

**LAW OF GEORGIA**  
**ON THE FIGHT AGAINST CORRUPTION**

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*  
*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*  
*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

**Chapter I – General Provisions**

**Article 1**

This Law establishes basic principles of prevention, discovery and elimination of conflict of interest and corruption in public institutions and basic principles of responsibility of perpetrators of corruption, and the basis and mechanisms of legal regulation. This Law also regulates the conditions and mechanism for the submission of asset declarations by officials and for the monitoring of submitted declarations, as well as the fundamentals of whistle-blower protection and the general rules of ethics and conduct.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

**Article 2**

1. For the purposes of this Law, the term ‘official’ includes the following persons:

- a) President of Georgia;
- b) Members of the Parliament of Georgia;
- c) members of the Supreme Representative Bodies of the Autonomous Republic of Abkhazia and the Autonomous Republic of Ajara;
- d) Chairpersons of the Government of the Autonomous Republic of Abkhazia and the Autonomous Republic of Ajara;
- e) a member of the Government of Georgia, his/her first deputy and deputy;
- e<sup>1</sup>) (deleted – 4.4.2019, No 4462);
- e<sup>2</sup>) heads of the executive agencies of the Autonomous Republics of Abkhazia and Ajara, and their deputies;
- f) the head of the Administration of the Government of Georgia and his/her deputy;
- f<sup>1</sup>) Parliamentary secretary to the Government of Georgia;
- g) the head of the Administration of the President of Georgia and his/her deputy;
- g<sup>1</sup>) (deleted – 29.6.2018, No 2760);
- g<sup>2</sup>) (deleted – 7.12.2017, No 1708);
- g<sup>3</sup>) Parliamentary secretary to the President of Georgia;
- h) the head of a primary structural unit of a ministry of Georgia, his/her deputy and persons equivalent to them, and the head of a secondary structural unit and persons equivalent to them;
- h<sup>1</sup>) the head of a primary structural unit of the Staff of the State Minister of Georgia, his/her deputy and persons equivalent to them, and the head of a secondary structural unit and persons equivalent to them;
- i) the head of a primary structural unit of the Administration of the Government of Georgia, and a person equivalent to him/her;
- i<sup>1</sup>) Business Ombudsman and his/her deputy;
- j) heads of structural divisions of the Administration of the President of Georgia, and persons equivalent to them;
- j<sup>1</sup>) the head of the Staff of the Parliament of Georgia, his/her deputy, the head of a primary structural unit and persons equivalent to them;
- j<sup>2</sup>) (deleted – 29.6.2018, No 2760);
- j<sup>3</sup>) (deleted – 7.12.2017, No 1708);
- k) heads of government subordinated institutions and their deputies;
- k<sup>1</sup>) heads of government subordinated institutions of the Autonomous Republic of Abkhazia and the Autonomous Republic of Ajara;
- k<sup>2</sup>) heads of legal entities under public law (except for those established for cultural, educational, academic, research, sports and religious activities and political parties) and their deputies;
- l) the heads of the departments, bureaus, chief administrations and administrations of the Ministry of Internal Affairs of Georgia and the Ministry of Defence of Georgia and their deputies, as well as persons equivalent to them;
- l<sup>1</sup>) the head of the State Security Service of Georgia and his/her deputies, the heads and their deputies of structural divisions of the State Security Service of Georgia, chief administrations and administrations within these structural divisions, as well as persons equivalent to them;
- l<sup>2</sup>) the head of the Office of the National Security Council and his/her deputy, the head of a structural subdivision of the Office of the National Security Council and his/her deputy;
- m) the head of the tax authority/customs authority of the Legal Entity under Public Law – the Revenue Service;
- n) General Auditor, his/her deputy, members of the Presidium of the State Audit Office, heads of Departments, Regional and City



Bureaus, heads of structural units of the Autonomous Republic of Abkhazia and the Autonomous Republic of Ajara;

o) President of the National Bank of Georgia and members of the Board of the National Bank of Georgia;

p) members of the advisory body of the President of Georgia;

q) members of the High Council of Justice of Georgia;

r) members of the National Regulatory Commission of Georgia;

s) Chairperson of the Central Election Commission of Georgia, his/her deputy and the secretary of the Commission;

t) the state representatives and their deputies;

u) a municipality Mayor, his/her first deputy and deputy, the head of a primary structural unit, a district Gamgebeli (head of local administration) and his/her deputy, the head of a primary structural unit of a district Gamgeoba (local administration), the chairperson of a municipality Sakrebulo (local assembly) , his/her first deputy and deputy, the chairperson of the commission of a municipality Sakrebulo, the chairperson of a municipality Sakrebulo faction and his/her deputy, the Gamgebeli of a Tbilisi municipality district and his/her deputy, and the head of a primary structural unit of a district Gamgeoba;

v) (deleted – 5.2.2014, No 1973);

w) judges;

x) prosecutors under Article 2(1), (1<sup>1</sup>) and (2) of the Organic Law of Georgia on the Prosecutor's Office General Prosecutor of Georgia (except intern prosecutors), as well as heads of departments of the General Prosecutor's Office of Georgia who are not subject to Article 2(1) of the Organic Law of Georgia on the Prosecutor's Office;

y) any other person elected, appointed or approved under the Constitution of Georgia;

z) (deleted – 27.10.2015, No 4358);

z<sub>1</sub>) the head of the Special Investigation Service, his/her first deputy and deputy;

z<sub>1</sub><sup>1</sup>) the Public Defender of Georgia, his/her first deputy and deputy;

z<sub>1</sub><sup>2</sup>) the head of the Personal Data Protection Service, his/her first deputy and deputy;

z<sub>2</sub>) (deleted – 22.12.2018, No 4097);

z<sub>3</sub>) director of the Legal Entity under Public Law – the Pension Agency and a senior investment officer;

z<sub>4</sub>) a member of a board on the solution of disputes related to state procurement;

[ z<sub>4</sub>) a member of the Board for the Resolution of Public Procurement Related Disputes. (Shall become effective from 1 January

2025)]

2. For the purposes of Chapter IV of this Law, the term 'official' also includes:

a) (deleted – 27.10.2015, No 4358);

b) heads of non-entrepreneurial (non-commercial) legal persons established by a state body or by a municipality;

c) heads of enterprises, 100% of stocks or share of which is owned by a state body or a municipality/municipalities, as well as the heads of subsidiaries of such enterprises.

3. The list of non-entrepreneurial (non-commercial) legal persons and enterprises (their subsidiaries) under paragraph 2(b) and (c) of this article, whose heads are obliged to complete an official's asset declaration, is determined by an ordinance of the Government of Georgia.

*Law of Georgia No 1733 of 13 December 1998 – LHG I, No 7, 31.12.1998, Art. 56*

*Law of Georgia No 1801 of 5 February 1999 – LHG I, No 3(10), 19.2.1999, Art. 17*

*Law of Georgia No 1934 of 30 April 1999 – LHG I, No 15(22), 14.5.1999, Art. 63*

*Law of Georgia No 1987 of 28 May 1999 – LHG I, No 21(28), 14.6.1999, Art. 103*

*Law of Georgia No 1014 of 20 July 2001 – LHG, No 24, 1.8.2001, Art. 94*

*Law of Georgia No 3184 of 25 May 2006 – LHG I, No 17, 30.5.2006, Art. 129*

*Law of Georgia No 4278 of 29 December 2006 – LHG I, No 51, 31.12.2006, Art. 437*

