

ON THE SPECIAL STATE PROTECTION SERVICE OF GEORGIA

Chapter I -General Provisions

Article 1 - The Special State Protection Service of Georgia

1. The Special State Protection Service of Georgia (hereinafter 'the Service') is a special-purpose militarised institution of executive authority directly subordinated to the Government of Georgia, which ensures state security through the exercise of the powers and duties conferred by this Law.
2. The Service provides physical security to the branches of state authority and their officials against illegal encroachments in order to ensure national security.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 3281 of 11 February 2004 - LHGI, No 3, 13.2.2004, Art. 6

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Article 2 - Legal basis for the activities of the Service

The activities of the Service shall be determined by the Constitution of Georgia, this Law and other legislative acts of Georgia.

Article 3 - Basic principles for the activities of the Service

The basic principles for the activities of the Service shall be:

- a) legality;
- b) protection and respect for universally recognised human rights;
- c) mutually coordinated actions agreed with other law enforcement and governmental bodies;
- d) unity of command and centralisation;
- c) a combination of organisational, protection, security, operative-investigative, technical, open and covert methods.

Article 4 - Objective of the Service

1. The objective of the Service is to protect the following persons from unlawful acts:

- a) the President of Georgia;
- b) officials of the supreme legislative, executive and judicial bodies of Georgia;
- c) the buildings and structures of the supreme bodies of state authority of Georgia and the adjacent territory, according to the list approved by the Government of Georgia;
- d) high-ranking officials of foreign countries visiting Georgia, representatives of international organisations and other important persons;
- e) within the scope of its authority, order in the working area, the territory of temporary or permanent location of the supreme bodies of state authority and officials of Georgia;

2. The Service may, in order to accomplish its objectives, use special means of communication, transportation, and domestic and medical services.

3. In accordance with the list approved by the Government of Georgia, the supreme legislative, executive and judicial bodies of Georgia (their authorised officials) shall establish a regime in the administrative buildings and structures held by them, and in the territory adjacent thereto, in agreement with the Service.

4. The Service and its employees may not be assigned with functions not provided for by this Law, except for the cases determined by legal acts of the Government of Georgia.

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96



Article 5 - Persons and facilities subject to protection

1. The following persons shall be protected by the Service:

- a) the President of Georgia;
- b) the Chairperson of the Parliament of Georgia;
- c) the Prime Minister of Georgia;
- d) the President of the Constitutional Court of Georgia;
- e) the President of the Supreme Court of Georgia;
- f) the Catholicos-Patriarch of Georgia;
- g) (deleted – 25.6.2013, No 4953);
- h) the heads of the supreme legislative and executive bodies of the Autonomous Republics of Abkhazia and Ajara;
- i) (deleted – 24.6.2011, No 4953);
- j) (deleted – 24.6.2011, No 4953);
- k) the heads of foreign states visiting Georgia;
- l) candidates for the presidency of Georgia during the pre-election campaign and election;

¹ The President of Georgia shall, from the day of his/her election up to the end of his/her life, be provided with personal security at the workplace and at places of temporary or permanent residence. During the term of office of the President of Georgia, his/her family members shall be provided with personal security, which shall be retained after the expiry of the presidential term of office, up to the end of the President's life.

2. (Deleted – 18.1.2013, No 206).

3. By a decision of the Government of Georgia, personal security may be provided to or removed from:

- a) the Deputy Chairperson of the Parliament of Georgia, Members of Parliament, members of the Government, heads of other state agencies of Georgia, and high-ranking officials of state authority of Georgia, throughout their term of office, as well as their family members, if there are sufficient grounds to believe that their lives or health are endangered;
- b) high-ranking foreign officials visiting Georgia, representatives of international organisations, heads of diplomatic missions to Georgia;
- c) persons defined by the Law of Georgia On Social Security Guarantees for Family Members of Former Highest Political Officials of Georgia;
- d) other persons defined by paragraph 7 of this article.

4. The public officials specified in paragraph 1 of this article, as well as their family members, may be provided with personal security after the expiry of the term of their office or after resignation, by a decision of the Government of Georgia, in special cases where there are sufficient grounds to believe that their lives and health are endangered .

5. The costs of personal security shall be compensated from the State Budget in the manner prescribed by the legislation of Georgia.

6. The Service shall, in accordance with the list approved by the Government of Georgia, protect the administrative buildings of the highest bodies of state authority of Georgia, government residencies and other important buildings and structures.

7. The list of persons and facilities to be protected by the Service shall be approved by the Government of Georgia.



Article 5¹ - Types of service performed in the Service

1. The types of service performed in the the Service are:

- a) contracted;
- b) contracted - professional;
- c) regular;
- d) civil.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Chapter I¹. (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Article 5² - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Article 5³ - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Article 5⁴ - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Article 5⁵ - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Article 5⁶ - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Article 5⁷ - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013



Article 5⁸ - (Deleted)

Law of Georgia No 206 of 18 January 2013 – web-site, 28. 1.2013.

