

On the Procedure for Registering Citizens of Georgia and Aliens Residing in Georgia, for Issuing Identity (Residence) Cards and Passports of a Citizen of Georgia

Law of Georgia No 181 of 24 June 2004 – LHG I, No 19, 15.7.2004, Art. 93

Chapter I. General Provisions

Article 1

1. Under the Constitution of Georgia and international human and civil rights acts, everyone who lawfully stays in Georgia is guaranteed the right of free movement and free choice of place of residence throughout the country.
2. These rights may be restricted only by law to ensure national security, or public safety, to protect health, to prevent crime, or to administer justice that is essential for a democratic society.

Article 1<sup>1</sup>

1. The personal number is a unique identification datum of a person that shall not be changed, except as expressly provided for by the legislation of Georgia.
2. The personal number is assigned to a person when being registered according to the place of residence (including when being registered without indication of the address), or when issuing a citizenship and/or identity document – an ID card of a citizen of Georgia, a residence card of an alien residing in Georgia, a neutral ID card, a neutral travel document, a passport of a citizen of Georgia – or in other cases as expressly provided for by law.  
**[2. The personal number is assigned to a person when being registered according to the place of residence (including when being registered without indication of the address), or when issuing a Georgian citizenship and/or identity document – an ID card of a citizen of Georgia, a residence card of an alien residing in Georgia, a temporary identification certificate, a neutral ID card, a neutral travel document, a passport of a citizen of Georgia – or in the other cases expressly provided for by law. (To be enacted as from 1 September 2014)]**
3. The procedure for assigning a personal number is determined by an order of the Minister for Justice of Georgia.

Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011

Law of Georgia No 2051 of 5 March 2014 - website, 17.3.2014

Chapter II. Registration and Deregistration

Article 2

1. Citizens of Georgia and aliens residing in Georgia shall be registered to ascertain data of citizens of Georgia and aliens residing in Georgia, also to implement civil rights and obligations of citizens.
2. Under this Law, an alien permanently residing in Georgia or a person having the status of a stateless person in Georgia shall be considered to be an alien residing in Georgia.  
**[2. Under this Law, an alien holding a residence permit in Georgia, also a person having the status of a stateless person in Georgia shall be considered to be an alien residing in Georgia. (To be enacted as from 1 September 2014)]**
3. Registration or lack of registration may not be the grounds for restricting the constitutional rights and freedoms of citizens of Georgia and aliens residing in Georgia, including for restricting the right to administer property, nor it may be the condition for exercising the above rights and freedoms, except as provided for by the electoral legislation.
4. If so provided for by the legislation of Georgia, a state, local self-government body, any other institution, or a legal person may request a person to submit his/her identity (residence) card or its copy to verify the place of residence. No notarisation of a copy shall be required. If the 'address' field in the identity (residence) card is blank, a person may be further requested to submit his/her registration certificate or its copy which requires no notarisation. If it is an electronic identity (residence) card, the place of residence shall be ascertained under the electronic identity (residence) card through verifying the respective information in the electronic database of the Legal Entity under Public Law (LEPL) – the Public Service Development Agency within the Ministry for Justice of Georgia ('the Agency').
5. No state, local self-government body, or other institution, or legal person shall demand any person a certificate of place of residence when recruiting employees, performing an act of legal significance, or for other purposes.



Law of Georgia No 579 of 27 October 2000 - LHG I, No 39, 10.11.2000, Art. 112

Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23

Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011

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

Law of Georgia No 6317 of 25 May 2012 - website, 19.6.2012

Law of Georgia No 2051 of 5 March 2014 - website, 17.3.2014

### Article 3

1. Citizens of Georgia and aliens residing in Georgia shall be obliged to get registered according to their place of residence, and if they have several places of residence, they shall get registered by any of them. Persons between 14 and 18 years of age shall be registered according to the place of residence, and identity (residence) cards shall be granted to them based on the application of persons, or their legal representative.

2. Citizens of Georgia shall be obliged to obtain an ID card within six months after they attain the age of 14. Persons under the age of 14 may also obtain an ID card, if so desired.

2<sup>1</sup>. Aliens residing in Georgia shall be obliged to obtain a residence card as determined by the legislation of Georgia.

2<sup>2</sup>. To obtain an identity (residence) card, citizens of Georgia and aliens residing in Georgia must be registered as determined by this Law. Citizens of Georgia who have left for any other country for permanent residence under an emigration permit issued under the legislation of Georgia shall not be obliged to get registered in order to obtain an electronic ID card.

3. Persons under the age of 14, also persons under guardianship and care, shall be registered according to the place of residence based on application of their legal representative, or head of a guardianship and care agency, head of a preschool childcare institution, head of a general education institution, trustee of a self-government unit, authorised representative of the administration of a temporary administrative-territorial unit of former Autonomous Region of South Ossetia or representative of the Government of the Autonomous Republic of Abkhazia.

3<sup>1</sup>. Persons under the age of 14, also persons under guardianship and care shall be granted an identity (residence) card based on the application of their legal representatives.

4. When registering birth, minors shall be registered according to their place of residence. Persons shall be considered to be registered according to the place of residence as from their birth registration. When registering birth of minors, if both parents or other legal representative of minors is registered without indication of the address, the minors shall be registered according to the place of actual residence of a parent or other legal representative, as determined by the legislation of Georgia.

5. Under this Law, the place of residence of persons shall be deemed the place they have chosen for residence.

6. Persons under the age of 16, also persons under guardianship and care, shall be registered together with their parents, guardians, carers, or other legal representatives. They may be registered to other address only by a written consent of one of the above persons. The consent may also be expressed to an authorised person of the Agency by means of electronic communication, as determined by an order of the Minister for Justice of Georgia.

7. Citizens of Georgia who stay abroad has the right to apply to a diplomatic representation or a consular office of Georgia for consular registration.

8. Citizens of Georgia who stay abroad for more than six months shall be obliged to apply to a diplomatic representation or a consular office of Georgia for consular registration not later than 10 days after the six months expire.

9. Only the citizens of Georgia who stay abroad and who are not registered in Georgia may get registered with a diplomatic representation or a consular office of Georgia abroad. A consular official of a diplomatic representation or a consular office of Georgia abroad shall conduct registration within the delegated powers.

10. A diplomatic representation or a consular office of Georgia abroad shall issue an ID card to registered citizens of Georgia, if so desired by the registered persons.

9. Only the citizens of Georgia who stay abroad and who are not registered in Georgia may apply for registration to a diplomatic representation of Georgia abroad, Georgian Interests Section at a diplomatic representation in a third country or a consular office ('the diplomatic representation or consular office of Georgia abroad').

10. An electronic ID card shall be granted to the citizens of Georgia staying abroad only if they so desire. *(To be enacted as from 27 July 2014)*

11. In the cases provided for by the ninth paragraph of this article, consent of the owner of place of residence abroad shall not be mandatory for registration to an address abroad.