*Law of Georgia No 4295 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 5*

*Law of Georgia No 4603 of 30 March 2007 – LHG I, No 11, 10.4.2007, Art. 107*

*Law of Georgia No 4818 of 25 May 2007 – LHG I, No 19, 1.6.2007, Art. 172*

*Law of Georgia No 4861 of 5 June 2007- LHG I, No 22, 19.6.2007, Art. 190*

*Law of Georgia No 5249 of 11 July 2007 – LHG I, No 29, 27.7.2007, Art. 319*

*Law of Georgia No 5470 of 20 November 2007 – LHG I, No 40, 3.12.2007, Art. 381*

*Law of Georgia No 486 of 1 November 2008 – LHG I, No 30, 7.1.2008, Art. 202*

*Law of Georgia No 1277 of 19 June 2009 – LHG I, No 13, 2.7.2009, Art. 61*

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

*Law of Georgia No 2669 of 23 February 2010 – LHG I, No 7, 9.3.2010, Art. 28*

*Law of Georgia No 4675 of 17 May 2011 – website, 1.6.2011*

*Law of Georgia No 5129 of 13 October 2011 – website, 27.10.2011*

*Law of Georgia No 6174 of 15 May 2012 – website, 29.05.2012*

*Law of Georgia No 6550 of 22 June 2012 – website, 29.6.2012*

*Law of Georgia No 6612 of 29 June 2012 – website, 12.7.2012*

*Law of Georgia No 1261 of 20 September 2013 – website, 8.10.2013*

*Law of Georgia No 1526 of 13 November 2013 – website, 22.11.2013*

*Law of Georgia No 1593 of 20 November 2013 – website, 3.12.2013*



*Law of Georgia No 1666 of 29 November 2013 – website, 16.12.2013*  
*Law of Georgia No 1801 of 13 December 2013 – website, 28.12.2013*  
*Law of Georgia No 1950 of 5 February 2014 – website, 17.2.2014*  
*Law of Georgia No 1973 of 5 February 2014 – website, 19.2.2014*  
*Law of Georgia No 2361 of 2 May 2014 – website, 16.5.2014*  
*Law of Georgia No 2643 of 1 August 2014 – website, 18.8.2014*  
*Law of Georgia No 3129 of 4 March 2015 – website, 23.3.2015*  
*Law of Georgia No 3614 of 28 May 2015 – website, 4.6.2015*  
*Law of Georgia No 3932 of 8 July 2015 – website, 15.7.2015*  
*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*  
*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*  
*Law of Georgia No 1708 of 7 December 2017 – website, 14.12.2017*  
*Law of Georgia No 2760 of 29 June 2018 – website, 19.7.2018*  
*Law of Georgia No 3305 of 21 July 2018 – website, 6.8.2018*  
*Law of Georgia No 3287 of 21 July 2018 – website, 9.8.2018*  
*Law of Georgia No 3822 of 30 November 2018 – website, 13.12.2018*  
*Law of Georgia No 4097 of 22 December 2018 – website, 28.12.2018*  
*Law of Georgia No 4245 of 27 December 2018 – website, 29.12.2018*  
*Law of Georgia No 4403 of 2 April 2019 – website, 8.4.2019*  
*Law of Georgia No 4462 of 4 April 2019 – website, 11.4.2019*  
*Law of Georgia No 4592 of 8 May 2019 – website, 8.5.2019*  
*Law of Georgia No 4931 of 28 June 2019 – website, 4.7.2019*  
*Law of Georgia No 6732 of 2 July 2020 – website, 16.7.2020*  
*Law of Georgia No 6992 of 15 July 2020 – website, 28.7.2020*  
*Law of Georgia No 1343 of 30 December 2021 – website, 06.01.2022*  
*Law of Georgia No 1320 of 30 December 2021 – website, 13.01.2022*  
*Law of Georgia No 2566 of 9 September 2023 – website, 27.02.2023*  
*Law of Georgia No 2890 of 16 May 2023 – website, 23.05.2023*

## **Article 2<sup>1</sup>**

1. For the purposes of this Law, public servants are state servants, professional public servant (the ‘servant’) and persons recruited for public service on the basis of agreements under public law, which are defined in the Law of Georgia on Public Service, and officials under Article 2(1) of this Law.

2. For the purposes of this Law, persons recruited for public service on the basis of employment agreements are not considered as public servants, except for the exceptions determined by legislative acts of Georgia.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

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

For the purposes of this Law, a ‘public institution’ means an institution performing state services and public services provided for by the Law of Georgia on Public Service, as well as national regulatory bodies.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 1593 of 20 November 2013 – website, 3.12.2013*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

## **Article 3**

1. ‘Corruption in public service’ is the abuse of the position or the opportunities related to the position by a public servant in order to obtain property or other assets prohibited by law, and the transfer of these assets to him/her, or support in obtaining and legalising them.

2. ‘Corruption offence’ is an action which contains the signs of corruption and for which disciplinary, administrative or criminal liability is provided for by law.

3. ‘Conflict of interest in a public institution’ is the conflict of property or other private interests of a public servant with the interests of a public institution.

4. ‘Unsubstantiated property’ is the property, including income generated from this property, stocks (shares), the acquisition of which by legitimate means an official, his/her family member or close relative cannot support with documents, or which is purchased with money generated from the sale of illegal property.

5. ‘Substantiation of the origin of property’ is a documented or verbal explanation of the form of obtaining into ownership of declared assets and financial resources with indications of the source.

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*



#### **Article 4**

For the purposes of this Law:

- a) 'family member' is a person's spouse, minor child, stepchild, or a person permanently residing with him/her;
- b) 'close relative' is a person's family member, direct ancestor or descendant, stepchild, sibling, as well as a stepchild of his/her parent or child.

#### **Article 5**

1. For the purposes of this article, a 'gift' is property transferred or services provided to a public servant or his/her family members free of charge or under beneficial conditions, partial or full release from obligations, which represents an exception from general rules.
2. The total value of gifts received by a public servant during a reporting year shall not exceed 15% of the amount of one year's salary, whereas the total value of a single gift received shall not exceed 5%, unless these gifts are received from the same source.
3. The total value of gifts received by each member of the public servant's family during a reporting year shall not exceed GEL 1 000, whereas the total value of a single gift received shall not exceed GEL 500, unless these gifts are received from the same source.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

#### **Article 5<sup>1</sup>**

For the purposes of this Law, the following shall not be considered as a gift:

- a) a grant, scholarship, reward and bonus awarded by the State or an international organisation;
- b) a 'diplomatic gift' which is given to a public servant during an official or working visit according to the procedure under protocol and the market value of which does not exceed GEL 300;
- c) a symbolic sign or a souvenir given to a public servant or his/her family member by a state or municipal body or institution of Georgia or other state, the market value of which does not exceed GEL 300 and which is received from one source during an official event;
- d) property transferred to a public servant or his/her family member free of charge or under beneficial conditions, with partial or full release from obligations of property owners, or service provided under beneficial conditions, which is not an exception from general rules;
- e) property transferred to a public servant or his/her family member by a close relative free of charge or under beneficial conditions, and with partial or full release from obligations of property owners;
- f) printed publications given as gifts, except for cultural values that are provided for by the Law of Georgia on Cultural Heritage.

*Law of Georgia No 6992 of 15 July 2020 – website, 28.7.2020*

#### **Article 5<sup>2</sup>**

If the public servant or his/her family member ascertains after receiving a gift that its value exceeds the limits under this law and/or it was impossible to refuse the gift due to certain reasons (a gift received by mail, a gift given publicly), he/she shall, within three working days after receiving the gift, submit to the Legal Entity under Public Law – the Anti-Corruption Bureau ('the Anti-Corruption Bureau) information on the name of the received gift, its assessed or exact value/amount and the identity of the grantor, or shall transfer the gift prohibited under this Law to the Legal Entity under Public Law – the National Agency of State Property within the system of the Ministry of Economy and Sustainable Development of Georgia.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 5991 of 29 May 2020 – website, 10.6.2020*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

#### **Article 6**

1. For the purposes of this Law, 'control of an enterprise' means the power of a person (body) to check activities of a specific enterprise (entrepreneur) personally or through a person under his/her/its official supervision or to establish any restriction or exemption in entrepreneurial activities of an enterprise (entrepreneur), or to issue a licence, certificate or other types of permission related to entrepreneurial activities.

2. For the purposes of this Law, a 'person under official supervision of an official' means a person, with respect to whose administrative act issued or action performed the official is authorised to:

- a) give written directions to eliminate faults in an issued administrative act or action performed;
- b) suspend execution of an administrative act or performance of an action;
- c) terminate an administrative act.

3. For the purposes of this Law, 'direct participation in an enterprise's activities' of an official or his/her family members means setting up and managing an enterprise, exercising supervisory and/or representative powers, and holding an enterprise's capital.

4. For the purposes of this Law, 'indirect participation in an enterprise's activities' of an official or his/her family members means direct participation of an enterprise under paragraph 3 of this article (including holding of stocks and shares) in the activities of another enterprise.



## **Chapter II – Restrictions on Actions**

### **Article 7**

Public servants may not use official powers or opportunities related to them to the prejudice of the interests of public institutions or for the solution of issues outside their official powers.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

### **Article 8**

Public servants may not disclose or use for unofficial purposes information containing official secrets or any other confidential information, the public availability of which is restricted under the legislation of Georgia and of which they have become aware in the course of official duties.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

### **Article 9**

1. Public servants, who are obliged to provide services or make decisions free of charge, may not receive or require compensation for such services in the form of pecuniary or other benefit.

2. Public servants who are obliged to provide services or make decisions for an established fee, may not receive or require higher compensation for such services.

3. Public servants may not receive any compensation for publishing information created or obtained in the public sector or for publishing works, reports or other material on the basis of such information.

4. The restriction under paragraph 3 of this article shall not apply if the information is public and may be received by any interested person.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

### **Article 10**

1. A public servant may not, based on his/her personal interests:

a) purchase property of a public institution entrusted to him/her to enter into a transaction;

b) enter into a transaction with a public institution in which he/she works, except for the exceptions determined by the legislation of Georgia;

c) enter into a transaction, as a public servant, with his/her business entity, political party or other public institution;

d) enter into a property transaction with his/her family member or close relative as a public servant.

2. A transaction concluded in violation of paragraph 1 of this article shall be void.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

### **Article 11**

1. A public servant whose duty within a collegial body is to make decisions, with respect to which he/she has property or other interests, shall inform the other members of the body or his/her immediate supervisor of this fact and shall refuse to participate in the decision-making.

2. A public servant whose duty is to individually make decisions, with respect to which he/she has property or other interests, shall seek self-recusal and inform in writing his/her immediate supervisor (superior body) of this fact, who will either make an appropriate decision or assign this duty to other official.

3. In the case provided for by paragraph 2 of this article, a public servant may sign a decision on the basis of written consent of his/her immediate supervisor (superior body) and this shall be indicated in the respective decision.

4. The requirements under this article shall not apply to the President of Georgia, the Prime Minister of Georgia, members of the Parliament of Georgia, members of the Supreme Representative Bodies and heads of the Executive Bodies of the Autonomous Republics of Abkhazia and Ajara.

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 1261 of 20 September 2013 – website, 8.10.2013*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

### **Article 12 (Deleted)**

*Law of Georgia No 1558 of 1 September 1998 – LHG I, No 2, 26.10.1998, Art. 3*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*



## **Article 12<sup>1</sup> (Deleted)**

*Law of Georgia No 3548 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 295*

*Law of Georgia No 1261 of 20 September 2013 – website, 8.10.2013*

*Law of Georgia No 394 of 16 March 2021 – website, 31.3.2021*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Chapter III – Incompatibility of Duties**

### **Article 13**

1. The issues of incompatibility of duties are regulated by the Constitution of Georgia, organic law, this Law and other normative acts.

1<sup>1</sup>. This article shall apply to a Member of the Parliament of Georgia unless otherwise determined by the Rules of Procedure of the Parliament of Georgia.

