

**Ministry of Internal Affairs of Georgia**

**Order No 74**

**23 May 2020**

**City of Tbilisi**

**On the Establishment of Different Rules for Providing Certain Services and International Protection and/or Combating Illegal Migration within the System of the Ministry of Internal Affairs of Georgia for the Purpose of Prevention of the Spread of the Novel Coronavirus (COVID-19)**

On the basis of Article 24 and 25 of the Organic Law of Georgia on Normative Acts, Article 45<sup>3</sup> of the Law of Georgia on Public Health, Article 7(2)(a-c) of the Isolation and Quarantine Rules approved by the Ordinance No 322 of 23 May 2020 of the Government of Georgia on the Approval of Isolation and Quarantine Rules, paragraphs 6(b) and (c), and 7 of the Ordinance No 529 of 12 March 2020 of the Government of Georgia on the Determination of Special Measures of Operation in Public Institutions for the Purpose of Potential Prevention of the Novel Coronavirus (COVID-19), sub-paragraphs (a) and (m) of Article 5(2) of the Statute approved by the Resolution No 337 of 13 December 2013 of the Government of Georgia on the Approval of the Statute of the Ministry of Internal Affairs of Georgia, **I hereby order:**

**Article 1**

Different Rules for Providing Certain Services and International Protection and/or Combating Illegal Migration within the system of the Ministry of Internal Affairs of Georgia for the Purpose of Prevention of the Novel Coronavirus (COVID-19) shall be approved in the enclosed form.

**Article 2**

The following shall be declared invalid:

a) Order No 21 of 24 March 2020 of the Minister of Internal Affairs of Georgia on On Determining the Different Mode of Providing Some Services and Fees for Certain Services in the System of the Ministry of Internal Affairs of Georgia in Order to Prevent the Spread of the Novel Coronavirus ([www.matsne.gov.ge](http://www.matsne.gov.ge), 24/03/2020, 040030000.22.034.016954);

b) Order No 26 of 2 April 2020 of the Minister of Internal Affairs of Georgia on the Determination of Different Rules for International Protection and/or Combating Illegal Migration by the Migration Department of the Ministry of Internal Affairs of Georgia for the Purpose of Prevention of the Novel Coronavirus (COVID-19) ([www.matsne.gov.ge](http://www.matsne.gov.ge), 02/04/2020, 140130000.22.034.016958).

**Article 3**

This Order shall enter into force upon promulgation and apply to legal relations arising from 23 May 2020.

**Minister of Internal Affairs of Georgia**

**Vakhtang Gomelauri**

**Different Rules for Providing Certain Services and International Protection and/or Combatting Illegal Migration within the System of the Ministry of Internal Affairs of Georgia for the Purpose of Prevention of the Novel Coronavirus (COVID-19)**

**Chapter I – General Provisions**

**Article 1**

1. For the purpose of the prevention of the infection (COVID-19) caused by the novel coronavirus (SARS-COV-2) and for the protection of public health, the rules for providing certain services and international protection and combating illegal migration



within the system of the Ministry of Internal Affairs of Georgia ('the Ministry') which are different from the legislation of Georgia shall be established in accordance with this Order.

2. In accordance with this Order, despite the execution of the asylum procedure in a manner that is different from the one prescribed by the legislation of Georgia, a request of an alien or a stateless person staying in Georgia for international protection and based thereon, the non-expulsion principle shall be guaranteed in accordance with the obligations undertaken by Georgia on an international level.

## **Chapter II – Provision of Service**

### **Article 2**

1. The State Reserve and Civil Security Services Agency ('the Service Agency'), a legal entity under public law operating within the Emergency Management Agency, a sub-agency within the governance of the Ministry, shall provide the following services remotely, in electronic form:

- a) trainings in fire safety rules;
- b) trainings in the rules of conduct in emergency situations, as well as in the organisation of emergency management;

2. The Service Agency shall receive relevant applications/provide services by means of mail/applications received at the e-mail address:service@es.gov.ge.

*Order No 76 of 2 June 2020 of the Minister of Internal Affairs of Georgia – website, 2.6.2020*

### **Article 3**

1. The Unified Service Centre of the Patrol Police Department of the Ministry ('Division') shall receive relevant applications/provide services through:

- a) calls received to the phone number: 2 41 42 42;
- b) mail/applications received at the e-mail address: patrolinfo@mia.gov.ge.