12. Persons registered with consular offices shall be granted a respective consular registration card that is valid only together with the passport of a citizen of Georgia.

13. The procedures and conditions for consular registration and deregistration shall be determined by an order of the Minister for Foreign Affairs of Georgia.

14. (Deleted – 24.6.2011, No 4937).



15. Information on registration, consular registration, identification details of persons, and information on documents issued shall be recorded in the electronic database of the Agency.

16. The procedures for communicating to the interested parties of the decisions on registration and issuance of ID (residence) cards, as well as for delivering ID (residence) cards to the interested parties shall be determined by an order of the Minister for Justice of Georgia; and the procedure for exercising the above powers by a diplomatic representation or consular office of Georgia abroad shall also be determined by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia.

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255*

*Law of Georgia No 3653 of 1 October 2010 -LHG I, No 53, 11.10.2010, Art. 337*

*Law of Georgia No 4049 of 15 December 2010 -LHG I, No 76, 29.12.2010, Art. 493*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 5664 of 28 December 2011 - website, 12.1.2012*

*Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014*

#### **Article 4**

1. If a person changes the place of residence for more than six months, he/she shall be obliged, not later than 10 days after the six months expire, to apply to an authorised territorial office of the Agency for registration in compliance with the requirements of this Law. The procedure shall not apply to citizens of Georgia staying abroad.

2. If a person changes his/her place of residence within Georgia, the date of registration of the person to a new address shall be the date of his/her deregistration.

3. If a person changes his/her place of residence for more than three months due to his/her imprisonment or service of sentence, the administration of a respective facility where the person is held, shall be obliged, not later than 10 days after the three months expire, to apply to a territorial office of the Agency according to the person's place of registration to inform of the person's location; this fact shall be recorded accordingly in the database of the Agency.

4. If a person changes his/her place of residence for more than three months due to compulsory or contractual military service, the administration of a respective facility where the person serves, shall be obliged, not later than 10 days after the three months expire, to apply to a territorial office of the Agency according to the person's place of registration to inform of the person's location; this fact shall be recorded accordingly in the database of the Agency.

5. If, in the cases provided for in the third and fourth paragraphs of this article, a person, or a person in a childcare orphanage or childcare-education orphanage facility has no place of registration, the administration of the facility shall be obliged, as determined by law, to apply to an authorised territorial office of the Agency for registering the person. The address of the facility shall be recorded as the person's place of registration. In this case, a person shall not be required to obtain an ID (residence) card when registered.

*Law of Georgia No 1569 of 21 June 2002 - LHG I, No 21, 12.7.2002, Art. 94*

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 2213 of 1 December 2009 - LHG I, No 42, 10.12.2009, Art. 315*

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

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

#### **Article 5**

1. (Deleted).

1<sup>1</sup>. Submission of documents under this Law to register a person shall not be mandatory if the information in a document is contained in the electronic database of the Agency.

1<sup>2</sup>. Paragraph 1<sup>1</sup> of this article shall not apply to submission of documents to the diplomatic representations and consular offices of Georgia that are not



linked to the electronic database of the Agency.

2. Persons living in a building that is not firmly fixed to the ground, or is not intended for a long-term stay of people, or persons living in a building the address of which cannot be identified, shall get registered without indication of the address according to the populated locality where he/she stays. When registering a minor according to the place of residence at his/her birth registration if he/she has no legal representative or the legal representative is not registered, the minor shall be registered without indication of the address. A person's actual place of residence (if any) shall be entered into an application form and into the electronic database of the Agency.

3. Registration of a person without indication of the address shall be valid for six months of the registration date. After the time frame expires, the person shall be deemed deregistered which shall be used as the basis for suspending an electronic ID (residence) card. After the registration time frame expires, a person shall be obliged to get re-registered as determined by the legislation of Georgia.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 806 of 19 December 2008 - LHG I, No 40, 29.12.2008, Art. 267*

*Law of Georgia No 1391 of 11 July 2009 - LHG I, No 21, 3.8.2009, Art. 109*

*Law of Georgia No 2213 of 1 December 2009 - LHG I, No 42, 10.12.2009, Art. 315*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

## **Article 6**

A person who submits documents under the legislation of Georgia shall not be denied registration unless otherwise determined by law. When registering, no document other than those required by the legislation of Georgia shall be requested.

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 806 of 19 December 2008 - LHG I, No 40, 29.12.2008, Art. 267*

## **Article 7**

1. Territorial offices of the Agency shall register and deregister persons residing in Georgia.

2. A diplomatic representation or consular office of Georgia shall register citizens of Georgia residing abroad.

**[1. Registration and deregistration shall be provided by territorial offices of the Agency.]**

**2. Citizens of Georgia residing abroad may apply for registration to a diplomatic representation or consular office of Georgia abroad. (To be enacted as from 27 July 2014)]**

2<sup>1</sup>. A diplomatic representation or consular office of Georgia abroad shall be responsible for consular deregistration of the citizens of Georgia staying abroad, and the Agency, a diplomatic representation or consular office of Georgia abroad shall be responsible for consular registration of the citizens of Georgia staying abroad.

3. The Agency shall be responsible for consular deregistration of citizens staying in Georgia based on the application.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art.337*

*Law of Georgia No 4049 of 15 December 2010 - LHG I, No 76, 29.12.2010, Art.493*

*Law of Georgia No 2480 of 29 May 2014 – website, 29.5.2014*

## **Article 8 (Deleted)**

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

## **Article 9**

<http://www.matsne.gov.ge>



When registering a male between the age of 14 and 65, a registration body shall be obliged to notify the date of his registration and the new residence address to the military division of an appropriate local self-government body within 10 days after the registration, and the date of deregistration within 10 days after the deregistration.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

#### **Article 10**

A deceased person shall be deregistered by a territorial office of the Agency, or a diplomatic representation or consular office of Georgia abroad when registering the death, or upon receiving a notice of the death registration of a citizen of Georgia, or a notice of the death of a citizen of Georgia from the authorised bodies of a foreign country through diplomatic channels.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art.337*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

#### **Article 10<sup>1</sup>**

Rules and procedure for registration and deregistration shall be determined by an order of the Minister for Justice of Georgia, and the procedure for exercising these powers by a diplomatic representation or consular office of Georgia abroad shall also be determined by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia.

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

#### **[Article 10<sup>1</sup>**

Rules and procedure for registration and deregistration shall be determined by an order of the Minister for Justice of Georgia, and the procedure, time frames and scope of exercising these powers and/or individual acts necessary for exercising such powers by a diplomatic representation or consular office of Georgia abroad shall also be determined by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia. **(To be enacted as from 27 July 2014)**

*Law of Georgia No 2480 of 29 May 2014 – website, 29.5.2014*

#### **Article 10<sup>2</sup>**

A person appearing as a witness in an administrative proceeding for registration and deregistration shall be obliged to testify on registration and deregistration issues. The witness who has testified shall be held liable under the Criminal Code of Georgia for giving false testimony to, or misleading the Agency or its territorial office.

