

# LAW OF GEORGIA ON WATER

Water is a unique, foremost, and vital natural resource which is essential for the existence of humans, flora and fauna, and is indispensable for the development of the economy of the country.

In order to ensure a safe environment for human health under the Constitution of Georgia, according to the ecological and economic interests of society, and considering the interests of present and future generations, the State shall ensure protection of the environment and, accordingly, protection of its main component - water.

Every person residing in Georgia shall ensure rational and sustainable use and conservation of water, and shall prevent its pollution, littering, and depletion.

The waters within the land territory, its subsoil, continental shelf, territorial waters, and special economic zone of Georgia are a national treasure of Georgia and shall be protected by the State.

## Section I – General Part

### Chapter I – General Provisions

#### Article 1 – Terms used in the Law

The terms used in this Law shall have the meanings specified in Article 2 of this Law, unless specially indicated in this Law.

#### Article 2 – Definition of terms

1. Water use – the use of water resources for drinking, domestic, industrial, power, agricultural, transport, scientific, cultural, recreational, balneological, sport, tourism and other purposes with or without technical facilities.
2. Water user – a natural or legal person (irrespective of ownership and organisational-legal form), including an alien who uses water as determined by the legislation of Georgia.
3. Water abstraction – withdrawal of certain amount of water from surface or ground water bodies with or without technical facilities.
4. Water discharge – organised discharge of domestic, industrial, drainage, storm, and other waters into surface water bodies.
5. Transboundary water body – a river, lake, and other surface water reservoir located across a boundary line, only a certain part of its banks belonging to Georgia.
6. Inland waters of Georgia – waters of rivers, lakes, and other water bodies, the banks of which completely belong to Georgia; the Black Sea waters between the baselines determined to measure the land and territorial



waters; harbour waters of Georgia that are, from the side of the sea, circumscribed by a line outgoing to extreme points of hydraulic or other permanent harbour structures.

7. Ground waters – underground, subsoil water in any aggregate (liquid, solid, gaseous), static, or dynamic state.

8. Territorial waters of Georgia – part of coastal waters of the Black Sea with 12 nautical miles of width, which is measured from straight baselines connecting the points, the coordinates of which are approved by the Government of Georgia at the suggestion of the Ministry of Internal Affairs of Georgia.

9. Special economic zone of Georgia – marine area measured from the baselines, from which territorial waters are measured and the width of which does not exceed 200 nautical miles.

10. Continental shelf of Georgia – a sea bed and the subsoil of underwater space extending to the distance of 200 nautical miles throughout a natural continuation of the land territory up to the outside border of an underwater edge of the land, or extending for not farther than 200 nautical miles from the baselines, from which territorial waters are measured if the outside border of an underwater edge of the land does not extend throughout this distance.

11. Continental shelf resources – fossil and other non-living resources, the objects of the sea life, and other living organisms, which, during the period determined for commercial fishery, are attached to the sea bed or its subsoil, or are able to move across the sea bed and its subsoil.

12. Subsoil – a part of the earth's crust existing under the ground and soil surface, and under the bottom of water reservoirs, or exposed on the surface of the land, which is available for the investigation and use by means of modern scientific and technical facilities.

13. Fossil - natural formations existing in the subsoil.

14. Minerals – explored minerals, extraction and procession of which is possible, economically feasible, and environmentally acceptable at the contemporary scientific-technical development level.

15. Mineral deposit – minerals naturally concentrated within certain areas of the subsoil.

16. Mining allotment – a subsoil site, the area of which is defined in a respective licence, and within which a subsoil user is granted the right to use a subsoil area.

17. Geological allotment – a subsoil site, which is allotted for use only for the purpose of exploring a subsoil area.

18. Sustainable development – a societal development system that, based on the environmental protection and economic development interests of society, ensures improvement of living standards of humans and the right of future generations to use natural resources and the environment protected to the maximum extent from irreversible quantitative and qualitative changes.

19. Principles of sustainable development – principles that are integrated in the final documents of the Rio Declaration on Environment and Development, 21<sup>st</sup> Century Global Sustainable Development Program – Agenda 21, and Statement of Forest Conservation, Sustainable Development and Management Principles adopted by the United Nations Conference on Environment and Development (UNCED), Rio de Janeiro, 1992.

20. Activity – entrepreneurial, economic or all other activities; implementation of accommodation and development plans and projects, including implementation of infrastructural projects, site development and sectoral development plans, projects, and programmes for conservation and use of water, forest, land, subsoil and other natural resources within the territory of Georgia; also, fundamental reconstruction, and technical and technological renovation of existing enterprises, which influence or may influence the quality of the environment.

21. Agent of an activity – an entity of public and private law implementing an activity.



22. (Deleted – 25.3.2013, No 494).

23. (Deleted – 25.3.2013, No 494).

24. Ministry – the Ministry of Environmental Protection and Agriculture of Georgia;

25. Sewerage system – an infrastructure facility that is intended for passage and treatment of waste water.

*Law of Georgia No 3161 of 25 May 2006 – LHG I, No 19, 1.6.2001, Art. 150*

*Law of Georgia No 624 of 5 December 2008 – LHG I, No 35, 5.12.2008, Art. 230*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1034 of 6 September 2013 – website, 23.09.2013*

*Law of Georgia No 1688 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 2755 of 29 June 2018 – website, 19.7.2018*

### **Article 3 – Legislation of Georgia on water**

The legislation of Georgia on water is based on the Constitution of Georgia, treaties and international agreements of Georgia, the Laws of Georgia on Environmental Protection, on Subsoil, this Law, and other normative acts of Georgia in water conservation and use.

### **Article 4 – Purpose of the Law**

This Law intends to:

- a) ensure implementation of a unified national policy in water conservation and use;
- b) protect water bodies (including the Black Sea waters of Georgia) and ensure the rational use of water resources considering the interests of present and future generations and the principles of sustainable development;
- c) prioritise the demand of the population for clean drinking water;
- d) ensure the sustainability and sustainable use of aquatic fauna;
- e) prevent hazardous impact of water and eliminate its consequences effectively;
- f) ensure the guaranteed protection of the state interests of Georgia in water conservation, use, and international water trading;
- g) ensure the production of marketable water products in compliance with international principles and standards;
- h) protect lawful rights and interests of natural or legal persons in the spheres of water conservation and use.

### **Article 5 – Scope of Regulation of the Law of Georgia on Water**

1. This Law shall regulate basic legal relations:



- a) between state authorities and natural and legal persons (irrespective of ownership and organisational-legal form) in water conservation, study, and use;
- b) in conservation, study, and use of water on the land, in the subsoil, on the continental shelf, in the territorial waters and within special economic zones;
- c) in production of marketable water products and international water trading.

2. This Law determines the powers of the autonomous republics and municipalities in the areas of water-related relations.

3. This Law and the Law of Georgia on Subsoil shall regulate relations in the spheres of conservation, study and use of ground waters.

4. This Law and the Law of Georgia on Fauna shall regulate relations in the areas of conservation, study, reproduction and use of aquatic fauna.

[4. This Law, and the Law of Georgia on Fauna and the Law of Georgia on Aquaculture shall regulate relations in the areas of conservation, study, reproduction and use of aquatic fauna. *(Shall become effective from 1 March 2021)*]

5. This Law and the respective legislation of Georgia shall regulate legal relations connected with the use of flora and fauna, forests, soil, and other natural resources during water use.

6. This Law shall be in force in the entire territory of Georgia.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6418 of 24 June 2020 – website, 1.7.2020*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

## **Article 6 – Status of water in Georgia**

1. Waters within the territory of Georgia are state property and shall be allotted for use only. Any action directly or indirectly violating the state property right to water shall be prohibited.

2. (Deleted – 25.3.2013, No 494).

3. The title to land shall not imply the right to use surface or ground waters, existing within or flowing through that land, except for the cases determined in Article 32 of this Law.

4. (Deleted – 25.3.2013, No 494).

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Article 7 – State water resource of Georgia**

1. The waters of Georgia shall be divided into surface and ground waters according to their location on the ground surface and in the subsoil, and based on the formation of resources and specificities of their use.

2. The waters of all water bodies listed in paragraph 4 of this article shall fall under surface waters, except for



those referred to in subparagraph (b).

3. The unity of waters within all water bodies of Georgia shall form the state water resource of Georgia.

4. The following shall fall within the state water resource of Georgia:

a) rivers, lakes, water reservoirs, other natural and man-made surface reservoirs, as well as canals and pond waters, existing within or flowing through the territory of Georgia;

b) ground waters (including springs and waters on the continental shelf);

c) glaciers and permanent snow covers;

d) bogs;

e) territorial waters of Georgia;

f) waters within special economic zones.

5. (Deleted – 25.3.2013, No 494).

6. The highest state authorities of Georgia and the bodies of the autonomous republics shall control the state water resource of Georgia within the scope of their authority.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

## **Article 8 – State water resource land**

1. Under the land legislation of Georgia, state water resource land shall be the land, which is covered by water bodies (except for ground waters) determined under Article 7 of this Law, by hydraulic and other water economy structures, also the land, chosen as a water protection zone, sanitary protection zone of a water body, and etc.

2. The state water resource lands shall be used for the construction and exploitation of facilities for meeting demands on drinking, domestic, medicinal, health resort waters, and other demands on water, including the agricultural, industrial, fishery, power, transport, and other demands.