2. A public servant, except for the President of Georgia, a Member of the Parliament of Georgia and a member of the Government of Georgia, may not perform any kind of paid work (except for academic, pedagogical, creative activities and activities in the reserve of defence forces). A public servant may not hold another position in any public institution (except for the reserve of defence forces) or legal entity under private law, or be a member of a representative body of any level, or perform any kind of paid work or hold a position in a body or institution abroad. A public servant may concurrently perform paid work only within the system of the same public institution.

2<sup>1</sup>. The President of Georgia may not hold any other office, and receive a salary or other permanent remuneration for any other activity. The President of Georgia shall not be a member of a political party.

2<sup>2</sup>. A member of the Government of Georgia may not hold any other office except in a (political) party, and receive remuneration for any other activity, except for academic and pedagogical activities.

2<sup>3</sup>. The cases of the incompatibility of duties of Members of the Parliament of Georgia shall be determined by the Rules of Procedure of the Parliament of Georgia.

3. A public servant may not receive income from an organisation that is under his/her official supervision.

4. A public servant may not be assigned to supervise the organisation, in the supervising body of which his/her family member is employed.

5. A public servant may not hold a position in any enterprise.

6. A public servant shall, for the term of his/her office, under a trust agreement, transfer to other persons for management a capital share (block of stocks) of an enterprise of the business entity owned by him/her, as determined by the legislation of Georgia.

7. A public servant may not be a permanent head of a business entity, or a member of a controlling, a supervisory or an auditing body.

8. Public servants may not carry out entrepreneurial activities. Public servants may only hold stocks or a share in an enterprise.

9. A public servant may not be a representative or a proxy of any natural or legal person, or represent or defend him/her/it in criminal law, civil law or administrative law cases before or against any public institution, except when he/she is a guardian, care giver or supporter of this natural person.

10. A dismissed public servant may not, within one year after dismissal, start working in the public institution or carry out activities in the enterprise which has been under his systematic official supervision during the past three years. Within this period, he/she also may not receive income from such public institution or enterprise.

11. An official or his/her family member may not hold a position or perform any kind of work in an enterprise registered in Georgia, the control of entrepreneurial activities of which falls within the powers of this official or his/her office.

12. An official or his/her family member may not hold stocks or a capital share in an enterprise, the control of activities of which falls within the powers of this official or his/her office.

13. An official's close relative may not be appointed as an officer on the basis of an agreement under public law or an employment agreement to a position that is under official supervision of that official (except when appointed through a competition).

14. An official or his/her family member shall resign from an incompatible position or terminate incompatible activities within 10 days after the appointment of this official, unless otherwise provided for by the Constitution of Georgia or by law.

15. An official shall submit documents certifying the elimination of his/her incompatibility or his/her family member to the superior official (body), under whose immediate subordination he/she is, and to the human resources management unit.

16. Unless otherwise provided for by the Constitution of Georgia and the organic law, an official shall be dismissed if:

a) he/she or a member of his/her family violates the incompatibility provisions under this Law;

b) it is confirmed by a court decision that he/she owns illegal and/or unsubstantiated property.

17. The restrictions under this article shall not apply to the members of the Sakrebulo (assembly), who are not officials of the Sakrebulo.

*Law of Georgia No 1558 of 1 September 1998 – LHG I, No 2, 26.10.1998, Art. 3*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 2044 of 7 March 2018 – website, 26.3.2018*

*Law of Georgia No 2760 of 29 June 2018 – website, 19.7.2018*

*Law of Georgia No 3889 of 6 December 2018 – website, 14.12.2018*



## Chapter III<sup>1</sup> – General Rules of Conduct for Public Servants

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

### Article 13<sup>1</sup>

1. The general rules of conduct for public servants determined by this chapter aim to establish general principles regulating the conduct of public servants when exercising official powers.
2. In addition to the general rules of conduct for public servants determined by this chapter, special rules of conduct may be established for specific categories of public servants and/or specific public institutions.
3. The head of a public institution shall ensure access and familiarisation of public servants of the respective public institution to/with the general and special rules of conduct.
4. A public servant shall observe the general and special rules of conduct.
5. A public servant shall be accountable to his/her immediate supervisor, unless otherwise provided for by this Law or the Statutes (regulations) of the respective public institution or by the Statutes of the respective structural unit of this public institution.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

### Article 13<sup>2</sup>

1. A public servant shall carry out his/her activities on the basis of the legislation of Georgia and according to the general rules of conduct for public servants.
2. A public servant shall comply with the requirements relating to him/her and the position occupied by him/her. A public servant shall perform official duties impartially and in good faith.
3. A public servant shall act by observing the principle of collegiality, taking into account his/her official duties, and shall observe the general rules of conduct for public servants determined by this Law in relations with civil society, especially when interacting with citizens who use his/her services.
4. A public servant shall observe the principle of economic efficiency and effectiveness when performing official duties. A public servant shall not misuse official resources to prevent their embezzlement.
5. If a public servant has been detained or arrested or if criminal prosecution is being conducted against him/her, he/she shall inform the head of the respective public institution of this fact.
6. A public servant shall avoid any action that will prejudice his/her reputation and the reputation of the respective public institution or state service/public service.
7. A public servant shall use official powers and the certificates, symbols and other identification means evidencing his/her official authority in good faith, for official purposes only and shall not use them for gaining any privilege.
8. A public servant shall make decisions based on the principles of transparency and legality. A decree and/or an order that contradicts the legislation or the state interests of Georgia may not be issued.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

### Article 13<sup>3</sup>

1. The head of a public institution shall ensure access to public information and the proper functioning of the mechanism of smooth release of public information.
2. A public servant may not intentionally disseminate doubtful, unverified and/or false information.
3. A public servant shall release public information as provided for by the legislation of Georgia and in compliance with the norms and requirements of a public institution where he/she works.
4. If a public servant is authorised to restrict public availability of certain information, he/she shall strictly comply with the criteria determined by the legislation of Georgia. If necessary, the public servant shall immediately raise the issue of restricting public availability of information as determined by law.
5. A public servant shall take necessary measures to ensure confidentiality of information containing state secrets or relating to the reputation of public service, or obtained in the line of official duty, or containing personal data and other information (subject to Article 50(4) of the Criminal Procedure Code of Georgia). This requirement shall be applicable even after dismissal of the public servant.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

### Article 13<sup>4</sup>

1. A public servant may not offer or receive any benefit related to the position that he/she holds in state service and/or public





service, except as provided for by the legislation of Georgia.

2. A public servant shall:

- a) pay attention to any existing or possible conflict of interest;
- b) take measures to prevent any conflict of interest;
- c) declare any conflict of interest before being appointed or elected to the respective position or after being appointed or elected as soon as he/she becomes aware of that fact.

3. Within one month after being appointed or elected and later, before 1 February of each following calendar year, a public servant shall declare publicly about persons related to him/her employed at the same public institution where the public servant works. A written statement of the public servant in this regard, containing identification data of the related person and the information indicating the relationship between them, shall be submitted to and registered with the human resources management unit of the respective public institution.

4. For the purposes of this chapter, 'a person related to a public servant' includes persons under Article 4 of this Law and any other persons with whom the public servant maintains a common household, i.e. such special relationship that may affect conditions or economic outcomes of their activities.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

## **Article 13<sup>5</sup>**

1. A public servant may not accept any gift or service that may affect the performance of his/her official duties.

2. If it is uncertain whether the public servant has the right to accept any offered gift or benefit and/or service, he/she shall declare it.

3. If a public servant is offered any benefit prohibited under this Law, he/she shall:

- a) refuse to accept such benefit and shall notify his/her immediate supervisor and the Anti-Corruption Bureau in writing of the offer within three working days after the offer has been made;
- b) try to identify the person who has made the offer;
- c) limit communication with that person and try to determine the basis for such offer;
- d) transfer the gift to the Legal Entity under Public Law – the National Agency of State Property within the system of the Ministry of Economy and Sustainable Development of Georgia within three working days after acceptance if it is impossible to refuse or return the gift.

4. A public servant shall disclose information as determined by this Law about any criminal or other illegal action committed by another public servant if he/she has any evidence or reasonable doubt in this regard.

5. Unless otherwise provided for by legislation, the general rules of ethics and conduct in public service are defined by an ordinance of the Government of Georgia.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

*Law of Georgia No 5991 of 29 May 2020 – website, 10.6.2020*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Article 13<sup>6</sup>**

1. An official defined in Article 2(a-e<sup>2</sup>) of this Law shall undergo a drug test within a time limit determined for him/her by the Head of the Anti-Corruption Bureau, and submit the respective certificate to the Anti-Corruption Bureau within three days after it has been issued.

2. A certificate provided for by paragraph 1 of this article shall be public and shall be published on the official website of the Anti-Corruption Bureau.

*Law of Georgia No 3268 of 21 July 2018 – website, 13.8.2018*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Chapter IV – Declaring and Publishing Economic Interests**

### **Article 14**

1. A person shall submit an official's asset declaration to the Anti-Corruption Bureau within two months after his/her appointment. The Government of Georgia shall determine the procedure for the submission of official's asset declarations.

2. During his/her term of office, an official shall annually complete and submit an official's asset declaration within the respective month of completion of the previous declaration.

3. An official shall, within two months after dismissal, if he/she failed to submit the declaration within the calendar year of his/her dismissal, and within the same, respective month of completing the previous declaration in the year following the dismissal, unless he/she is appointed to another position, complete and submit an official's asset declaration.

3<sup>1</sup>. If the two-month period under paragraph 3 of this article moves over to the following calendar year, an official shall complete and submit an official's asset declaration not later than 31 December of the calendar year of his/her dismissal.

4. A person, who has been assigned within the system of the same public institution to temporarily perform the duties of an absent official for a specific period of time, but for not more than two months, shall be exempt from submitting an official's asset





declaration.