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

### **Chapter III. Procedure for Certifying the Identities of Citizens of Georgia and Aliens Residing in Georgia**

#### **Article 11**

1. Basic identity documents of citizens of Georgia and aliens residing in Georgia shall be:

- a) an ID card of a citizen of Georgia
- b) a residence card.

2. A residence card may be permanent or temporary.



3. A temporary residence card shall also be issued to a person having a refugee or humanitarian status as determined under the Law of Georgia on Refugee and Humanitarian Statuses.

4. An overseas compatriot card shall be the identity document of its holder.

5. Issuance of an overseas compatriot card shall be regulated under the Law of Georgia on Compatriots and Diaspora Organisations.

[6. A temporary ID card shall be the identity document of its holder to be issued in the cases and as determined by an order of the Minister for Justice of Georgia. **(To be enacted as from 1 September 2014)**]

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 6301 of 25 May 2012 - website, 12.6.2012*

*Law of Georgia No 2051 of 5 March 2014 - website, 17.3.2014*

## Article 11<sup>1</sup>

1. If legal relations require identification and certification of identity of a citizen of Georgia or of an alien residing in Georgia, any natural or legal person being a party to the legal relations, who has lawfully obtained details of the ID (residence) card of a respective person from the electronic database of the Agency, may use the details as the identity document to identify the person.

2. A document under the legislation of Georgia which contains the first name, the last name, and the personal number of a citizen of Georgia or an alien residing in Georgia may be used as the identity document to identify a person if the necessary information for certifying the identity is duly verified in the electronic database of the Agency.

*Law of Georgia No 1391 of 11 July 2009 - LHG I, No 21, 3.8.2009, Art. 109*

*Law of Georgia No 5852 of 16 March 2012 - website, 29.3.2012*

## Article 12

1. An ID card of a citizen of Georgia shall certify the citizenship of Georgia, the identity, and the place of residence of a person.

2. A residence card shall certify the citizenship of an alien residing in Georgia, his/her identity, and the place of residence within Georgia.

3. A temporary residence card issued to a person having a refugee or humanitarian status shall certify his/her citizenship, identity, status, and place of residence in Georgia.

[4. A temporary ID card shall certify the citizenship, identity and status of a person staying in Georgia. **(To be enacted as from 1 September 2014)**]

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

*Law of Georgia No 2051 of 5 March 2014 - website, 17.3.2014*

## Article 13

1. The Agency shall issue and replace ID (residence) cards of persons residing in Georgia through its territorial offices, and diplomatic representations or consular offices of Georgia abroad shall issue and replace, within the delegated powers, ID cards of citizens of Georgia staying in other states. Diplomatic representations or consular offices of Georgia abroad may only issue ID cards under Article 14(1) of this Law.

[1. The Agency shall issue and replace ID (residence) cards through its territorial offices. Citizens of Georgia staying abroad may apply to a diplomatic representation or consular office of Georgia abroad for obtaining or replacing an electronic ID card. **(To be enacted as from 27 July 2014)**]

2. To exercise powers under the first paragraph of this article, the Agency shall provide the Ministry for Foreign Affairs of Georgia with relevant forms.

[2. Deleted – 29.5.2014, No 2480). **(To be enacted as from 27 July 2014)**]

3. Territorial offices of the Agency shall issue ID and residence cards (except for temporary residence cards) on the 10<sup>th</sup> business day after submitting documents under this Law, or in an expedited manner, within the time frame as determined by an ordinance of the Government. Diplomatic representations or consular offices of Georgia abroad shall issue ID cards within one month.



3. Territorial offices of the Agency shall issue ID and residence cards (except for temporary residence cards) on the 10 business day after submitting documents under this Law, or in an expedited manner, within the time frame as determined by an ordinance of the Government. Electronic ID cards shall be issued based on an application filed with a diplomatic representation or consular offices of Georgia abroad within 45 days after filing the application. **(To be enacted as from 27 July 2014)**

4. If there is an inconsistency in issued documents, except as provided for by the legislation of Georgia, the details contained in birth records shall be deemed as accurate details; and the details contained in birth certificates shall be deemed accurate for persons whose birth was registered in the territory of the Autonomous Republic of Abkhazia, the former Autonomous Region of South Ossetia, or abroad, and whose birth records are absent.

*Law of Georgia No 181 of 24 June 2004 – LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255*

*Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art.337*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014*

#### **Article 14**

1. An ID (residence) card of a citizen of Georgia shall consist of two pages; it shall be printed and completed in the Georgian language, and in the Autonomous Republic of Abkhazia also in Abkhazian language.

2. An ID card of a citizen of Georgia shall be issued to persons under the age of 18 for four years, and to persons that have attained the age of 18 – for 10 years. ID cards under the tenth paragraph of this article to be issued by territorial offices of the Agency, except for electronic ID cards, shall be issued for up to six months as determined by an order of the Minister for Justice of Georgia.

3. Details of an ID card shall be:

- a) first name
- b) last name
- c) date of birth
- d) place of birth
- e) personal number
- f) photo with an official seal of a territorial office of the Agency, or a diplomatic representation or a consular office of Georgia abroad

**(f) photo with an official seal of a territorial office of the Agency (To be enacted as from 27 July 2014)**

- g) signature of a card holder
- h) name of the issuing authority
- i) signature of a person authorised by a territorial office of the Agency, diplomatic representation or consular office

**(i) signature of a person authorised by a territorial office of the Agency (To be enacted as from 27 July 2014)**

- j) embossed seal
- k) date of issue
- l) validity of a card
- m) address
- n) date of registration.

3<sup>1</sup>. A diplomatic representation or consular office of Georgia abroad may issue an ID card of a citizen of Georgia without a detail provided for by paragraph 3(j) of this article.

**[3<sup>1</sup>. (Deleted – 29.5.2014, No 2480). (To be enacted as from 27 July 2014)]**

4. An ID (residence) card of a citizen of Georgia may contain an electronic data carrier, in which the ID (residence) card details shall be electronically inserted (recorded) (electronic ID (residence) card).



4<sup>1</sup>. An electronic ID (residence) card may contain a digital signature certificate.

[4<sup>1</sup>. An electronic ID (residence) card may contain a digital signature certificate, the corresponding closed key and protecting activation data to protect the key from unauthorised use, also certificates and/or keys designated for the protection of electronic ID (residence) cards and/or for the integrity, authenticity and confidentiality of the data inserted (recorded) in it. (To be enacted as from 27 July 2014)]

5. An electronic data carrier must have sufficient storage capacity and features to ensure data integrity, authenticity, and confidentiality.