2. Following notification in a manner prescribed by paragraph 1 of this article, where necessary, for the purpose of the provision of the relevant service, the relevant employee of the Unified Service Centre (Division) of the Patrol Police Department of the Ministry shall be authorised to communicate with a person through a video call.

### **Article 4**

1. The Security Police Department ('the Department'), a legal entity under public law operating within the Ministry shall:

- a) receive all applications concerning security activities in the territory of Georgia through the hotline: '125';
- b) adequately respond to incoming applications through the employees of the Department, with the full observance of the recommendations developed by the World Health Organisation and the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia regarding the prevention of the potential spread of the disease caused by the novel coronavirus (COVID-19).

2. In accordance with Order No 2481030 of 3 October 2016 of the Chairperson of the Department on the Approval of Rates for Security Services of the Security Police Department, a legal entity under public law operating within the Ministry of Internal Affairs of Georgia, the Chairperson of the Department shall, upon the appropriate application of a customer, be authorised to temporarily suspend the validity of a contract on the provision of technical security means that has been concluded on the condition of the temporary transfer of technical security means for use. This rule shall also apply to cases where one year has not elapsed since the conclusion of the contract.

3. In the case provided for by paragraph 2 of this article, the customer shall be exempted from the obligations provided for by the relevant contract.

### **Article 5**



1. From 23 May 2020 to 25 May 2020, the Service Agency shall suspend the admission of tests and registration and repeated registration (the issuance of purchase permits) of firearms and gas weapons and their main elements provided for by Article 27<sup>1</sup> of the Law of Georgia on Weapons, except for awarding with weapons and/or except for the registration specified by Article 3(5), (15) and (16) of the Ordinance No 162 of 21 September 2005 of the Government of Georgia on the Establishment of a Procedure and Additional Permission Terms of Issuance of Licenses and Permits of the Ministry of Internal Affairs, and by Article 4(7) and (8) of the Rule approved by the Order No 164 of 28 February 2014 of the Minister of Internal Affairs of Georgia on the Approval of the Procedure for Carrying, Storing and Moving Weapons and Ammunition in Possession or Use.

2. From 23 May 2020 to 25 May 2020, if a person with the right of acquisition of a weapon who has indicated in the registration record a place of residence which is in his/her ownership as a storage place of a weapon, alienates his/her property, the owner of the weapon shall have right to relocate the weapon, in accordance with the legislation of Georgia, from the place of registration to a new place of residence observing the following procedure:

a) an interested person shall send an application to the e-mail address of the Agency: [chancellery@sa.gov.ge](mailto:chancellery@sa.gov.ge) (the application shall include the following: the data of an applicant/interested person: name, surname, identification number; the number of the registration certificates of a weapon to be moved, the model of a weapon to be moved, the identification number of a weapon, the exact date/time of relocation; the route of relocation (the exact address of the start of the route and the place of destination); the data of a vehicle which is used for transportation: the make/model/registration number (state number plate) and enclosed documents (the copy of an identity document, new place of residence/registration ownership certificate extract from the Public Registry);

b) an authorised employee of the Agency shall, after the verification/examination of information/documents determined by subparagraph (a) of this paragraph, be authorised to request an interested person to provide additional documentation to the e-mail address indicated in subparagraph (a) of this paragraph and/or to the official e-mail of the employee of the agency. An authorised employee of the Agency shall inform an interested person via an e-mail on the decision of the agency on the relocation of a weapon;

c) an authorised person of the Agency shall inform the Legal Entity under Public Law called Public Safety Management Centre 112 operating within the governance of the Ministry and the Patrol Police Department of the Ministry on the positive decision of the relocation of a weapon at the e-mail address: [ushba@mia.gov.ge](mailto:ushba@mia.gov.ge), and contact phone number: 8451 and/or 577773033.

3. If a procedure provided for by paragraph 2 of this article and Article 2(6) of the Order No 21 of March 24 2020 of the Minister of Internal Affairs of Georgia on On Determining the Different Mode of Providing Some Services and Fees for Certain Services in the System of the Ministry of Internal Affairs of Georgia in Order to Prevent the Spread of the Novel Coronavirus (COVID-19), the interested person shall, on the basis of the applicable legislation of Georgia and for the purpose of making changes in the registration data of a weapon (for the registration of a weapon), be obliged to apply to the Agency within 30 calendar days after lifting the restrictions specified by paragraph 1 of this article. Failure to do so will be considered a violation of the rules of the registration of a weapon.