5. A candidate for member of the Parliament of Georgia shall, within one week after registration as a candidate, complete and submit an official's asset declaration according to the simplified procedure determined by the Government of Georgia, except when he/she has completed the declaration that year under this article.

5<sup>1</sup>. A person registered as a candidate participating in a competition to occupy a vacant position of judge of a district (city) or a court of appeals shall complete and submit an official's asset declaration within the time limit established by paragraph 5<sup>2</sup> of this article. The declaration shall be public and shall immediately be published on the webpage as provided for in the same paragraph.

5<sup>2</sup>. A person registered as a candidate under Article 34<sup>1</sup>(8) of the Organic Law of Georgia on General Courts shall, within three days of the expiry of the time limit for considering an appeal provided for by paragraph 5 of that article, complete and submit an official's asset declaration. The declaration shall be public and shall immediately be published on the official webpage of the Anti-Corruption Bureau.

6. The property data shall be entered into an official's asset declaration as of the 1<sup>st</sup> day of the month of completing the declaration, revenues/expenses shall be entered as of the year preceding the year of completing the declaration, and the accounts and/or deposits opened in a banking and/or another credit institution of Georgia or another country, which an official or his/her family member is entitled to administer, shall be entered as of the 1<sup>st</sup> day of the month of completing the declaration.

7. The data on cash money owned by an official or his/her family member, which exceeds GEL 10 000, shall be entered into an official's asset declaration as of the date of completion of the declaration.

8. An official shall complete an official's asset declaration once a year. If the person has already submitted the declaration and during the same year the ground for completing the declaration arises again, the official shall be exempt from completing the declaration again.

9. Based on the written request of authorised persons, officials and/or persons dismissed from public institutions under paragraph 10 this article, the Anti-Corruption Bureau shall issue details for logging in the Unified Declaration Electronic System and shall explain to the person the responsibility under the legislation of Georgia for failure to submit an official's asset declaration within the established period of time.

10. The head of the human resources management unit of a respective public institution, or duly authorised person, shall inform the Anti-Corruption Bureau in writing of the appointment to or dismissal from a declaration position of a person within seven working days after the relevant appropriate administrative act on the appointment or dismissal has been issued. In the case of failure to provide such information, the Head of the Anti-Corruption Bureau shall notify the head of the respective public institution of this fact, which may become grounds for the imposition of disciplinary liability on the head of the human resources management unit or duly authorised person. The imposition of disciplinary liability shall not exempt the head of the human resources management unit or duly authorised person of a respective public institution from the obligation to provide information to the Anti-Corruption Bureau of the appointment to or dismissal of the person from a declaration position.

11. In the case of expiry of the time limit determined for the issue of a decree on the imposition of a fine for failure to submit an official's asset declaration, a two-month period provided for the completion of the declaration shall be calculated from the date when information of the appointment to or dismissal of the person from a declaration position is submitted to the Anti-Corruption Bureau.

12. The Anti-Corruption Bureau may, in addition to the time limit under this article for the completion of a declaration, give the person a 48-hour time limit for editing the data entered into the declaration.

13. An official shall be authorised to adjust the following data entered in an official's asset declaration:

- a) the personal number;
- b) the permanent residential address and the telephone number;
- c) the mobile telephone number and the valid e-mail address.

*Law of Georgia No 1733 of 13 December 1998 – LHG I, No 7, 31.12.1998, Art. 56*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 4920 of 8 June 2007- LHG I, No 22, 19.6.2007, Art. 201*

*Law of Georgia No 311 of 2 October 2008 – LHG I, No 24, 20.10.2008, Art. 157*

*Law of Georgia No 1179 of 12 June 2009 – LHG I, No 12, 29.6.2009, Art. 53*

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

*Law of Georgia No 3548 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 295*

*Law of Georgia No 1261 of 20 September 2013 – website, 8.10.2013*

*Law of Georgia No 1666 of 29 November 2013 – website, 16.12.2013*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

*Law of Georgia No 262 of 8 February 2017 – website, 13.2.2017*

*Law of Georgia No 2272 of 4 May 2018 – website, 21.5.2018*

*Law of Georgia No 4403 of 4 April 2019 – website, 11.4.2019*

*Law of Georgia No 4527 of 1 May 2019 – website, 2.5.2019*

*Law of Georgia No 448 of 1 April 2021 – website, 1.4.2021*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

*Law of Georgia No 3132 of 13 June 2023 – website, 27.6.2023*



## Article 15

The official's asset declaration shall contain the following information about the person and his/her family members:

- a) the person's name, surname, personal number, address of the place of permanent residence, telephone number, mobile number and valid e-mail address;
- b) the person's place of work, position occupied, address of the place of work and telephone number;
- c) the person's and his/her family members' name, surname, personal number, place of birth, date of birth, kinship or other relation with the person;
- d) immovable property owned by the person and his/her family members, the identity of the owner (as well as the co-owner of the property and the percentage of the share of the person and his/her family member if the property is in joint ownership), the date of purchase, form of purchase, the amount paid, total area and location of the property;
- e) movable property owned by the person and his/her family members (except for securities, funds in a bank account/deposit, and cash), each property valued at more than GEL 10 000, the identity of the owner (as well as the co-owner of the property and the percentage of the share of the person and his/her family member if the property is in joint shared ownership), the date of purchase, form of purchase and the amount paid;
- f) securities owned by the person and his/her family members, the issuer of the securities, the name and surname of the owner, the type of the securities, the amount paid, the nominal value and quantity, the date of purchase, and the form of purchase;
- g) an account and/or deposit in a banking and/or credit institution of Georgia or other country, which the person or his/her family member is entitled to administer – the identity of the person administering the account and/or deposit, name of the banking and/or other credit institution, type of the account and/or deposit, balance (credit or debit) on the account and/or deposit;
- h) cash owned by a person and his/her family members amounting to more than GEL 4 000, the identity of the cash owner, the source of cash and the amount of cash in the respective currency;
- i) direct participation or indirect participation of the person or his/her family members in an enterprise's activities in Georgia or other country. In the case of direct participation in the activities of an enterprise: the person participating in the activities of the enterprise, form of participation, first and last names of partners (for a legal person – the full company name and legal address), the full company name and legal address of the enterprise, registration body and registration date, equity percent, the period of participation, and the amount of income gained from the enterprise during the accounting year (excluding the taxes under the legislation of Georgia). In case of indirect participation in the activities of an enterprise: the full company name of another enterprise, the type of activity, first and last names of partners (for a legal person – the full company name and legal address), equity percent of the enterprise in the capital of another enterprise;
- j) any paid work performed by the person or his/her family members in Georgia or other country, except for participating in entrepreneurial activities – the identity of the person performing paid work, place of work where the person holds/held a position or performs/performed paid work, name of the position or type of work, income received from the performance of work within a reporting period (excluding the income tax);
- k) any agreement concluded by the person or his/her family members in Georgia or other country (except for a gift received), valued at more than GEL 10 000 (including trust agreements, irrespective of their value) – the type of the agreement, the identity of the parties to the agreement, subject and value of the agreement, the date of entering into the agreement and its duration, the body that performed state registration and attestation of the agreement, material benefit received from the agreement within the reporting period (excluding the taxes under the legislation of Georgia);
- l) any gift valued at more than GEL 500, that the person or his/her family members received within the reporting period – the identity of the person receiving the gift, the person presenting the gift, the relationship between them, type of the gift, and market value of the gift;
- m) any income of the person and his/her family members within a reporting period, the amount (value) of which is exceeding GEL 3 000 in each case, and/or expenses the amount (value) of which is exceeding GEL 5 000 in each case, except for other income and/or expenses specified in this article – the person and his/her family members who had income and/or expenses, the type and amount (value) of income and/or expenses;
- n) secret field – the type of property and the identity of the person and/or his/her family members related to the property, the connection of the person and/or his/her family members to the property, market value and/or amount of the property;
- o) date of completion of the declaration.

*Law of Georgia No 1558 of 1 September 1998 – LHG I, No 2, 26.10.1998, Art. 3*

*Law of Georgia No 1801 of 5 February 1999 – LHG I, No 3(10), 19.2.1999, Art. 17*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 311 of 2 October 2008 – LHG I, No 24, 20.10.2008, Art. 157*

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

*Law of Georgia No 2669 of 23 February 2010 – LHG I, No 7, 9.3.2010, Art. 28*

*Law of Georgia No 3548 of 21 July 2010 – LHG I, No 46, 4.8.2010, Art. 295*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 193 of 21 December 2016 – website, 29.12.2016*

*Law of Georgia No 4403 of 4 April 2019 – website, 11.4.2019*

## Article 16 (Deleted)

*Law of Georgia No 1558 of 1 September 1998 – LHG I, No 2, 26.10.1998, Art. 3*

*Law of Georgia No 1801 of 5 February 1999 – LHG I, No 3(10), 19.2.1999, Art. 17*



## **Article 17**

1. (Deleted).
2. If information to be entered into the declaration contains state or official secrets or represents other confidential information, the public availability of which is restricted under legislation in force, this information shall be reflected only in the special (secret) field of the declaration with an indication of the type of property received from the respective source, the connection of the official and his/her family members to the property, and the market value and/or amount of the property.
3. In the case provided for by paragraph 2 of this article, the person shall refer to the legal act on the basis of which the information to be entered into the declaration contains state or official secrets or represents other confidential information, the public availability of which is restricted.