6. Technical specifications and standards that an electronic ID (residence) card must meet, and the procedure for inserting (recording) the data under the seventh, eighth and ninth paragraphs of this article in an electronic ID (residence) card shall be determined by an order of the Minister for Justice of Georgia.

[6. The technical specifications and standards that an electronic ID (residence) card must meet and the procedure for inserting (recording) the data under the seventh and ninth paragraphs of this article in an electronic ID (residence) card shall be determined by an order of the Minister for Justice of Georgia. (To be enacted as from 27 July 2014)]

6<sup>1</sup>. An electronic ID (residence) card shall consist of two pages. It shall be printed and completed in the Georgian and English languages.

7. An electronic ID (residence) card must contain the following details:

- a) first name
- b) last name
- c) date of birth
- d) place of birth

[d<sup>1</sup>] citizenship

[d<sup>2</sup>] gender (To be enacted as from 27 July 2014)]

- e) personal number
- f) photo
- g) signature of a card holder
- h) (deleted – 24.6.2011, No 4937)
- i) (deleted – 24.6.2011, No 4937)
- j) name of the issuing authority
- k) date of issue
- l) validity of a card
- m) authentication certificate

[m] authentication certificate, the corresponding closed key and protecting activation data to protect the key from unauthorised use (To be enacted as from 27 July 2014)]

n) (deleted – 24.6.2011, No 4937).

8. In addition to the details referred to in the seventh paragraph of this article, an electronic residence card must also indicate the citizenship of a card holder.

[8. (Deleted – 29.5.2014, No 2480). (To be enacted as from 27 July 2014)]

9. Additional details that an electronic ID (residence) card must contain may be determined by an order of the Minister for Justice of Georgia.

[9. Additional information about a person not provided for by this article may be entered (recorded) into an electronic ID (residence) card and appropriate electronic information medium only by consent of the person, within the scope of additional data determined by an order of the Minister for Justice of Georgia. (To be enacted as from 27 July 2014)]

10. Territorial offices of the Agency that will be authorised to issue electronic ID (residence) cards shall be determined by an order of the Minister for Justice of Georgia. The territorial offices shall issue ID (residence) cards under the first paragraph of this article if issuance of electronic ID (residence) cards is impossible for objective reasons.

[10<sup>1</sup>. Diplomatic representations and consular offices of Georgia abroad may accept applications for issuing only electronic ID cards and such applications may be filed only with the diplomatic representations and consular offices that are linked to the electronic database of the Agency. (To be enacted as from 27 July 2014)]





[11. A temporary identity certificate shall be issued for one year. The form of a temporary identity certificate shall be approved by an order of the Minister for Justice of Georgia. **(To be enacted as from 1 September 2014)**]

*Law of Georgia No 1569 of 21 June 2002 - LHG I, No 21, 12.7.2002, Art. 94*

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008, - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255*

*Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art. 337*

*Law of Georgia No 4049 of 15 December 2010 - LHG I, No 76, 29.12.2010, Art. 493*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 2051 of 5 March 2014 - website, 17.3.2014*

*Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014*

## **Article 15**

1. A residence card details shall be:

- a) first name
- b) last name
- c) date of birth
- d) place of birth
- e) personal number
- f) photo with the official seal of a territorial office of the Agency
- g) citizenship
- h) name of the issuing authority
- i) signature of a card holder
- j) signature of a person authorised by a territorial office of the Agency
- k) embossed seal
- l) date of issue
- m) address
- n) date of registration
- o) validity of a card.

2. A temporary residence card shall be valid for as long as the residence permit is valid, and a permanent residence card shall be valid for five years.

3. A temporary residence card issued to a refugee shall be valid for three years.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

## **Article 16**



1. To obtain an ID card of a citizen of Georgia, a person shall be obliged to submit an appropriate request, his/her birth certificate or other identity document, a photo; and if the submitted document or the one kept in the Agency database cannot certify that a person is a citizen of Georgia, and if it is necessary to verify his/her citizenship, the document certifying the citizenship of Georgia shall also be submitted. The list of identity documents that may be submitted and used instead of a birth certificate shall be compiled under an order of the Minister for Justice of Georgia.

2. Submission of the documents under this Law shall not be mandatory to obtain an ID card if the electronic database of the Agency contains the information in a respective document.

3. The second paragraph of this article shall not apply to submission of documents under this Law to the diplomatic representations or consular offices of Georgia that are not linked to the electronic database of the Agency.

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 1391 of 11 July 2009 - LHG I, No 21, 3.8.2009, Art. 109*

*Law of Georgia No 4049 of 15 December 2010 - LHG I, No 76, 29.12.2010, Art. 493*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

## **Article 17**

1. To obtain a residence card, a person shall be obliged to submit a document certifying the citizenship of any other state or his/her statelessness, photos, and the document certifying his/her legal residence in Georgia.

1<sup>1</sup>. The documents shall be submitted in copies that are translated into the Georgian language, and certified under the legislation of Georgia. The Agency may accept the passport of a foreign national without Georgian translation if it contains the alien's personal data in Latin transliteration.

2. To obtain a residence card, a person having a refugee or humanitarian status shall be obliged to submit only the document certifying the refugee or humanitarian status, and the photos.

3. Submission of the documents under this Law shall not be mandatory to obtain a residence card if the electronic database of the Agency contains the information in a respective document.

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 1391 of 11 July 2009 - LHG I, No 21, 3.8.2009, Art. 109*

*Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

## **Article 18**

1. A person shall be obliged to replace his/her ID (residence) card if:

- a) the validity of a card has expired;
- b) the place of residence has changed;
- c) the first name or last name has changed;
- d) an inaccuracy in the record has been identified;
- e) the ID (residence) card has become unfit for use (wear-out, damage) or has been lost.

2. Paragraph 1(b) of this article shall not apply to an electronic ID (residence) card.

3. An electronic ID (residence) card shall be suspended:

- a) if so provided for by Article 5(3) of this Law;
- b) if a person is deregistered in the cases and as determined under the legislation of Georgia.

4. An ID (residence) card shall be cancelled if:

- a) an interested person has failed to pick up the produced ID (residence) card within one year after expiry of the term determined under the legislation of Georgia for issuing identity (residence) cards;
- b) an interested person has replaced the ID (residence) card;
- c) reasons under paragraph 1(c) and (d) of this article were revealed after the ID (residence) card was issued;



d) a person has submitted forged documents to obtain an ID (residence) card, and which was revealed after the ID (residence) card was issued;

e) a person is deregistered in the cases and as determined by the legislation of Georgia.

5. Additional reasons for replacing, suspending, and cancelling ID (residence) cards may be determined by an order of the Minister for Justice of Georgia.

*Law of Georgia No 1569 of 21 June 2002 - LHG I, No 21, 12.7.2002, Art. 94*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

## **Article 19**

1. A person, whose Georgian citizenship has been terminated, shall be obliged to hand in his/her ID card to a territorial office of the Agency, diplomatic representation or consular office of Georgia.

