activities 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 activities, 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 3619 of 24 September 2010 – LHG I, No 51, 29.9.2010, Art. 332

Law of Georgia No 2378 of 2 May 2014 – website, 16.5.2014

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by 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 that:

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, with deprivation of the right to hold an office or to carry out activities 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 activities, or by liquidation and a fine.

Law of Georgia No 2378 of 2 May 2014 – website, 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 a term of up to two years or house arrest for a term of six months to two years, or by imprisonment for a term of two years.

2. The same act:

a) committed using violence or threat of violence;

b) causing substantial damage, –

shall be punished by a fine or house arrest for a term of one to two years, or by imprisonment for a term of one to three years, with or without restriction of the rights regarding weapons.

3. An act under paragraph 1 or 2 of this article committed:

a) by a group of persons;

b) by using one's official position or arms;

c) repeatedly, –

shall be punished by a fine or imprisonment for a term of two to five years, with deprivation of the right to hold an office or to carry out activities for a term of up to three years, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

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 one year, or by imprisonment for up to two years, with deprivation of the right to hold an office or to carry out activities 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, with deprivation of the right to hold an office or to carry out activities 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 a term of up to one year, or by imprisonment for a term of up to two years.

2. The same act committed:

a) using the official position or arms;

b) by deceit;

c) using violence or threat of violence;

d) 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by 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 by 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 by 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 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 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 a term of up to one year, or by imprisonment for up to two years.

Article 164[1] – Vote buying

1. 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, if the value of such transaction does not exceed GEL 100, –

shall be punished by a fine.

2. 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, if the value of such transaction exceeds GEL 100, –

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

Law of Georgia No 2261 of 16 December 2005 – LHG I, No 55, 27.12.2005, Art. 366

Law of Georgia No 5662 of 28 December 2011 – website, 29.12.2011

Law of Georgia No 6117 of 8 May 2012 – website, 29.5.2012

Law of Georgia No 6726 of 2 July 2020 – website, 3.7.2020

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 a term of up to one year or house arrest for a term of six months to two years, or by imprisonment for a term of up to two years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 committed with violence, threat of violence or the use of official position, –

shall be punished by a fine or corrective labour for a term of up to one year or house arrest for a term of six months to two years, or by imprisonment for a term of up to two years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 one year, with deprivation of the right to hold an office or to carry out activities 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 one year, or by 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 the reinstatement 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 office or to carry out activities for up to three years.

Law of Georgia No 246 of 6 March 2013 – website, 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 one year, or by imprisonment for up to two years.

2. The same act that 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 office or to carry out activities 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 office or to carry out activities 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

CHAPTER XXIV – Crime against Family and Minors

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 by corrective labour for up to two years or by imprisonment for up to two years.

2. Involving minors into the abuse of intoxicating drugs or medications, –

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

3. (Deleted – 17.5.2018, No 2354).

4. The act under paragraph 1 or 2 of this article committed repeatedly, –

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

Note: For the acts provided for in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, 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 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1728 of 11 December 2013 – website, 25.12.2013

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Article 172 – Unlawful transactions with respect to minors for the purpose of their adoption

1. Purchase of minors or any other unlawful transaction with respect to minors for the purpose of their adoption, –

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

2. The sale of minors or any other unlawful transaction with respect to minors 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 – website, 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 child adoption procedure or foster care procedure

1. Violation of the child adoption procedure or the foster care procedure, which has resulted in grave consequences, –

shall be punished by a fine or corrective labour for up to two years, or by 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 office or to

carry out activities 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 754 of 4 May 2017 – website, 24.5.2017

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 office or to carry out activities 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 imprisonment for a term of up to three years, with deprivation of the right to hold an office or to carry out activities for a term of up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by corrective labour of up to one 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 house arrest for a term of six months to one year, or by imprisonment for a term of one to three years.

2. The same act:

a) which has resulted in considerable damage;

b) committed by illegally entering the premises or any other storage facility, –

shall be punished by house arrest for a term of one to two years or by imprisonment for a term of three to five years.

3. The same act committed:

a) with a preliminary agreement by a group;

b) repeatedly;

c) by illegal entry into a 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 (properties) worth more than GEL 10 000.

2. A crime provided for in Articles 177-186 of this Code shall be deemed as having been committed repeatedly if it has been preceded by any of the crimes provided for by these articles and Articles 224, 231, 237 and 264 of this Code.

3. Under this Chapter of the Code, a considerable damage shall mean the value of a property (properties) 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by imprisonment for a term of three to five years.

2. The same act:

a) that has resulted in considerable damage;

b) 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 preliminary agreement by a group;

b) repeatedly;

c) by illegal entry into a 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by corrective labour or house arrest for a term of one to two years, or by imprisonment for a term of two to four years.

2. The same act:

a) committed by more than one person with a preliminary agreement;

b) causing substantial damage, –

shall be punished by a fine or by 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 by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by imprisonment for a term 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 2004 – 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 – Misappropriation or embezzlement

1. Unlawful appropriation or embezzlement of another person's property or property rights provided this property or property rights were lawfully held or managed by the misappropriator or embezzler, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for a term of three to five years.

2. The same act:

a) with a preliminary agreement by a group;

b) repeatedly;

c) that has resulted in 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 office or to carry out activities for up 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 convictions for unlawful appropriation or extortion of another person's property, –

shall be punished by imprisonment for a term of seven to eleven years, with deprivation of the right to hold an office or to carry out activities 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by imprisonment for up to one 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 elements of crime provided for by Article 180 of this Code, –

shall be punished by a fine or community service for a term of 120 to 180 hours or by corrective labour for a term of up to one year, or by house arrest for a term of six months to two years or by imprisonment for a term of up to two years.

2. The same act:

a) with a preliminary agreement by a group;

b) repeatedly;

c) which has resulted in considerable damage, –

shall be punished by a fine or by 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 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by corrective labour for up to one year or house arrest for a term of six months to two years or by imprisonment for up to two years.

2. The same act committed:

a) by a group of persons with the preliminary agreement;

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 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) 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 by deprivation of the right to carry out activities 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 5953 of 19 March 2008 – 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 – website, 11.11.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by corrective labour for up to one year or house arrest for a term of six months to two years, or by imprisonment for a term of one to three years.

2. The same act committed:

a) by setting fire, explosion or using any other universally dangerous means;

b) repeatedly, –

shall be punished by imprisonment for a term of three to five years, with or without restriction of the rights regarding weapons.

3. The act provided for in paragraph 2 of this article, which has caused human death by negligence or other grave consequences, –

shall be punished by imprisonment for a term of six to ten years, with or without restriction of the rights regarding weapons.

4. The act provided for in paragraph 2 of this article, which has caused death by negligence of two or more persons, –

shall be punished by imprisonment for a term of nine to twelve years, with or without restriction of the rights regarding weapons.

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 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

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 one year, or by house arrest for a term of six months to one year.

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 by house arrest for a term of one to two years, or by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 189 – Encroachment upon the rights of a holder of copyright or related 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 house arrest for a term of six months to one year or by imprisonment for up to three years.

3. Reproduction or unauthorised purchase, import, storage, sale, rent, transfer of a work, audio or video recording or database and/or otherwise encroaching on the rights of a holder of the copyright, related rights or of the manufacturer of a database in violation of the Law of Georgia on Copyrights and Related Rights and committed to gain large income, –

shall be punished by a fine or by house arrest for a term of one to two years.

4. The act provided for by paragraph 3 of this article committed:

a) to gain particularly large income;

b) by a group of persons with preliminary agreement, –

shall be punished by imprisonment for up to three years.

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, related 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 a fine, with deprivation of the right to carry out activities, 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 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to one year or by imprisonment for up to three years.

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 house arrest for a term of one 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 preliminary agreement, –

shall be punished by imprisonment for up to three years.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 190 – Interference with lawful entrepreneurial activities

Unjustified refusal to register an enterprise, or to issue a permit or licence, 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 from 120 to 180 hours, with deprivation of the right to hold an office or to carry out activities for up to three years, or by imprisonment for a term of up to one 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 by deprivation of the right to hold an office or to carry out activities for up to three years or by imprisonment for up to one 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 licence, 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 house arrest for a term of six months to two years, or by 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 by 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 activities, 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 5035 of 22 June 2007 – LHG I, No 26, 11.7.2007, Art. 242

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 192[1] – Illegal educational activities

1. Conducting an educational activity subject to authorisation without appropriate authorisation, and/or disseminating some misleading information in connection with the conduct of such activity, and/or using the name of a general, vocational or higher educational institution without appropriate authorisation, –

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 by 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 by liquidation and a fine.

Law of Georgia No 3538 of 21 July 2010 – LHG I, No 47, 5.8.2010, Art. 307

Law of Georgia No 1226 of 26 July 2017 – website, 28.7.2017

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 by 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 double 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 by deprivation of the right to carry out activities, or by 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 house arrest for a term of six months to two years, or by imprisonment for up to three years, with deprivation of the right to hold an office or to carry out activities for up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by 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 GEL 50 000, and particularly large income shall mean income exceeding GEL 50 000.

4. For the act provided for by this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities 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 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 2008 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 4630 of 5 May 2011 – website, 19.5.2011

Law of Georgia No 5170 of 28 October 2011 – website, 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 by corrective labour for up to one year or by imprisonment for up to two years.

2. The same act committed:

a) by a group of persons with the preliminary agreement;

b) repeatedly;

c) in large quantities, –

shall be punished by a fine or 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) 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 GEL 50 000, and particularly large income shall mean income exceeding GEL 50 000.

2. For the act specified in this article a legal person shall be punished by liquidation or by deprivation of the right to carry out activities 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 – website, 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, website, 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 house arrest for a term of six months to two years, or by imprisonment for up to two years.

2. The same act committed repeatedly, –

shall be punished by a fine or by imprisonment for a term 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 activities or by liquidation and a fine.

Law of Georgia No 3446 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by 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 by corrective labour for up to one year or by 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) by a group of persons with the preliminary agreement, –

shall be punished by a fine or by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by house arrest for a term of six months to two years, or by imprisonment for a term of one to three years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act committed repeatedly, –

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

3. For the act provided for by paragraph 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 office or to carry out activities for up to three years.

4. The act provided for by paragraph 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, with deprivation of the right to hold an office or to carry out activities 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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, house arrest for a term of six months to two years, or by imprisonment for up to two years. *Law of Georgia No 2477 of 25 December 2009 – LHG I, No 50, 31.12.2009, Art. 395*

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 for up to three years, by house arrest for a term of six months to two years, or by imprisonment for a term of three to five years.