## Article 6

1. Until 1 June 2020, the Agency shall suspend the inspection of the supporting technical means of a vehicle or agricultural machine outside the territory of a structural unit of the Agency, except for services provided in the customs control area and in the territory of the official representative companies (dealer/centre) producing the vehicles.

2. As of 27 March 2020, for the registration numbers (state license plates) stored/booked in the Agency on the basis of the service provided for by Article 6(e<sup>9</sup>) and (e10)<sup>4</sup>, as well as provided for by paragraph 3<sup>4</sup>(a) of the Note of the same article of the Law of Georgia on the Fee and Time Limits for the Service Provided by the Legal Entity under Public Law called the Service Agency of the Ministry of Internal Affairs of Georgia and on the basis of Article 47(2)(a) of the Instructions approved by Order No 150 of 31 January 2007 of the Minister of Internal Affairs of Georgia on the Rules for Mandatory Registration of Mechanical Vehicles, the remaining time limit/days shall be restored, from 23 May 2020. The person shall be authorised to use the remaining days of the restored service and an additional 7 calendar days.

3. In relation to the provisions of paragraph 2 of this article:

a) the service shall be exempted from the service fee provided for by the Law of Georgia on the Fee and Time Limits of the Service Provided by the Legal Entity under Public Law called Service Agency of the Ministry of the Internal Affairs of Georgia.

b) when using the days of grace services established by the Agency, the persons shall, from 27 March 2020 through 22 May 2020, be exempted from the fee established by the Law of Georgia on the Fee and Time Limits of the Service Provided by the Legal Entity under Public Law called Service Agency of the Ministry of the Internal Affairs of Georgia.



c) the amount of the service paid by a person during the service provision shall not be refundable.

d) except for this exceptional rule, other cases shall be regulated in a manner established by the legislation of Georgia.

4. An interested person who was issued a right to use inland transit before the abolishment of the emergency situation, shall be exempted from service fees on overdue days established for inland transit by Note 6 of Article 6 of the Law of Georgia on the Fees and Terms for the Services of the Legal Entity under Public Law called Service Agency of the Ministry of Internal Affairs of Georgia until 1 September 2020. The said exemption shall not apply to the procedure for paying a fee in the case of losing the internal transit number plate.

5. In the case determined by paragraph 4 of this article, if an interested person used a period different from the original request for inland transit, an interested person shall be obliged to pay a fee for each full day of using inland transit established by Article 6(t) of the Law of Georgia on the Fees and Time Limits for Services Provided by the Legal Entity under Public Law called the Service Agency of the Ministry of Internal Affairs of Georgia, but not more than 90 Lari.

## **Article 7**

1. From 25 May 2020, theory tests for obtaining driving licences shall be resumed for persons registered in the electronic queue for taking driving licence theory tests, without re-booking a place in the queue for the driving licence theory test for obtaining the right to drive a vehicle in accordance with the procedure established by the legislation of Georgia.

2. In accordance with the procedure established by the legislation of Georgia, taking driving licence theory tests for obtaining the right to drive a vehicle shall be carried out from 31 May 2020.

3. From 18 May 2020 to 22 June 2020, the Agency shall ensure the provision of a practical driving test for obtaining the right to drive a vehicle for candidates who have passed the driving licence theory test for obtaining the right to drive a vehicle, and whose period of validity of the positive evaluation has not expired by 19 March 2020, as follows:

a) the candidate shall be obliged to apply to the Agency for admission to the practical test for obtaining the right to drive a vehicle from 18 May 2020, but not later than 22 June 2020 within the remaining restored period/days of the positive evaluation of the driving licence theory test for obtaining the right to drive a vehicle;

b) the period/days of validity of the positive evaluation of the driving licence theory test for obtaining the right to drive a vehicle shall be resumed as soon as the candidate applies to the Agency. The remaining restored period/days of the positive evaluation of the driving licence theory test for obtaining the right to drive a vehicle shall be revoked after 22 June 2020 and for the purpose of obtaining the above right, a person shall be obliged to act in accordance with the procedure established by the legislation of Georgia.

c) in accordance with the procedure established by this paragraph, a candidate shall be admitted to the practical test for obtaining the right to drive a vehicle not more than five times; this number also includes the number of admissions of the same candidate until 19 March 2020, except for the cases determined by the Law of Georgia on the Fees and Time Limits for Services Provided by the Legal Entity under Public Law called the Service Agency of the Ministry of Internal Affairs of Georgia.