1<sup>1</sup>. (Deleted).

2. A foreign national or a stateless person, who no longer resides in Georgia, shall be obliged to hand in his/her residence card to a territorial office of the Agency.

3. An ID (residence) card of a deceased person, also a found ID (residence) card, must be handed in to a territorial office of the Agency. After the ID (residence) card of a deceased person is cancelled, it shall be returned to the person who submitted the card.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 2213 of 1 December 2009 - LHG I, No 42, 10.12.2009, Art. 315*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

## **Article 20**

1. It shall be prohibited to seize an ID (residence) card, except as provided for by the legislation, or to pledge an ID (residence) card.

2. Procedures for executing and issuing identity and Georgian citizenship documents, also for registering and certifying the identities of aliens, shall be defined by an order of the Minister for Justice of Georgia; and the procedure for exercising these powers by diplomatic representations or consular offices of Georgia abroad shall also be defined by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia.

[2. Procedures and terms for executing and issuing documents certifying the identity and citizenship of Georgia, also for registering and identifying aliens, shall be determined by an order of the Minister for Justice of Georgia; and the procedure, time frames and scopes for exercising these rights and/or performing individual acts necessary for exercising such rights by a diplomatic representation or consular office of Georgia abroad shall also be determined by a joint order of the Minister for Foreign Affairs of Georgia and Minister for Justice of Georgia. **(To be enacted as from 27 July 2014)**]

2<sup>1</sup>. Terms and procedures for delegating representative powers to a third person by electronic communication means in order to enjoy services within powers of the Agency shall be defined by an order of the Minister for Justice of Georgia.

3. The procedure for administrative bodies to use records stored by the Agency and the Consular Department of the Ministry for Foreign Affairs of Georgia, as well as the procedure for issuing and exchanging these records to conduct a criminal prosecution and investigative activities, shall be defined by a joint order of the Minister for Justice of Georgia, the Minister for Foreign Affairs of Georgia, and the Minister for Internal Affairs of Georgia.

4. The Agency may issue personal data related to a person's registration according to the place of residence or to consular registration, also personal data contained in the identity document under a contract with a business entity or a non-entrepreneurial (non-commercial) legal entity under private law as determined by the Law of Georgia on Entrepreneurs, if there is a consent of a person the information refers to. The consent shall be deemed given if from the gist of acts performed/to be performed by the information requesting agency with regard to the respective person or from any other circumstance could be presumed that the person consents to issuance of his/her personal data.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 1926 of 3 November 2009 - LHG I, No 35, 19.11.2009, Art. 236*

*Law of Georgia No 4049 of 15 December 2010 - LHG I, No 76, 29.12.2010, Art. 493*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*



**Chapter III<sup>1</sup>. Procedure for Issuing a Passport of Citizens of Georgia, a Travel Passport of Persons Having the Status of a Stateless Person in Georgia, a Service Passport, and a Travel Document of Persons Having a Refugee or Humanitarian Status**

Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93

Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60

Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011

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

**Article 20<sup>1</sup>**

1. A passport of citizens of Georgia ('the passport') shall be the identity and the citizenship document of a citizen of Georgia within and beyond the territory of Georgia.

1<sup>1</sup>. A travel passport of persons having the status of a stateless person in Georgia ('the travel passport') and a travel document of persons having a refugee or humanitarian status ('the travel document') shall be the documents that certify their identity and civil status within and beyond the territory of Georgia.

1<sup>2</sup>. A business passport of citizens of Georgia shall be the document that certifies their identity, citizenship, and status within and beyond the territory of Georgia. Business passports of Georgia shall be a diplomatic passport and a business passport.

2. The passport shall be the property of Georgia and shall be issued to citizens of Georgia for their departure from Georgia, travelling abroad, and entry into Georgia.

2<sup>1</sup>. A travel document shall be issued to persons having a refugee or humanitarian status (if a person with a humanitarian status has no identity document and/or similar document cannot be obtained) for their departure from Georgia, travelling abroad, and entry into Georgia.

2<sup>2</sup>. A travel document shall be valid for a refugee to depart from Georgia to all foreign states, except for the state of his/her citizenship or of former permanent residence; or except for the states where his/her condition and his/her family members' condition is not considered safe.

3. The Agency through its territorial offices shall issue a passport to citizens of Georgia residing in Georgia, a travel passport to persons having the status of a stateless person in Georgia, or a travel document to persons having a refugee or humanitarian status.

3<sup>1</sup>. Territorial offices of the Agency, as well as a consular official of diplomatic representations or consular offices of Georgia abroad shall issue a passport to citizens of Georgia residing abroad within the delegated powers.

4. To exercise powers under paragraph 3<sup>1</sup> of this article, the Agency shall provide the Ministry for Foreign Affairs of Georgia with relevant forms.

5. The Ministry for Foreign Affairs of Georgia shall issue a business passport of a citizen of Georgia. The Ministry for Foreign Affairs of Georgia shall issue a business passport of a citizen of Georgia with biometric data. The Agency shall ensure that the data necessary to issue a business passport with biometric data is processed, and that biometric passport is produced and delivered to the holder.

[3<sup>1</sup>. Territorial offices of the Agency shall issue a passport to citizens of Georgia staying abroad. Citizens of Georgia staying abroad may file an application for a passport to the diplomatic representation or consular office of Georgia abroad.]

4. The Agency shall provide the Ministry for Foreign Affairs of Georgia with passport forms.]

5. The Ministry for Foreign Affairs of Georgia shall issue a business passport of a citizen of Georgia. The Ministry for Foreign Affairs of Georgia shall issue a business passport of a citizen of Georgia with biometric data. Based on the data processed by the Ministry for Foreign Affairs of Georgia, the Agency shall produce a business passport with biometric data and the Agency or the Ministry for Foreign Affairs of Georgia shall deliver it to the holder. (To be enacted as from 27 July 2014)]

5<sup>1</sup>. The procedure for storing and keeping record of high-security forms under this Law that are received by territorial offices from the Agency shall be established by an order of the Minister for Justice of Georgia.

5<sup>2</sup>. (Deleted).

6. A travel passport and a travel document shall be issued under the procedure established by this Law for issuing passports (documents under Article 20<sup>2</sup> (7<sup>8</sup>) of this Law shall not be submitted electronically when issuing travel passports and travel documents).

Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93

Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23

Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60



Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255

Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art.337

Law of Georgia No 4049 of 15 December 2010 - LHG I, No 76, 29.12.2010, Art.493

Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011

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

Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014

## Article 20<sup>2</sup>

1. Citizens of Georgia shall have the right to obtain a passport.

1<sup>1</sup>. The group of persons entitled to obtain a business passport and the procedure for issuing business passports shall be defined by an ordinance of the Government of Georgia.