3. This Law and the land legislation of Georgia shall determine procedures for using state water resource lands.

## **Article 9 – Water groups**

1. Based on their hydrographical features and geographical location, special scientific, aesthetic, and also economic importance and conjuncture, water bodies shall be divided into following groups:

a) of special state importance;

b) of state importance;

c) of local importance.

2. The following shall fall under the group of special state importance:



a) glaciers and permanent snow cover;

b) surface water bodies of special scientific and aesthetic importance.

3. The specific use of water bodies of special scientific and aesthetic importance shall be prohibited fully or partially.

4. According to this Law, the following shall be permitted on water bodies of special state importance:

a) to conduct research works and works for the improvement of water condition and water conservation works;

b) to use water in order to protect the state border, to use water for fire prevention and to implement natural disaster prevention and liquidation measures.

5. Certain types of activities connected with the use of water and other natural resources shall not be permitted (permanently or for a definite period of time) on water bodies of special state importance (or on their parts), the use of which is partially prohibited.

6. The following shall fall under the group of state importance:

a) bogs;

b) the surface water bodies, water resource lands of which are located within the administrative boundaries of two or more municipalities of Georgia;

c) transboundary water bodies;

d) territorial waters and waters within special economic zones;

e) considerable deposits of ground waters.

7. All water bodies within the territory of Georgia shall fall under the group of local importance, except for those determined in paragraphs 5 and 6 of this article.

8. The Ministry shall determine and approve the lists of surface water bodies of special state and state importance by an order on Approving the Lists of Surface Water Bodies of Special State and State Importance.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

## **Chapter II – Separation of Powers in the Regulation of Water-Related Relations**

### **Article 10 – Powers of the highest state authorities of Georgia in the regulation of water-related relations**

The powers of the highest state authorities of Georgia in the regulation of water-related relations shall be:

a) determination of the national policy on water conservation and use;

b) adoption of legislative acts related to water conservation and use, and control over their implementation;

c) establishment of designated state authorities for the regulation and control of water conservation and use;



- d) formation of protected areas on state water resource lands;
- e) establishment of procedures for determining fines for pollution, littering and depletion of water and for other actions containing negative impacts, and for determining amounts of damage caused;
- f) unified state surveillance over water conservation and use in the land territory, territorial waters, on the continental shelf, and within the special economic zones of Georgia;
- g) organisation of water conservation, and state regulation of water use;
- h) (deleted – 25.3.2013, No 494);
- i) coordination of the activities of authorities in the field of water conservation and use;
- j) limitation or prohibition of water use on certain water bodies; including within historical and cultural monuments protection zones;
- k) (deleted – 25.3.2013, No 494);
- l) establishment of a system for observing and analysing (monitoring) water condition;
- m) establishment of procedures for water conservation and use, for the production of marketable water products and water trading; also, determination of general state regulations, quota, limits, state standards, and quality assessment methods and criteria;
- n) establishment and management of information resources related to water resources and their use (within the Unified Information Resource on Natural Resources determined by the Law of Georgia on Subsoil); also, determination of procedures for providing and implementing state statistics services related to water resources and their use;
- o) (deleted – 25.3.2013, No 494);
- p) (deleted – 25.3.2013, No 494);
- q) development of procedures for water conservation and use in the territory of Georgia for controlling water bodies of special state and state importance, and allocation of mining allotments to exploit ground waters;
- r) (deleted – 25.3.2013, No 494);
- s) implementation of a unified science and technology policy in the field of water conservation and use, coordination, organisation, and funding of research, development, and other works;
- t) concluding treaties and international agreements in the field of water conservation and use;
- u) funding of works for restoration of water bodies of special state and state importance damaged as a result of a natural disaster.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Article 11 – Powers of the authorities of the autonomous republics of Georgia in the regulation of water-related relations**

1. The powers of the authorities of the autonomous republics of Georgia in the regulation of water-related relations shall be:



- a) under the programmes of water conservation and use, management of the state reserve of surface waters of state importance, water resource lands of which are located only in the territory of the autonomous republics, and allocation of mining allotments to exploit ground waters;
- b) management of water conservation and use within the territory of the autonomous republic;
- c) organisation of water conservation and state regulation of water use within the territory of the autonomous republic;
- d) (deleted – 25.3.2013, No 494);
- e) supervision of the rational use of water and its conservation within the territory of the autonomous republic;
- f) record keeping of waters within the territory of the autonomous republic, and registration of water use;
- g) participation in determining and implementing a unified science and technology policy for the use and conservation of Georgian waters;
- h) implementation of a unified science and technology policy in water conservation and use; coordination, organisation, and funding of research, development, and other works within the territory of the autonomous republic;
- i) limitation or prohibition of water use on certain water bodies of local importance, existing within the territory of the autonomous republic, including within the historical and cultural monuments protection zones;
- j) (deleted – 25.3.2013, No 494);
- k) funding of works for restoration of water bodies of state and local importance damaged as a result of a natural disaster within the territory of the autonomous republic;
- l) resolution of disputes related to water conservation and use within the territory and powers of the autonomous republic;
- m) resolution of other issues related to water conservation and use within the powers determined by the legislation of Georgia.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Article 12 – Powers of municipalities in the regulation of water-related relations**

Under Article 16(2)(h) of the Organic Law of Georgia the Local Self-Government Code of Georgia, in the area of regulation of water-related relations municipalities shall:

- a) carry out the measures for water supply (including industrial water supply) and sewerage provision, including:
  - a.a) participate in the preparation of the technical and investment programmes and projects for the water supply systems and the collection and treatment of urban waste water;
  - a.b) approve the projects of the sanitary protection zones of drinking water sources;
- b) present to the population the sanitary protection zones of the water supply water bodies and their boundaries, as well as the regimes applicable to those zones.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*



### **Article 13 – Participation of natural and legal persons in the implementation of measures for water conservation and rational use**

1. Natural and legal persons shall participate in the activities of water conservation, rational and sustainable use as determined by the legislation of Georgia.

2. Natural and legal persons shall be obliged to:

- a) protect water from pollution, littering, and depletion;
- b) assist the state authorities and public organisations in implementing water conservation measures;
- c) notify appropriate bodies of violations of water conservation legislation known to them.

3. Natural and legal persons shall have the right to:

- a) receive comprehensive, timely and objective information on water conditions (except for information containing state and commercial secrets) from the state authorities;
- b) bring an action before the appropriate court against natural and legal persons (including state authorities), violating the legislation of Georgia on water conservation and use;
- c) support the implementation of respective state programmes;
- d) directly participate in water conservation works;
- e) make proposals for the improvement of water conservation.

## **Section II – Main Part**

### **Chapter III – Water Conservation**

#### **Article 14 – Planning of water conservation measures**

1. Water conservation measures shall be financed from the State Budget of Georgia, as well as from the budgets of the autonomous republics, considering their authorities.

2. Water conservation measures shall be planned based on the principles of sustainable development - under the sustainable development strategy of the country, national programme of environmental protection actions, regional, agency-level and local programmes of environmental protection actions; and under environmental protection management plans of the agents - according to the Laws of Georgia on Environmental Protection, on Subsoil, on Fauna, on the System of Protected Areas, and other normative acts. The respective legislation of Georgia shall determine procedures and periodicity for developing a national programme of environmental protection actions, regional, agency-level and local programmes of environmental protection actions, and environmental protection management plans of the agents.

3. Planning of water conservation measures shall include development and integration of the measures referred to in paragraph 2 of this article, in:



a) (deleted – 25.3.2013, No 494);

b) multi-municipal/municipal spatial planning plans and/or master plans;

c) accommodation and development plans and projects;

d) infrastructure projects;

e) site development plans and sector planning;

f) management plans of protected areas;

g) prospective and management plans of organising and managing forestry;

**[g) forest management plans and prospective plans; (*shall become effective from 1 January 2021*)]**

h) plans, projects, and programmes of using forest, land, subsoil, and other natural resources available within the territory of Georgia.

4. While planning and implementing water conservation measures, the following main requirements shall be met:

a) protection of water bodies from pollution, littering, depletion and other negative impacts that may cause damage to the population's health, deplete fish stock, worsen water supply conditions and result in degradation of physical, chemical, and biological properties of water, reduction of the natural self-purification capability of water, abnormality of hydrological and hydrogeological water regimes, and other undesirable consequences;

b) meeting the demands of the population for drinking and domestic water of a quality complying with the requirements of state standards;

c) conservation of water bodies of special scientific, aesthetic and recreational importance;

d) steady adherence to a regime established in sanitary protection zones of head structures for supplying drinking and industrial water;

e) reliable prediction and assessment of the impact of water-use-related works on the environment, and implementation of compulsory measures to ensure safety of the environment and the population;

f) assignment of the category of a protected zone to certain water bodies;

g) preservation of diversity of aquatic fauna species;

h) preservation and conservation of seas and other water bodies, coast lines and zones;

i) prevention of hazardous impacts of water and eliminating its consequences effectively.

5. Water conservation measures within the protected areas shall be planned under this Law and the Law of Georgia on the System of Protected Areas.