Law of Georgia No 66 6 of 30 May 2013 – web-site, 24.6.2013

Law of Georgia No 1237 of 20 September 2013 - website, 1.10.2013

Chapter II - Organisation of the Service

Article 6 - Organisational system and structure of the Service

1. The Service, which includes the structural units of the Autonomous Republic of Abkhazia and Autonomous Republic of Ajara, shall perform its duties across the entire territory of Georgia.
2. The Service is a centralised system.
3. The structure of the Service shall be determined by the Statute of the Service, as approved by the Government of Georgia.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 7 - Authority of the Head of the Service

1. The Service is directed by the Head of the Service, who is appointed to and may be removed from office by the Prime Minister of Georgia.
2. The Head of the Service shall:
 - a) organise and direct the Service;
 - b) approve, by normative acts, the internal regulations of the Service, the statutes of its structural units, regulations and guidelines for the structural units of the Service and/or for their subdivisions and for governing specific areas of the activities of the Service; and, in order to provide incentives to the employees of the Service and other persons in recognition of their contribution to the Service, establish departmental awards and approve the procedure for conferring them;
 - c) define the powers of the Deputy Head of the Service and the heads of the structural units of the Service;
 - d) in agreement with the Prime Minister of Georgia, appoint and dismiss the Deputy (Deputies) Head of the Service;
 - e) in agreement with the heads of the Governments of the Autonomous Republics of Abkhazia and Ajara, appoint and dismiss the heads of the structural units of the Service of the Autonomous Republics of Abkhazia and Ajara;
 - f) appoint and dismiss the heads of the units of the Service and other employees;
 - g) recruit citizens within the scope of its authority;
 - h) in accordance with the procedure established by law, award special ranks up to the rank of a colonel;
 - i) provide incentives and impose disciplinary liabilities on the employees of the Service;
 - j) in accordance with the legislation of Georgia, issue administrative acts; issue normative acts, as orders, in cases prescribed by the legislation and by the ordinances of the Government of Georgia;
 - k) where necessary, issue joint orders and other acts within the scope of its authority;
 - l) in accordance with the procedure prescribed by the law, administer the funds and assets of the Service;
 - m) in certain cases, determine the rates of individual salaries in order to attract highly qualified professionals;
 - n) organise operational, combat and special training of the employees of the Service and approve appropriate programmes for this purpose; determine, by individual legal acts, special norms and guiding standards; approve the duty schedules of the responsible persons of the Service and a plan for security actions; determine the working regime for the structural units of the Service and bear responsibility for the performance of tasks assigned to the Service;
 - o) represent the Service in relevant international organisations;
 - p) during the visits of the representatives of foreign states and international organisations, and other important persons specified in the register determined by the act of the Service, issue permits for taking out of or bringing into Georgia weapons and ammunition by persons accompanying them, which shall be reported to the Ministry of Internal Affairs of Georgia and the State Security Service of Georgia.



3. Orders, instructions and directions of the Head of the Service shall be binding on the entire system and on all officials of the Service.

4. In the absence of the Head of the Service, his/her duties shall, pursuant to the Head's order, be performed by the Deputy Head of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 3430 of 30 June 2006 – LHG I, No 27, 17.7.2006, Art. 226

Law of Georgia No 1883 of 22 October, 2009 – LHG I, No 33, 9.11.2009, Art. 205

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Law of Georgia No 3952 of 8 July, 2015 – website 15.7.2015

Chapter III - Rights and Obligations of the Service

Article 8 - Rights of the Service

The Service may:

a) attract forces and means from the Ministries of Defence and Internal Affairs of Georgia, from the State Security Service of Georgia and from other state agencies and local self-government bodies, by prior arrangement, in order to participate in the preparation and implementation of security measures;

b) in order to ensure the safety of persons and facilities to be protected, accept situation reports from the Ministry of Internal Affairs of Georgia and other state agencies in the manner prescribed by the legislation of Georgia;

c) in order to accomplish its objectives, assign employees of the Service, while keeping them on the staff of the Service, to organisations and institutions established by the State and/or by state participation according to the list determined by an ordinance of the Government of Georgia.

d) within the limits determined by law, require state agencies, and natural and legal persons, irrespective of their organisational and legal form, to carry out measures necessary for ensuring the safety of the persons and facilities to be protected;

e) while implementing security measures, in order to ensure the safety of persons and facilities subject to protection, inspect certain facilities and territories, as well as persons entering the protected facilities or venues, and require that they temporarily hand over to an employee of the Service their belongings and firearms; moreover, until the completion of an event, vacate relevant facilities of unauthorised persons, vehicles and other impeding objects; seal the facilities and temporarily restrict access to those places; and in cases of urgent necessity, where proper protection cannot be ensured by other means, restrict the movement of pedestrians and vehicles; and in accordance with the procedure prescribed by the Code of Administrative Offences of Georgia, carry out administrative arrests and transfers, body searches and inspection of belongings, and temporary seizure of vehicles, belongings and documents;

f) with a view to ensuring the prompt implementation of security measures, develop and use information systems; in order to ensure covert operations, use documents and means to disguise the persons, facilities and equipment involved in operational work; in implementing security measures, use residential and non-residential premises, vehicles and other property of public and private organisations and of private persons, on the basis of a contract or verbal agreement; engage in confidential cooperation with persons of full age and capacity, which is provided on a voluntary, gratuitous or non-gratuitous basis. It shall be prohibited to use, on a contractual basis, the confidential assistance of Georgian highest political officials, Members of Parliament of Georgia, members of the Government of Georgia, the President and members of the Constitutional Court of Georgia, the President and members of the Supreme Court of Georgia, the Auditor General, members of the Council of the National Bank of Georgia, the Public Defender of Georgia, judges, prosecutors, lawyers and investigators.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 6550 of 22 June 2012 - website, 29.6.2012