2. Territorial offices of the Agency shall issue passports on the 10<sup>th</sup> business day after interested persons submit all documents required by this Law, or in an expedited manner, within the timeframe as determined by an ordinance of the Government of Georgia, and the Ministry for Foreign Affairs of Georgia, diplomatic representations or consular offices of Georgia abroad – within one month.

[2. Territorial offices of the Agency shall issue passports on the 10<sup>th</sup> business day after interested persons submit all documents required by this Law, or in an expedited manner, within the timeframe as determined by an ordinance of the Government of Georgia. Based on an application submitted to a diplomatic representation or consular office of Georgia abroad, passports without biometric data shall be issued within one month and passports with biometric data shall be issued within 45 days after the application is filed. **(To be enacted as from 27 July 2014)**]

2<sup>1</sup>. In the case under paragraph 8<sup>1</sup>(f) of this article, the Agency shall make a decision within one month after the application is filed.

3. When issuing a passport, no additional documents other than those provided for by this Law shall be requested.

4. Citizens of Georgia of full legal age and capacity, also representatives of minors shall have the right to make an application for a passport.

4<sup>1</sup>. Minors who have attained the age of 14 shall also have the right to make an application for a passport if they hold ID cards of a citizen of Georgia.

5. (Deleted).

6. (Deleted).

7. Interested persons shall submit the ID card of a citizen of Georgia, the photo and the service fee payment receipt along with an application form.

7<sup>1</sup>. Citizens of Georgia staying abroad who have obtained a passport or an ID card of a citizen of Georgia, as well as citizens of Georgia staying abroad who have been registered with diplomatic representations or consular offices of Georgia abroad and have submitted respective application forms, shall be authorised to obtain passports of a citizen of Georgia without presenting ID cards of a citizen of Georgia.

[7<sup>1</sup>. A citizen of Georgia staying abroad, who has obtained the passport or ID card of a citizen of Georgia, also who has at least once got registered according to this Law, may obtain the passport of a citizen of Georgia without presenting the ID card of a citizen of Georgia. **(To be enacted as from 27 July 2014)**]

7<sup>2</sup>. Persons having the status of a stateless person in Georgia shall present residence cards instead of ID cards to obtain a travel passport; and persons having a refugee or humanitarian status shall also present residence cards instead of ID cards to obtain a travel document.

7<sup>3</sup>. Persons shall not submit a service fee payment receipt to obtain a business passport or a travel document.

7<sup>4</sup>. Citizens of Georgia staying abroad (including minor citizens of Georgia whose legal representatives are also abroad), who have obtained passports or ID cards of a citizen of Georgia, and have submitted respective application forms, may apply through their legal representatives for a passport to territorial offices of the Agency, the Ministry for Foreign Affairs of Georgia, diplomatic representations or consular offices of Georgia abroad. Legal representation must be evidenced as determined by the legislation of Georgia.

7<sup>5</sup>. Citizens of Georgia staying abroad, who have obtained passports or ID cards of a citizen of Georgia, and have submitted respective application forms, may apply for a passport by mail to the Ministry for Foreign Affairs of Georgia, or diplomatic representations or consular offices of Georgia abroad.

[7<sup>4</sup>. Where so provided for by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia or by an order of the Minister for Justice of Georgia, citizens of Georgia staying abroad (including minor citizens of Georgia whose legal representatives are also staying abroad) may apply through their legal representatives for a passport to a territorial office of the Agency, the Ministry for Foreign Affairs of Georgia, diplomatic representations or consular offices of Georgia abroad. Legal representation must be evidenced as determined by the legislation of Georgia.

[7<sup>5</sup>. Where so provided for by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia, citizens of Georgia staying abroad may apply for a passport by mail to the Ministry for Foreign Affairs of Georgia or diplomatic representations or consular offices of Georgia abroad. **(To be enacted as from 27 July 2014)**]



7<sup>6</sup>. Submission of documents under the seventh paragraph of this article shall not be mandatory if the electronic database of the Agency contains the information in a respective document.

7<sup>7</sup>. Paragraph 7<sup>6</sup> of this article shall not apply to submission of documents along with an application form to the diplomatic representations and consular offices of Georgia that are not linked to the electronic database of the Agency.

7<sup>8</sup>. Citizens of Georgia staying abroad, who have obtained passports or ID cards of a citizen of Georgia, or who have been registered as determined by this Law; also minor citizens of Georgia having attained the age of 14, who have obtained passports or ID cards of a citizen of Georgia and who can be identified in the electronic database of the Agency, may submit an application form and other documents under the legislation of Georgia in electronic form to obtain a passport, as determined by an order of the Minister for Justice of Georgia.

8. Passports to minors or legally incapable persons shall be issued under notarised consent of their legal representatives expressed in writing in the presence of an authorised person of the Agency, or a consular official; also under consent expressed by means of electronic communication before an authorised person of the Agency, as determined by an order of the Minister for Justice of Georgia.

[8. Passports to minors or legally incapable persons shall be issued under notarised consent of their legal representatives expressed in writing in the presence of an authorised person of the Agency or a consular official, or under consent expressed by means of electronic communication before an authorised person of the Agency, as determined by an order of the Minister for Justice of Georgia. **(To be enacted as from 27 July 2014)**]

8<sup>1</sup>. Consent of either of the parents expressed as provided for by the eighth paragraph of this Article shall suffice if:

- a) the other parent is wanted under the Criminal Procedure Code of Georgia;
- b) the other parent is dead, legally incapable, or missing;
- c) the other parent is unable to express his/her will due to grave illness, as evidenced by an appropriate certificate;
- d) the minor has attained the age of 16;
- e) the minor is a child of a single mother;

[e) the minor is a child of a single parent; **(To be enacted as from 27 July 2014)**]

f) the issuance of a passport is essential for exercising minor's rights and freedoms, the consent from the other parent cannot be obtained due to unavailability of communication with him/her and, given the circumstances of the case, there is a reasonable cause to believe that he/she will not object to giving consent.

8<sup>2</sup>. Minors between the age of 16 and 18 shall require no consent of their legal representatives to obtain a passport if they are in registered marriage.

8<sup>3</sup>. If a notarised consent of both legal representatives cannot be obtained when issuing a travel document to minors having a refugee or humanitarian status because the other legal representative is in the country where the minor is persecuted (only in relation to persons having a refugee status), or the minor is a child of a single mother, or the other legal representative is dead, legally incapable, or missing, and if these circumstances cannot be evidenced by the appropriate documents, a relevant certificate issued by the Ministry for Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia may be submitted instead of these documents.

8<sup>4</sup>. Minors (who have attained the age of 14) staying abroad shall not be obliged to submit their ID cards to obtain passports.

8<sup>5</sup>. In the case under paragraph 8<sup>1</sup>(f) of this article, a passport shall be issued to minors based on a substantiated written decision of an authorised official of the Passport and Civil Registry Division of the Agency.

8<sup>6</sup>. The consent or other document evidencing representative powers to issue a passport that is certified by a notary or other competent body of any other country, may be accepted by the authorised bodies of Georgia without legalisation and apostillisation.