6. Water conservation measures within the maritime coastal zone shall be planned under this Law and the respective legislation of Georgia.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 3238 of 20 July 2018 – website, 13.8.2018*



## **Article 15 – Protection of water from pollution and littering**

1. It shall be prohibited to throw wastes as determined by the legislation of Georgia into water bodies and sewerage system.
2. It shall be prohibited to place or bury toxic, radioactive, as well as other hazardous wastes in the sea, other water bodies and their protection zones.
3. The owners of water transportation means, water pipelines, floating and other structures on water bodies, wood floating organisations, also other natural and legal persons shall be obliged to prevent pollution and littering of water with residues of oil, wood, chemicals, petroleum, mineral and organic fertilisers, toxic chemicals and other products.
4. Natural and legal persons dealing with wood floating shall regularly clean the floating routes from sunken and floating woods.
5. It shall be prohibited to float driftwood.
6. Natural and legal persons shall be obliged to prevent pollution and littering of water catchment basins, water reservoirs, snow and ice, glaciers and permanent snow cover with wastes as determined in the legislation of Georgia and emissions, the discharge of which may cause degradation of the quality of surface and ground waters.
7. Land owners and users shall be obliged to prevent pollution and littering of water with mineral and organic fertilisers and toxic chemicals.
8. It shall be prohibited to collect wastes as determined in the legislation of Georgia, to irrigate with waste waters and to construct facilities and implement other activities in the vicinity of water supply head structures and their sanitary protection zones that may cause water pollution.
9. It shall be prohibited to drill and arrange inverted wells, also to use worked-out gas and oil deposits, mines and pits, and natural underground cavities to discharge industrial and domestic waste waters, provided this may cause contamination of ground water table.
10. To ensure conservation of the Black Sea and preservation of its ecosystem, natural and legal persons (including aliens) shall be obliged to implement measures for preventing pollution of the sea with hazardous substances and materials from inland contaminants, from ships, from the atmosphere, as a result of activities on the continental shelf or during marine transboundary carriage of goods or from waste waters.
11. It shall be prohibited for natural and legal persons to discharge into the sewerage system of a settlement the waste water that does not meet the requirements of the technical regulations approved by an ordinance of the Government of Georgia.

## **Article 16 – Protection of water from depletion**



1. In order to protect water from depletion:

- a) exploratory gravity wells, also unserviceable wells or those that are not in use, shall be equipped with controlling devices, or shall be suspended or eliminated as determined by the legislation of Georgia;
- b) all ground water intake structures shall be equipped with devices for the systematic observation of the water regime and with water meters to determine the yield of water in the process of exploitation.

2. If a ground water table opens during the exploration and study of fossils, the works related to the use of minerals, construction and operation of underground structures, an implementer of works shall be obliged to take timely measures, according to established procedures, to protect the ground water, and shall immediately notify the Ministry.

3. With the purpose of preserving natural regimes of rivers, lakes, water reservoirs, ground waters and other water bodies, to prevent erosion of soil by water, reservoir sedimentation, degradation of the habitat of aquatic fauna, to reduce water discharge variations, etc., forest zones for water protection shall be formed; also, forest reclamation, anti-erosion, hydraulic engineering and other measures shall be implemented as provided by the legislation of Georgia.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

#### **Article 17 – Protection of natural resources of the Black Sea**

1. To protect the Black Sea fauna (fish, aquatic invertebrates, and marine mammals) within the jurisdiction of Georgia and other living resources of the sea, the State shall:

- a) prevent and limit the use of objects of sea fauna and other living resources;
- b) protect the habitat, reproduction conditions and areas, and migration paths for marine wildlife;
- c) create protected areas within the water area;
- d) protect endangered species of marine wildlife included in the Red List of Georgia, and fund the establishment and operation of a gene bank of reserves;
- e) prevent unauthorised use of marine fauna and other living resources, and other violations;
- f) carry out an expertise of projects of construction, production, or technological processes for preventing the extinction of marine fauna, that may cause damage to fauna;
- g) ensure assistance and saving of marine fauna during emergencies or other extreme circumstances caused by other reasons;
- h) finance scientific research intended to develop and improve methods of protecting marine fauna and other living resources;
- i) identify the status of wellbeing of individual species of marine fauna;
- j) promote the protection of marine fauna and other living resources by means of mass media.

2. It shall be prohibited to catch small cetaceans, except for the cases determined in the Law of Georgia on Fauna.



3. Underwater hunting for marine mammals shall be prohibited.
4. Within the jurisdiction of Georgia, foreign natural and legal persons may use objects of marine fauna only under treaties and international agreements. For this purpose, the Ministry shall:
  - a) once in five years, determine an annual permissible catch amount (natural resource use quota) for each object of marine fauna allowed for use, and a part of the amount that may be granted to foreign natural and legal persons for use under treaties and international agreements of Georgia, and under the regulations on Norms of Environmental Load determined by the Law of Georgia on Environmental Protection. An annual permissible catch amount (quota) for each object of marine fauna allowed for use shall be determined by the regulations on Procedures for Determining Natural Resource Use Quota determined by the Law of Georgia on Environmental Protection;
  - b) if necessary, jointly with the Ministry of Internal Affairs of Georgia, allocate a certain area (areas) of the sea, within which foreign natural and legal persons may catch objects of marine fauna. Such an area (areas) shall be allocated under a joint order of the Ministry of Internal Affairs of Georgia and the Ministry of Environmental Protection and Agriculture of Georgia on Approving a Certain Area (Areas) Allocated for Foreign Natural and Legal Persons to Catch Objects of Marine Fauna.
5. The anadromous fish species (fish species seasonally migrating upstream of a river against the current) within the rivers of Georgia shall be protected by creation of conditions necessary for their reproduction, through conservation of the habitat, determination of procedures for regulating the fishing industry, determination of a total permissible amount of catching these species within the territorial waters, and within and outside special economic zones of Georgia, also through implementation of other measures determined by the legislation of Georgia.
6. The measures and procedures related to the resources of anadromous fish species of the rivers of Georgia shall be observed outside special economic zones of Georgia under an agreement between Georgia and other concerned states.
7. Catching of anadromous fish species of the rivers of Georgia by other concerned states outside special economic zones of Georgia shall be carried out under an agreement concluded between Georgia and those states.
8. (Deleted – 25.3.2013, No 494).
9. (Deleted – 25.3.2013, No 494).
10. A safety zone shall be formed around the facilities and equipment necessary for conducting works related to exploration, extraction and procession of natural resources on the continental shelf of Georgia. The range of this safety zone shall reach around 500 metres based on the specific nature of the facilities and equipment. The following conditions shall be ensured during the operation of the facilities and equipment:
  - a) these facilities and equipment, and their safety zone shall not be located in areas of the sea through which international marine navigational routes pass;
  - b) entry of a ship into the safety zone of the facilities and equipment shall be allowed under special permission that shall be granted by the natural or legal person owning these facilities and equipment, in agreement with an authorised body under the Ministry of Internal Affairs of Georgia;
  - c) a natural or legal person owning or using the facilities and equipment shall ensure safeguarding of these facilities and equipment, the proper operating condition of devices that indicate the presence of these facilities and equipment in the sea, and implementing measures for protecting living resources of the sea within the safety zone;
  - d) the facilities and equipment, operation of which has been completed or terminated under a decision of appropriate state agencies, shall be subject to elimination as determined by the legislation of Georgia, and shall be removed from the sea.



11. The requirements of the Law of Georgia on the State Border of Georgia shall be complied with when carrying out economic, fishing, and research activities within the border zone of Georgia. A natural or legal person intending to implement such activity shall notify an authorised body under the Ministry of Internal Affairs of Georgia according to the procedures and in the form determined by the Ministry of Internal Affairs of Georgia. A notification shall specify a nature, technology and technologic means of economic, fishing, and research activities, as well as a place, time and duration of carrying out such works, the number of participants and a responsible person.

12. To foster the protection of marine fauna, natural and legal persons shall be encouraged materially and morally according to the legislation of Georgia.

13. In special cases for the protection, preservation and reproduction of individual objects of marine fauna, other living organisms and continental shelf resources, the Ministry may limit or prohibit the use of these resources within the entire area or on a part of their distribution as determined by the legislation of Georgia.

14. Other requirements, related to protection, exploration and extraction of natural resources of the Black Sea within the jurisdiction of Georgia, shall be regulated under the Laws of Georgia on Environmental Protection, on Fauna, Subsoil, on the System of Protected Areas, and other normative acts.

*Law of Georgia No 2365 of 6 June 2003 – LHG I, No 18, 24.6.2003, Art. 119*

*Law of Georgia No 3161 of 25 May 2006 – LHG I, No 19, 1.6.2001, Art. 150*

*Law of Georgia No 624 of 5 December 2008 – LHG I, No 35, 5.12.2008, Art. 230*

*Law of Georgia No 2805 of 23 March 2010 – LHG I, No 20, 19.4.2010, Art. 110*

*Law of Georgia No 6164 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1688 of 7 December 2017 – website, 14.12.2017*

## **Article 18 – Laying out, designing, constructing and transferring for the exploitation the enterprise, structure and other facilities influencing water condition**

1. When laying out, designing, constructing and transferring for exploitation a new or reconstructed enterprise, structure and other facility, also when introducing new technological processes that influence water condition, the rational use of water shall be ensured based on the requirements for protecting the health of the population and for prioritising drinking and domestic water demands. Also, measures shall be considered for estimating the water extracted from and returned into water bodies, for protecting water from pollution, littering and depletion, for preventing hazardous impact of water, limiting the inundation of lands to a minimum required level, protecting lands from salination, water stagnation or drying, as well as for preserving natural environments and landscape.