2. The same act that has endangered human life or health, –

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

The same act that has caused human's death or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 198^1 – Violation of quality standards for petrol and/or standards for the composition of diesel fuel

Importing, producing and/or supplying to the territory of Georgia of petrol and/or diesel fuel, the quality of which does not meet quality standards for petrol and/or standards for the composition of diesel fuel, as established by an ordinance of the Government of Georgia, that has been committed by a person on whom an administrative penalty was previously imposed for committing an administrative offence under Article 91^3 of the Administrative Offences Code of Georgia and/or by a person who has been convicted of a crime under this article, –

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

Note:

1. A person who voluntarily surrenders an object under this article shall be released from criminal liability for the commission of a crime provided for by this article, unless there are signs of another crime in his/her act.

2. For the purposes of this article, the voluntary surrender of an object under this article shall be deemed only an act where a person, prior to the commencement of investigation, declares in writing or by any technical means of communication that the object has been submitted, and shall facilitate the seizure of the object with his/her active action.

3. For the act provided for by this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, or by liquidation and a fine.

Law of Georgia No 7058 of 17 July 2020 – website, 22.7.2020

Article 199 – Illegal use of Ecomark

Illegal use of Ecomark that has resulted in considerable damage, –

shall be punished by a fine or house arrest for a term of six months to two years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by imprisonment for a term 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 for a term 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 preliminary agreement;

c) in large quantities, –

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

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 – website, 11.11.2015

Law of Georgia No 163 of 21 December 2016 – website, 28.12.2016

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 preliminary 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 government servant by abusing the official position, –

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

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 – website, 11.11.2015

Law of Georgia No 163 of 21 December 2016 – website, 28.12.2016

Article 200^3 – (Deleted)

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 5950 of 27 March 2012 – website, 12.4.2012

Law of Georgia No 6447 of 12 June 2012 – website, 25.6.2012

Law of Georgia No 1183 of 30 June 2017 – website, 13.7.2017

Article 200^4 – (Deleted)

Law of Georgia No 6254 of 22 May 2012 – website, 6.6.2012

Law of Georgia No 1183 of 30 June 2017 – website, 13.7.2017

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 preliminary agreement;

c) in large quantities, –

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

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 – website, 6.6.2012

Law of Georgia No 4377 of 27 October 2015 – website, 11.11.2015

Law of Georgia No 163 of 21 December 2016 – website, 28.12.2016

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 preliminary 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 government servant by abusing the official position, –

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

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 – website, 6.6.2012

Law of Georgia No 4377 of 27 October 2015 – website, 11.11.2015

Law of Georgia No 163 of 21 December 2016 – website, 28.12.2016

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 one year, house arrest for a term of six months to two years, or by imprisonment for up to one year.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 one year, or by imprisonment for a term of two to four years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act:

a) committed by a group of persons with preliminary 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 imprisonment for a term of four to seven years, with or without deprivation of the right to hold an office or to carry out activities 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 – website, 11.11.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 202^1 – Violation of an obligation to maintain the confidentiality of relevant information provided for by the Law of Georgia on Facilitating the Prevention of Money Laundering and the Financing of Terrorism

1. Disclosure by the head or employee of the Financial Monitoring Service of Georgia or an accountable person of the fact of providing the competent authorities with information on the preparation, conclusion, or execution of, or an attempt to conclude or attempt to execute a suspicious transaction, and/or with information on the transaction provided for by a subordinate normative act of the head of the Financial Monitoring Service of Georgia, as well as the disclosure of an instruction of the head of the Financial Monitoring Service of Georgia or a person authorised by him/her to suspend the preparation, conclusion or execution of a transaction and/or any other transaction related to a person(s) participating in such transaction, –

shall be punished by a fine and/or by deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities for up to three years.

Note: Criminal liability for an act provided for by this article shall not be imposed on the head or employee of the Financial Monitoring Service of Georgia, or the head or employee of an accountable person, if he/she performs the said act in the case permitted by the Law of Georgia on Facilitating the Prevention of Money Laundering and the Financing of Terrorism.

Law of Georgia No 5953 of 19 March 2008 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 3902 of 3 July 2015 – website, 10.7.2015

Law of Georgia No 5237 of 30 October 2019 – website, 30.10.2019

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 by corrective labour from six months to a year or by

imprisonment for up to one year.

2. The same act committed repeatedly, –

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 committed by an organised group, –

shall be punished by imprisonment for a term 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 office or to carry out activities 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, with deprivation of the right to hold an office or to carry out activities for up to three years, or by imprisonment for up to one 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 one 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 house arrest for a term of six months to two years, or 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

Law of Georgia No 4527 of 28 March 2007 – LHG I, No 9, 31.3.2007, Art. 92

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by corrective labour or by imprisonment for a term of two to four years.

2. The same act committed by a group with preliminary 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 – website, 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 one year or by imprisonment for the same term.

Law of Georgia No 4527 of 28 March 2007 – LHG I, No 9, 31.3.2007, Art. 92

Article 207^1 – 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 a person responsible for the management and representation of the debtor to provide information, under the established procedure, 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 one year or by 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 living genetically modified organisms

Import of living 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 for a term of two to five 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 activities.

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 house arrest for a term of six months to two years, by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 a fine or corrective labour for up to two years, or by house arrest for a term of six months to two 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 3446 of 16 July 2010 – LHG I, No 44, 28.7.2010, Art. 274

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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) by a group of persons with the preliminary agreement, –

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 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 by 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 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 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 3446 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 preliminary 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 – website, 19.5.2011

Law of Georgia No 5950 of 27 March 2012 – website, 12.4.2012

Article 215 – Failure to return to Georgia a cultural monument taken abroad or an object having the signs of a monument

determined by the legislation of Georgia

Failure to return to Georgia, within the defined period, a cultural monument taken abroad or an object having the signs of a monument determined by the legislation of Georgia, –

shall be punished by a fine or imprisonment for a term 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, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities 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 preliminary 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 100 000, and particularly large amount shall mean the payable amount exceeding GEL 150 000.

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 3446 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 – website, 9.1.2012

Law of Georgia No 1183 of 30 June 2017 – website, 13.7.2017

Article 219 – Cheating on consumers

1. Cheating on 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 in considerable damage to the consumers, –

shall be punished by a fine or corrective labour for a term of one to two years.

2. The same act committed:

a) by a group of persons with preliminary agreement;

b) in large quantities;

c) by a person convicted for this kind of offence, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for up to two years.

Note: Under this article, large quantities shall mean the amount of damage caused by the cheating 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 219 – (Deleted)

Law of Georgia No 3110 of 26 August 2003 – LHG I, No 29, 18.9.2003, Art. 228

Law of Georgia No 314 of 1 July 2004 – LHG I, No 20, 16.7.2004, Art. 107

CHAPTER XXIX – Crime against the Interests of Service in Entrepreneurial or Other Organisations

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 by house arrest for a term of six months to two years or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 a substantial breach of the lawful interests of the state, –

shall be punished by a fine or house arrest for a term of six months to two years, or by 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 – website, 19.5.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 221 – Commercial bribery

1. Promising, offering, 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 his/her or other person's favour, in order that he/she act or refrain from certain actions, in violation of his/her official duties, –

shall be punished by a fine or house arrest for a term of six months to one year, or imprisonment for up to three years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act committed:

a) by a group of persons;

b) repeatedly, –

shall be punished by a fine or imprisonment for a term of two to four years, with deprivation of the right to hold an office or to carry out activities 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 house arrest for a term of one to two years, or by imprisonment for a term of two to four years, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities for up to 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 by deprivation of the right to carry out activities 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 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 4630 of 5 May 2011 – website, 19.5.2011

Law of Georgia No 5170 of 28 October 2011 – website, 11.11.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 one year, or by 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 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 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 one year, or by 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 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 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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/or 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 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 by deprivation of the right to carry out activities 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 4981 of 1 July 2011 – website, 14.7.2011

Law of Georgia No 3699 of 12 June 2015 – website, 29.06.2015

Article 223^1 – Membership of the 'criminal underworld'; 'being a thief in law'

1. Membership of the 'criminal underworld', –

shall be punished by imprisonment for a term of seven to ten years, with or without a fine.

2. 'Being a thief in law', –

shall be punished by imprisonment for a term of nine to fifteen years, with or without a fine.

Note: A person having committed a crime under paragraph 1 of this article shall be relieved from criminal liability if he/she has voluntarily notified the body conducting criminal proceedings, and as a result of his/her cooperation with the investigation bodies, a person that has committed a grievous or extremely grievous crime becomes identified, and/or if he/she directly assisted in creating the essential conditions for clearing such crime, unless elements of another crime are present in his/her action. The decision on the relief from criminal liability shall be made by the body conducting the criminal proceedings.

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

Law of Georgia No 2152 of 18 April 2018 – website, 1.5.2018

Article 223[2] – Participation in an 'underworld meeting'

Participation in an 'underworld meeting', –

shall be punished by imprisonment for a term of seven to ten years, with or without a fine.

Law of Georgia No 2152 of 18 April 2018 – website, 1.5.2018

Article 223[3] – Support of the 'criminal underworld' activities

1. Publicly supporting the 'criminal underworld' or a member of the 'criminal underworld'/a 'thief in law' in verbal or written form, or by another means of expression, if it poses an obvious, direct and significant threat of the 'criminal underworld' activities, –

shall be punished by imprisonment for a term of up to three years, with or without a fine.

2. Any act (except for the one under paragraph 1 of this article) committed by a person who is familiar with the 'criminal underworld' activities and who actively contributes to the conduct of the 'criminal underworld' activities, –

shall be punished by imprisonment for a term of three to six years, with or without a fine.

3. An act under this article committed by abusing the office, –

shall be punished by imprisonment for a term of four to seven years, with or without a fine.

Note:

1. A crime under this article shall not be the transfer of food, cloths, or of an item allowed by the legislation of Georgia in a penitentiary institution to a member of the 'criminal underworld' and/or a 'thief in law', or the performance of an immediate act necessary for saving the life of a person, and the performance of a professional/official duty or activities.

2. A person having committed a crime under this article shall be relieved from criminal liability if he/she has voluntarily notified the body conducting criminal proceedings, and as a result of his/her cooperation with the investigation bodies, a person that has committed a grievous or extremely grievous crime becomes identified, and/or if he/she directly assisted in creating the essential conditions for clearing such crime, unless elements of another crime are present in his/her action. The decision on the relief from criminal liability shall be made by the body conducting the criminal proceedings.

3. A legal entity shall be punished for committing an act under this article by liquidation or by deprivation of the right to conduct business activities and a fine.