9. The procedure for issuing and executing passports, travel passports, or travel documents; the procedure for communicating decisions on issuance of passports, travel passports, or travel documents to interested parties, and the procedure for delivering passports, travel passports, or travel documents to interested parties shall be determined by an order of the Minister for Justice of Georgia; and the procedure for exercising these powers by diplomatic representations and consular offices of Georgia abroad shall also be defined by a joint order of the Minister for Foreign Affairs of Georgia and the Minister for Justice of Georgia.

[9. The procedure for issuing and executing passports, travel passports, or travel documents, the procedure for communicating decisions on issuance of passports, travel passports, or travel documents to interested parties, and the procedure for delivering passports, travel passports, or travel documents to interested parties shall be determined by an order of the Minister for Justice of Georgia; and the procedure, time frames and scopes for exercising these rights and/or performing individual acts necessary for exercising such rights by diplomatic representations or consular offices of Georgia abroad shall also be determined by a joint order of the Minister for Foreign Affairs of Georgia and Minister for Justice of Georgia. **(To be enacted as from 27 July 2014)**]

10. (Deleted – 20.9.2013, No 1265).

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5487 of 22 November 2007 - LHG I, No 42, 6.12.2007, Art. 387*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*



*Law of Georgia No 1391 of 11 July 2009 - LHG I, No 21, 3.8.2009, Art. 109*

*Law of Georgia No 2213 of 1 December 2009 - LHG I, No 42, 10.12.2009, Art. 315*

*Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art.337*

*Law of Georgia No 3716 of 15 October 2010 - LHG I, No 57, 25.10.2010, Art. 372*

*Law of Georgia No 4049 of 15 December 2010 - LHG I, No 76, 29.12.2010, Art.493*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 6301 of 25 May 2012 - website, 12.6.2012*

*Law of Georgia No 1265 of 20 September 2013 - website, 2.10.2013*

*Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014*

### **Article 20<sup>3</sup>**

1. (Deleted – 24.6.2011, No 4937).

2. Passports, travel passports, business passports, and travel documents may be issued with biometric data content (biometric passports).

2<sup>1</sup>. Biometric passports must contain the following details:

a) first name of a passport holder

b) surname of a passport holder

c) citizenship of a passport holder

d) date of birth of a passport holder

e) personal number of a passport holder

f) photo of a passport holder

g) gender of a passport holder

h) place of birth of a passport holder

i) date of passport issuance

j) validity of a passport

k) name of the issuing authority

l) indication of the passport type

m) country code

n) passport number

o) signature of a passport holder

p) notes (for special comments to be made in the passport).

3. A biometric passport must have a data carrier (chip) that, along with the other data, contains the face image, fingerprints, and specimen signature of a passport holder. Technical specifications of a biometric passport shall be defined by an order of the Minister for Justice of Georgia.

4. The data carrier must have sufficient storage capacity and features to ensure data integrity, authenticity, and confidentiality by an order.

5. In addition to the details under paragraphs 2<sup>1</sup> and 7 of this article, other details may be determined by an order of the Minister for Justice of Georgia.

6. Territorial offices of the Agency may issue passports without biometric data when biometric data cannot be obtained from individuals due to their health problems, physical condition, or other reasons. Biometric passports shall not be issued to citizens of Georgia staying abroad through their representatives.



[6. Passports without biometric data may be issued when biometric data cannot be obtained from individuals due to their health problems, physical condition, or other reasons defined by an order of the Chairman of the Agency. **(To be enacted as from 27 July 2014)**]

7. Passports shall contain the following details:

- a) first name of a passport holder
- b) surname of a passport holder
- c) citizenship of a passport holder
- d) date of birth of a passport holder
- e) personal number of a passport holder
- f) photo of a passport holder
- g) gender of a passport holder
- h) place of birth of a passport holder
- i) date of passport issuance
- j) validity of the passport
- k) signature of an authorised officer of a territorial office of the Agency, diplomatic representation or consular office of Georgia abroad
- l) signature of a passport holder
- m) stamp
- n) country code
- o) passport number
- p) passport type.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 1231 of 6 April 2005 - LHG I, No 18, 27.4.2005, Art. 108*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 806 of 19 December 2008 - LHG I, No 40, 29.12.2008, Art. 267*

*Law of Georgia No 2213 of 1 December 2009 - LHG I, No 42, 10.12.2009, Art. 315*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

*Law of Georgia No 5563 of 20 December 2011 - website, 28.12.2011*

*Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014*

## **Article 20<sup>4</sup>**

1. Passports shall be valid for 10 years, and passports issued to persons under the age of 18 shall be valid for three years.

[1. Passports shall be valid for 10 years, and passport issued to persons under the age of 18 shall be valid for three years. Where more than one passport is held simultaneously, the other and each subsequent passport shall be valid for one year. **(To be enacted as from 1 September 2014)**]

[1. Passports with biometric data shall be valid for 10 years, and passports with biometric data issued to persons under the age of 18 shall be valid for three years. Where more than one passport with biometric data is held simultaneously, the other and each subsequent passport, as well as passports without biometric data shall be valid for one year. **(To be enacted as from 1 January 2015)**]

1<sup>1</sup>. Travel documents shall be valid for two years.

1<sup>2</sup>. Travel document shall be issued for two years. If less than two years remain until the validity of residence permits issued to individuals expires, travel documents shall be issued for as long as residence permits are valid.

1<sup>3</sup>. For individuals having the status of a stateless person in Georgia, who held permanent residence cards before the Edict of the President of Georgia on Approval of the Procedure for Establishing the Status of Stateless Persons came into force, travel passports shall be valid for five years.





2. (Deleted).
3. (Deleted).
4. (Deleted).
5. Passports or neutral travel documents may be suspended by a court judgement, as determined by the Criminal Procedure Code of Georgia. Based on a relevant notice on suspending the validity of passports or neutral travel documents, also on cancelling the measure for suspending the validity of passports or neutral travel documents, a relevant record shall be made in the electronic database of the Agency.
6. Suspension of the validity of a passport of a citizen of Georgia shall mean restricting the right of a holder to depart from Georgia, or to travel abroad.
7. If passports, travel passports, or refugee's travel documents cannot be delivered to interested persons as determined by the legislation of Georgia, the documents shall be stored in a respective territorial office of the Agency for one year. After the time frame expires, the passports, the travel passports, and the refugee's travel documents shall be cancelled and destroyed under the legislation of Georgia.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 1231 of 6 April 2005 - LHG I, No 18, 27.4.2005, Art. 108*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art. 60*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 4986 of 1 July 2011 - website, 15.7.2011*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

*Law of Georgia No 6301 of 25 May 2012 - website, 12.6.2012*

*Law of Georgia No 2480 of 29 May 2014 - website, 29.5.2014*

## **Article 20<sup>5</sup>**

1. Passports and travel documents shall be replaced by request of individuals as determined by this Law if:

- a) the first name and/or the last name is changed;
- b) inaccuracies are identified in the records;
- c) the pages in the passport or travel document intended for visas are used up;
- d) the passport or the travel document becomes unfit for use (worn-out, damaged), or is lost.