*Law of Georgia No 1801 of 5 February 1999 – LHG I, No 3(10), 19.2.1999, Art. 17*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

## **Article 18**

For the purposes of Article 20<sup>15</sup>(1)(f) this Law, the Anti-Corruption Bureau shall:

- a) prepare instructions on the proper completion of official's asset declarations;
- b) ensure an unhindered access of officials to the Unified Declaration Electronic System;
- c) receive and keep the official's asset declarations completed by officials and monitor their compliance with the legislation of Georgia;
- d) ensure the public availability of the content of official's asset declarations;
- e) on the basis of the list under Article 2 of this Law, prepare and submit for approval to the Government of Georgia a titular register of officials who are obliged to complete declarations, and shall prepare amendments and additions to the register and submit them to the Government of Georgia for approval;
- f) implement other appropriate activities in accordance with law.

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 1179 of 12 June 2009 – LHG I, No 12, 29.6.2009, Art. 53*

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

*Law of Georgia No 1261 of 20 September 2013 – website, 8.10.2013*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Article 18<sup>1</sup>**

1. The Anti-Corruption Bureau shall monitor the entry of full and correct data into official's asset declarations and the compliance of completed declarations with the legislation of Georgia.
2. The ground for initiating the monitoring of an official's asset declaration shall be:
  - a) a random selection of the officials by the Unified Electronic Officials' Asset Declaration System;
  - b) a reasoned written application.
3. The state-political officials defined by the Law of Georgia on Public Service selected by the Permanent Commission set up by the Head of the Anti-Corruption Bureau and the officials selected on the basis of special factors shall also fall within the category of officials subject to annual examination. The special factors are: particular risk of corruption, high public interest, and violations revealed as a result of the monitoring.
4. In the cases provided for by paragraph 2(a) and paragraph 3 of this article, the number of officials subject to annual examination shall not exceed 5% of the total number of officials in each case.
5. In the cases provided for by paragraph 2(a) and paragraph 3 of this article, the officials subject to annual examination shall be selected in the beginning of each calendar year.
6. The Head of the Anti-Corruption Bureau shall determine the composition of the Standing Commission under paragraph 3 of this article. The Standing Commission shall not be composed of public servants.
7. Official's asset declarations shall be monitored based on the principle of confidentiality. The results of the monitoring shall be proactively published at the end of each calendar year.
8. If the monitoring of the official's asset declaration has been initiated, the Anti-Corruption Bureau shall notify the respective official of the initiation of the monitoring as determined by the legislation of Georgia and shall allow a period of 10 working days for the submission by the official of information and documents (including those issued by banking and/or other credit institutions) necessary for the monitoring, and his/her personal opinion.
9. Official's asset declarations shall be monitored by verifying the accuracy of data in completed declarations in the electronic databases administered by public institutions, by verifying the evidence submitted by the official to the Anti-Corruption Bureau and/or other written evidence, and through the performance by administrative bodies of the obligation of assistance provided for by Articles 16-19 of the General Administrative Code of Georgia.
10. The Government of Georgia shall provide instructions on the monitoring of official's asset declarations subject to examination.
11. Based on the results of the monitoring of official's asset declarations, the Anti-Corruption Bureau shall take one of the



following decisions on:

- a) the non-existence of a violation in the official's asset declaration;
- b) the existence of a violation in the official's asset declaration;
- c) the existence of a minor violation in the official's asset declaration.

12. According to paragraph 11(b) of this article, the official's asset declaration shall be assessed negatively if the information and documents requested by the Anti-Corruption Bureau are not submitted or are incomplete or incorrect data or data incompatible with the Law of Georgia on Public Service are revealed in the declaration.

13. If incomplete or incorrect data are entered into the official's asset declaration wilfully as provided for by paragraph 11(b) of this article, and if there are essential elements of an offence, the Anti-Corruption Bureau shall forward the respective declaration and materials of the proceedings to the relevant law enforcement body for further response.

13<sup>1</sup>. The Anti-Corruption Bureau shall take a decision on the existence of a minor violation in an official's asset declaration in accordance with paragraph 11(c) of this article (except for cases provided for by paragraph 13<sup>2</sup> of the same article) if there are the following errors in the official's asset declaration:

- a) in the case of ownership of immovable property, an error in specifying a residential space in the declaration does not exceed 30% of the registered area but not more than 60 m<sup>2</sup>; an error in specifying a non-residential space does not exceed 30% of the registered area but not more than 30 m<sup>2</sup>; an error in specifying an area of a plot of non-agricultural land does not exceed 20% of the registered area but not more than 1000 m<sup>2</sup>; no information of a co-owner is indicated therein;
- b) in the case of an account and/or deposit opened in a banking and/or another credit institution of Georgia or another country, which the person or his/her family member is entitled to administer, the total error in the balance/balances box is not more than GEL 1 000; an account and/or deposit in a banking and/or another credit institution of Georgia or another country, which the person or his/her family member is entitled to administer, has not been declared, however it is revealed that there was no turnover in this account during the reporting period, or no other banking transaction was carried out, or there was a turnover but not more than GEL 1 000;
- c) information on the direct or indirect participation of the person or his / her family member in the activities of an enterprise in Georgia or other country does not specify an enterprise, in the activities of which the official or his/her family member participates directly or indirectly and which did not have any turnover and did not carry out transactions within 3 years or more than 3 years before the date of completion of the declaration, or there was a turnover of not more than GEL 2 000 within a year;
- d) in the case of the performance by an official or his/her family member of any paid work in Georgia or another country, a discrepancy between the pay specified in the declaration and the actual data is not more than GEL 1 000;
- e) information on the performance by an official or his/her family member of any paid work in Georgia or another country is not specified, however, it has been revealed that the remuneration received for performing this work during the reporting period is not more than GEL 1 000;
- f) in the case of concluding of any agreement in Georgia or another country by an official or his/her family member, an error identified in calculating the material benefit received from the agreement is not more than GEL 2 000.

13<sup>2</sup>. The Anti-Corruption Bureau shall take a decision on the absence of a violation in an official's asset declaration in accordance with paragraph 11(a) of this article irrespective of presence of the following errors in the official's asset declaration:

- a) in the case of ownership of immovable property, an error in specifying a residential space in the declaration does not exceed 10% of the registered area but not more than 20 m<sup>2</sup>; an error in specifying a non-residential space does not exceed 10% of the registered area but not more than 10 m<sup>2</sup>; an error in specifying an area of a plot of non-agricultural land does not exceed 10% of the registered area but not more than 100 m<sup>2</sup>; an error in specifying an area of a plot of agricultural land does not exceed 10% of the registered area but not more than 300 m<sup>2</sup>; immovable property has been erroneously indicated as the property of a family member of the official and/or the official has been indicated as the owner of the property owned by his/her family member; or inaccurate information has been specified about a co-owner;
- b) in the case of an account and/or deposit opened in a banking and/or another credit institution of Georgia or another country, which the person or his/her family member is entitled to administer, the total error in the balance/balances box is not more than GEL 500; an account and/or deposit in a banking and/or other credit institution of Georgia or other country, which the person or his/her family member is entitled to administer, has not been declared, however it is revealed that there was no turnover in this account during the reporting period, or no other banking transaction was carried out, or there was a turnover but not more than GEL 200;
- c) information on the direct or indirect participation of the person or his / her family member in the activities of an enterprise in Georgia or another country does not specify an enterprise, in the activities of which the official or his/her family member participates directly or indirectly and which did not have any turnover and did not carry out transactions within 6 years or more than 6 years before the date of completion of the declaration, or there was a turnover of not more than GEL 500 within a year;
- d) in the case of the performance by an official or his/her family member of any paid work in Georgia or another country, a discrepancy between the pay specified in the declaration and the actual data is not more than GEL 500;
- e) in the case of concluding of any agreement in Georgia or another country by an official or his/her family member, an error identified in calculating the material benefit received from the agreement is not more than GEL 1 000.

14. The culpable violation of the principle of confidentiality under paragraph 7 of this article by a public servant, unless this violation constitutes a crime or an administrative offence, shall result in disciplinary liability of the public servant as determined by law.

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*



## **Article 19**

1. Any person may request to receive a copy of a completed official's asset declaration and review it, except for the personal number, address of the place of permanent residence and telephone number, information related to the period before first appointment and/or the period after dismissal provided for by Article 15(j) of this Law, and the secret field of the declaration, also except for declarations of those officials whose positions are assigned security classification markings according to the Law of Georgia on State Secrets.

2. No obstruction shall be established or created for the receipt of a copy of a declaration.

3. To receive a copy of a declaration and copies of other materials relating to the declaration submitted by an official to the Anti-Corruption Bureau as determined by the legislation of Georgia, a fee for making a copy of public information shall be paid as determined by the Law of Georgia on the Fee for Making a Copy of Public Information.

*Law of Georgia No 1733 of 13 December 1998 – LHG I, No 7, 31.12.1998, Art. 56*

*Law of Georgia No 1801 of 5 February 1999 – LHG I, No 3(10), 19.2.1999, Art. 17*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 1439 of 13 May 2005 – LHG I, No 25, 2.6.2005, Art. 167*

*Law of Georgia No 311 of 2 October 2008 – LHG I, No 24, 20.10.2008, Art. 157*

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Chapter V – Liability for Violations of Requirements under this Law**

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 157 of 21 December 2016 – website, 28.12.2016*

## **Article 20**

1. Failure to submit an official's asset declaration within the time limit under Article 14 of this Law shall be subject to a fine in the amount of GEL 1 000, for which an individual administrative act – a decree imposing a fine – shall be issued.

<sup>1</sup>1. In the case provided for by Article 18<sup>1</sup>(11)(b) of this Law, an official shall be fined in the amount 20% of his/her official salary, but not less than GEL 500, and a person who has been dismissed shall be fined in the amount of 20% of the last official salary received during the holding of office, but not less than GEL 500, for which an individual administrative act – a decree – shall be issued.

<sup>2</sup>2. In the case provided for by Article 18<sup>1</sup>(11)(c) of this Law, an official shall be given a warning, for which an individual administrative act – a decree – shall be issued.