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Law of Georgia No 3952 of 8 July, 2015 – website 15.7.2015

Article 9 - Obligations of the Service

The Service shall:

a) ensure the implementation of security measures on the permanent and temporary routes of movement of a person to be protected;



- b) carry out the operational and technical examination of places of permanent or temporary stay of persons to be protected and of protected facilities; organise fire preventive measures in the said facilities;
- c) within the scope of its competence, carry out criminal-intelligence activities in accordance with the procedure established by law;
- d) under special circumstances or based on operational information, develop and carry out special measures to ensure the safety of the persons and facilities to be protected;
- e) decide issues relating to the staffing of the Service;
- f) ensure the protection of state secrets within its authority;
- g) carry out activities to improve the material and technical resources and social conditions of the employees of the Service;
- h) exercise other powers granted by the legislation.

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Chapter IV- Employees of the Service

Article 10 - Employees of the Service

1. Employees of the Service are:

- a) contracted service members - persons who perform military duty at the Service based on a relevant contract;
- b) contracted-professional service members - persons who have already served compulsory military service and who perform service at a special junior rank while being enlisted in the personnel of the Service;
- d) regular service members - persons who have already served compulsory military service (except for women) and who perform service at special middle and senior ranks;
- c) civilians - persons who, without being assigned a special rank, are appointed to vacant established positions or employed on the basis of an employment contract.

2. The procedure for the recruitment of persons to the Service shall be laid down by this Law and subordinate normative acts provided for by this Law.

3. Citizens of Georgia up to 35 years of age, who have performed military duty (except for women) and who have or do not have a special state rank of an officer or a rank of an officer, may be enlisted in the contracted-professional service at the Service to a position corresponding to a junior special rank, and citizens of Georgia up to 30 years of age, who speak the official language of Georgia and who, based on their personal qualities, education, physical fitness and health status, are capable of performing the imposed duties, may be enlisted in the regular service at the Service to a position corresponding to a special middle or senior rank. The Head of the Service may, where necessary, recruit and enlist in the personnel persons regardless of age. Age limits shall not apply to:

- a) a person who is appointed by the Prime Minister or in agreement with him/her;
- b) in the case of reinstatement of a dismissed employee;
- c) when recruiting a person who is transferred to the Service from a state institution that has established military ranks or special ranks provided for by the Law of Georgia On Special State Ranks.

4. A person shall be appointed to a position corresponding to a junior special rank on a contractual basis, and to the positions corresponding to middle or senior special ranks, as a regular officer, except for the persons defined in sub-paragraph (a) of paragraph 1 of this article. Where necessary, the Service may engage highly qualified professionals under contract.

5. The scopes of authority of the employees of the Service shall be determined according to the established position that they occupy, and in the case of a person recruited under an employment contract, according to the employment contract. Additional requirements for performing service in the Service, as in a special militarised institution, may be established by a relevant normative act.

6. An employee, when enlisted in the contracted, contracted-professional and regular services of the Service, shall be removed from military registration and be enlisted in the personnel of the Service .

7. If a person performing military duty in the Service prematurely terminates his/her service on his/her own initiative or due to his/her fault, he/she shall be dismissed from the Service with deprivation of the military rank, and the period already served by him/her shall not be counted. Such person shall, in accordance with the general procedure, be subject to conscription into compulsory military service and shall bear financial liability in the manner prescribed by the legislation of Georgia.

8. The following persons may not be recruited to the Service:

- a) a person with respect to whom a pretrial investigation is being conducted or a court judgement of conviction has entered into legal force, as well as a person with a previous conviction;



b) a person who is suffering from alcoholism, drug addiction, substance abuse, or mental or chronic disease, as well as a person with such injuries or disease, or physical and mental characteristics, which make him/her unsuited for the Service;

c) a person who is declared by a court as a person with limited legal capacity or as a beneficiary of support, unless otherwise determined by a court decision;

d) a person who is not a citizen of Georgia;

e) a person with respect to whom a negative opinion was provided following a special evaluation, as well as a candidate based on a negative evaluation of his/her previous service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Law of Georgia No 3393 of 20 March 2015 - website, 31.3.2015

Article 10¹ - Special ranks and age limit of the employees of the Service

1. The following 'State Protection' ranks shall be granted at the Service:

a) employees enlisted in the contracted service - Private, Junior Sergeant, Sergeant, Senior Sergeant;

b) employees enlisted in the contracted-professional service - Private, Junior Sergeant, Sergeant, Senior Sergeant, Master Sergeant. Furthermore, persons performing military duty in the form of contracted service may also be granted special middle ranks;

c) employees enlisted in the regular service;

c.a.) junior officers - Junior Lieutenant, Lieutenant, Senior Lieutenant, Capitan;

c.b.) senior officers - Major, Lieutenant Colonel, Colonel;

c.c.) general officers - Major General, Lieutenant General, Colonel General.