2. When replacing a passport due to the first name and/or last name change, or due to detection of an inaccuracy in the records, when the passport is granted without issuing an ID card in the cases under this Law, the request shall be accompanied with documents evidencing the name change or the inaccuracy (a copy of the first name and/or last name change certificate, a copy of the birth certificate, or a copy of the marriage certificate, etc.).

2<sup>1</sup>. Submission of documents under the second paragraph of this article shall not be mandatory if the electronic database of the Agency contains the information in a respective document.

2<sup>2</sup>. Paragraph 2<sup>1</sup> of this article shall not apply when submitting documents to accompany the request to the diplomatic representations and consular offices of Georgia that are not linked with the electronic database of the Agency.

3. If the passport to be replaced contains a valid consular visa, it shall be returned to the holder together with a new passport.

4. (Deleted).

5. A lost passport shall be deemed invalid from the date of issuance of a new passport.

6. The passport in which arbitrary corrections are made, or signs of forgery, decomposition, etc. could be observed, must be seized from the holder.

7. Persons who make arbitrary corrections in passports, or forge passports, or otherwise violate the procedure determined by this Law shall be held liable under the legislation.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 1391 of 11 July 2009 - LHG I, No 21, 3.8.2009, Art. 109*



## Article 20<sup>6</sup>

1. Persons whose citizenship of Georgia has been terminated under the legislation shall be obliged to hand in their passports to a territorial office of the Agency, diplomatic representation or consular office of Georgia.
2. Documents collected during issuance of a passport shall be destroyed as determined by the legislation. After the replaced passport is cancelled, it shall be returned to the holder together with a new passport.
3. Passports that are not executed under this Law shall be void.

*Law of Georgia No 181 of 24 June 2004 - LHG I, No 19, 15.7.2004, Art. 93*

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

## Article 20<sup>7</sup> (Deleted)

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255*

## Article 20<sup>8</sup> (Deleted)

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2006, Art. 23*

*Law of Georgia No 806 of 19 December 2008, - LHG I, No 40, 29.12.2008, Art. 267*

## Chapter III<sup>2</sup>. Transitional Provision

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

## Article 20<sup>9</sup>

Citizens of Georgia and aliens residing in Georgia who are not registered as determined by law shall be obliged to get registered not later than 1 July 2012.

*Law of Georgia No 5973 of 21 March 2008 - LHG I, No 9, 4.4.2008, Art.60*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

## Article 20<sup>10</sup>

1. The Agency shall ensure that organisational and technical measures necessary to issue passports, travel passports, business passports, and travel documents with biometric data are implemented.
2. The Agency shall ensure that organisational and technical measures necessary to issue electronic ID (residence) cards are implemented.

*Law of Georgia No 806 of 19 December 2008 - LHG I, No 40, 29.12.2008, Art. 267*

*Law of Georgia No 4937 of 24 June 2011 - website, 14.7.2011*

*Law of Georgia No 5371 of 6 December 2011 - website, 20.12.2011*

## Article 20<sup>11</sup>

1. Valid passports of a citizen of Georgia issued under Annex No 2 to Order No 652 of 16 April 2005 of the Minister for Justice of Georgia on Approving the Form of Passports of a Citizen of Georgia shall be declared invalid as from 1 January 2011.



2. A passport under the first paragraph of this article shall remain valid if:

a) its holder is abroad – until the holder returns to Georgia, or obtains a new passport of a citizen of Georgia abroad;

b) a valid foreign visa is in the passport – until the visa expires; the holder may cross the border of Georgia with this passport only together with a biometric passport of a citizen of Georgia.

*Law of Georgia No 3355 of 6 July 2010 - LHG I, No 41, 21.7.2010, Art. 255*

#### **Article 20<sup>12</sup>**

The procedure for consular officials to exercise powers delegated by the Agency shall be defined by a joint order of the Minister for Justice of Georgia and the Minister for Foreign Affairs of Georgia before 15 October 2010.

*Law of Georgia No 3653 of 1 October 2010 - LHG I, No 53, 11.10.2010, Art.337*

#### **Article 20<sup>13</sup>**

1. Until Georgian jurisdiction over the territories of the Autonomous Republic of Abkhazia and Tskhinvali Region (former Autonomous Region of South Ossetia) is fully restored, neutral ID cards and/or neutral travel documents shall be issued to persons legitimately residing in the territories of the Autonomous Republic of Abkhazia and Tskhinvali Region (former Autonomous Region of South Ossetia), if so desired.

2. Persons who have been issued ID cards of a citizen of Georgia and/or passports of a citizen of Georgia shall not be authorized to obtain neutral ID cards and/or neutral travel documents.

3. Neutral ID cards and/or neutral travel documents shall be issued by the Agency that exercises powers through its authorised territorial offices.

4. While reviewing the issuance of neutral ID cards and/or neutral travel documents, the interaction between the Agency's authorised territorial office and the Ministry for Internal Affairs of Georgia to identify circumstances that may be important for the case in terms of national security and public safety but may be impeding issuance of respective documents, shall be defined by a joint order of the Minister for Justice of Georgia and the Minister for Internal Affairs of Georgia.

5. Additional limitations on issuance of neutral ID cards and/or neutral travel documents in terms of national security and public safety may be imposed by an order of the Minister for Justice of Georgia.

6. Blank forms of neutral ID cards or neutral travel documents, and their descriptions, as well as the procedures for executing, issuing, and cancelling neutral ID cards and neutral travel documents shall be defined by an order of the Minister for Justice of Georgia.

7. Article 2(4-5) and Article 11<sup>1</sup> of this Law shall apply to neutral ID cards.

*Law of Georgia No 4986 of 1 July 2011 - website, 15.7.2011*

### **Chapter IV. Final Provisions**

#### **Article 21 (Deleted)**

*Law of Georgia No 1772 of 24 June 2005 - LHG I, No 39, 16.7.2005, Art. 263*

#### **Article 22**

1. Violation of the provisions of this Law shall give rise to liability under the legislation of Georgia.

2. Persons who notify an authorised registration body of the change of their place of residence, and who meet other requirements under this Law may not be held liable for having no registration.

#### **Article 22<sup>1</sup>**

Article 14(3)(n) and Article 15(n) of this Law shall take effect as from 1 May 2006.

*Law of Georgia No 2629 of 28 December 2005 - LHG I, No 3, 16.1.2005, Art. 23*

**President of Georgia**

**Eduard Shevardnadze**

**Tbilisi**

<http://www.matsne.gov.ge>



27 June 1996

No 323-IIS