Law of Georgia No 2152 of 18 April 2018 – website, 1.5.2018

Article 223[4] – Referral to a member of the 'criminal underworld'/a 'thief in law' or gaining of a material benefit or material superiority as a result of such referral

1. Referral by a person to a member of the 'criminal underworld'/a 'thief in law' for a 'criminal showdown', or for gaining a material benefit or material superiority for himself/herself and/or another person for the purpose of influencing any person or a decision made by any person, irrespective of whether the member of the 'criminal underworld'/a 'thief in law' has performed any act, and/or the result desirable for this person has been achieved, –

shall be punished by imprisonment for a term of three to seven years, with or without a fine.

2. Gaining of a material benefit or material superiority knowingly and intentionally by a third person as a result of conducting an act under paragraph 1 of this article, –

shall be punished by imprisonment for a term of three to seven years, with or without a fine.

3. An act under paragraph 1 of this article that has caused a grave consequence, –

shall be punished by imprisonment for a term of four to eight years, with or without a fine.

Note: A person having committed a crime under this article shall be relieved from criminal liability if he/she has voluntarily notified the body conducting criminal proceedings, and as a result of his/her cooperation with the investigation bodies, a person that has committed a grievous or extremely grievous crime becomes identified, and/or if he/she directly assisted in creating the essential conditions for clearing such crime, unless elements of another crime are present in his/her action. The decision on the relief from criminal liability shall be made by the body conducting the criminal proceedings.

Law of Georgia No 2152 of 18 April 2018 – website, 1.5.2018

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 by deprivation of the right to carry out activities and 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 for a term 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 – website, 14.7.2011

Article 226 – Organisation of group activity disrupting public order or active involvement in it

Organisation of the group activity which grossly violates public order or is related to visible disobedience to a lawful requirement of a representative of public authorities, or which has disrupted the functioning of transport, enterprises, institutions or organisations, and active involvement in it, –

shall be punished by a fine or community service for a term of 120 to 180 hours or by corrective labour for up to two years, or by house arrest for a term of six months to two years or imprisonment for a term of up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 of persons with the preliminary agreement;

b) repeatedly;

c) 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 paragraph 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 activities, or by liquidation.

Law of Georgia No 3542 of 25 July 2006 – LHG I, No 36, 4.8.2006, 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 by 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 activities, or by 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 an aircraft of 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 activities, or by liquidation.

Law of Georgia No 5744 of 2 March 2012 – website, 15.3.2012

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) committed 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 of persons with preliminary agreement, –

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

4. The act provided for by paragraph 1 or 2 of this article which:

a) has resulted in death or other grave consequences;

b) 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 – website, 15.3.2012

Article 229^1 – Breach of procedures for using energy resources

1. Breach of the procedures for using electrical power or thermal power, gas, oil or oil products, which has resulted in substantial damage, –

shall be punished by a fine or house arrest for a term of six months to two years.

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 paragraph 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 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 ionising radiation

1. Seizure of nuclear material, radioactive substances or other sources of ionising 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 activities or by 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 – website, 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 activities or by liquidation and a fine.

Law of Georgia No 5170 of 28 October 2011 – website, 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 235^1 – Illegal manufacturing, purchase, storage, possession, disposal, usage, processing, testing, transfer, carrying, export, import, trading, or any other illegal handling of a toxic chemical or its precursor defined under the Chemical Weapons Convention, and any other illegal bargain involving it, including violation of the circulation rules under the international agreement of Georgia

1. Illegal manufacturing, purchase, storage, possession, disposal, usage, processing, testing, transfer, carrying, export, import,

trading, or any other illegal handling of a toxic chemical or its precursor defined under the Chemical Weapons Convention, and any other illegal bargain involving it, including violation of the circulation rules under the international agreement of Georgia, –

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

2. The same act committed to manufacture a chemical weapon, –

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

Note: For the commission of the act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, or by liquidation and a fine.

Law of Georgia No 4027 of 22 December 2018 – website, 26.12.2018

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 a hunting firearm or a sports firearm, or of ammunition intended for such a weapon, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for a term of up to two years.

2. An act under paragraph 1 of this article committed:

a) by a group of persons;

b) repeatedly, –

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

3. Illegal purchase or storage of a firearm (except for the one provided for in paragraph 1 of this article), ammunition (except for the one provided for in paragraph 1 of this article), explosive substance or explosive device, –

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

4. Illegal carrying of a firearm, ammunition, explosive substance or explosive device, –

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

5. Illegal manufacturing, transportation, forwarding or sale of a firearm, ammunition, explosive substance or explosive device, –

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

6. An act provided for in paragraph 3, 4 or 5 of this article committed by:

a) a group of persons;

b) a person who has previously been convicted for an offence under paragraph 3, 4 or 5 of this article, –

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

Note: A person who voluntarily hands in the items provided for in 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 of Georgia No 3705 of 12 June 2015 – website, 30.6.2015

Law of Georgia No 4007 of 10 July 2015 – website, 13.7.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2453 of 6 June 2018 – website, 12.6.2018

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 preliminary agreement;

b) repeatedly;

c) using an 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 paragraph 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 of Georgia No 3705 of 12 June 2015 – website, 30.6.2015

Law of Georgia No 4007 of 10 July 2015 – website, 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 one year, or house arrest for a term of six months to two years, or by 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 of Georgia No 3705 of 12 June 2015 – website, 30.6.2015

Law of Georgia No 4007 of 10 July 2015 – website, 13.7.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 238^1 – Carrying melee weapons

1. Carrying of a melee weapon by a person subjected to an administrative penalty for repeated carriage of melee weapons, or for using drugs and/or by a person to whom a protective or a restraining order (during the validity period of such order) is issued, or by a person convicted of a less serious crime, –

shall be punished by a fine or house arrest for a term of six months to two years, and/or by imprisonment for six months.

2. Carrying of melee weapons by a person who has been convicted of an intentional serious or particularly serious crime and/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 thereof, 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.

3. This article shall not apply to a person against whom a protecting or a restraining order is issued, if the prohibition of carrying melee weapons is provided for by such order.

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 – website, 25.12.2013

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 5027 of 20 September 2019 – website, 01.10.2019

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 for a term of 120 to 180 hours or by corrective labour for up to one year, or by house arrest for a term of six months to two years or imprisonment for a term of up to one year.

2. The same act committed:

a) by a group of persons with 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 from 180 to 200 hours or by corrective labour from one to two years or by imprisonment for a term of two to five years.

3. The act provided for by paragraph 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 other 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 by deprivation of the right to carry out activities and a fine.

Law of Georgia No 3699 of 12 June 2015 – website, 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 office or to carry out activities for up to three years.

2. The same act that results in death or other grave consequences, –

shall be punished by house arrest for a term of six months to two years or imprisonment for a term of two to five years, with or without deprivation of the right to hold an office or to carry out activities 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 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by imprisonment for up to two years, with or without deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities 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 office or to carry out activities 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by imprisonment for a term of two to four years, with or without deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities 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 an office or carry out activities

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 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by imprisonment for up to one year, with or without deprivation of the right to hold an office or to carry out activities 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 imprisonment for a term of four to six years, with deprivation of the right to hold an office or carry out activities 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 office or to carry out activities 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 of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by imprisonment for a term of up to three years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act that caused loss of human's life or other serious consequence, –

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 to carry out activities 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 office or to carry out activities 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 of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 245 – Breach of regulations related to the handling of nuclear material, radioactive waste or other sources of ionising 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 ionising 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 XXXII – 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 imprisonment for up to three years.

2. The same act that has resulted in loss of human's life, –

shall be punished by imprisonment for a term of three to seven years, with or without deprivation of the right to hold an office or to carry out activities 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 of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 office or to carry out activities 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 office or to carry out activities 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 house arrest for a term of six months to two years, or by imprisonment for up to two years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act that has resulted in loss of human's life, –

shall be punished by imprisonment for a term of three to seven years, with deprivation of the right to hold an office or carry out activities 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 of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 248[1] – Violation of isolation and/or quarantine rules

The violation of the isolation and/or quarantine rules established regarding the issues provided for by the Law of Georgia on Public Health, that has been committed by a person on whom an administrative penalty was previously imposed for committing an administrative offence under Article 42[10] of the Administrative Offences Code of Georgia and/or by a person who has been convicted of a crime under this article, –

shall be punished by house arrest for a term of six months to two years, or by imprisonment for a term of up to three years.

Note: For the act under this article, a legal person shall be punished by a fine, deprivation of the right to carry out activities or by liquidation and a fine.

Law of Georgia No 5889 of 23 April 2020 – website, 24.4.2020

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 house arrest for a term of six months to two years, or by imprisonment for a term of up to three years.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to one year, or by imprisonment for a term of up to two years.

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 house arrest for a term of six months to two 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 252 – Setting up or management of illegal associations or participation in such associations

1. Setting up or management of 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 threat of destruction of property, blackmail or deception, –

shall be punished by imprisonment for a term of two to five years, with or without restriction of the rights regarding weapons.

2. Engagement in prostitution using violence or threat of violence, –

shall be punished by imprisonment for a term of four to ten years, with or without restriction of the rights regarding weapons.

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

a) by a group of persons with preliminary agreement;

b) knowingly against a person being in a helpless condition or a pregnant woman;

c) repeatedly;

d) against two or more persons;

e) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

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

4. The act provided for by paragraph 2 of this article, committed:

a) by a group of persons with preliminary agreement;

b) knowingly against a person being in a helpless condition or a pregnant woman;

c) repeatedly;

d) against one or more persons;

e) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

shall be punished by imprisonment for a term of twelve to twenty years, with or without restriction of the rights regarding weapons.

5. The act under paragraph 1, 2, 3 or 4 of this article, committed knowingly by an offender against a minor, –

shall be punished by imprisonment for a term of fifteen to twenty years, with or without restriction of the rights regarding weapons.