2. For employees of the Service the age limit shall be:

a) for persons with 'State Protection' special junior and middle ranks - age 45;

b) for persons with 'State Protection' special senior ranks up to 'State Protection' Colonel - age 50;

c) for 'State Protection' Colonel - age 55;

d) for persons with 'State Protection' special highest ranks - age 60.

3. By an order of the Head of the Service, the age limit of an employee, except for the 'State Protection' Colonel and officers with 'State Protection' special highest ranks, may be extended for up to five years.

4. The age limit for the 'State Protection' Colonel and persons with 'State Protection' special highest ranks, on the recommendation of the Head of the Service and by a decision of the Prime Minister of Georgia, may be extended for up to five years.

5. When the age limit for an employee is extended several times (partially), the total length of the extension shall not exceed the length set out in paragraphs 3 and 4 of this article.

6. The procedure for granting the 'State Protection' special ranks shall be determined by a normative act of the Head of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 10² - Performance of military duty at the Service

1. A conscript whose term of service is determined by the Law of Georgia on Military Duty and Military Service may be enlisted in the contracted service of the Service.

2. The procedure for selecting and training conscripts to be enlisted in the Service, as well as the procedure for the performance of service, shall be established by the Regulations on the Procedure for Serving Military Duty at the Special State Protection Service, which shall be approved by the Government of Georgia.



3. A conscript shall undergo special training prior to the enlistment in the personnel of the Service.

4. The performance of a contracted service by conscripts in the Service according to the established procedure shall be considered as the completion of compulsory military service, and these persons, after having performed the military duty, shall be enlisted in the Reserve of the Military Forces of Georgia at the rank of a private.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 10³ - Uniforms of the Service

A service member of the Service shall wear a special uniform. The design of the uniform shall be determined by an ordinance of the Government of Georgia.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 10⁴ - Oath of a service member of the Service

1. After being enlisted in contracted service, a person shall take a military oath and the oath of a service member of the Service.

2. After being recruited into contracted professional and regular service, a citizen shall take the oath of a service member of the Service.

3. The text of the oath of a service member of Service shall be approved by an ordinance of the Government of Georgia.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 10⁵ - Entry-level Officers Training Courses and Professional Training and Retraining Courses of the Service

1. The entry-level special middle rank - 'State Protection' Junior Lieutenant shall be granted to a person to be recruited into the Service, also to an employee enlisted in the personnel of the Service in the event of completion by him/her of the special training course and appointment to the respective position. The procedure and conditions for completing the above course shall be laid down by the normative act of the Head of the Special State Protection Service On the Approval of the Regulations on the Procedure for Granting Special Ranks of the Special State Protection Service. In certain cases, a decision on granting the entry-level special middle rank upon the appointment of a person to a position and/or without the completion of the special training course shall be made by the Head of the Service.

2. Employees of the Service shall take professional retraining courses in accordance with the curriculum and programmes approved by the Head of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Article 10⁶ - Internship at the Service

1. By a decision of the Head of the Service, the Service may recruit interns.

2. The conditions relating to the selection of interns, the completion of internship and the terms of remuneration shall be established by the Regulations on the Completion of Internship at the Special State Protection Service.

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Article 11 - Grounds for termination of service

1. The following shall serve as the grounds for terminating service in the Service:

a) dismissal of an employee from service;



- b) termination of Georgian citizenship of an employee;
- c) declaring an employee as missing or dead in accordance with procedure prescribed by law;
- d) death of an employee;

2. An employee shall be dismissed from the Service:

- a) due to reaching the age limit or the expiration of the term of service;
- b) in the case of deterioration of health, maiming, injury or chronic disease, due to which he/she is not able to continue service, as well as in the case of such injuries or illnesses that make him/her unsuited for the service;
- c) due to the expiration of a term provided for by a contract;
- d) due to the failure to fulfil the requirements provided for by a contract;
- e) due to ineptitude;
- f) due to gross or systematic misconduct;
- g) due to staff reduction;
- h) due to election to or appointment in legislative, executive or judicial bodies;
- i) due to the violation of oath or behaviour inappropriate for an employee of the the Service;
- j) for committing a crime, based on a final judgement of conviction;
- k) with the consent of the parties, based on a letter of resignation;
- l) due to the expiration of the term of placement at the disposal of the human resources department;
- m) due to the unsatisfactory results of the probation period;
- n) based on a negative opinion as a result of special evaluation.

3. The decision to dismiss an employee of the Service shall be made by the Head of the Service. In the event of termination of service on any grounds, the person shall be removed from the personnel of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Article 11¹ - Placement of a service member of the Service at the disposal of the human resources department

1. A service member of the Service, due to staff downsizing, reorganisation, qualification test results, and based on the agreement of the parties, official investigation, personal resignation, or in the event of application against him/her of such procedural measures, provided for by the criminal procedure legislation of Georgia, that rules out the possibility or makes it unreasonable for him/her to perform official duties, may, by being removed from the position, be placed at the disposal of the human resources department. A service member placed at the disposal of the human resources department may, in the case of staff downsizing or reorganisation, except for a service member subjected to coercive measures under the criminal procedure legislation of Georgia, during the first month of his/her placement at the disposal of the human resources department, be assigned to perform official duties based on the position he/she occupied before the placement at the disposal of the human resources department.