2. When laying out, designing, constructing and transferring for exploitation a new or reconstructed enterprise, structure and other facility at fishery reservoirs, measures shall be implemented for protection of fish, other objects of aquatic fauna and flora, and for ensuring their reproduction conditions, along with fulfilment of the requirements under paragraph 1 of this article.

3. When designing, constructing and exploiting a new or reconstructed enterprise, structure and other facility, also when introducing new technological processes, the following basic conditions shall be observed:

a) waste water to be discharged into a water body shall be treated to an established level;



- a<sup>1</sup>) waste water to be discharged into a sewerage system shall be treated to an established level;
- b) the use of a reservoir for dissolving waste waters shall be prohibited;
- c) watering of lands with waste water that do not have observation networks for monitoring the regime and composition of ground waters shall be prohibited.
4. It shall be prohibited to transfer into exploitation:
- a) a new or reconstructed enterprise, shop, terminal, aggregate, municipal or other facilities, if they do not have appropriate equipment to prevent water pollution, littering or hazardous impact of water;
- b) a watering and irrigation facility, water reservoir and canal, unless projected measures are implemented to prevent the inundation of lands, water stagnation, bogging and salination of lands, and erosion of soil by water;
- c) drainage systems, if water receivers and other structures are not ready under approved projects;
- d) water intake structures, if they do not have fish protection devices under approved projects;
- e) hydraulic structures, if, during floods, excessive water and fish pass devices and riverbeds are not ready, and if protection measures for the Black Sea coastal line are not ensured;
- f) ground water intake structures and wells, if they are not equipped with water regulating devices and devices for monitoring the ground water regime, and if there are no sanitary protection zones determined;
- g) an oil pipeline and terminal, if they are not equipped with devices for protection of water from pollution, for detecting leakage of oil products, control meters, or with oil retention facilities and equipment in places of possible penetration of oil products into water bodies, and if they do not have an emergency (including information) service;
- h) self-propelled and non-self-propelled vessels, which are not equipped with collectors of on-board service waters and other discharge waters.
5. It shall be prohibited to fill a water reservoir, unless the projected measures for cleaning its bed are implemented.
6. (Deleted – 25.3.2013, No 494).

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 2755 of 29 June 2018 – website, 19.7.2018*

## **Article 19 – Water protection zone**

1. River, lake, reservoir riparians, isolation zones of main and other canals, as well as other zones provided under legislation shall fall under water protection zones.
2. The construction works, works for deepening beds and blasting works, the extraction of useful minerals, peat, sapropel, sunken wood, the wiring, piping works and arrangement of other communications, the forest cutting, drilling and other activities on water bodies and within water protection zones shall be implemented as determined by the legislation of Georgia.
3. A procedure for determination of the boundaries of water protection zones and a list, terms and regime of activities allowed within this zone shall be determined by the Regulation on Water Protection Zones, which shall



be developed and approved by the Ministry in agreement with the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

## **Article 20 – River water protection zone**

1. The water protection zone of a river shall be its adjacent territory, where a special regime is established to protect water resources from pollution, littering, fouling, and depletion.

2. The water protection zone of a river may include its dry bed, adjacent terraces, natural elevated and steep riversides, as well as gullies directly adjacent to riversides.

3. The width of a river water protection zone shall be measured in metres from the edge of a riverbed to both sides under the following procedure:

a) 10 metres – in the case of a river up to 25 kilometres long;

b) 20 metres – in the case of a river up to 50 kilometres long;

c) 30 metres – in the case of a river up to 75 kilometres long;

d) 50 metres – in the case of a river over 75 kilometres long.

4. Within this zone, it shall be prohibited to:

a) construct, expand or reconstruct functioning enterprises, except for cases directly determined by law;

b) spray, by air atomisation, perennial plants, sown crops and forest lands with toxic chemicals;

c) keep, collect or place toxic chemicals and mineral fertilisers, as well as any other wastes as determined in the legislation of Georgia.

5. Hydraulic structures located within a water protection zone shall be normally equipped with appropriate technical facilities to completely exclude the possibility of river pollution and littering.

*Law of Georgia No 3007 of 26 December 2014 – website, 12.1.2015*

## **Article 21 – Sanitary protection zones**

1. To conserve water that is supplied for drinking and domestic purposes, for medical and health resort needs, sanitary protection zones shall be formed under the legislation of Georgia.

2. A utility-type water supply system, existing or under construction, or an industrial-use water supply system, that is also used or may be used to supply water to the population, shall have a water-supply sanitary protection zone of the surface and ground water bodies from which a water supply system is fed.

3. A water-supply sanitary protection zone shall be divided into 3 zones, each having a special regime.

4. The first zone (a strict regime zone) shall cover an area where a water body is located, within the location of water intake sites and water supply structures. If necessary, based on the specific sanitary indices and special



researches, the first zone may also include areas adjacent to water intake sites and territories in the vicinity of a water supply structure. The following shall be prohibited within the first zone:

- a) residence and temporary staying of persons who are not directly related to the maintenance of water supply structures, except for the persons who are on the staff list as maintenance personnel, based on the technical necessity of a water supply system, and except for persons determined by the legislation of Georgia;
- b) any type of construction, except for the construction of water supply structures; to locate residential or non-residential buildings of any purpose; to extract inert matters; to install pipes, except for those necessary for the maintenance of water supply structures; to drain waste waters, bath, pasture and water cattle, wash, fish, and use of toxic chemicals for protecting plants.

5. The second zone shall cover an area that directly adjoins water-supply water bodies and their influents. The following shall be prohibited within the second zone:

- a) to use an area or water bodies in such a manner that may cause qualitative or quantitative deterioration of water;
- b) to construct, destroy the vegetation cover, construct rail and motor ways, and to use lands for agricultural purposes. Sports and recreational activities within this zone shall be allowed only by decision of the bodies determined under the legislation of Georgia.

6. The third zone shall cover an area adjoining the second zone, an unfavourable condition of which may cause chemical contamination of water.

7. The procedures for submitting sanitary protection areas of water bodies for water-supply and their zones and procedures for their approval shall be determined by ordinance of the Government of Georgia.

7<sup>1</sup>. Procedures for submitting to an authorised body and rules of approving the project of sanitary protection zone of ground water bodies subject to mineral extraction licence and prepared under procedures determined under the legislation of Georgia shall be determined by ordinance of the Government of Georgia.

8. The boundaries of each sanitary protection zone of water bodies for water-supply shall be accurately mapped, and the boundaries of the first zone shall be fenced, provided with appropriate benchmarks (poles with signs, etc.) and security services.

9. (Deleted – 15.7.2020, No 6902).

10. (Deleted – 25.3.2013, No 494).

11. The procedures for creating sanitary protection zones, determining their boundaries, allocating zones, and the list of and procedures for activities allowed within these zones shall be determined by the regulations on Sanitary Protection Zones of Water Bodies Used for Supplying Drinking and Domestic Water and for Supplying Water for Medical and Health Resort Needs, which shall be developed and approved by an order of the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

*Law of Georgia No 5917 of 20 March 2012 – website, 29.3.2012*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

## **Article 22 – Requirements for land use within water protection zones**



1. The lands within water protection zones may be transferred to natural and legal persons for ownership or for use, subject to compliance with the limitations of activities determined under this Law.
2. The limitations under this Law shall apply to the land parcels or their parts owned or used by natural or legal persons, if the land parcels or their parts are within the set boundaries of water protection zone.
3. The lands within water protection zones may be transferred for ownership or for use as determined by the land legislation of Georgia.
4. The Ministry shall control the land use in water protection zones.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

### **Article 23 – Requirements for forest use within water protection zones**

1. The regime of economic activities in the forests within water protection zones shall be directed to preservation of natural properties of water.
2. Any kind of cutting shall be prohibited in the forests within water protection zones. It shall be permitted to implement only the forestry measures that ensure protection of water bodies from pollution, littering, and depletion.
3. The forest legislation of Georgia shall determine procedures and forms of granting a general licence for forest use within water protection zones.

[3. (Deleted – 22.5.2020, No 5969). (Shall become effective from 1 January 2020)]

4. The appropriate institutions under the Ministry shall control the forest use in water protection zones. They shall be authorised to suspend or prohibit the forest use, if it adversely affects the water condition.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 5969 of 22 May 2020 – website, 28.5.2020*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

### **Article 24 – Water conservation under the protected areas system**

1. To conserve and restore the major national heritage - water, unique, rear and peculiar ecosystems, species of plants and animals, natural formations and cultural areas, to ensure the use of their scientific, educational, recreational and natural resources for the development of saving economy, appropriate categories of protected areas may be assigned to certain water bodies as determined by the Law of Georgia on the System of Protected Areas.
2. The legislation of Georgia shall establish a regime for the conservation and use of water bodies under the category of protected areas or water bodies within protected areas.

3. Water bodies of Georgia shall be included in the International Network of Protected Areas (a biosphere reserve, a world heritage site, a high humidity area of international importance) under the norms determined by treaties



and international agreements.

4. A legal regime for conservation and use of water bodies included in the International Protected Areas Network shall be determined by treaties and international agreements, and the legislation of Georgia.

5. (Deleted – 25.3.2013, No 494).

6. (Deleted – 25.3.2013, No 494).

7. (Deleted – 25.3.2013, No 494).

8. (Deleted – 25.3.2013, No 494).