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 activities, 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 1728 of 11 December 2013 website – 25.12.2013

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 254 – Promotion of prostitution

1. Inducing a person to prostitution and/or conducting any other nonviolent act that promotes the involvement of a person in prostitution, –

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

2. Making available a place or residence for prostitution, –

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

3. An act under paragraph 1 or 2 of this article committed:

a) by a group of persons with preliminary agreement;

b) knowingly against a pregnant woman;

c) repeatedly;

d) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

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

4. The act under paragraph 1, 2 or 3 of this article, committed knowingly by an offender against a minor, –

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

5. The act under paragraph 1, 2 or 3 of this article, committed knowingly by an offender against a person that has not reached 14 years of age, –

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

Note: For the act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, 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 2937 of 28 April 2006 – LHG I, No 14, 15.5.2006, Art. 90

Law of Georgia No 1728 of 11 December 2013 – website, 25.12.2013

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

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. The act under paragraph 1 of this article, committed repeatedly, –

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

3. Knowingly purchasing, storing, possessing, attending the demonstration of, or using pornographic work containing images of minors, –

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

4. Knowingly offering, importing, exporting, disseminating, transferring, advertising, or providing access to pornographic work containing images of minors, –

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

5. Knowingly making and selling pornographic work containing images of minors, –

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

6. The act under paragraph 3 of this article, committed:

a) repeatedly;

b) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

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

7. The act under paragraph 4 or 5 of this article, committed:

a) repeatedly;

b) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

shall be punished by imprisonment for a term of fifteen to twenty years or by life imprisonment.

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 an act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, 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 – website, 25.12.2013

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 255^1 – Engagement of minors in illegal production and sale of pornographic works or other similar items

1. Engagement of a minor in the illegal production of a pornographic work or any other item of pornographic nature, and dissemination, advertisement or sale of such material, which is not related to the participation of the minor concerned in the actual, simulated or computer-generated sexual scenes, –

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

2. The same act committed:

a) repeatedly;

b) against two or more persons;

c) against a person under the custodianship, guardianship or surveillance, or a family member, of an offender, –

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

Note: For the act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities,

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 – website, 25.12.2013

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

Article 255^2 – Offering a meeting of a sexual character to a minor

1. The offer of a meeting knowingly made by an adult to a person under 16 years of age by using information and communication technologies for the purpose of committing the offence defined in Article 140, where the offer was followed by actions directed towards the holding of such a meeting, –

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

2. The offer of a meeting knowingly made by an adult to a person under 1 8years of age by using information and communication technologies for the purpose of committing the offence defined in Article 255(5) of this Code, where the offer was followed by actions directed towards the holding of such a meeting, –

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

Law of Georgia No 1728 of 11 December 2013 – website, 25.12.2013

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

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 house arrest for a term of six months to two years or imprisonment for up to one year.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 a term of 120 to 180 hours or corrective labour for up to one year, or by house arrest for a term of six months to one year or imprisonment for up to one year.

2. Unlawful appropriation of an item buried in or placed on a grave, –

shall be punished by a fine or house arrest for a term of one to two years, or by imprisonment for up to two years.

3. The same act committed:

a) by a group of persons;

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

c) with violence or threat of violence, –

shall be punished 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 259 – Torture or ill-treatment of animals

1. Torture or ill-treatment of animals having resulted in their death or mutilation, –

shall be punished by community service for a term of 120 to 240 hours, house arrest for a term of six months to one year, a fine or by imprisonment for a term of up to one year.

2. The same act committed:

a) by a group of persons;

b) repeatedly;

c) in the presence of a minor, –

shall be punished by community service for a term of 200 to 400 hours, house arrest for a term of one to two years, a fine or by imprisonment for a term of up to three years.

Law of Georgia No 4612 of 29 May 2019 – website, 5.6.2019

CHAPTER XXXII[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 one 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 imprisonment 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 one 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 of 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 XXXII[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

CHAPTER XXXIII – Drug-related Crime

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 paragraph 1, under which imprisonment may be imposed as a criminal punishment for illegal purchase and storage of drugs, namely of dried Marijuana indicated in horizontal row 92 of Annex 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, shall be considered invalidated) – 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

(The normative content of paragraph1, under which imprisonment may be imposed as a criminal punishment for purchase and storage of drugs, namely of raw Marijuana (up to 100 gr.) indicated in horizontal row 92 of Annex 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, shall be considered invalidated) – Decision No 3/1/855 of the Constitutional Court of Georgia of 15 February 2017 – website, 21.2.2017

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 of persons 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.

(The normative content of paragraph 3, which provides for the possibility of application of imprisonment as a criminal punishment for production, purchase and storage of a narcotic drug defined in horizontal row 33 of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, namely of Desomorphine of an amount disputed by the claimant (0.00009 gr.), was declared unconstitutional) – Decision No 1/8/696 of the Constitutional Court of Georgia of 13 July 2017 – website, 20.7.2017

(The normative content of the words of paragraph 3 'shall be punished by imprisonment for a term of five to eight years', which provides for the possibility of application of imprisonment as a punishment for the illegal purchase and storage of unusable amounts of narcotic drugs, was declared invalidated) – Decision No 1/19/1265, 1318 of the Constitutional Court of Georgia of 4 June 2020 – website, 8.6.2020

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 of persons 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 considered 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 by deprivation of the right to carry out activities and a fine.

4. Paragraphs 2 and 4 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.

6. This article (except for paragraphs 1 and 2 of the note of this article) shall not apply to narcotic drugs, namely to cannabis plant and marijuana, defined in rows 73 and 92 of the list 'Narcotic Drugs' provided for in the table of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance.

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 – website, 28.4.2014

Law of Georgia No 3975 of 8 July 2015 – website, 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

Ruling No 3/1/855 of the Plenary Session of the Constitutional Court of Georgia of 15 February 2017 – website, 21.2.2017

Decision No 1/8/696 of the Constitutional Court of Georgia of 13 July 2017 – website, 20.7.2017

Law of Georgia No 1221 of 26 July 2017 – website, 28.7.2017

Decision No 1/19/1265, 1318 of the Constitutional Court of Georgia of 4 June 2020 – website, 8.6.2020

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 one 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 of persons 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 activities 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 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 of persons 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 been 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 paragraph 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 activities, or by liquidation and a fine.

2. Paragraph 11 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 – website, 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 1 of this article that has been committed:

a) jointly by more than one person;

b) 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 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 activities, 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 of persons 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 previously been 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 paragraph 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 activities, 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 – website, 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.

(The normative content of Section One, which provides for imprisonment as a punishment for illegal sowing or growing of a

narcotic drug defined in horizontal row 73 of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, namely of cannabis (plant), for personal consumption purposes, was declared unconstitutional) – Decision No 1/9/701, 722, 725 of the Constitutional Court of Georgia of 14 July 2017 – website, 20.7.2017

2. The same act committed:

a) in large quantities;

b) by a group of persons 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.

(The normative content, which provides for imprisonment as a punishment for illegal sowing or growing of a narcotic drug defined in horizontal row 73 of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, namely of cannabis (plant) of an amount disputed by the claimant (up to 64 gr.), for personal consumption purposes, was declared unconstitutional) – Decision No 1/9/701, 722, 725 of the Constitutional Court of Georgia of 14 July 2017 – website, 20.7.2017

(The normative content, which provides for imprisonment as a punishment for illegal sowing, growing or cultivation of a narcotic drug defined in horizontal row 73 of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, namely of cannabis (plant) of an amount disputed by the claimant (up to 151 gr.), for personal consumption purposes, was declared unconstitutional) – Decision No 1/9/701, 722, 725 of the Constitutional Court of Georgia of 14 July 2017 – website, 20.7.2017

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.

(The normative content, which provides for imprisonment for a term of 'six to twelve years' as a punishment for illegal sowing or growing of a narcotic drug defined in horizontal row 73 of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, namely of cannabis (plant) of an amount disputed by the claimant (up to 266 gr.), for personal consumption purposes, was declared unconstitutional) – Decision No 1/9/701, 722, 725 of the Constitutional Court of Georgia of 14 July 2017 – website, 20.7.2017

Note: For commission of an act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, 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

Decision No 1/9/701, 722, 725 of the Constitutional Court of Georgia of 14 July 2017 – website, 20.7.2017

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 activities, 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 – website, 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 false prescription or other document for purchasing a drug for marketing purposes, or their sale, –

shall be punished by a fine or corrective labour for up to two years, or by house arrest for a term of six months to two years or 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 position, –

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 office or to carry out activities 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 of persons with preliminary agreement, –

shall be punished by imprisonment for a term of nine to thirteen years, with deprivation of the right to hold an office or to carry out activities 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 activities, 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 office or to carry out activities for up to one 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 of persons with preliminary agreement, –

shall be punished by imprisonment for a term of six to eleven years, with deprivation of the right to hold an office or to carry out activities 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 activities, 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, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities 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 activities or by liquidation and a fine.

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

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 to one year, with or without deprivation of the right to hold an office or to carry out activities.

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 office or to carry out activities 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 activities, 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 activities, 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 – website, 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 under paragraph 1 of this article committed with respect to two or more persons or to a person who has not reached 21 years of age, –

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 2236 of 16 April 2014 – website, 28.4.2014

Law of Georgia No 3775 of 30 November 2018 – website, 20.12.2018

Article 273 – Illegal production, purchase, storage, carrying, transfer and/or illegal consumption without medical prescription of a narcotic drug, its analogue or a precursor in small quantity

Illegal production, purchase, storage, carrying, transfer or illegal consumption without medical prescription of a narcotic drug, its analogue or a precursor in small quantity, committed by a person who was subjected to an administrative penalty for committing an administrative offence under Article 45 of the Administrative Offences Code of Georgia, or who was convicted for this crime, –

shall be punished by a fine or community service from 120 to 180 hours or by imprisonment for up to one year.

(The normative content of the words of Article 273 'illegal consumption without medical prescription', which provides for criminal liability for the consumption of marijuana, a narcotic drug defined in horizontal row 92 of Annex No 2 to the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors, and Narcological Assistance, was declared invalidated) – Decision No 1/13/732 of the Constitutional Court of Georgia of 30 November 2017 – website, 4.12.2017

Note: The fine under this article shall not be less than twice the amount of the fine defined by the respective article of the Administrative Offences Code of Georgia for the commission of the respective act.

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

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

Law of Georgia No 1221 of 26 July 2017 – website, 28.7.2017

Decision No 1/13/732 of the Constitutional Court of Georgia of 30 November 2017 – website, 4.12.2017

Article 273[1] – Illegal purchase, storage, carrying, transfer and/or sale

1. Illegal purchase, storage, carrying, transfer and/or sale in small quantities of the cannabis plant, or of marijuana committed by a person who was subjected to an administrative penalty for committing an administrative offence under Article 45[1](1) of the Administrative Offences Code of Georgia, or who was convicted for this crime, –

shall be punished by a fine or community service for a term of 100 to 160 hours.

2. Illegal purchase, storage, carrying or transfer of the cannabis plant or marijuana, –

shall be punished by a fine or community service for a term of 160 to 220 hours.