2. The term for the placement of an employee of the Service at the disposal of the human resources department shall not exceed four months. A service member placed at the disposal of the human resources department shall, during the first two months, receive the basic and rank pay based on the position occupied before the placement at the disposal of the human resources department.

3. The term of placement at the disposal of the human resources department specified in paragraph 2 may, by a decision of the Head of the Service and with consent of the service member, be extended for not more than two months.

4. After the expiry of the term of placement at the disposal of the human resources department, a service member shall be appointed to the position or removed from the personnel of the Service.

5. The term of placement at the disposal of the human resources department shall be included in the length of service of the service member.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011



Article 12 - Right to use physical force, special equipment and firearms by an employee of the Service

1. When performing professional duties, an employee of the Service may use physical coercion, special equipment and service firearms in cases and under the procedure provided for by this Law.
2. The rights envisaged by the legislation of Georgia for the use of firearms shall apply to an employee of the Service.
3. Before using physical coercion, special equipment and firearms, an employee of the Service shall warn a person and give a reasonable period to comply with the lawful order of the employee of the Service, except if the delay may cause encroachment on the life or health of a person or of an employee of the Service or other severe consequences, or if such warning is impossible in the given situation.
4. The form of the special equipment and coercive measures shall be determined according to the given situation, the nature of the offence and the individual particularities of the offender.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 13 - Right to use physical force

An employee of the Service shall have the right to use physical force. In particular, special martial arts techniques to ensure the safety of the object of protection, to prevent a crime or to detain criminals, provided the employee of the Service cannot perform the duties imposed by law through the use of non-violent methods.

Article 14 - Right to use special equipment

1. When performing professional duties, an employee of the Service shall have the right to use the following special equipment: handcuffs and other means of restraint, rubber batons, tear gas, flash-bang device of psychological effect, breaching equipment and vehicle stopping devices, an armoured car and other special vehicles, water cannons, electroshock devices, police service dogs and technical means of individual control, and for the following purposes:

- a) handcuffs and other means of restraint - used against a criminal who resists or may resist an employee of the Service or who tries to escape;
- b) special batons - used to repel an attack on a person, an employee of the Service or a protected facility, when arresting a perpetrator if he/she refuses to obey a lawful order of an employee of the Service;
- c) tear gas - used to repel an attack on a person, an employee of the Service or a protected facility, when arresting the perpetrator or to force him/her to leave the occupied vehicle or building, that this person uses as a shelter;
- d) flash-bang device of psychological effect - used to repel an attack on a person, an employee of the Service or a protected facility, to detain a person who is offering armed resistance or to expel a perpetrator who has occupied a building, a plot of land, or a vehicle, or to release hostages;
- e) vehicle stopping device - used to stop a vehicle by force if the driver does not obey the lawful request of an employee of the Service to stop;
- f) breaching equipment - used when arresting the perpetrator, or to release hostages;
- g) water cannons or armoured cars - used to repel a group attack on state or public facilities, to stop vehicles by force if the driver does not obey the lawful demand of an employee of the Service to stop, or to arrest armed criminals;
- h) electroshock device - used to repel an attack on a person, an employee of the Service or protected facilities;
- i) police service dogs - used to repel an attack on a protected facility and to carry out operative search actions.

2. An employee of the Service shall be obliged to provide first aid to a person injured as a consequence of the application of coercive measures; and to notify his/her immediate superior and the prosecutor if a person is wounded or injured as a result of the use of physical force or special equipment.

3. It shall be prohibited to use coercive methods or special equipment against persons with distinct signs of pregnancy, minority, disability or old age, except if they carry out an armed attack or offer armed resistance to an employee of the Service, thereby endangering the life or health of a person or an employee of the Service, and if such an attack cannot be repelled by other means and methods.

4. An employee of the Service may not use physical force or special equipment that may cause severe injury to a person, or pose an unjustifiable risk or are prohibited by international conventions and other international acts.

5. The procedure for keeping, carrying and using special equipment available in the arsenal of the Service shall be established by the legislation of Georgia, including this Law and the normative acts of the Government of Georgia and the State Security Service of Georgia.

6. Within the authority granted by this Law and other laws, the Service shall develop and use operational and technical equipment and ensure their protection.

7. The use of operational and technical equipment and the methods of their use by the Service shall not endanger human life or health or affect the environment.