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Chapter IV – Prevention of hazardous water impact and elimination of its consequences**

### **Article 25 – Obligation of natural and legal persons to prevent hazardous water impact and eliminate its consequences**

1. Natural and legal persons who exercise water use and conservation shall be obliged to implement measures for preventing hazardous water impact and eliminating its consequences, in agreement with or under the instructions of the Ministry.

2. The hazardous water impact shall imply:

a) flood, inundation, and water stagnation;

b) shore cutting, destruction of protection dykes and other structures;

c) land bogging and salination;

d) erosion of soil by water, formation of gullies, landslides, mudslides, and other hazards.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

### **Article 26 – Flood types and their consequences**

1. Floods may have following harmful consequences:

a) scouring and deforming of riverbeds, washing out or collapse of shores and slopes;

b) damaging, failure, and destruction of flood protection (dykes, dams, etc.) and hydraulic (water intakes, weirs, etc.) structures;

c) inundation of populated localities, agriculturally used areas, forest areas, bridges, motorway and railway mains, industrial and other economic facilities, as well as their washout, destruction and damaging, and interruption of the normal technical operation of these facilities.



2. According to the conditions of water flow and formation of water levels, the following flood types shall be determined:

- a) spring and autumn high water;
- b) rain and storm torrent;
- c) a mudflow.

3. According to the levels of intensity and hazard, expected floods shall be conditionally divided into 3 categories:

- a) a hazardous phenomenon;
- b) a highly hazardous phenomenon;
- c) a natural disaster.

4. A hazardous phenomenon is characterised by a common annual or frequently recurring torrents causing water level to rise and a slight scouring of the riverbed. As a result, the disturbance of normal operation of facilities of local importance (temporary inundation of used lands, washing away and damaging of road beds, communication and electricity transmission lines, short interruption of the operation of municipal communications and transport, etc.) may occur.

5. A highly hazardous phenomenon is characterised by torrents or mudflows causing the partial inundation and flooding of considerable areas of cities and populated localities, rail and motor ways, as well as of large economic facilities and agriculturally used areas, which may result in:

- a) interruption of electricity supply and the operation of communications for 6 hours and longer;
- b) delay or interruption of water and electricity supply to cities and large industrial facilities, as well as delay or interruption of municipal transport movement for 24 hours and longer;
- c) partial destruction or damage of residential houses, administrative and industrial buildings and structures, construction and industrial facilities.

6. A natural disaster is characterised by a highly hazardous and rarely recurring torrent and mudflows that cause inundation of a considerable area of used lands, large-scale destruction and damage of especially important economic facilities, residential houses, industrial buildings and structures, and other facilities, as well as the resettlement of the population from dangerous zones and affected houses.

7. Notification about the expected hazard shall take place according to the above range, by indicating a nature of the phenomenon.

#### **Article 27 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 28 – Financing of flood-related operations**

Operations for flood prediction, elimination of consequences and recovery shall be financed from the State Budget of Georgia and the budgets of the autonomous republics in the cases and under the procedures determined by the legislation of Georgia, as well as from donations of natural and legal persons.



## **Article 29 – Environmental emergency and environmental emergency zone**

1. A state of emergency shall be declared in a territory where flood or other hazardous impacts of water has caused environmental degradation or environmental imbalance, has endangered human health and life, flora, and fauna, and where the occurred phenomenon is considered as an environmental catastrophe.
2. An environmental emergency or environmental disaster zone shall be formed in the territory where a state of emergency is declared.
3. The President of Georgia shall declare or cancel an environmental emergency or environmental disaster zone.
4. A regime of an environmental emergency and environmental disaster zone shall be defined under the legislation of Georgia.

## **Chapter V – Water use**

### **Article 30 – Water use body**

1. The water bodies referred to in Article 7 of this Law shall be transferred for use.
2. The use of water bodies that are determined under this Law as water bodies of special state importance or of special scientific or cultural value may be prohibited, fully or partially, as determined by the legislation of Georgia.

### **Article 31 – Water use types**

1. Water use shall include:
  - a) abstraction or diversion of water from water bodies, impoundment of water, artificial alteration of water levels and flow;
  - b) extraction from or discharge of substances into water bodies, and discharge of used waste waters into water bodies;
  - c) construction and operation of structures of different purposes that affect the water condition;
  - d) exploration of ground waters.
2. Other water use types may also be provided by the legislation of Georgia.
3. Water use shall be exercised under general and special water use forms.

### **Article 32 – General water use**



1. General water use shall be exercised to meet non-industrial, personal (individual), drinking and domestic, aesthetic, recreational, health-improvement and other demands without using structures and equipment that affect the water condition.
2. General water use for the purposes listed in paragraph 1 of this article may also be exercised by means of simple structures and equipment (ponds, groundwater wells, etc.) that are located on the land parcels owned or used by natural or legal persons.
3. General water use shall be toll-free.
4. General non-licensed water use shall be exercised in compliance with the requirements set by the legislation of Georgia.
5. Ground water use for the purposes listed in paragraph 1 of this article shall be exercised under a general water use form by arranging pit wells, driven screened wells, and tapping, if their operation does not cause a forced fall of the water table.
6. (Deleted – 25.3.2013, No 494).
7. (Deleted – 25.3.2013, No 494).

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 33 – Special water use**

1. Special water use shall be exercised by means of structures and technical equipment that affect the water condition.
2. In certain cases, the special water use may also imply the use of water bodies without using the structures and technical equipment if this affects the water condition.
3. (Deleted – 25.3.2013, No 494).
4. (Deleted – 25.3.2013, No 494).

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 34 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 35 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 36 – Supply of the population with drinking and domestic water**

Water bodies shall be transferred for use to primarily meet the demands of the population for drinking and domestic water.



### **Article 37 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 38 – Water user**

1. A water user may be a natural or legal person, including an alien, irrespective of ownership form, as determined by the legislation of Georgia.
2. (Deleted – 25.3.2013, No 494).
3. (Deleted – 25.3.2013, No 494).

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 39 – Rights of a water user**

1. A water user shall have the right to:
  - a) use water bodies under a general form of water use;
  - b) lodge a complaint for compensation of damages due to an illegal action of a natural or legal person that caused pollution, littering, or depletion of the water body, as determined by the legislation of Georgia;
  - c) appeal decisions of bodies and officials of the executive authority that infringe his/her/its rights to water use according to established procedures.
2. (Deleted – 25.3.2013, No 494).
3. (Deleted – 25.3.2013, No 494).
4. (Deleted – 25.3.2013, No 494).
5. The rights of a water user may be expanded or limited under the legislation of Georgia.
6. The rights of a water user shall be protected by law, and if infringed, the violated rights shall be restored.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Article 40 – Limitation of the rights of a water user**

1. In order to protect the population's health, and considering the interests of other water users, the rights of water users may be limited during extremely low water levels, emergency situations on a water body, epidemic and epizootic hazards, natural disasters, military operations and in other emergencies or cases provided under the legislation of Georgia.
2. (Deleted – 25.3.2013, No 494).



3. (Deleted – 25.3.2013, No 494).

4. The right to general water use may be limited to protect the population's life and health, to conserve fish and for other purposes. For that purpose, the Ministry shall, on the recommendation of appropriate institutions and municipalities, determine places where bathing, boating, extraction of water for drinking and domestic purposes, watering of cattle, fishing, and other activities shall be prohibited.

5. (Deleted – 25.3.2013, No 494).

6. Procedures and rules for limiting the rights of water users in particular cases (except during the hazardous impacts of water) shall be determined by regulations on Limitation of the Rights of Water Users in Particular Cases, which shall be developed and approved by order of the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia in agreement with the Ministry.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

#### **Article 41 – Obligations of water users**

1. Water users shall be obliged to:

a) ensure the rational use of water, and preservation and restoration of its quality;

b) not allow infringement of other water users' rights, and the damage of economic facilities and natural sites; if this still occurs, water users shall be obliged to indemnify the damage caused as determined by law;

c) keep treatment and other facilities in order, and the technical equipment that affects the water condition, and improve the quality of their performance;

d) maintain the record of water use as determined by the legislation of Georgia;

e) keep wells in serviceable condition; eliminate unserviceable wells according to established procedures;

f) ensure unobstructed access of representatives of the bodies authorised for state supervision to its devices, structures and equipment; provide the controlling bodies or their representatives with all necessary information and documents upon first request;

g) closely observe the rules of safely performing work.

2. Water users shall fulfil other requirements for water conservation and use under the legislation of Georgia.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 42 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 43 – (Deleted)**



*Law of Georgia No 2279 of 8 May – LHG I, No 13, 2.6.2003, Art. 83*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 44 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 45 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 46 – (Deleted)**

*Law of Georgia No 2805 of 23 March 2010 – LHG I, No 20, 19.4.2010, Art. 110*

*Law of Georgia No 6164 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 47 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 48 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 49 – (Deleted)**

*Law of Georgia No 2279 of 8 May – LHG I, No 13, 2.6.2003, Art. 83*

*Law of Georgia No 445 of 16 September 2004 – LHG I, No 28, 7.10.2004, Art. 130*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 50 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*



## **Article 51 – (Deleted)**

*Law of Georgia No 2279 of 8 May 2003 – LHG I, No 13, 2.6.2003, Art. 83*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Article 52 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Article 53 – Main purposes and conditions of special water use**

1. Special water use shall be exercised:

- a) for the purposes of drinking and domestic water supply of the population;
- b) for medical, health resort, and sports purposes;
- c) for agricultural purposes;
- d) for industrial and hydro power purposes;
- e) for water transportation, air transportation, and wood floating purposes;
- f) for fishery purposes.