<sup>3</sup>3. Evading the undergoing of a drug test or the submission of a respective certificate as provided for by Article 13<sup>6</sup> of this Law shall result in the official being fined in the amount of GEL 500, for which an individual administrative act – a decree imposing a fine – shall be issued. This decree shall be public and shall be published on the official website of the Anti-Corruption Bureau.

2. A decree imposing a fine shall be issued by the Head of the Anti-Corruption Bureau through simple administrative proceedings. The official shall pay the fine not later than 30 days after being presented officially with the decree. The fine shall be deemed paid upon the submission of the document evidencing payment of the fine to the Anti-Corruption Bureau. Payment of a fine under paragraph 1 of this article shall not exempt the official from the obligation of submitting an official's asset declaration.

<sup>1</sup>2. A decree giving a warning shall be issued by the Head of the Anti-Corruption Bureau through simple administrative proceedings. If a minor violation is revealed in the next monitoring of official's asset declarations, the Anti-Corruption Bureau shall adopt a decision provided for by Article 18<sup>1</sup>(11)(b) of this Law.

3. Appealing a decree imposing a fine shall not delay its execution.

4. Failure of an official to submit an official's asset declaration within two weeks after the date of entry into force of a decree imposing a fine under paragraph 1 of this article or of a court decision (ruling) shall result in the imposition of criminal liability on that official. The imposition of criminal liability shall not exempt the official from the obligation of submitting an official's asset declaration. In such case, the official shall submit the declaration within two weeks after the date when the judgment of conviction enters into force.

5. If the public servant who is subject to disciplinary liability according to the legislation of Georgia violates this Law intentionally or negligently, unless this violation constitutes a crime or an administrative offence, shall result in disciplinary liability of the public servant as determined by law.

6. If the public servant who has violated this Law and on whom has been imposed a disciplinary measure for such act, except for dismissal, commits an offence provided for by this Law again within three years, he/she shall be dismissed from office.

*Law of Georgia No 1733 of 13 December 1998 – LHG I, No 7, 31.12.1998, Art. 56*

*Law of Georgia No 1801 of 5 February 1999 – LHG I, No 3(10), 19.2.1999, Art. 17*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

*Law of Georgia No 311 of 2 October 2008 – LHG I, No 24, 20.10.2008, Art. 157*



## **Chapter V<sup>1</sup> – Whistle-blower Protection**

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

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

For the purposes of this chapter, the terms used herein shall have the following meanings:

- a) disclosure – disclosure made by a person (whistle-blower) to a body in charge of the review of whistle-blower’s applications, an investigator, a prosecutor and/or the Public Defender of Georgia regarding the violation by a public servant (disclosed person) of the legislation of Georgia or the general rules of ethics and conduct, if any, which prejudices or may prejudice the public interests and the reputation of a respective public institution. Disclosure shall also be informing by a whistle-blower of the public and mass media after the body in charge of the review of whistle-blower’s applications, an investigator, a prosecutor or the Public Defender of Georgia makes a relevant decision;
- b) anonymous disclosure – disclosure made by an unidentified whistle-blower;
- c) body in charge of the review of whistle-blower’s applications – a structural division in charge of internal control and/or official inspection of a respective public institution;
- d) coercive measures – disciplinary measures provided for by the Law of Georgia on Public Service, or the change of the place of work of a whistle-blower without his/her consent, toughening of the terms and conditions of his/her employment agreement, refusal of recruitment, reinstatement or promotion and/or other actions that have caused or may cause the limitation of official powers of a whistle-blower or worsening of his/her of official position and/or working conditions;
- e) whistle-blower’s close relative – a whistle-blower’s parent, adoptive parent, child (stepchild), foster child, grandfather, grandmother, grandchild, sister, brother, spouse (including a divorced spouse), or a person permanently residing with the whistle-blower.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 758 of 4 May 2017 – website, 24.5.2017*

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

1. Disclosure shall be made in good faith and shall be intended to prevent, discover or eliminate violations of the legislation of Georgia and the general rules of ethics and conduct and/or to protect the public interest.
2. Disclosure shall be deemed made in good faith, unless otherwise proved.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

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

1. Disclosure may be made in writing, orally, electronically, by telephone, fax, through the website administered by the Anti-Corruption Bureau or other means.
2. Disclosure may be anonymous.
3. If a whistle-blower does not express in writing his/her consent to release his/her identity, the body in charge of the review of whistle-blower’s applications shall not disclose the whistle-blower’s identity.
4. The culpable violation by a public servant of this article, unless this violation constitutes a crime or an administrative offence, shall result in disciplinary liability as determined by law.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 6328 of 25 May 2012 – website, 12.6.2012*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

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

1. It shall be inadmissible to intimidate, harass, coerce, humiliate, persecute, oppress or cause moral or material damage to a whistle-blower or his/her close relatives, to use violence or offer violence, to treat a whistle-blower on a discriminatory basis or perform other illegal actions in connection with the fact of disclosure.
2. It shall be inadmissible to initiate administrative or civil proceedings or criminal prosecution against a whistle-blower or to impose a respective liability on him/her, or to apply coercive measures against him/her due to circumstances connected with the fact of disclosure.
3. If disciplinary, administrative, civil or criminal proceedings are being conducted against a whistle-blower, they shall be suspended, except when:
  - a) disciplinary, administrative, civil or criminal proceedings are not related to the act of disclosure;



b) the use of the protection guarantees determined by this article infringes the sovereignty and security of the State, the overthrow of its constitutional system, or causes ethnic or religious tensions.

4. Where coercive measures are applied and administrative, civil and criminal proceedings are conducted against a whistle-blower, the respective public institution shall substantiate that they are not connected to the act of disclosure and these measures and proceedings are conducted on grounds provided for by the legislation of Georgia.

5. The head of the respective public institution shall monitor the provision of protection guarantees determined by this article to a whistle-blower.

6. If, in the course of criminal procedure, at any stage of proceedings connected to the act of disclosure, the life, health or property of a whistle-blower, his/her close relative or witness is prejudiced due to being involved in these proceedings, the whistle-blower, his/her close relative, witness or the body in charge of the review of whistle-blower's applications may apply to the Prosecutor's Office of Georgia to apply special protection actions provided for by the Criminal Procedure Code of Georgia.

7. In the case of violations of the provisions of this article by the body in charge of the review of whistle-blower's applications or the respective public institution, a whistle-blower may file a complaint about such violations as determined by the administrative legislation of Georgia.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

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

Whistle-blowers shall enjoy protection guarantees irrespective of whether the information disclosed is true or false, except when:

a) the information is false and the whistle-blower was aware or should have been aware of this fact because he/she could verify the accuracy of the information disclosed, except when the whistle-blower took all possible measures to verify the information but was not able to ascertain its falseness;

b) the whistle-blower acts for his/her own or another person's distinction, except when being granted with a special award determined by the legislation of Georgia;

c) the whistle-blower is aware that the factual circumstances of the disclosure are publicly known or are known to the body in charge of the review of whistle-blower's applications.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

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

1. The body in charge of the review of whistle-blower applications shall consider a whistle-blower application within one month after it has been submitted, as determined by the legislation of Georgia and its Statutes, or through an official administrative procedure determined by the General Administrative Code of Georgia if the relevant rules are not available.

2. If, after consideration of a whistle-blower application, it becomes known that the committed offence may be the grounds for imposition on the disclosed person of administrative, civil or criminal liability, the body in charge of the review of whistle-blower's applications shall apply to the relevant competent bodies.

3. The legal proceedings suspended according to Article 20<sup>4</sup>(3) of this Law shall be resumed after the body in charge of the review of whistle-blower's applications files the appropriate application.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

## **Article 20<sup>7</sup>**

1. If the disclosure relates to the employer of the structural division in charge of internal control and official inspection of a public institution, the whistle-blower may file a whistle-blower application with the head of this structural division.

2. If the disclosure relates to the head of the structural division in charge of internal control and official inspection of a public institution, the whistle-blower may file a whistle-blower application with the head of this public institution.

3. If the disclosure relates to the head of the public institution, the whistle-blower may file a whistle-blower application with a superior official.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

## **Article 20<sup>8</sup>**

The person may not consider a whistle-blower application if the application contains disclosure of that person, or if he/she is personally interested, directly or indirectly, in the result of the decision, or if there are other circumstances which cast doubt on his/her impartiality.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

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

A disclosed person shall be notified about a whistle-blower application and the evidence available against him/her. The disclosed





person shall be granted an opportunity to respond to the disclosure within not later than five working days before a final decision regarding the whistle-blower application is made. The standing of the disclosed person shall be reflected in the decision of the body in charge of the review of whistle-blower applications.

*Law of Georgia No 1157 of 27 March 2009 – LHG I, No 9, 13.4.2009, Art. 40*

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

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

1. The decisions of the body in charge of the review of whistle-blower applications shall be made in writing and shall contain:

- a) the description of factual circumstances of disclosure;
- b) the list and description of evidence investigated;
- c) the standing of the disclosed person;
- d) the substantiation of the decision.

2. The decision of the body in charge of the review of whistle-blower applications may not be based on the circumstances, facts, evidence or arguments that have not been investigated or studied in the course of consideration of the whistle-blower application.

3. The decision of the body in charge of the review of whistle-blower applications shall be communicated to the whistle-blower and the disclosed person within 15 working days after it has been made. In the case of anonymous disclosure, the decision of the body in charge of the review of whistle-blower's applications shall be communicated only to the disclosed person.

4. A decision made with respect to a whistle-blower application is an individual administrative act. The procedure for the entry into force, execution and appeal of such decision is determined by the administrative legislation of Georgia.