8. Operational and technical equipment shall be used according to procedures provided for by legislation.

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013



Article 15 - Right to use firearms

1. When performing professional duties, an employee of the Service shall have the right to keep, carry and use a standard service firearm.
2. The procedure for carrying and keeping a firearm entrusted to an employee of the Service shall be established by the legislation of Georgia and the normative acts of the Service.
3. An employee of the Service shall have right to use firearms as a last resort in the following situations:
 - a) to defend citizens and/or himself/herself from an actual threat to life or health;
 - b) to prevent the seizure of firearms;
 - c) to release hostages;
 - d) to prevent escape from a place of detention;
 - e) to prevent serious crime, or when arresting the perpetrator, if he/she is resisting an employee of the Service or is trying to escape;
 - f) to repel an attack on citizens' apartments, protected facilities, state bodies, public organisations and personal property;
 - g) to defend citizens from an attack of dangerous animals;
 - h) to give an alarm signal or to request enforcements;
 - i) to damage a vehicle in order to stop it, if the driver's actions pose an actual threat to human life or health and the driver does not obey the multiple demands of an employee of Service to stop the vehicle.
5. The use of a firearm shall be preceded by a verbal warning about its intended use; when required, a warning shot may be fired.
6. Firearms may be used without a warning:
 - a) in the case of an unexpected attack with military equipment, any type of vehicle or mechanical means;
 - b) if a detained person has escaped by vehicle, or from a vehicle, or into a place with poor visibility or a wooded area;
 - c) in the case of armed resistance by a perpetrator during arrest;
 - d) in the case of the armed escape of a detained person.
7. It shall be prohibited to use firearms in places where other persons may be injured, or in flammable or combustive areas, or against persons with distinct signs of pregnancy, minority, disability or old age, except where they carry out an armed attack which endangers the life or health of a person or an employee of the Service.
8. In the case of the use of a firearm by an employee of the Service, he/she shall be obliged to ensure the safety of other persons and to provide first aid to the injured.
9. An employee of the Service shall immediately notify his/her immediate superior and the prosecutor about the use of firearms.
10. The list of firearms and ammunition available in the arsenal of the Service shall be approved by the Government of Georgia.
11. It shall be prohibited to use firearms or ammunition in a way which creates an unjustifiable risk or is prohibited by international conventions and other international acts.

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 15¹ - Ensuring compliance with safety rules in the course of service

The immediate superior of an employee of the Service shall be responsible for ensuring compliance by the employee with safety rules in the course of performing service, carrying firearms and performing other duties.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Article 15² - Binding nature of a lawful order of an employee of the Service

All natural and legal persons shall be obliged to carry out a lawful order related to the performance of official duties by an employee of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14



Article 15³ - Incentives for achievements and contribution to the Service

1. The following incentives shall be established for employees of the Service for their exemplary performance of official duties and other achievements:

- a) expression of appreciation;
- b) granting bonuses, awards or valuable gifts;
- c) awarding weapons under the procedure prescribed by the legislation of Georgia;
- d) granting an additional 5 days' leave;
- e) early promotion to a higher rank;
- f) early lifting of previously imposed disciplinary measure.

2. An employee of the Service may be nominated by the Head of the Service for the state award for bravery and courage in the course of duty.

3. Additional departmental awards may be established as incentives by a normative act of the Head of the Service.

4. The forms of incentives provided for by paragraph 1(a)-(c) and paragraph 3 of this article may also be applied to persons who are not employees of the Service.

5. The procedure for providing incentives for an employee of the Service shall be laid down in the disciplinary regulations of the Service, which are approved by an ordinance the Government of Georgia.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 15⁴ - Responsibility of an employee of the Service

1. An employee of the Service shall be held liable, in accordance with general legal procedures, for committing an administrative offence and/or a crime.

2. An arrested, detained or convicted employee of the Service shall be placed or shall serve a sentence in isolation from other detainees.

3. The following disciplinary punishments shall be applied against employees of the Service for misconduct during service:

- a) admonition;
- b) reprimand;
- c) severe reprimand;
- d) demotion;
- e) demotion from special rank by one grade;
- f) dismissal from the Service.

4. The procedure and conditions for an early lifting of a disciplinary punishment shall be determined by the disciplinary regulations of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art.14

Chapter IV¹ - Certification of Employees of the Service

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 15⁵ - Certification

The certification of employees of the Service is held for the right selection and placement of personnel, and constitutes an assessment of whether or not the professional skills, qualifications, abilities and personal qualities of an employee conform to the requirements of the position occupied (or to be occupied) by him/her.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art.14



Article 15⁶ - Persons subject to certification

1. Employees of the Service shall be subject to certification:

- a) once in (every) three years (certification period);
- b) if they are nominated for a higher post, except for the transfer from contracted-professional service to regular service.

2. The following employees of the Service shall not be subject to certification:

- a) employees appointed by or in agreement with the Prime Minister;
- b) employees enlisted in contracted or contracted-professional service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 15⁷ - Certification time

1. The time of certification shall be determined by the Head of the Service.

2. An employee who over the last year of certification has performed his/her official duties for less than 6 months shall pass the certification in the following year.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 15⁸ - Certification Commission

1. Certification shall be carried out by the Certification Commission.

2. The Chairperson of the Certification Commission shall be authorised to form a special composition of the Certification Commission based on professional and territorial principles.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 15⁹ - Chairperson of the Certification Commission

1. The Head of the Service is the ex-officio Chairperson of the Certification Commission. He/She is authorised to appoint the Deputy Head of the Service as the Chairperson of the Certification Commission.

2. In the case of a special composition of the Certification Commission, the Chairperson of the Certification Commission shall be appointed by the Head of the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Article 15¹⁰ - Composition of the Certification Commission

1. The number and composition of the Certification Commission shall be determined by the Head of the Service. The Certification Commission shall be composed of persons with specialised expertise and, where necessary, of invited persons.