2. When using a water body for drinking and domestic water supply of the population, the following conditions shall be observed:

- a) to supply the population with drinking and domestic water for which surface and ground waters reliably protected from pollution and littering shall be used, the quality of which in their natural state or after proper treatment complies with the norms established by the state standards of Georgia;
- b) a water body to be used for supplying the population with drinking and domestic water shall be selected based on its reliability and considering the real possibility of arranging a sanitary protection zone;
- c) the use of potable ground waters for industrial purposes shall be permissible only if the production process requires water of potable quality, based on the existing sanitary norms and standards;
- d) the use of drinking water supplied from the state water supply system for industrial purposes shall be permissible in exceptional cases, only under an appropriately substantiated need, unless it adversely affects the drinking and domestic water supply of the population.

3. When using a water body for medical, health resort, and sports purposes, the following conditions shall be observed:

- a) a water body, assigned to a medicinal category according to the established procedures, shall be used for medical and health resort purposes, and for producing marketable water (medicinal natural mineral water) products;
- b) The list of water bodies assigned to a medicinal category shall be determined by an order On Approving the List of Water Bodies Assigned to a Medicinal Category, which shall be developed and approved by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia in



agreement with the Ministry. The procedure for using these water bodies shall be determined under the legislation of Georgia;

c) natural persons shall be allowed to use water bodies for recreational and sports purposes under the general form of water use;

d) (deleted – 15.7.2020, No 6902);

e) the use of a water body for navigating a small-size vessel (a row boat, sailing yacht, etc.) shall be allowed under the general form of water use, provided that the procedures for using small-size vessels are followed.

4. When using a water body for agricultural needs, the following conditions shall be observed:

a) natural and legal persons using water bodies for agricultural needs shall be obliged to comply with the water use procedures, norms and regimes; to take measures for reducing the losses within the amelioration system caused by filtration and evaporation of water and for preventing irrational diversion of water from water bodies; to prevent falling of fish into the amelioration system from fishery reservoirs, and to create favourable conditions for soil humidity;

b) when driving cattle, natural and legal persons shall be obliged to prevent the water supply sources located on a driftway from pollution and depletion, and the water supply facilities and equipment from being damaged;

c) to prevent water bodies and water catchment basins from pollution, livestock farms, complexes and agro-industrial enterprises shall be equipped with waste waters treatment facilities;

d) the provisions of subparagraph (a) of this paragraph shall also apply to watering and drying of the lands of forests, forest belts, and forest hothouses;

e) the Ministry shall develop and approve procedures for using irrigation water reservoirs for each water reservoir, cascade, or a system of water reservoirs, by an order on Approving the Regulations on Procedures for Using Irrigation Water Reservoirs.

5. When using a water body for industrial and hydro power needs, the following conditions shall be observed:

a) water users, who use water bodies for industrial purposes, shall be obliged to comply with technological norms and water use procedures, to take measures for reducing water consumption and preventing the discharge of waste waters through the improvement of production technologies and water supply schemes (by using non-water technological processes, blast cooling, circulating water supply, and other techniques);

b) ground waters that do not fall in a drinking or medicinal water category, may be used for industrial water supply according to established procedures to extract chemical elements from their composition, to produce heat power and for other industrial purposes, considering the rational use of water and water protection requirements;

c) the use of a water body for hydro power needs shall be exercised by complying with the requirements of multi-purpose water use and considering the interests of other sectors;

d) natural and legal persons exploiting hydraulic structures of water reservoirs, shall be obliged to ensure the regime for impounding and emptying water reservoirs that is established considering the interests of water and land users within a water reservoir coverage zone;

e) the Ministry of Economy and Sustainable Development of Georgia shall develop and approve procedures for using power water reservoirs for each water reservoir, cascade, or a system of water reservoirs, by an order on Approving the Regulations on Procedures for Using Power Water Reservoirs;

f) the provisions of this paragraph shall also apply to the exploitation of lakes and other water bodies used as water reservoirs.



6. When using water bodies for water transportation, air transportation and wood floating purposes, the following conditions shall be observed:

- a) rivers, lakes, water reservoirs, canals, the territorial waters of Georgia and the special economic zone shall be navigational routes for public use, except for cases when their use for this purpose is fully or partly prohibited;
- b) the procedure for using water bodies for parking, taking off and landing of aircraft, as well as for other needs of air transportation shall be determined by the legislation of Georgia.

7. When using water bodies for fishery needs, the following conditions shall be observed:

- a) in water bodies or in their individual areas having special significance for preservation and reproduction of valuable fish species, other objects of aquatic fauna and flora, the rights of water users may be limited based on fishery interests;
- b) the list of water bodies and their individual areas provided under subparagraph (a) of this paragraph, and on limitations of the types of water use within these areas shall be determined by regulations on the List of Water Bodies and Their Individual Areas Having Special Significance for Fishery, and on Limitation of Water Use within These Water Bodies that shall be prepared and approved by the Ministry;
- c) when operating hydraulic and other structures, timely measures ensuring conservation of fish stock and its reproduction conditions shall be implemented at fishery water reservoirs.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1688 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

#### **Article 54 – Water use in transboundary waters of Georgia**

1. Water use in transboundary water bodies of Georgia shall be exercised under treaties and international agreements.
2. If water use in the Georgian section of transboundary waters is not fully regulated under treaties and international agreements to which Georgia is a party, such water use shall be exercised according to the legislation of Georgia.

### **Chapter VI – Production of Marketable Water Products and Trade**

#### **Article 55 – Purposes of state regulation of the production of marketable water products and trade**

1. The purposes of state regulation of the production of marketable water products and trade shall be:
  - a) development of the water industry in Georgia;
  - b) production of marketable water products according to international standards;



- c) guaranteed protection of the national interests of Georgia in water use and international trade of marketable water products;
- d) regulation of legal relations in the production of marketable water products and international water trade;
- e) determination of powers of the highest state authorities of Georgia and the bodies of the autonomous republics in the area of regulation of the production of marketable water products.

2. For the purposes of state regulation of the production of marketable water products and trade:

- a) the categories of marketable water products shall be determined;
- b) hygiene and sanitary conditions meeting international standards for production of marketable water products, quality control, the categories of packing materials, procedures for designing labels, and technological conditions of production shall be determined;
- c) the environmental safety of water deposits and production shall be assessed;
- d) state certification of marketable water products shall be performed;
- e) water quality norms and state standards shall be determined;
- f) state licensing of marketable water products shall be performed.

3. Procedures for production of marketable water products and trade determined in this chapter shall apply to all waters produced (bottled) within Georgia and abroad, that are sold (or to be sold) in the territory of Georgia or are intended for export.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

## **Article 56 – Categories of marketable water products**

1. To produce (bottle) marketable water products in Georgia, only ground and surface waters suitable for this activity shall be used. The procedures for exploiting deposits of waters, for using trademarks and packing materials for water products, for operating the necessary process units, and the hygiene and sanitary conditions of the production shall be regulated under this Law and other normative acts of Georgia.

2. According to their origin, physical and chemical properties, and degree of processing, marketable water products produced (bottled) in Georgia shall be classified into 4 categories:

- a) natural mineral water;
- b) medicinal mineral water;
- c) spring water;
- d) table water.

3. The natural mineral water shall be water naturally protected from pollution and produced (bottled) from one ground water source, which is characterised by a stable chemical composition, temperature, yield, and the deposit of which is approved. When processing such water, such technology shall be used that causes no changes to its natural microbiological and chemical composition. Natural mineral water may possess curing properties and favourably affect human health.



4. Produced (bottled) natural mineral water may be carbonated or non-carbonated. According to carbon production and content carbonated natural mineral waters shall be divided into the following groups:

a) naturally carbonated natural mineral waters - natural mineral water, in which carbon content after being bottled remains the same as when extracted from the source. Natural mineral water that has been replenished with carbon produced from the same source shall belong to this group, unless the quantity of replenished carbon exceeds the quantity of carbon lost during the bottling process;

b) natural mineral water carbonated with carbon from the source - natural mineral water which is carbonated with carbon produced from the same source, and the carbon content in bottled products exceeds the quantity of carbon in the water when extracted from the source;

c) carbonated natural mineral water - natural mineral water, which is partially or fully carbonated with carbon produced from other sources.

5. Medicinal mineral water shall be mineral water that may be used only for medical purposes due to its significant mineral and carbon composition, high content of biologically active agents and specific properties (radioactivity, temperature, acidity, etc.).

6. Spring water shall be water naturally protected from pollution and produced (bottled) from one ground water source, the chemical composition, temperature, and yield of which may not be stable, and its resource may not be estimated. When processing such water, such technology shall be used that causes no changes to its natural microbiological and chemical composition.

7. Table water shall be all other produced (bottled) ground or surface water. Table water may be obtained simultaneously from several water bodies and it may undergo any type of processing under established procedures.

#### **Article 57 – Assigning categories to marketable water products**

1. To assign a category of natural mineral water to produced (bottled) water, the following requirements shall be complied with:

a) ecological safety of a water source;

b) stability of chemical composition, temperature and yield of the source of water;

c) production (bottling) of water from one source;

d) the resource of a water source shall be estimated under the Law of Georgia on Subsoil;

e) water shall be transported from a water source to a bottling enterprise only through the pipeline connecting them;

f) when processing water, such technology shall be used that causes no changes to its natural microbiological and chemical composition;

g) water quality shall comply with the norms established by the state standard of natural mineral waters.