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 4358 of 27 October 2015 – website, 11.11.2015*

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

Issues of disclosures within the system of the Ministry of Defence of Georgia, the Ministry of Internal Affairs of Georgia and the State Security Service of Georgia are regulated on the basis of special legislation.

*Law of Georgia No 2172 of 2 April 2014 – website, 14.4.2014*

*Law of Georgia No 3932 of 8 July 2015 – website, 15.7.2015*

### **Chapter V<sup>2</sup> –**

#### **Legal Entity under Public Law – the Anti-Corruption Bureau, Inter-Agency Anti-Corruption Council**

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

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

This Law shall establish a Legal Entity under Public Law – the Anti-Corruption Bureau ('the Anti-Corruption Bureau'), which shall carry out its activities independently. To ensure the independence of the Anti-Corruption Bureau, the State shall create appropriate working conditions for it. The Anti-Corruption Bureau shall be accountable to the Parliament of Georgia and the Inter-Agency Anti-Corruption Council.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

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

The objective of the Anti-Corruption Bureau shall be to facilitate the fight against corruption within its powers.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

#### **Article 20<sup>14</sup>**

The principles of the activities of the Anti-Corruption Bureau shall be:

- a) legality;
- b) respect for fundamental human rights;
- c) independence;
- d) objectivity and impartiality, including political neutrality;
- e) professionalism and effectiveness;
- f) transparency within the limits established by law;
- g) maintaining secrecy and confidentiality.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

#### **Article 20<sup>15</sup>**

1. The Anti-Corruption Bureau shall:

- a) develop proposals for formulating a general anti-corruption policy and submit them to the Parliament of Georgia;
- b) develop a national anti-corruption strategy of Georgia and a draft action plan for its implementation, and submit them to the Government of Georgia for approval;
- c) coordinate the activities of relevant bodies, organisations and officials to implement a document formulating a general anti-corruption policy, a national anti-corruption strategy of Georgia and an action plan for its implementation;
- d) supervise the implementation of a document formulating a general anti-corruption policy, a national anti-corruption strategy of



Georgia and an action plan for its implementation, and develop relevant proposals and issue appropriate recommendations for their implementation;

e) develop relevant proposals to avoid, identify and prevent conflicts of interest in public institutions, issue appropriate recommendations on these issues, and implement other appropriate activities related to this area in accordance with law;

f) receive official's asset declarations in accordance with law, control the completion and submission thereof, ensure their storage, monitoring, and publicity, and implement other appropriate activities in this area;

g) develop appropriate proposals on improving whistle-blower protection, issue appropriate recommendations on issues of whistle-blower protection, and implement other appropriate activities related to this area in accordance with law;

h) monitor, in accordance with law, the financial activities of citizens' political associations (political parties), electoral subjects and persons with a declared electoral purpose, and implement other appropriate activities related to this area;

i) study and analyse international standards and experience in the area of the fight against corruption, the experience of Georgia and other countries and their laws, as well as the approaches, opinions and conclusions of relevant international organisations;

j) facilitate the raising of public awareness on issues of the fight against corruption, including the implementation of appropriate educational activities;

k) once a year, not later than 31 March, submit to the Parliament of Georgia an annual report on issues falling within the authority of the Anti-Corruption Bureau; on its initiative or upon the request of the Inter-Agency Anti-Corruption Council, submit to the Inter-Agency Anti-Corruption Council periodic reports on issues falling within the authority of the Anti-Corruption Bureau.

2. The Anti-Corruption Bureau may, for the fulfilment of the functions determined by law, request from appropriate entities necessary information, cooperate with relevant local and international organisations and other entities, make appropriate visits both in the territory of Georgia and abroad, organise appropriate working groups and implement other activities.

3. A document formulating a general anti-corruption policy as provided for by this article shall be approved by the Parliament of Georgia in accordance with procedures established by the Rules of Procedure of the Parliament of Georgia, and a national anti-corruption strategy of Georgia and an action plan for its implementation shall be approved by the Government of Georgia. A national anti-corruption strategy of Georgia and/or an action plan for its implementation shall, among other things, include a methodology for corruption risk assessment in appropriate bodies and organisations, and procedures for assessing corruption risk using this methodology.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Article 20<sup>16</sup>**

1. The Anti-Corruption Bureau shall be managed by the head of the Anti-Corruption Bureau.

2. The head of the Anti-Corruption Bureau shall be appointed by the Prime Minister of Georgia in accordance with procedures established by this article. Candidates for the position of head of the Anti-Corruption Bureau shall be selected in accordance with procedures established by this article, through a competition for the selection of candidates for the position of head of the Anti-Corruption Bureau. A competition commission for the selection of candidates for the position of head of the Anti-Corruption Bureau ('a competition commission') shall nominate these candidates to the Prime Minister of Georgia, in accordance with procedures established by the same article, for the appointment of one of them to the position of head of the Anti-Corruption Bureau.

3. A citizen of Georgia who has no criminal record and has higher education in law, at least 5 years of work experience in the system of justice and law enforcement bodies or the area of human rights, as well as a high professional and moral reputation, may be appointed to the position of head of the Anti-Corruption Bureau.

4. A competition to select candidates for the position of head of the Anti-Corruption Bureau ('a competition') shall be announced not earlier than 10 weeks and not later than 9 weeks before the expiry of the term of office of the head of the Anti-Corruption Bureau, and in the case of the early termination of the powers of the head of the Anti-Corruption Bureau, within 1 week after the early termination of his/her powers. A competition shall be announced by the Prime Minister of Georgia by issuing an appropriate order to that effect. The Prime Minister shall set up a competition commission by the same order. The order shall be published on the website of the Government of Georgia.

5. The entities (relevant bodies and officials) provided for by this paragraph shall, within 1 week of the announcement of the competition, communicate to the Prime Minister of Georgia the names of the members of a competition commission. The full composition of a competition commission shall include the following 7 members:

a) a representative of the Government of Georgia;

b) the chairperson of the Human Rights and Civil Integration Committee of the Parliament of Georgia;

c) the chairperson of the Legal Issues Committee of the Parliament of Georgia;

d) the first deputy or the deputy chairperson of the Supreme Court of Georgia;

e) the first deputy or the deputy General Prosecutor of Georgia;

f) the Public Defender of Georgia or a representative of the Public Defender of Georgia;

g) a representative of non-entrepreneurial (non-commercial) legal persons with respective knowledge and experience, selected by the Public Defender of Georgia through an open competition.

6. The Prime Minister of Georgia shall approve the composition of a competition commission by an order and call the first meeting of a competition commission within 1 week after the expiry of the deadline for communicating the names of the members of a competition commission to the Prime Minister of Georgia. A competition commission shall elect a chairperson of the competition commission from among its members at the first meeting. A meeting of a competition commission, including the first meeting of a competition commission, shall be duly constituted if it is attended by a majority of the total number of members of the competition commission. A competition commission shall make a decision by a majority of votes of the members of the



competition commission attending the meeting.

7. A competition commission shall, within 1 week after holding the first meeting, approve the statute of the competition commission, which shall lay down the rules of operation of the competition commission, conditions for participating in a competition, and the time limit and procedure for submitting applications to participate in a competition. A competition commission shall, within 1 week after holding the first meeting, also ensure that information about the conditions for participating in a competition and the time limit and procedure for submitting applications to participate in a competition is published on the website of the Government of Georgia.

8. A competition commission shall, within 2 weeks after the expiry of the time limit for submitting applications to participate in a competition, select from among the participants in the competition and nominate to the Prime Minister of Georgia not less than 2 and not more than 5 candidates for the position of head of the Anti-Corruption Bureau. If 2 or more applications to participate in a competition are not submitted to a competition commission within the time limit for submitting applications, or a competition commission fails to nominate to the Prime Minister of Georgia not less than 2 and not more than 5 candidates for the position of head of the Anti-Corruption Commission, the competition commission shall make a decision to extend the time limit for submitting applications to participate in a competition, after which the procedure laid down in this paragraph shall be repeated.

9. The Prime Minister of Georgia shall, within 1 week after a competition commission nominates candidates for the position of head of the Anti-Corruption Bureau, appoint one of these candidates to the position of head of the Anti-Corruption Bureau or give a reasoned refusal to appoint one of the candidates to the position of head of the Anti-Corruption Bureau by issuing an appropriate order to that effect. This order shall be published on the website of the Government of Georgia and enter into force from the moment of its publication. The order may be appealed to a court. If the Prime Minister of Georgia does not appoint the head of the Anti-Corruption Bureau within the time limit established by this paragraph, the competition commission shall make a decision to extend the time limit for submitting applications, after which the procedures laid down in paragraph 8 of this article and this paragraph shall be repeated.

10. The term of office of the head of the Anti-Corruption Bureau shall be 6 years. If a new head of the Anti-Corruption Bureau is not appointed by the expiry of this term, the term of office of the current head of the Anti-Corruption Bureau shall be extended until the start of the term of office of a new head of the Anti-Corruption Bureau. If the head of the Anti-Corruption Bureau is appointed to the position before the expiry of the 6-year term of office of the current head of the Anti-Corruption Bureau, the term of office of a new head of the Anti-Corruption Bureau shall start on the day following the expiry of this term, and if the head of the Anti-Corruption Bureau is appointed to the position after the expiry of the 6-year term of office of the current head of the Anti-Corruption Bureau or after the early termination of the term of office of the current head of the Anti-Corruption Bureau, the term of office of a new head of the Anti-Corruption Bureau shall start on the day following his/her appointment to the position of head of the Anti-Corruption Bureau.