2. The composition of the Certification Commission includes the Deputy Chairperson of the Certification Commission, who substitutes for the Chairperson of the Certification Commission in his/her absence. An employee of the Service may not be a member of the Certification Commission that carries out his/her certification.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Article 15¹¹ - Activities of the Certification Commission



The rules of operation of the Certification Commission, as well as the conditions and amount of remuneration for the members thereof, shall be determined by the legislation of Georgia and the regulations of the Certification Commission.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Chapter V - Guarantees of Legal and Social Protection of Employees of the Service

Article 16 - Status of a service member of the Service

1. A service member of the Service is a public servant with a special rank, whose status is determined by this Law.
2. The particularities of the legal status of a service member of the Service shall be determined by his/her service rights and duties connected with the performance of his/her service tasks.
3. When performing his/her service duties, a service member of the Service represents the Government of Georgia and is under the protection of the State.
4. An identity card of the form established by the order of the Head of the Service shall be issued to a service member of the Service.
5. Any interference with the performance of the official duties of a service member of the Service, any insult to his/her honour and dignity, or threat, resistance, violence or infringement upon his/her life, health or property in connection with his/her official duties, shall result in liability as provided for by the legislation of Georgia.
6. An employee of the Service shall be obliged to execute a given order. He/she shall have the right to refuse to execute an obviously unlawful order and appeal it to a superior official or a court. The procedure for imposing liability for the execution of an unlawful order shall be determined by the relevant legal acts of Georgia.
7. An employee of the Service may not go on strike or organise or participate in any other type of protest, or engage in entrepreneurial activities, or concurrently work at state institutions or other organisations, except for scientific, pedagogical, sports or creative work, and except for the cases specified in Article 8(c) of this Law, and medical work in the case of employment in the same field within the system of the Service.
8. When performing official duties, an employee of the Service shall have the right to keep, carry and use a standard service firearm in the manner prescribed by this Law.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art.14

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Article 17 - Social protection of employees of the Service

1. The State shall ensure the social protection of employees of the Service.
2. The Service shall provide mandatory health and life insurance for its employees in accordance with the legislation of Georgia. Injury incurred by an employee of the Service during the performance of his/her duties, unless caused by his/her illegal actions, shall be fully compensated by the Service. Cases of disablement and/or maiming of an employee of the Service during the performance of his/her duties, as well as death or injury or death from a disease caused by the a sustained injury, represent an insured risk, and the employee or his/her family shall, by an individual administrative legal act of the Head of the Service, be granted a lump sum allowance in the following amount from the appropriations allocated from the State Budget of Georgia to the Service:
 - a) in the case of severe injury to health and/or disablement - GEL 7 000 (seven thousand);
 - b) in the case of less severe injury - GEL 4 000 (four thousand);
 - c) in the case of light injury - GEL 2 000 (two thousand);
 - d) in the case of death - GEL 15 000 (fifteen thousand). In addition, the Service shall compensate expenses related to the transfer of the body and burial.
3. Within the limits of the defined insurance compensation, an insurance contract may include additional or more favourable conditions than those established by this Law. An insurance company with an appropriate licence shall be selected by way of public procurement. An employee of the Service shall have right to use the services of an insurance company of his/her choice, which shall be ensured by an individual administrative legal act of the Head of the Service. The mandatory health insurance of an employee shall not cover the expenses envisaged by the state and municipal programmes, the cost of medical treatment of injuries incurred as a result of illegal actions or self-harm, the costs of medical treatment of injuries incurred under the influence of drugs or alcohol, or the costs of cosmetic or non-medical treatment. The mandatory health insurance of an employee covers:
 - a) the costs of an annual compulsory medical check-up;
 - b) emergency medical aid costs;
 - c) medical consultation costs;
 - d) outpatient treatment costs (all types of laboratory tests, functional diagnostics), attending a physician and medical specialists' costs;



e) hospital treatment costs, which, where necessary, cover the costs of an operation;

f) 80 per cent of the costs of prescription medications.

3¹ . For the purpose of regulating legal relations connected with the performance of service, the following conditions shall be considered as proof of the performance of service duties:

a) performance of official duties;

b) execution of orders, instructions, assignments given by a superior and the accomplishment of set objectives;

c) participation in educational, training-exercise and other service-related meetings;

d) presence at the workplace, at places required by the needs of the service or in connection with the service;

e) travelling for official purposes, as well as travelling for medical purposes due to illness or injuries incurred during the performance of official duties;

f) travelling to the place of service and back;

g) staying in captivity (except for voluntary surrender into captivity), being a hostage or internee;

h) protecting, in accordance with the legislation of Georgia, the life, health and dignity of other persons;

i) rendering assistance to law enforcement authorities;

j) other actions recognised by the court to be performed for protecting public and state interests;

k) the period of serving a measure of restriction imposed on him/her illegally.

4. (Deleted).

5. The State shall ensure the social and legal protection of a service member of the Service and of a person dismissed from the Service and his/her family members under the procedures established by the legislation of Georgia.

6. The family of a deceased employee of the Service shall retain the right to receive an apartment on the same grounds and conditions as those applicable prior to the death of the employee.

7. The State shall provide medical services to employees of the Service and their family members; the procedure and conditions for providing medical services shall be determined by the legislation of Georgia.

8. An employee of the Service shall have the right to use any type of urban, suburban and local public transport (except for taxi) free of charge.

9. The social guarantees established for contracted, contracted-professional and regular service members, as well as requirements envisaged by the disciplinary regulations, shall apply, in accordance with the legislation of Georgia, to civilians recruited to the Service.