3. An act under paragraph 2 of this article committed:

a) by a group of persons with preliminary agreement;

b) repeatedly;

c) by a person who has previously committed any crime under this Chapter, –

shall be punished by a fine and/or community service for a term of 220 to 300 hours.

4. An act under paragraph 2 of this article committed in large quantities, –

shall be punished by a fine and/or community service for a term of 300 to 400 hours, or by imprisonment for a term of up to two years.

5. An act under paragraph 4 of this article committed: a) by a group of persons with preliminary agreement; b) repeatedly;

c) by a person who has previously committed any crime under this Chapter, –

shall be punished by a fine and/or community service for a term of 400 to 500 hours, or by imprisonment for a term of up to three years.

6. An act under paragraph 2 of this article committed in particularly large quantities, –

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

7. An act under paragraph 6 of this article committed:

a) by a group of persons with preliminary agreement;

b) repeatedly;

c) by a person who has previously committed any crime under this Chapter, –

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

8. Illegal sale of the cannabis plant or marijuana, –

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

9. An act under paragraph 8 of this article committed:

a) in large quantities;

b) by a group of persons with preliminary agreement;

c) using an official position;

d) repeatedly;

e) by a person who has previously committed any crime under this Chapter, –

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

10. An act under paragraph 8 of this article committed:

a) in particularly large quantities;

b) by an organised group of persons, –

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

Note:

1. The fine provided for in paragraph 1 of this article shall not be less than triple the amount of the fine defined by the respective article of the Administrative Offences Code of Georgia for the commission of the respective act.

2. The fine provided for in paragraph 2 of this article shall not be less than four times the amount of the fine defined by the respective article of the Administrative Offences Code of Georgia for the commission of the respective act.

3. The fine provided for in paragraph 3 of this article shall not be less than five times the amount of the fine defined by the respective article of the Administrative Offences Code of Georgia for the commission of the respective act.

4. The fine provided for in paragraph 4 of this article shall not be less than six times the amount of the fine defined by the respective article of the Administrative Offences Code of Georgia for the commission of the respective act.

5. The fine provided for in paragraph 5 of this article shall not be less than seven times the amount of the fine defined by the respective article of the Administrative Offences Code of Georgia for the commission of the respective act.

6. For an act provided for in paragraphs 2-10 of this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

Law of Georgia No 1221 of 26 July 2017 – website, 28.7.2017

Ruling No 1/2/1282 of the Constitutional Court of Georgia of 27 April 2018 – website, 3.5.2018

Law of Georgia No 3775 of 30 November 2018 – website, 20.12.2018

Article 274 – Evasion of 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 one year.

CHAPTER XXXIV – Transport-related Crime

Article 275 – Violation of safety regulations or procedures for operating railway, water, air or cable transport traffic

1. Driving of a railway, water, air or cable transport under the influence of a narcotic/psychotropic/new psychoactive substance, –

shall be punished by a fine and/or imprisonment for a term of up to one year.

2. Violation of safety regulations or procedures for operation of railway, water, air or cable 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 house arrest for a term of six months to two years, or by imprisonment for a term of two to five years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

3. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

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

4. The act under paragraph 2 of this article that has resulted in the human's death, –

shall be punished by imprisonment for a term of five to seven years, with deprivation of the right to hold an office or to carry out activities for up to three years.

5. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

shall be punished by imprisonment for a term of six to nine years, with deprivation of the right to hold an office or to carry out activities for up to three years.

6. The act under paragraph 2 of this article that has resulted in the death of two or more people, –

shall be punished by imprisonment for a term of six to ten years, with deprivation of the right to hold an office or to carry out activities for up to three years.

7. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

shall be punished by imprisonment for a term of eight to twelve years, with deprivation of the right to hold an office or to carry out activities for a term of 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 of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3775 of 30 November 2018 – website, 20.12.2018

Article 276 – Violation of traffic safety rules or rules for operating transport

1. Driving of a motor car, streetcar, trolleybus, tractor or other mechanical transport under the influence of a narcotic, psychotropic or a new psychoactive substance, –

shall be punished by a fine and/or imprisonment for a term of up to one year.

2. Violation of traffic safety rules or rules for operating a motor car, streetcar, trolleybus, tractor or other mechanical transport by a person driving them that has resulted in a less serious bodily injury, –

shall be punished by a fine or house arrest for a term of six months to two years, and/or by imprisonment for a term of up to three years, with or without deprivation of the right to hold an office or to carry out activities for a term of up to three years.

3. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

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 to carry out activities for a term of up to three years.

4. An act under paragraph 2 of this article that has resulted in a serious bodily injury, –

shall be punished by a fine or imprisonment for a term of three to five years, with deprivation of the right to hold an office or to carry out activities for a term of up to three years.

5. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

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

6. An act under paragraph 2 of this article that has resulted in the human's death, –

shall be punished by imprisonment for a term of four to seven years, with deprivation of the right to hold an office or to carry out activities for up to three years.

7. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

shall be punished by imprisonment for a term of six to nine years, with deprivation of the right to hold an office or to carry out activities for up to three years.

8. An act under paragraph 2 of this article that has resulted in the death of two or more people, –

shall be punished by imprisonment for a term of six to ten years, with deprivation of the right to hold an office or to carry out activities for up to three years.

9. The same act committed under the influence of alcohol or a narcotic/psychotropic/new psychoactive substance, –

shall be punished by imprisonment for a term of eight to twelve years, with deprivation of the right to hold an office or to carry out activities for up to three years.

Note:

1. The deprivation of the right to hold an office or to carry out activities shall be used as a measure of punishment when an act under Article 275 and/or this article of this Code is committed under the influence of alcohol.

2. Commission of an act under Article 275 of this Code and/or this article under the influence of a narcotic/psychotropic/new psychoactive substance shall be established on the basis of clinical and laboratory reports, while in the case of refusal to take a lab test, the aforementioned influence shall be established only on the basis of a clinical report.

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 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3775 of 30 November 2018 – website, 20.12.2018

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 house arrest for a term of six months to two years, or by imprisonment for a term of three years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act that resulted in loss of human's life, –

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 – Leaving in danger by the captain of a ship

Leaving in danger by the captain of a ship of those who are perishing in a sea or other waterway, provided that the captain was able to provide aid to them without putting the ship, crew or passengers at serious risk, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for up to two years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to one year, or by imprisonment for up to one year, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act that has seriously endangered a populated area, –

shall be punished by house arrest for a term of six months to two years or imprisonment for up to two years, with deprivation of the right to hold an office or carry out activities for up to three years.

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 281 – Violation of traffic safety regulations

1. Violation of traffic safety regulations by a passenger, pedestrian or other participant of the traffic (except for a person under Article 275 or 276 of this Code) that resulted in a less serious or serious bodily injury, –

shall be punished by a fine or house arrest for a term of six months to two 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 resulted in a less serious or serious bodily injury, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for a term of up to three years, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

2. The same act that resulted in loss of human's life, –

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 a computer system

1. Unauthorised access to a 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 of persons 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 holder 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 damage' shall be considered 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 activities, 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 systems

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 Article 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 to three years.

2. The act defined in paragraph 1 of this article:

a) committed by a group of persons 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 activities, 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 – website, 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 data that 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 of persons 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 activities, 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 Rules

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 office or to carry out activities 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 287^1 – Violation of the saw mill registration requirements

1. Installation of a round timber (log) sawing and/or thermal processing equipment (machine) and/or a device in a saw mill without registration, –

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

2. The same act committed repeatedly, –

shall be punished by a fine and/or imprisonment for a term of one to two years.

Note: For committing the act under this article, a legal person shall be punished by liquidation or deprivation of the right to carry out activities for a term of up to three years.

Law of Georgia No 2197 of 20 April 2018 – website 10.5.2018

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 use that 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 during 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 office or to carry out activities 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 office or to carry out activities 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 living genetically modified organisms

1. Violation of safety norms for transportation of living 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 one year, with deprivation of the right to carry out activities for up to two years.

2. Use of living genetically modified organisms within a closed system without the appropriate licence, 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 confiscation of property.

3. Introduction of living 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 activities.

Note: For an act defined in this article, a legal person shall be punished by liquidation or deprivation of the right to carry out activities.

Law of Georgia No 2661 of 18 September 2014 – website, 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 one 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 office or carry out activities 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 548 of 28 October 2004 – LHG I, No 33, 12.11.2004, Art. 153

Article 291 – Breach of water use rules

Unauthorised seizure of water or unauthorised performance of hydraulic works on public networks, as well as other breach of water use rules that has resulted in considerable damage, –

shall be punished by a fine or corrective labour for up to one year, with or without deprivation of the right to hold an office or to carry out activities for up to three years.

Law of Georgia No 5642 of 27 December 2011 – website, 12.1.2012

Law of Georgia No 472 of 25 March 2013 – website, 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 one year, or by imprisonment for up to one year, with or without deprivation of the right to hold an office or to carry out activities 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 during 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 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 293 – Contamination of the sea

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 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 for up to one year, with deprivation of the right to hold an office or to carry out activities 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 for up to one year, with or without deprivation of the right to hold an office or to carry out activities 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 good 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 office or to carry out activities for up to three years.

4. An act defined in paragraphs 1, 2 and 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 1627 of 4 July 2002 – LHG I, No 23, 24.7.2002, Art. 113

Article 294 – Failure to report a discharge into the sea of substances harmful to 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 one year, with or without deprivation of the right to hold an office or to carry out activities 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 one year, or by imprisonment for up to two years, with or without deprivation of the right to hold an office or to carry out activities 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 one year, with or without deprivation of the right to hold an office or to carry out activities 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 for up to two years, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities for up to three years.

2. The same act committed during environmental emergency or in a zone of ecological disaster which made a significant area of the land unfit for use, –

shall be punished by house arrest for a term of six months to two years or imprisonment for a term of up to three years.

3. An act defined in paragraph 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 office or to carry out activities 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 – Use of mineral resources without an appropriate licence

1. Use of mineral resources (except for fresh groundwater) without an appropriate licence, committed after an administrative penalty for such an act was imposed, or use of mineral resources without an appropriate licence that has resulted in substantial damage, –

shall be punished by a fine or imprisonment for a term of one to three years.