4. The procedure established by the legislation of Georgia shall apply to the procedure determined by paragraphs 1 and 2 of this article.

5. The candidate who is not required to take the driving licence theory test for obtaining the right to drive a vehicle in order to take the practical test for obtaining the same right, shall, from 25 May 2020, be authorised to appear at the Agency to take the practical test for obtaining the above right in accordance with the procedure established by the applicable legislation of Georgia.

*Order No 83 of 11 June 2020 of the Minister of Internal Affairs of Georgia – website, 11.6.2020*

## **Article 8**

1. Before the reduction of the risk of the spread of the novel coronavirus (COVID-19), an alien, a stateless person, or a citizen of Georgia whose one-year term of participation in road traffic has expired on 1 March 2020, as provided for by Article 48(1)(a) and Article 49(1)(a) of the Rule approved by Order No 598 of 1 August 2012 of the Minister of Internal Affairs on the Approval of Conducting Driving Licence Tests, Granting, Cancelling, Restoring Suspended, Deprived or Terminated (Cancelled) Driving Rights, Issuing and Cancelling Driving Licence, Tram Driving Licence and International Driving Licence (Including, Substitution and Restoration), Procedure for Maintaining a Driving Licence Register, as well as the Substitution and Recognition of a Driving Licence Issued by a Foreign Country and the Approval of Terms, shall be allowed to participate in road traffic despite the expiration of the said term.



2. The alien, stateless person or citizen of Georgia shall enjoy the rights provided for by paragraph 1 of this article, if a driving licence issued by a foreign country is valid.

3. Upon request by an interested person, the registration of an interested person (authorised person) on the website of the Agency may be cancelled through the hotline of the Agency 12 72 or 2 41 91 91. For this purpose, the interested person shall provide an authorised employee of the Agency with the following identification data: personal number, name, surname, date of birth, number of the identification document, number of the driver's license or number of the registration certificate of the vehicle (if any). The authorised employee of the Agency shall ensure the verification of the data of the person, and in the case of the compliance thereof the registration on the website of the Agency shall be cancelled.

## Article 9

The Minister of Internal Affairs of Georgia shall, by an individual administrative act, be authorised to task the Agency with providing an interested person with the services suspended under this Order in each specific case.

### Chapter III – International Protection and/or Combating Illegal Migration

## Article 10

When executing the procedure for asylum seekers, the Migration Department of the Ministry shall:

a) ensure the registration of the application for international protection determined by Article 27(1) of the Law of Georgia on International Protection ('the Law'), and provide the issuance and extension of the notice of an asylum seeker remotely through an email: [dipi@mia.gov.ge](mailto:dipi@mia.gov.ge). If requested by an asylum seeker, the registration of an application for international protection and the issuance of the notice of an asylum seeker may be ensured physically, based on the principle of prior booking of the visit via the email: [dipi@mia.gov.ge](mailto:dipi@mia.gov.ge);

b) while meeting the requirements of the recommendations related to the possible spread and prevention of the disease caused by the novel coronavirus (COVID-19) developed by the World Health Organisation (WHO) and other relevant authorised agencies, carry out the execution of the following:

b.a) the procedures for the interview for profiling established by Article 27(4);

b.b) an interview with an asylum seeker established by Article 35(1);

b.c) the procedures for terminating, revoking or withdrawing the status granted to an internationally protected person determined by Article 53;

b.d) the procedures for terminating, revoking or withdrawing a derived status determined by Article 55 of the Law;

b.e) the procedures for suspension, termination and resumption of the review of an application for international protection determined by Article 42;

c) carry out the procedure for taking fingerprints provided for by Article 27(7) of the Law and the procedure for taking photograph determined by Article 12(8) of the Order No 33 of 6 April 2020 of the Minister of Internal Affairs of Georgia on the Approval of the Procedures for Asylum Seekers before beginning the procedures for the interview for profiling established by Article 27(4);

d) provide the consultations on the issues of international protection to aliens and stateless persons through the phone number: 598 08 00 97;

e) Send the reasoned decision on granting or refusal of refugee or humanitarian status to the asylum seeker in accordance with the procedure established by Article 43(2) of the Law, through the Georgian Post.