2. The information submitted for assigning a category of natural mineral water to water shall include:

a) a hydrogeological description of a water source;

b) a description of microbiological, physical and chemical properties of water and their compliance with the



norms determined by the state standard of natural mineral waters;

c) a description of clinical and pharmacological properties of water (if necessary);

d) a description of ecological safety of a water source;

e) information involving at least two years of the stability of chemical and microbiological composition, temperature and debit of a water source;

f) a description of the technology of water supply and water processing in an enterprise;

g) a geographical location and full name of a water source;

h) a protocol on approving a water source storage.

3. A rule and procedure for assigning a category of medicinal mineral water shall be determined by the regulations that shall be approved by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia. Procedures for production, sale and use of medicinal mineral water shall be determined by this Law and the respective legislation of Georgia.

4. When assigning a category of spring water to produced (bottled) water, the requirements under paragraph 1 of this article, except for those determined in subparagraphs (b) and (d) shall be complied with.

5. The information submitted for assigning a category of spring water shall include information determined in paragraph 2 of this article, except for the information determined in subparagraphs (e) and (h).

6. Produced (bottled) table water shall meet the norms determined by the state standard of drinking water. The information submitted for assigning this category to water shall include:

a) a complex description and full name of a water body;

b) a description of microbiological, physical and chemical properties of water and their compliance with the norms determined by the state standard of drinking water;

c) a description of the technology of water supply to an enterprise and water processing.

7. The Ministry shall, on the basis of information submitted by an enterprise, assign a category to a marketable water product, register it, and issue a document certifying the assigned category.

8. A decision on the assignment of a water category to a marketable water product shall be made not later than three months after submission of an application.

9. It shall be prohibited to use the name of produced (bottled) water of one category for water of another category.

10. (Deleted).

*Law of Georgia No 2569 of 28 December 2005 – LHG I, No 59, 31.12.2005, Art. 452*

*Law of Georgia No 1688 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

## **Article 58 – Main requirements for the production and sale of marketable water products**

1. Production and sale of marketable water products in Georgia shall be implemented under established



procedures, the major elements of which shall be:

- a) technological conditions of an enterprise and of water bottling;
- b) categories of marketable water products;
- c) protection from pollution, and hygiene and sanitary conditions of an enterprise;
- d) packing materials, including those that are in contact with water;
- e) a system and regime of quality control of released products;
- f) inspection and testing;
- g) documents and notes;
- h) product labelling;
- i) shelf life of products;
- j) technology of water processing;
- k) a falsification prevention system.

2. Procedures for producing and selling marketable water products shall be determined by the regulations on Procedures for Producing and Selling Marketable Water Products.

**Article 59 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Article 60 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Article 61 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Article 62 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Article 63 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*



**Article 64 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Article 65 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Article 66 – (Deleted)**

*Law of Georgia No 2192 of 7 May 2003 – LHG I, No 15, 4.6.2003, Art. 105*

**Chapter VII – Economic Regulation of Water Conservation and Use**

**Article 67 – Scope of economic regulation of water conservation and use**

Economic regulation of water conservation and use shall encompass:

- a) definition and management of the economic relations in water conservation and use, including the relations between the state authorities and users of natural resources;
- b) establishment of a system of fees for using water and water bodies;
- c) economic protection of water users.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 68 – Mechanisms of economic regulation of water conservation and use**

Mechanisms of economic regulation of water conservation and use shall include:

- a) record making and economic assessment of water;
- b) an economically feasible system of fees for water use;
- c) funding measures for water conservation, restoration, and prevention of hazardous impacts of water from the Budget, as well as elimination of its effects;
- d) an economically substantiated system of fines for violating the legislation of Georgia on water conservation and use of water bodies;
- e) purposeful use of funds generated from the sale of technical facilities and vehicles that were seized as determined by the legislation of Georgia due to illegal water use and from the sale of marketable water products, as well as from purposeful use of voluntary donations of natural and legal persons.



*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 69 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 70 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 71 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 72 – (Deleted)**

*Law of Georgia No 863 of 29 December 2004 – LHG I, No 6, 19.01.2005, Art. 31*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 73 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Chapter VIII – State Management of Water Conservation and Use**

**Article 74 – State management of water conservation and use**

1. To implement a unified national policy for water conservation and use, the Unified System of Water Conservation and Use Management shall be formed in Georgia. This system shall be intended to:

- a) ensure the practical implementation of a national policy on rational water use;
- b) protect water from pollution, littering, and depletion;
- c) prevent hazardous impact of water and eliminate its effects;
- d) ensure equal water use opportunities for all natural and legal persons;
- e) develop free economic relations;
- f) develop international relations in the sphere of water conservation and use; regulate production and sale of marketable water products, including import and export, according to the legislation of Georgia and treaties and



international agreements of Georgia;

g) implement an antimonopoly policy of water use;

h) ensure necessary guarantees for water users, including for aliens, and protect their rights in water use.

2. State management of water use and conservation in Georgia shall be exercised by the Ministry, as well as by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, the Ministry of Economy and Sustainable Development of Georgia, and the bodies of the Autonomous Republics of Abkhazia and Ajara, within the scope of their authority.

3. State management of water conservation and use shall be exercised through keeping records, monitoring, licensing, control and supervision.

*Law of Georgia No 2805 of 23 March 2010 – LHG I, No 20, 19.4.2010, Art. 110*

*Law of Georgia No 6164 of 8 May 2012 – website, 25.5.2012*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1688 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

*Law of Georgia No 6902 of 15 July 2020 – website, 28.7.2020*

## **Article 75 – Objectives of the state management of water use and conservation**

1. The objective of the state management of water use and conservation shall be the stable use of water, water and environmental protection, state regulation of relations originating in the process of water use, and formation of a resource base of ground waters.

2. To implement the objectives of the state management of water use and conservation:

a) an allowable amount of water extraction shall be determined;

b) an amount of discharge of waste waters into water bodies and an amount of contaminants in these waters shall be determined;

c) a resource base of ground waters shall be developed;

d) an economic basis for water use shall be determined;

e) standards and norms of water exploration, conservation and stable use and of safe conduct of works related to water use shall be established; and control and supervision of compliance with these standards and norms shall be ensured.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

## **Article 76 – The state system of record keeping on water and water use**

1. The objective of the state system of record keeping on water and water use shall be the determination of the



quantity and quality of water bodies and water in the water bodies, and data on water use; scientifically substantiated distribution of water between water users after primarily meeting the drinking and domestic water demands of the population; water conservation and prevention of its hazardous impact.

2. The Georgian state system of record keeping on water use shall be carried out according to the forms and procedures approved by the National Statistics Office of Georgia (Geostat).

3. The Ministry shall develop and approve forms of primary record keeping on water use and procedures for record keeping by an order on Approving Forms of Primary Record Keeping on Water Use and Procedures for Record Keeping.

4. A water user exercising water use under a special water use form, shall gratuitously provide any information related to water use to the Unified State Fund of Information on Natural Resources under the Ministry, according to the forms developed and approved by the Ministry.

5. Ground water exploration works, their sources, storage and resources, construction and operation of underground structures, as well as any other type of ground water use, shall be subject to record keeping as determined by the Law of Georgia on Subsoil.

*Law of Georgia No 2296 of 11 December 2009 – LHG I, No 45, 21.12.2009, Art. 327*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 77 – (Deleted)**

*Law of Georgia No 465<sup>a</sup> of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 86*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 78 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 79 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 80 – State monitoring of water (system of observing and analysis of water conditions)**

1. State monitoring of water is a unified system of regular observation on the quantitative and qualitative condition of water in water bodies and waste waters and of information analysis, which is intended to receive information on the condition of water and water bodies; to assess its interaction with the environment (natural and man-made), also the power potential of water resources and rivers; to predict hazardous impact of water (floods, mudflows, landslides, etc.) and others.

2. State monitoring of water shall be implemented within the framework of the Unified State Environmental Condition Monitoring System.

3. The legal regime of the state monitoring of water shall be determined by the legislation of Georgia.



4. State monitoring of water shall be implemented by the Legal Entity under Public Law - the National Environmental Agency under the Ministry.

*Law of Georgia No 465<sup>a</sup> of 30 June 2000 – LHG I, No 27, 17.7.2000, Art. 86*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 81 – State balance of ground water reserves, reserve estimation parameters, estimation of reserves and depletion**

State balance, determination of estimation parameters, estimation of ground water reserves and its depletion shall be implemented as determined by the Law of Georgia on Subsoil.

#### **Article 82 – Ownership of information on water**

1. Information on water reserves, resources and qualitative conditions, mining and technical conditions of processing a ground water source, and other properties or parameters shall be the property of the entity whose funds have been used to obtain this information.

2. Information on water may be sold or procured.

3. The legislation of Georgia shall protect the right of ownership of the information on water.

4. It shall be inadmissible to disseminate the information included in the State Information Fund to other natural or legal persons without the consent of an information owner, except for the cases determined by the legislation of Georgia.

#### **Article 83 – (Deleted)**

*Law of Georgia No 445 of 16 September 2004 – LHG I, No 28, 7.10.2004, Art. 130*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 84 – Water conservation and use standards**

1. The establishment of water conservation and use standards shall be intended to determine such standards of impact as a result of activity related to water use that shall ensure conservation of the water environment and ecological balance. For this purpose, the following shall be established:

a) quality standards of water conditions;

b) maximum allowable standards of emission (discharge) of substances (including microorganisms) into water bodies;

c) standards of load on water bodies.