2. The same act committed repeatedly, –

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

Law of Georgia No 1893 of 22 October 2009 – LHG I, No 33, 9.11.2009, Art. 212

Law of Georgia No 2197 of 20 April 2018 – website 10.5.2018

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 one 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 one 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 during 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 a world heritage site, –

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 – website, 11.11.2011

Law of Georgia No 724 of 12 June 2013 – website, 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 one year, with or without deprivation of the right to hold an office or to carry out activities 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 during 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 office or to carry out activities 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 – website, 14.11.2011

Law of Georgia No 472 of 25 March 2013 – website, 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 house arrest for a term of six months to two years, or by imprisonment for up to three years, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 302^1 – Illegal export, import, re-export or introduction from the sea of living or non-living specimens of the species, or parts or derivatives of the species included in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Illegal export, import, re-export or introduction from the sea of a living or non-living specimen of a species, or a part or derivative of the species included in the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), committed by an organised group of persons, –

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

Law of Georgia No 4030 of 22 December 2018 – website 31.12.2018

Article 303 – Illegal felling of trees and bushes

1. Illegal felling of trees and bushes by a person on whom an administrative penalty was previously imposed for committing an administrative offence under Articles 64^1(1), 66(2), 151(2) or Article 151^1(2) of the Administrative Offences Code of Georgia, or illegal felling of trees and bushes that has resulted in substantial damage, –

shall be punished by a fine and/or corrective labour for up to one year, or by imprisonment for a term of up to three years.

2. The same act committed repeatedly, –

shall be punished by a fine and/or corrective labour for up to two years, or by imprisonment for a term of up to four years.

3. Illegal felling of trees and bushes, which are included in the Red List of Georgia, on the lands or protected areas of the state forest fund by a person on whom an administrative penalty was previously imposed for committing an administrative offence under Article 64^1(2) of the Administrative Offences Code of Georgia, –

shall be punished by a fine and/or imprisonment for a term of three to five years.

[3. Illegal felling of trees and bushes, which are included in the Red List of Georgia, in the forests or protected areas of Georgia by a person on whom an administrative penalty was previously imposed for committing an administrative offence under Article 64^1 (2) of the Administrative Offences Code of Georgia, –

shall be punished by a fine and/or imprisonment for a term of three to five years. ***(Shall become effective from 1 January 2021)***]

4. The act under paragraph 3 of this article committed repeatedly, –

shall be punished by a fine and/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 2197 of 20 April 2018 – website 10.5.2018

Law of Georgia No 5963 of 22 May 2020 – website 28.5.2020

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 304^1 – Transportation of round timber (log), tree-plants or firewood in violation of the statutory procedure

1. Transportation of round timber (log), a tree-plant or firewood in cases defined by the legislation without an appropriate document and/or marking with a special sign by a person on whom an administrative penalty was previously imposed for committing an administrative offence under Article 128^2(5), (7) or (8) of the Administrative Offences Code of Georgia, –

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

2. The same act committed repeatedly, –

shall be punished by a fine or imprisonment for a term of one to three years.

Law of Georgia No 2197 of 20 April 2018 – website 10.5.2018

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 office or to carry out activities 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.

Law of Georgia No 3517 of 25 July 2006 – LHG I, No 36, 4.8.2006, Art. 262

Article 306^1 – Conducting activities under the Environmental Assessment Code without the screening decision or environmental decision

Conducting an activity subject to the screening procedure without the screening decision, which has resulted in significant damage, or conducting an activity subject to the environmental impact assessment without an environmental decision under the Environmental Assessment Code, committed after an administrative penalty for such act was imposed, –

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

Law of Georgia No 910 of 1 June 2017 – website, 21.6.2017

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 office or to carry out activities 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 office or to carry out activities 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 capacity

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 office or to carry out activities 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 an office or to carry out activities 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 of a foreign organisation, –

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

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 No 2/2/516, 542 of the Constitutional Court of Georgia of 14 May 2013, website – 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 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 paragraph 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 overthrow state power

Public incitement to change the constitutional order of Georgia through violence, or to overthrow of state power, 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 provided for in Articles 308, 310-314, 318, 322-325 and 329 of this Code, –

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 Article 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 office or to carry out activities 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 office or to carry out activities 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 office or to carry out activities 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 office or to carry out activities 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 provided for in 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 by deprivation of the right to carry out activities and a fine.

Law of Georgia No 3699 of 12 June 2015 – website, 29.6.2015

Article 322 – Active repentance of a crime against the State

A person who committed any of the offences provided for 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 who has 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 – website, 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;

c) 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 provided for in this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, 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 provided for in paragraph 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 the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities 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 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 4630 of 5 May 2011 – website, 19.5.2011

Law of Georgia No 5170 of 28 October 2011 – website, 11.11.2011

Law of Georgia No 5744 of 2 March 2012 – website, 15.3.2012

Law of Georgia No 1641 of 27 November 2013 – website, 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 provided for 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 provided for 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 provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

Law of Georgia No 1641 of 27 November 2013 – website, 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 natural 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 provided for in paragraph 1:

a) committed repeatedly;

b) by a group of persons 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' in 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 – website, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – website, 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 natural 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 provided for 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 provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and 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 – website, 15.3.2012

Law of Georgia No 1641 of 27 November 2013 – website, 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 the acts provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and 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 5744 of 2 March 2012 – website, 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 provided for in paragraph 1 of this article, –

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

Note: For the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and 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 – website, 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, and 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 provided for in paragraph 1 of this article, –

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

Note:

1. For an act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

2. 'A representative of a foreign country enjoying international protection' provided for by this article is not implied to mean 'a person with international protection' defined by the Law of Georgia on International Protection.

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 – website, 11.11.2011

Law of Georgia No 1641 of 27 November 2013 – website, 16.12.2013

Law of Georgia No 58 of 1 December 2016 – website, 15.12.2016

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 provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and 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 – website, 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 the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

Law of Georgia No 2185 of 4 April 2014 – website, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – website, 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 the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and 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 – website, 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 provided for 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 provided for 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 provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities 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 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 – website, 16.12.2013

Law of Georgia No 2185 of 4 April 2014 – website, 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 provided for 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 provided for 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 by deprivation of the right to carry out activities and a fine.

Law of Georgia No 1642 of 27 November 2013 – website, 16.12.2013

Law of Georgia No 2185 of 4 April 2014 – website, 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 by deprivation of the right to carry out activities 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 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 by deprivation of the right to carry out activities and 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 – website, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – website, 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 provided for 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 paragraph 1 or 3 of this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and 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 – website, 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 the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

Law of Georgia No 1641 of 27 November 2013 – website, 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 the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

Law of Georgia No 1641 of 27 November 2013 – website, 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 the act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and a fine.

Law of Georgia No 1641 of 27 November 2013 – website, 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 of persons 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 – website, 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 of persons with preliminary agreement;

b) repeatedly, –

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

3. An act provided for in paragraph (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 provided for 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 provided for 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 provided for in this article a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and/or 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 2008 – LHG I, No 8, 28.3.2008, Art. 56

Law of Georgia No 5170 of 28 October 2011 – website, 11.11.2011

Law of Georgia No 5744 of 2 March 2012 – website, 15.3.2012

Law of Georgia No 1641 of 27 November 2013 – website, 16.12.2013

Law of Georgia No 2185 of 4 April 2014 – website, 16.4.2014

Law of Georgia No 3699 of 12 June 2015 – website, 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 it 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 – website, 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 natural or legal persons, or of the lawful interests of the public or the state, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for up to three years, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities for up to three years.

3. The act provided for in paragraph (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 office or to carry out activities 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.

[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 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. ***(Shall become effective upon the acquisition of full powers by the Parliament of Georgia elected in the next Parliamentary Elections 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 2008 – LHG I, No 29, 4.11.2008, Art. 176

Law of Georgia No 827 of 19 December 2008 – LHG I, No 41, 30.12.2008, Art. 305

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 – website, 11.11.2011

Law of Georgia No 3221 of 18 March 2015 – website, 26.3.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 6702 of 1 July 2020 – website, 7.7.2020

Article 333 – Exceeding official powers

1. Exceeding official powers by an official or a person equal thereto that has resulted in the substantial violation of the rights of natural or legal persons, or of the lawful interests of the public or state, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for up to three years, with deprivation of the right to hold an office or to carry out activities 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 office or to carry out activities for up to three years.

3. The act provided for by paragraph (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 office or to carry out activities 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 944 of 1 June 2017 – website, 20.6.2017

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 office or to carry out activities 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 office or to carry out activities 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 office or to carry out activities for up to five years.

Law of Georgia No 2355 of 6 June 2003 – LHG I, No 18, 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 determined 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 house arrest for a term of six months to two years, or by imprisonment for a term of two to four years, with deprivation of the right to hold an office or to carry out activities 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 944 of 1 June 2017 – website, 20.6.2017

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 of persons with preliminary 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 a 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 29, 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 his/her or other person's benefit, in order that he/she take or abstain from taking a certain action during the exercise of his/her official rights and performance of duties for the benefit of the bribe-giver or the other person, or use his/her official standing to achieve a similar goal, and exercise official patronage, –

shall be punished by a fine or corrective labour for up to two years, or by house arrest for a term of six months to two years or 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 paragraph 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 – website, 11.11.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by house arrest for a term of six months to two years or 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 – website, 11.11.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 for a term of 100 to 300 hours, or by deprivation of the right to hold an office or carry out activities for up to three years, or by house arrest for a term of six months to two years and/or 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 by deprivation of the right to carry out activities for up to three years and/or by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 natural or legal person or of the lawful interests of the public or state, –

shall be punished by a fine or house arrest for a term of six months to two years, by 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 342^1 – Violation of the internal regulations by an employee of the Special Penitentiary Service or an equivalent person

1. Non-compliance or improper compliance with the internal regulations by an employee of the state sub-agency institution operating within the system of the Ministry of Justice of Georgia – the Special Penitentiary Service or an equivalent person 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 institution, or disruption of the operation of a penitentiary institution, –

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.

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 – website, 18.5.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Law of Georgia No 5402 of 29 November 2019 – website, 10.12.2019

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 house arrest for a term of six months to two years 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 944 of 1 June 2017 – website, 20.6.2017

Article 343[1] – Manufacturing, producing, advertising, using, bringing into Georgia, transporting in Georgia, taking out of Georgia or selling an electronic map reflecting the violation of the principle of territorial integrity of Georgia, or a printed publication thereof, as well as other objects containing such an image

Manufacturing, producing, advertising, using, bringing into Georgia, transporting in Georgia, taking out of Georgia or selling an electronic map reflecting the violation of the principle of territorial integrity of Georgia, or a printed publication thereof, as well as other objects containing such an image, for the purpose of disseminating incorrect information on the territorial integrity of Georgia, –

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

Note:

1. A person who voluntarily surrenders an object under this article shall be released from criminal liability for the commission of a crime provided for by this article, unless there are signs of another crime in his/her act.