10. In the case of transfer of service members into the Service from state institutions where they have been awarded military or special ranks provided for by the Law of Georgia On State Special Ranks, the service members' length of service in those state institutions shall be included in the total length of their service.

11. The Parliament of Georgia and the Government of Georgia may establish additional measures and benefits of social protection not provided for by this Law for employees of the Service.

12. The life and health of a service member of the Service shall be protected through the creation of healthy living conditions for performing service and a system of measures for reducing risk factors inherent to the service, which shall be carried out by the management of the Service.

13. Other guarantees of legal and social protection of an employee of the Service shall be determined by the Law of Georgia On the Status of a Service Member.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 17¹ - Exercise of rights and freedoms

An employee of the Service shall enjoy all the human rights and freedoms guaranteed by the legislation of Georgia, except for the cases where an employee is prohibited from exercising some of these rights by the Constitution of Georgia or by legislative acts issued on the basis thereof.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14



Chapter VI - Financial and Logistical Support of the Service

Article 18 - Financial and logistical support of the Service

1. The Service shall be financed from the State Budget of Georgia.
2. Logistical support for the Service shall be carried out by centralised resources.
3. In order to improve material and technical resources, the Service shall have the right to enter into agreements.
4. The plots of land, buildings and structures, enterprises, equipment or any other property purchased or created with funds allocated from the State Budget of Georgia or from other sources represent the property of the State.

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Chapter VII - Control and Supervision over the Activities of the Service

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 19 - Parliamentary Control

Parliamentary control over the activities of the Service shall be carried out in the manner and under the procedure prescribed by the Constitution of Georgia and the Rules of Procedure of the Parliament of Georgia.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Article 20 - Government control

The Government of Georgia shall hear a report of the Head of Service on the activities of the Service and shall approve the programme of activities of the Service.

Law of Georgia No 206 of 18 January 2013 – web-site, 28.1.2013

Article 21 - Prosecutorial supervision

The Chief Prosecutor of Georgia and his/her subordinate prosecutors shall supervise the accurate and uniform observance of law in the course of operative investigative activities carried out by the Service.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 1360 of 20 April 2005 – LHG I, No 19, 28.4.2005, Article 132

Law of Georgia No 488 of 1 November 2008 - LHG I, No 30, 7.11.2008, Art. 203

Law of Georgia No 6 66 of 30 May 2013 – web-site, 24.6.2013

Chapter VII¹- Transitional and Final Provisions

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 22 - Enlistment of service members of the Service in the reserve of the Military Forces of Georgia

Within one month from the entry of this Law into force, service members of the Service shall be enlisted in the reserve of Military Forces of Georgia in the ranks they held at the time of enlistment.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Article 14

Article 23 - Granting special ranks to service members of the Service after the entry into force of this Law



1. A service member of the Service shall be granted a special rank corresponding to the military rank after the entry into force of this Law.
2. After the entry into force of this Law the calculation of the term determined for granting the next special rank shall start from the day of granting the military rank awarded before the entry of this law into force.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Article 23¹ - Legal regulation, during the transitional period, of issues related to persons found legally incompetent by court before 1 April 2015

A person found legally incompetent by court before 1 April 2015 may not be recruited to the Service until his/her individual evaluation has been carried out.

Law of Georgia No 3393 of 20 March, 2015 - website, 31.3.2015

Article 24 - Subordinate normative acts to be issued in connection with the entry of this Law into force

The following subordinate normative acts shall be issued in connection with the entry of this Law into force:

1. The Edict of the President of Georgia:

a) On the Approval of the Statute of the Special State Protection Service;

b) On the Approval of the Regulations on the Procedure for Performing Military Duty at the Special State Protection Service;

b¹) On the Approval of the Regulations on the Procedure for Performing Contracted, Contracted Professional, Regular and Civil Services at the Special State Protection Service;

c) On the Approval of the Disciplinary Regulations of the Special State Protection Service;

d) On the Approval of the Special Uniform for Employees of the Special State Protection Service;

e) On the Approval of the Text of the Oath of an Employee of the Special State Protection Service;

2. The Order of the Head of the Special State Protection Service:

a) On the Approval of the Sample of a Contract of an Employee of the Special State Protection Service;

b) On the Approval of the Sample of an Identification Card of an Employee of the Special State Protection Service;

c) On the Approval of the Regulations on Granting Special Rank;

d) On the Approval of the Regulations on the Procedure for Preparing and Conducting Special Training and Professional Re-Training Courses;

e) On the Approval of the Instructions for Selecting, Assessing and Recruiting Prospective Candidates for the Special State Protection Service;

f) On the Approval of the Regulations on the Procedure for Establishing and Conferring the Departmental Awards';

g) On the Approval of the Regulations on the Procedure for Completing Internship at the Special State Protection Service;

h) On the Procedure for Approving the Form of an Administrative Offence Report, for Completing it and Submitting it to the Body Responsible for the Review of Administrative Offences'.

Law of Georgia No 1885 of 25 December 2002 – LHG I, No 3, 17.1.2003, Art. 14

Law of Georgia No 2943 of 28 April 2006 - LHG I, No 15, 16.5.2006, Art. 96

Law of Georgia No 4953 of 24 June 2011 - website, 11.7.2011

President of Georgia

Eduard Shevardnadze

Tbilisi

20 February 1996

№110–III