2. The quality standards of water conditions shall be maximum allowable standards of concentration of substances



and microorganisms harmful to human health and natural environment in water.

3. The maximum allowable standards of emission of hazardous substances (including microorganisms) into water bodies shall be standards of discharge of industrial, municipal and other waste waters, that are established for each individual pollution source considering its technological characteristics and background pollution of the location, so that the on-site concentration of emission substances and microorganisms does not exceed a maximum allowable concentration level.

4. (Deleted – 25.3.2013, No 494).

5. (Deleted – 25.3.2013, No 494).

6. The Law of Georgia on Environmental Protection shall determine procedures for determining standards of quality water condition, maximum allowable standards of emission of hazardous substances (including microorganisms) into the environment, water extraction quota, and emission of hazardous substances (including microorganisms) into water.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

#### **Article 85 – State control and supervision of water conservation and use**

1. The objective of state control and supervision of water conservation and use shall be provision of the fulfilment of water conservation obligations by all natural and legal persons, and of compliance with procedures for using and conserving water bodies, and with other procedures determined by legislation.

2. Any action of a water user related to the use of water bodies shall be subject to state control and supervision of water conservation and use.

3. State control and supervision of water conservation and use shall be exercised by the Ministry and by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Labour, Health and Social Affairs of Georgia within the scope of its authority.

4. The Ministry shall control and regulate the performance of water use procedures determined by the water legislation, requirements of norms and procedures for protection of water from pollution, littering, and depletion, the obligations of implementing measures to prevent hazardous impacts of water and eliminate its effects, of primary and state record keeping and of other obligations by natural and legal persons.

5. State control and supervision of water conservation and use shall be intended to:

a) ensure compliance with the environmental protection and water legislation of Georgia, and with the instructions on water conservation and use by enterprises, institutions, and organisations, by ships and other water craft (irrespective of their ownership and organisational-legal form), and by officials and citizens;

b) ensure the rational use of water bodies (based on compliance with the requirements for their multi-purpose use); to protect water resources from pollution, littering, and depletion;

c) ensure compliance with procedures for exploitation of water economy systems and water reservoirs, also lakes and other reservoirs used as water reservoirs;

d) ensure effective operation of treatment facilities and equipment, as well as compliance with the rules and conditions for discharge of waste waters into the sewerage system determined by the technical regulations approved by an ordinance of the Government of Georgia;

e) ensure compliance with the norms and procedures for water use and discharge, as well as with an established water use regime;



f) introduce science and technology achievements and advanced experience in water conservation and use in enterprises, institutions, and organisations;

g) ensure implementation of water conservation measures in water protection zones and sanitary water protection zones by natural and legal persons, as well as of measures for preventing hazardous impact of water (floods, inundation, deluge, destruction of shores, and other hazards);

h) ensure the proper primary record making of the amount of water extracted from and discharged into water bodies by natural and legal persons and determine the quality of discharged water; ensure the availability of equipment and apparatus necessary for record making on water use and discharge; to check their conditions and ensure compliance with the time established for state examination of these equipment and apparatus.

6. The Ministry shall have the right to:

a) terminate the unauthorised use of water and water bodies, also the use of water and water bodies in violation of established water conservation and use procedures, times, quotas and other requirements;

b) give instructions on elimination of violations of water conservation and use procedures, quotas, times, and other requirements;

c) suspend works, the conduct of which causes systematic violations of water conservation and use procedures, quotas, and other requirements, until these violations are eliminated.

7. The Ministry and the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia shall exercise state control and supervision of the production of marketable water products within the scope of their authority.

8. Normative acts of Georgia may determine other purposes of the state control and supervision of water conservation and use.

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1688 of 7 December 2017 – website, 14.12.2017*

*Law of Georgia No 3093 of 5 July 2018 – website, 11.7.2018*

*Law of Georgia No 2755 of 29 June 2018 – website, 19.7.2018*

**Article 86 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Chapter IX – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 87 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*



**Article 88 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 89 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Chapter X – Treaties and International Agreements**

**Article 90 – Treaties and international agreements of Georgia in water conservation and use**

If procedures different from the water legislation of Georgia are contained in treaties and international agreements of Georgia and these procedures do not contradict the Constitution of Georgia, the procedures of treaties and international agreements shall be applicable.

**Section III – Transitional Part**

**Chapter XI – Transitional Provisions Related to the Entry of This Law into Force**

**Article 91 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 92 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

**Article 93 – Normative acts to be adopted regarding this Law**

The following subordinate normative acts shall be adopted regarding this Law:

- a) (deleted – 6.9.2013, No 1034);
- b) an order of the Minister of Environment and Natural Resources Protection of Georgia on Approving the List of Surface Water Bodies of Special State and State Importance;
- c) (deleted – 25.3.2013, No 494);
- d) a joint order of the Ministers for Internal Affairs of Georgia and for Environment and Natural Resources Protection of Georgia on Approving a Certain Area (Areas) Allocated for Foreign Natural and Legal Persons to



- e) an order of the Minister of Labour, Health and Social Affairs of Georgia approving regulations on Sanitary Protection Zones of Water Bodies Used to Supply Drinking and Domestic Water and Water for Medical and Resort Needs;
- f) (deleted – 25.3.2013, No 494);
- g) (deleted – 25.3.2013, No 494);
- h) (deleted – 25.3.2013, No 494);
- i) an order of the Minister of Labour, Health and Social Affairs of Georgia approving regulations on Limitation of the Rights of Water Users in Particular Cases;
- j) (deleted – 25.3.2013, No 494);
- k) (deleted – 25.3.2013, No 494);
- l) (deleted – 25.3.2013, No 494);
- m) (deleted – 25.3.2013, No 494);
- n) (deleted – 25.3.2013, No 494);
- o) (deleted);
- p) (deleted);
- q) (deleted – 25.3.2013, No 494);
- r) an order of the Minister of Labour, Health and Social Affairs of Georgia on Approving the List of Water Bodies Assigned to a Medicinal Category;
- s) (deleted – 25.3.2013, No 494);
- t) an order of the Minister of Environment and Natural Resources Protection of Georgia approving regulations on the List of Water Bodies and Their Individual Areas of Special Importance for Fishery, and Limitation of Water Use within These Water Bodies;
- u) (deleted – 25.3.2013, No 494);
- v) (deleted – 25.3.2013, No 494);
- w) (deleted – 25.3.2013, No 494);
- x) (deleted);
- y) (deleted);
- z) (deleted);
- z<sup>1</sup>) (deleted);
- z<sup>2</sup>) (deleted);



z<sup>3</sup>) (deleted);

z<sup>4</sup>) (deleted);

z<sup>5</sup>) (deleted);

z<sup>6</sup>) an order of the Minister of Energy of Georgia approving regulations on Procedures for Using Power Water Reservoirs;

z<sup>7</sup>) an order of the Minister of Environment and Natural Resources Protection of Georgia on Approving Primary Record Keeping Forms of Water Use and Procedures for Record Keeping;

z<sup>8</sup>) (deleted – 25.3.2013, No 494);

z<sup>9</sup>) (deleted – 25.3.2013, No 494);

z<sup>10</sup>) an order of the Minister of Environment and Natural Resource Protection of Georgia approving regulations on Water Protection Zones;

z<sup>11</sup>) an order of the Minister of Agriculture and Food of Georgia approving regulations on Procedures for Exploiting Irrigation Water Reservoirs;

z<sup>12</sup>) before 1 January 2014, the Government of Georgia shall prepare and submit to the Parliament of Georgia a draft law on Water Resources Management, under which an obligation for obtaining appropriate empowering acts of water use shall be restored;

z<sup>13</sup>) technical regulations on the Conditions of Discharge and Inflow of Waste Water into the Sewerage System and on the Maximum Allowable Standards for Contaminants, which shall be developed by the Ministry and submitted for approval to the Government of Georgia before 10 August 2018.

*Law of Georgia No 445 of 16 September 2004 – LHG I, No 28, 7.10.2004, Art. 130*

*Law of Georgia No 2569 of 28 December 2005 – LHG I, No 59, 31.12.2005, Art. 452*

*Law of Georgia No 624 of 5 December 2008 – LHG I, No 35, 5.12.2008, Art. 230*

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

*Law of Georgia No 1034 of 6 September 2013 – website, 23.09.2013*

*Law of Georgia No 2755 of 29 June 2018 – website, 19.7.2018*

#### **Article 94 – (Deleted)**

*Law of Georgia No 494 of 25 March 2013 – website, 5.4.2013*

### **Section IV – Final Part**

### **Chapter XII – Final Provisions**



## **Article 95 – Invalid normative acts**

Upon the entry of this Law into force, the Law of the Georgian Soviet Socialist Republic on Approval of the Water Code of the Georgian Soviet Socialist Republic of 5 June 1974 (The Gazette of the Supreme Council of the Georgian Soviet Socialist Republic, 1974, No 6, Art. 107) and the subordinate normative acts adopted under that law shall be invalid.

## **Chapter XIII – Entry into Force**

### **Article 96 – Entry into force**

This Law shall enter into force on 25 November 1997.

**President of Georgia**

**Eduard Shevardnadze**

**Tbilisi**

**16 October 1997**

**No 936–Ib**