*Order No 81 of 8 June 2020 of the Minister of Internal Affairs of Georgia – website, 9.6.2020*

## Article 11

1. The Migration Department of the Ministry shall suspend the following in accordance with the Law of Georgia on the Legal Status of Aliens and Stateless Persons:



- a) in accordance with Article 52(2), filing a motion to a court for the purpose of starting the review of the issue of the removal of an alien from Georgia on any grounds determined by Article 51(1)(c)-(h) of the same Law;
- b) deadlines for reviewing the issue of removal of an alien from Georgia provided for by Article 53(2). The above time limits shall start running again from July 15.
- c) the presentation of a decision on the removal of an alien to be removed from Georgia in accordance with the procedure established by Article 53(3);
- d) on the basis of Article 54(1), the flow of the time limit determined by the individual administrative act adopted by the authorised body of the Ministry;
- e) administrative proceedings related to the granting of the right of temporary stay in Georgia provided for by Article 60.

2. Paragraph 1 of this article shall not apply to aliens placed in the Temporary Accommodation Centre of the Migration Department of the Ministry for the purpose of their deportation from Georgia.

3. In accordance with the Law of Georgia on the Legal Status of Aliens and Stateless Persons, aliens shall be detained only in cases provided for by Article 64(2)(a), (b), (d) and (e), as well as Article (64)6<sup>1</sup>(a) and (b).

4. The questioning and/or interview with an alien provided for by Article 4(2)(a) of the Standard Acting Procedures (Annex No 7) of the Division of the Protection and Monitoring of Rights of Aliens of the Legal Support Service of the Migration Department of the Ministry of Internal Affairs of Georgia approved by Article 1(g) of the Order No 231 of 6 May 2016 of the Minister of the Internal Affairs of Georgia on the Approval of the Standard Acting Procedures of Certain Structural Entities of the Migration Department of the Ministry of Internal Affairs of Georgia, shall be carried out only upon request by an alien or in the case of official necessity.

## **Article 12**

1. For the purpose of the prevention of the potential spread of the novel coronavirus (COVID-19), until the reduction of the danger of the epidemic, the access of visitors to aliens placed in the Temporary Accommodation Centre (Division) of the Migration Department of the Ministry and the Asylum Seekers Division (Centre) shall be restricted.

2. The access of the representatives of the Office of the Public Defender of Georgia, the Diplomatic Mission and authorised international/non-governmental organisations and the legal representative/advocate to the alien placed at the centres shall be allowed in compliance with the requirements of the recommendations concerning the suppression and prevention of the potential spread of the disease caused by the novel coronavirus (COVID-19) which have been drafted by the World Health Organisation (WHO) and other duly authorised agency/agencies.

3. If necessary, the Director of the Migration Department of the Ministry, in agreement with the curator Deputy Minister, shall, by an individual administrative act, ensure the taking of additional measures for the purpose of the prevention of the potential spread of the novel coronavirus (COVID-19).

## **Article 13**

1. For the alien with respect to whom a competent authority, based on Article 51(1)(a) and (b) of the Law of Georgia on the Legal Status of Aliens and Stateless Persons, has made a decision on the removal from Georgia and for whom the time limit to leave the country voluntarily, granted in the frame of the decision of Article 54(1) of the same Law, has not expired by 14 March 2020, the repeated running of the time limit to voluntary leave granted by the competent authority shall start from 15 July 2020.

2. For the person referred to in paragraph 1 of this article, for whom, by 14 March 2020, the period of voluntary leave of Georgia determined by the decision of the authorised body under Article 54(1) of the Law of Georgia on the Legal Status of Aliens and Stateless Persons has expired and who did not leave the territory of Georgia, the period defined by Article 57(2) of the same Law shall start running again from 15 July 2020.

## **Chapter IV – Operating Mode**

### **Article 14**

The head of a legal entity under public law operating within the Ministry shall, with the agreement of a curator Deputy Minister



(if any), be authorised to determine, with an individual administrative act, the working days, working hours and working schedule of the employees of the said legal entity under public law.