2. For the purposes of this article, the voluntary surrender of an object under this article shall be deemed only an act where a person, prior to the commencement of investigation, declares in writing or by any technical means of communication that the object has been submitted, and shall facilitate the seizure of the object with his/her active action.

3. For the act provided for by this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, or by liquidation and a fine.

Law of Georgia No 5924 of 22 May 2020 – website, 25.5.2020

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;

b) 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 released 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, 13.7.2006, Art. 196

Law of Georgia No 4060 of 17 July 2015 – website, 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 humiliating 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 in paragraph (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 an act provided for in this article a legal person shall be punished by deprivation of the right to carry out activities 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 344[2] – Creation of appropriate conditions for/organisation of illegal stay of a Georgian citizen in a foreign country by a person, and/or facilitation/organisation by a person of submission of false information by a Georgian citizen on violation of his/her rights or freedoms for obtaining international protection in a foreign country

1. Creation of appropriate conditions for/organisation of illegal stay of a Georgian citizen in a foreign country knowingly by a person for gaining financial or another material benefit, and/or facilitation/organisation knowingly by a person, with the same purpose, of submission of false information by a Georgian citizen on violation of his/her rights or freedoms for obtaining international protection in a foreign country, –

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

2. The same act committed:

a) by a group of persons with prior agreement;

b) repeatedly;

c) against two or more persons;

d) using a false document, –

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

3. An act provided for in paragraph (1) or (2) of this article committed by an organised group, –

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

Note:

1. Criminal liability for committing an offence under this article shall not be imposed on a person who has created appropriate conditions for illegal stay of his/her close relative in a foreign country, and/or has organised illegal stay of this person in a foreign country.

2. Criminal liability for committing an offence under this article shall not be imposed on a person who has facilitated his/her close relative in the submission of false information for obtaining international protection in a foreign country, and/or has organised the submission of false information by this person.

3. The minimal amount of a fine for committing an offence under this article by a legal person shall correspond to a ten-fold amount of a fine provided for a natural person under Article 42 of this Code.

4. For an act provided for in this article, a legal person shall be punished by liquidation or by deprivation of the right to carry out activities and/or a fine.

Law of Georgia No 4511 of 17 April 2019 – website, 22.4.2019

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 hoisting of the national flag of Georgia

Illegal hoisting of the national flag or of an identification sign of Georgia on a ship, –

shall be punished by a fine or imprisonment for up to one 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 house arrest for a term of six months to two years, or by corrective labour for up to one year.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 house arrest for a term of six months to two years, or by corrective labour for up to one year.

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 by corrective labour for up to two years or by imprisonment for up to one 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 by corrective labour for up to one year or by imprisonment for up to one year.

Law of Georgia No 5982 of 21 March 2008 – LHG I, No 9, 4.4.2008, 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 to one year, with deprivation of the right to hold an office or to carry out activities 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 up to a year or by community service from 180 to 240 hours and/or by deprivation of the right to hold an office or to carry out activities 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 one year, or by imprisonment for up to one 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 of Georgia

1. Influencing the Public Defender of Georgia in any form in order to prevent him/her from conducting his/her official activities, –

shall be punished by a fine or corrective labour for a term of one to two years, or by house arrest for a term of six months 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 office or carry out activities 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 944 of 1 June 2017 – website, 20.6.2017

Article 352[1] – Influencing the State Inspector or an officer of the Office of the State Inspector

1. Influencing the State Inspector or an officer of the Office of the State Inspector in any form in order to prevent him/her from conducting his/her official activities, –

shall be punished by a fine or corrective labour for a term of one to two years, and/or by house arrest for a term of six months 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 office or carry out activities for up to three years.

Law of Georgia No 3277 of 21 July 2018 – website, 9.8.2018

Law of Georgia No 4264 of 27 December 2018 – website, 29.12.2018

Law of Georgia No 4603 of 8 May 2019 – website, 8.5.2019

Article 353 – Resistance, threat or violence against a protector of public order or other representative of the authorities

1. Resistance to a police officer, employee of the Special Penitentiary Service or other representative of authority, using violence or threat of violence, with the purpose of interfering with the protection of public order, terminating or changing his/her activity, and coercing him/her into committing an obviously unlawful act, –

shall be punished by a fine or house arrest for a term of six months to two years, or by imprisonment for a term of two to five years.

2. The same act committed by a group of persons, –

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 353[1] – Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority or a public institution

1. Attacking a police officer, employee of the Special Penitentiary Service or other representative of authority, or his/her official or residential building, or his/her vehicle, or his/her family member in connection with the official activities of the police officer, employee of the Special Penitentiary Service or other representative of authority, –

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

2. Harming the health of a police officer, employee of the Special Penitentiary Service or other representative of authority, or his/her family member in connection with the official activities of the police officer, employee of the Special Penitentiary Service or other representative of authority, –

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

3. Taking life of a police officer, employee of the Special Penitentiary Service or other representative of authority, or his/her family member in connection with the official activities of the police officer, employee of the Special Penitentiary Service or other representative of authority, –

shall be punished by imprisonment for a term of sixteen to twenty years or life imprisonment.

Law of Georgia No 4981 of 1 July 2011 – website, 14.7.2011

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 one 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 property declaration or entry of incomplete or incorrect information therein

Failure to submit a 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 120 to 200 hours, with deprivation of the right to carry out activities 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 conscription, including by malingering, self-harming, using a false document or otherwise deceiving, –

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 by imprisonment for up to one year.

3. The act provided for in paragraph (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

Law of Georgia No 1119 of 28 June 2017 – website, 10.7.2017

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 by imprisonment for up to one 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 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 359^1 – Violation of a state of emergency or martial law

The violation of the regime of a state of emergency or martial law defined by a decree of the President of Georgia and/or other relevant normative acts (including the violation of the isolation and/or quarantine rule established regarding the issues provided for by the Law of Georgia on Public Health, if these rules are part of the regime of a state of emergency or martial law), that has been committed by a person on whom an administrative penalty was previously imposed for committing such act and/or by a person who has been convicted of a crime under this article, –

shall be punished by imprisonment for a term of up to six years, unless otherwise provided by a decree of the President of Georgia.

Note: For the act under this article, a legal person shall be punished by a fine, deprivation of the right to carry out activities or by liquidation and a fine, unless otherwise provided for by a decree of the President of Georgia.

Law of Georgia No 5889 of 23 April 2020 – website, 24.4.2020

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 by corrective labour from one to two years or by imprisonment for up to one year.

2. The same act committed using violence or threat of violence, –

shall be punished by house arrest for a term of six months to two years or 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 one 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.

1^1. Forging data/information, and own signatures and the signatures of supporters, in relevant forms of the lists of supporters provided for by the Organic Law of Georgia – the Election Code of Georgia, own, as well as the signature of the supporter, –

shall be punished by a fine.

2. The act under paragraph 1 or paragraph 1^1 of this article:

a) committed repeatedly;

b) that has resulted in substantial damage, –

shall be punished by 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, with deprivation of the right to carry out activities, or by liquidation and a fine.

3. For committing an offence provided for in 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 – website, 29.7.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 6726 of 2 July 2020 – website, 3.7.2020

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 house arrest for a term of six months to two years.

2. Theft of a personal identity certificate or other important personal document, –

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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

SECTION TWELVE

OFFENCE AGAINST JUDICIAL AUTHORITIES

CHAPTER XLI – Crime against 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 by 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 in 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 office or to carry out activities for up three years.

4. The act provided for in 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 office or to carry out activities for up to three years.

Note: For an act provided for in this article a legal person shall be punished by a fine or deprivation of the right to carry out activities.

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 2674 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 case 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, another participant in the legal proceedings or their close relatives, in connection with the investigation, conduct of defence, court hearing of a case or case material and/or with the enforcement of a judgment 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 activities.

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 by imprisonment for a term of up to one year.

Law of Georgia No 2648 of 1 August 2014 – website, 18.8.2014

Article 366 – Contempt of court

1. Contempt of court manifested in the insult of a participant in the legal proceedings, –

shall be punished by a fine or community service for one hundred and eighty to two hundred and forty hours or by imprisonment for up to one 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 by imprisonment for a term of 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 in 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 in the legal proceedings, of an enforcement officer, victim, witness or other participant in the 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 house arrest 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

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

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 – website, 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 office or to carry out activities 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 for a term of one to two years, or by imprisonment for up to one 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 office or to carry out activities 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 office or to carry out activities 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 office or to carry out activities 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 four years.

2. The same act committed for mercenary purposes or other personal motive, –

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

4. An act under paragraph 1 or 3 of this article committed repeatedly, –

shall be punished by imprisonment for a term of four to eight 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

Law of Georgia No 2904 of 4 July 2018 – website, 19.7.2018

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 by corrective labour for up to one year or by imprisonment for up to six 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 a 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

Law of Georgia No 2904 of 4 July 2018 – website, 19.7.2018

Article 371^1 – (Deleted)

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 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, false information or 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 by deprivation of the right to carry out activities 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 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 Aimed 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 by imprisonment for up to one 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 in Article 136-138 of the same Code, –

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 a bank account 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 6447 of 12 June 2012 – website, 25.6.2012

Article 375 – Concealment of a crime

1. Concealment of a crime under Articles 182(1), 186(1) and (2), 194^1(1) and (2), 202(1), 221(1-3), 332(1) and (2), 339(1), 339^1(1) and (2), 365(1-3) and 372(1) of this Code without prior promise, –

shall be punished by a fine or house arrest for a term of six months to two years, or imprisonment for a term of up to two years.

2. Concealment of a serious crime without prior promise, –

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

3. Concealment of a particularly serious crime without prior promise, –

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

Note: criminal liability for a crime under this article and Article 376 of this Code shall not be imposed on:

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 for defining the status of a victim of violence against women and/or domestic violence, established with an inter-agency commission for working on issues of gender equality, violence against women and domestic violence under the Law of Georgia on Prevention of Violence against Women and/or Domestic Violence, Protection and Assistance of Victims of Domestic Violence;

e) an employee of a facility for providing services to victims of violence/persons affected/supposed victims (a shelter/crisis centre) (except for a crime committed against a minor);

f) an employee of the Legal Entity under Public Law – Agency for State Care and Assistance for the (Statutory) Victims of Human Trafficking (except for a crime committed against a minor);

g) an operator of a free telephone assistance network for providing consultations to individuals.

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 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 – website, 11.11.2011

Law of Georgia No 2704 of 17 October 2014 – website, 31.10.2014

Law of Georgia No 763 of 4 May 2017 – website, 25.5.2017

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2904 of 4 July 2018 – website, 19.7.2018

Law of Georgia No 5466 of 11 December 2019 – website, 19.12.2019

Article 376 – Failure to report a crime

1. Failure to report a crime by a person who actually knows that a serious crime is being prepared or has been committed, –

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

3. Failure to report a crime by a person who actually knows that a particularly serious crime is being prepared or has been committed, –

shall be punished by imprisonment for a term of three to seven 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 – website, 25.12.2013

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Law of Georgia No 2354 of 17 May 2018 – website, 29.5.2018

Law of Georgia No 2904 of 4 July 2018 – website, 19.7.2018

Law of Georgia No 6753 of 13 July 2020 – website, 20.7.2020

CHAPTER XLIV – Crime against Enforcement of Judicial Acts

Article 377 – Unlawful acts related to inventoried or seized property or property subject to confiscation

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 confiscation or evasion of the enforcement of a judgment (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 by imprisonment for up to one 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 a 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 by imprisonment for up to one year.

Law of Georgia No 638 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 institution

1. Insubordination to a lawful demand of an employee of a penitentiary institution, which is accompanied by a threat against him/her and/or his/her close relative to take life, damage health or property in connection with the penitentiary facility employee's official activities, or other interference with and/or disorganisation of the activities of the institution, –

shall be punished by imprisonment for up to three years.

2. Coercion of a person placed in a penitentiary institution into changing evidence or refusing to give evidence, and 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 an employee of the state sub-agency institution operating within the system of the Ministry of Justice of Georgia or an employee of a penitentiary institution, and/or attack on the administration staff of this facility and/or creation of a criminal group or active participation in it for the same purpose in a penitentiary institution or other placement, as well as during 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. ***(The normative content of the measure of punishment determined for an act defined under Article 378(4)(b) ('shall be punished by imprisonment for a term of eight to ten years'), which applies to repeated commission of an act under paragraph 1 of this article, has been void)*** – Decision No 1/10/703 of the Constitutional Court of Georgia of 13 October 2017 – website, 19.10.2017

5. The act provided for in paragraph 3 or 4 of this article, which has been committed by a person convicted for a 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 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 5255 of 11 November 2011 – website, 24.11.2011

Law of Georgia No 3529 of 1 May 2015 – website, 18.5.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Decision No 1/10/703 of the Constitutional Court of Georgia of 13 October 2017 – website, 19.10.2017

Law of Georgia No 3125 of 5 July 2018 – website, 11.7.2018

Article 378[1] – Passing of a prohibited item to an accused/convicted person in a penitentiary institution or other placement, during his/her removal/transfer or extradition, and to a person placed in a temporary holding facility or a disciplinary cell

1. Passing of a prohibited item to an accused/convicted person in a penitentiary institution or other placement, during his/her removal/transfer or extradition, and to a person placed in a temporary holding facility or a disciplinary cell, –

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 had previously committed any of the crimes provided for by Articles 378-379 of this Code;

c) by a group of persons with preliminary 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 with the use of the official position, –

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

Note: a prohibited item shall be any item (thing) other than those items (things) that a person placed in a penitentiary institution, temporary holding facility or a disciplinary cell is allowed to have with him/her.

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 – website, 18.5.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 378[2] – Purchase, storage, carrying, consumption and/or use of a prohibited item by an accused/convicted person in a penitentiary institution or other placement, during his/her removal/transfer or extradition, and by a person placed in a temporary holding facility or a disciplinary cell

1. Purchase, storage, carrying, consumption and/or use of a prohibited item by an accused/convicted person in a penitentiary institution or other placement, during his/her removal/transfer or extradition, and by a person placed in a temporary holding facility or a disciplinary cell, –

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 – website, 18.5.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 379 – Escape of an accused/convicted person from the place of arrest, penitentiary institution or other placement, during his/her removal/transfer or extradition

1. Escape of an accused/convicted person from the place of arrest, penitentiary institution or other placement, during his/her removal/transfer or extradition, –

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

2. The same act committed:

a) by a group of persons;

b) with violence endangering life or health, or threat of such violence, –

shall be punished by imprisonment for a term of six 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 – website, 18.5.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 380 – Evasion of serving imprisonment as a punishment

Evasion of serving a sentence by a convicted person who is allowed to leave a penitentiary institution for a short period, –

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

Note: For the purposes of this article, evasion of serving imprisonment as a punishment shall also be the non-fulfilment by a convicted person of obligations determined under Article 71^{6}(4) and Article 72(3^{5}) of the Imprisonment Code.

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 – website, 18.5.2015

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

Article 381 – Failure to execute or interference with the execution of a judgment or other court decisions

1. Failure to execute or interference with the execution of a final judgment 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 by imprisonment for up to two 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 by imprisonment for a term of two to four years, with deprivation of the right to hold an office or to carry out activities for up to three years.

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 2006 – 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 – website, 11.11.2015

Law of Georgia No 163 of 21 December 2016 – website, 28.12.2016

Article 381[1] – Failure to perform the requirements and/or obligations provided for by a protective or restraining order. Failure to observe a social worker's decision on separation of a minor

1. Failure to comply with the requirements and/or obligations under a protective order or a restraining order, and/or entering by the perpetrator, during electronic surveillance, into an alarm zone determined by the procedure for electronic surveillance, and/or failure by the perpetrator to comply with the demand of an authorised person to leave an alarm or a buffer zone, and/or avoiding by the perpetrator of electronic surveillance, that is, an act as a result of which electronic surveillance became impossible, –

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours, or by imprisonment for a term of up to one year, with or without restriction of the rights regarding weapons.

2. Failure to observe a social worker's decision on separation of a minor committed by a person on whom an administrative penalty has been imposed for such an act under Article 175[2] of the Administrative Offences Code of Georgia, –

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or by imprisonment for a term of up to one year, with or without restriction of the rights regarding weapons.

3. An act under paragraph (1) or (2) of this article committed repeatedly, –

shall be punished by imprisonment for a term of one to three years, with or without restriction of the rights regarding weapons.

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

Law of Georgia No 2395 of 30 May 2018 – website, 8.6.2018

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 6760 of 13 July 2020 – website, 20.7.2020

Article 381[2] – Failure to comply with the requirements of a guardianship and custodianship authority

1. Failure to comply with the demand of a guardianship and custodianship authority related to the transfer of a minor child by a parent to another parent under a court decision, or related to the exercise of the right of the other parent, other legal representative or any other family member to interact with the minor child on the basis of a court decision, or in cases of international wrongful removal/retention of a child, which has been committed by a person on whom an administrative penalty was previously imposed for such an act according to Article 173[13] of the Administrative Offences Code of Georgia, –

shall be punished by a fine or community service from one hundred and eighty to two hundred and forty hours or imprisonment for a term of up to one year.

2. The same act committed repeatedly, –

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

Law of Georgia No 3971 of 10 December 2010 – LHG I, No 72, 22.12.2010, Art. 435

Law of Georgia No 3772 of 30 November 2018 – website, 14.12.2018

Law of Georgia No 6059 of 10 June 2020 – website, 19.6.2020

SECTION THIRTEEN

CRIME AGAINST MILITARY SERVICE

CHAPTER XLV – Crime against Subordination Procedure and Protection of Military Dignity

Article 382 – Concept of crime against military service

1. A crime against military service shall be an act under this Section, which is directed against the procedure for military service and committed by a military service person, or 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

Law of Georgia No 3609 of 31 October 2018 – website, 21.11.2018

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 one 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 one 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 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 by 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 by 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 be 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;

d) committed using a weapon;

e) 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 in paragraph (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, 14.12.2000 Art. 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 one 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 a valid reason for more than two days, but not longer than ten days, –

shall be punished by imprisonment for up to 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 by imprisonment for up to 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 – website, 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 by imprisonment for up to one 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 one 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 by imprisonment for a term of two to five

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 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 by 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 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 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 by 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 by 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 by 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 one 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 by 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 by imprisonment for up to one 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 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 by 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 by 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 by 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 office or to carry out activities for up to three years.

2. The same act that has resulted in loss 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 office or to carry out activities 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 loss 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 loss 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 them, 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 by imprisonment for a term of two to five years.

2. The same act that has resulted in loss 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

SECTION FOURTEEN

OFFENCE AGAINST MANKIND

CHAPTER XLVII – Crime against Humanity, Peace and Security and against 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 by 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 – website, 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 activities for up to three years.

Law of Georgia No 2727 of 30 October 2014 – website, 6.11.2014

Article 406 – Manufacturing, purchase, storage, selling, carrying, transit or transfer of weapons of mass destruction

Manufacturing, purchase, storage, selling, carrying, transit or transfer of chemical and biological weapons, or another weapon of mass destruction that are prohibited under the international agreement of Georgia, –

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

Note: For the act under this article, a legal person shall be punished by a fine, with deprivation of the right to carry out activities, 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 2641 of 23 February 2010 – LHG I, No 9, 15.3.2010, Art. 31

Law of Georgia No 4027 of 22 December 2018 – website, 26.12.2018

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 by 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, sexual assault, 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 by 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 by 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 Organisation, the Red Cross, the Red Crescent, the Red Crystal or other markings recognised under the international humanitarian law, which has resulted in human deaths or serious bodily injuries;

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 humiliates 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 by life imprisonment.

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

Law of Georgia No 971 of 15 June 2017 – website, 30.6.2017

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 is not necessitated by their health condition and which does 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

An act that does not contain the elements of the crime provided for in Article 411 or 412 of this Code, in particular:

a) looting, 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 provided for in an international agreement of Georgia and are not punished under Article 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 imprisonment shall be prepared and reviewed 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 in 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 the 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 Making 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 punishment in the case of cumulative offences/judgments 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

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 become effective from 1 June 2000.

2. Article 44 shall become effective upon entry into force of the Law of Georgia on Procedure for Enforcing Non-custodial Sentences and Probation.

3. (Deleted – 1.6.2017, No 944).

4. Chapter XXXIII of this Code with regard to psychotropic substances and their analogues shall become effective upon entry into force of the Law of Georgia on Narcotic Drugs, Psychotropic Substances and Precursors.

5. After this Code becomes effective, the Criminal Code of Georgia of 30 December 1960 shall be declared repealed (the 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 – website, 16.10.2013

Law of Georgia No 1796 of 13 December 2013 – website, 28.12.2013

Law of Georgia No 2980 of 25 December 2014 – website, 30.12.2014

Law of Georgia No 185 of 22 December 2016 – website, 29.12.2016

Law of Georgia No 944 of 1 June 2017 – website, 20.6.2017

President of Georgia **Eduard Shevardnadze**

Tbilisi,

22 July 1999

No 2287-რს