11. Appealing against the acts referred to in this article shall not suspend their effect.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Article 20<sup>17</sup>**

1. The head of the Anti-Corruption Bureau shall:

- a) manage the Anti-Corruption Bureau and make decisions on issues related to the activities of the Anti-Corruption Bureau;
- b) determine the structure of the Anti-Corruption Bureau and the respective powers of its structural units;
- c) approve the staff list of the Anti-Corruption Bureau and the procedure for and amounts of their remuneration;
- d) appoint and dismiss employees of the Anti-Corruption Bureau, including the first deputy and deputy head of the Anti-Corruption Bureau;
- e) determine appropriate powers of employees of the Anti-Corruption Bureau, including the first deputy and deputy head of the Anti-Corruption Bureau, delegate the powers to the first deputy and deputy head of the Anti-Corruption Bureau;
- f) ensure the protection and targeted use of the property transferred to the Anti-Corruption Bureau;
- g) represent the Anti-Corruption Bureau in legal relations with others;
- h) exercise other powers in accordance with law.

2. The head of the Anti-Corruption Bureau shall issue, within his/her powers, subordinate normative acts – orders – on issues related to the activities of the Anti-Corruption Bureau.

3. The head of the Anti-Corruption Bureau shall issue, within his/her powers, individual legal acts – orders, decrees and decisions.

4. The head of the Anti-Corruption Bureau shall issue recommendations on behalf of the Anti-Corruption Bureau in the exercise of the functions defined by law for the Anti-Corruption Bureau.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Article 20<sup>18</sup>**

1. The position of head of the Anti-Corruption Bureau shall be incompatible with the membership of state authorities or representative bodies of municipalities, with any position in state service and public service, other positions and remunerative activity, other than scientific, pedagogic and artistic activities. The head of the Anti-Corruption Bureau may not engage in entrepreneurial activities, directly exercise the powers of a permanent head of a business entity, a member of a supervisory, control, audit or advisory body, be a member of any citizens' political association (political party), or participate in political activities.

2. The head of the Anti-Corruption Bureau shall not participate in assemblies or manifestations in support of or against a citizens' political association (political party).

3. A person appointed to the position of head of the Anti-Corruption Bureau shall cease to carry out activities incompatible with



the position of head of the Anti-Corruption Bureau within 10 days from his/her appointment, or resign from the position incompatible with the position of head of the Anti-Corruption Bureau. During this period, incompatibility with the position of head of the Anti-Corruption Bureau shall not serve as a ground for the early termination of his/her powers. Failure of the head of the Anti-Corruption Bureau to fulfil the requirement provided for by this paragraph within the above period shall serve as a ground for the early termination of his/her powers.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

### **Article 20<sup>19</sup>**

1. The grounds for the early termination of the powers of the head of the Anti-Corruption Bureau shall be one of the following circumstances:

- a) he/she submits to the Prime Minister of Georgia a personal application for resignation from the position of head of the Anti-Corruption Bureau;
- b) his/her citizenship of Georgia is terminated;
- c) he/she dies or has been declared dead or missing;
- d) a court judgment of conviction has entered into force against him/her;
- e) he/she has been recognised as a beneficiary of support by a legally effective court decision, provided that the court decision rules out a proper exercise of his/her powers by the head of the Anti-Corruption Bureau;
- f) he/she fails to perform the duties of the head of the Anti-Corruption Bureau for 4 consecutive months unless this was inevitably caused by the performance by the head of the Anti-Corruption Bureau of the duties prescribed by law;
- g) he/she holds a position or carries out activities that are incompatible with the position of head of the Anti-Corruption Bureau;
- h) he/she consumes drugs or evades taking a mandatory drug test.

2. If any of the circumstances provided for by paragraph 1 of this article or Article 20<sup>18</sup>(3) of this Law occurs, the Prime Minister of Georgia shall, by issuing an order, decide on the early termination of the powers of the head of the Anti-Corruption Bureau on appropriate grounds. This order shall be published on the website of the Government of Georgia and enter into force from the moment of its publication. The order may be appealed to a court. Appealing against such order shall not suspend its effect.

3. If the powers of the head of the Anti-Corruption Bureau are terminated early on the ground provided for by paragraph (1)(c) of this article, his/her powers shall be deemed terminated early from the moment of the occurrence of the circumstance referred to in the same paragraph, and if his/her powers are terminated early on other grounds, from the moment of the entry into force of a respective order of the Prime Minister of Georgia.

4. If any of the circumstances referred to in paragraphs (a-e) and (h) of paragraph 1 of this article occurs with regard to a person during the period from his/her appointment to the position of head of the Anti-Corruption Bureau to the start of his/her term of office, the Prime Minister of Georgia shall decide on invalidating the order appointing the person to the position of head of the Anti-Corruption Bureau. The decision (order) issued by the Prime Minister of Georgia on this matter shall be published on the website of the Government of Georgia and enter into force from the moment of its publication. This decision may be appealed to a court. Appealing against such decision shall not suspend its effect. If an order appointing the person to the position of head of the Anti-Corruption Bureau is invalidated, a competition shall be announced immediately, after which the procedures established by Article 20<sup>16</sup> of this Law shall be repeated.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

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

1. The head of the Anti-Corruption Bureau shall have a first deputy and a deputy. The head of the Anti-Corruption Bureau shall appoint and dismiss the first deputy and deputy head of the Anti-Corruption Bureau. The powers of the first deputy and deputy head of the Anti-Corruption Bureau shall be terminated immediately after the term of office of a new head of the Anti-Corruption Bureau starts as provided for by this Law.

2. If the head of the Anti-Corruption Bureau is absent, fails to exercise his/her powers, or the powers of the head of the Anti-Corruption Bureau are suspended or terminated early, the powers of the head of the Anti-Corruption Bureau shall be exercised by the first deputy head of the Anti-Corruption Bureau, and if the first deputy head of the Anti-Corruption Bureau is absent at the same time, by the deputy head of the Anti-Corruption Bureau. When exercising the powers of the head of the Anti-Corruption Bureau, the first deputy/deputy head of the Anti-Corruption Bureau shall enjoy the powers and legal guarantees granted to the head of the Anti-Corruption Bureau.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

### **Article 20<sup>21</sup>**

1. The rules of operation of the Anti-Corruption Bureau and appropriate organisational issues related to the activities of the Anti-Corruption Bureau shall be determined by the Statute of the Anti-Corruption Bureau, which shall be approved by the head of the Anti-Corruption Bureau.

2. The activities of the Anti-Corruption Bureau shall be financed from the State Budget of Georgia. The allocations necessary for the activities of the Anti-Corruption Bureau shall be determined in a separate code of the State Budget of Georgia. A reduction of the funds allocated for the Anti-Corruption Bureau in the State Budget, as compared to the amount budgeted for the previous year shall be possible only with the prior consent of the head of the Anti-Corruption Bureau.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*



## **Article 20**

1. An Inter-Agency Anti-Corruption Council ('the Council') shall be set up to facilitate the implementation of a unified state policy in the area of the fight against corruption.
2. The Council shall have the right to:
  - a) require from the Anti-Corruption Bureau the submission of periodic reports on the issues falling within the authority of the Anti-Corruption Bureau and hear the said reports submitted by the Anti-Corruption Bureau;
  - b) develop relevant proposals and issue appropriate recommendations for the implementation of a document formulating a general anti-corruption policy, a national anti-corruption strategy of Georgia and an action plan for its implementation;
  - c) give appropriate recommendations to the Anti-Corruption Bureau to improve its activities.
3. The composition of the Council shall be determined by the Government of Georgia. The Council shall be composed of representatives of state agencies defined by the Government of Georgia. The composition of the Council may, in addition to representatives of state agencies, include representatives from local and international organisations, representatives from non-entrepreneurial (non-commercial) legal persons carrying out activities in the respective field, independent experts and representatives from the academia.
4. Organisational support for the activities of the Council shall be provided by the Administration of the Government of Georgia.
5. The rules of operation of the Council and appropriate organisational issues related to the activities of the Council shall be determined by the Statute of the Council, which shall be approved by the Government of Georgia.

*Law of Georgia No 2204 of 30 November 2022 – website, 15.12.2022*

## **Chapter VI – Transitional Provisions**

### **Article 21**

1. The President of Georgia shall be asked to nominate for approval to the Parliament of Georgia by the end of autumn session of 1997 a candidate for the chairperson of the Information Bureau for Property and Financial Conditions of Officials.
2. The Chamber of Control of Georgia shall be assigned to establish the Information Bureau for Property and Financial Conditions of Officials by 30 March 1998.
3. The chairperson of the Information Bureau for Property and Financial Conditions of Officials shall be assigned to submit the Statutes of the Bureau to the President of Georgia for approval by 30 March 1998.
4. The chairperson of the Information Bureau for Property and Financial Conditions of Officials shall, within 30 days after approval of the Statutes, prepare and submit to the President of Georgia for approval a titular register of those officials who are obliged to complete asset and financial declarations according to this Law.
5. Before the executive authority determines the subsistence minimum, for the purpose of this Law the subsistence minimum shall be set at GEL 100.
6. The Ministry of Finance of Georgia shall have a separate 'Expenditures of the Information Bureau for Property and Financial Conditions of Officials' paragraph in the Law on the Budget of Georgia.
7. Persons under Article 2 of this Law shall submit their asset and financial declarations to the Information Bureau for Property and Financial Conditions of Officials during the period from 15 August to 1 December 1998.
8. The Ministry of State Property Management shall be assigned to provide by 1 January 1998 premises for the Information Bureau for Property and Financial Conditions of Officials.
9. (Deleted).
10. Annexes to this Law – Forms of Official's Asset and Financial Declarations – shall be repealed.
11. The Information Bureau for Property and Financial Conditions of Officials shall, by 1 June 2004, submit for approval to the Minister of Justice of Georgia new forms of official's asset and financial declarations.

*Law of Georgia No 1453 of 12 June 1998 – Parliamentary Gazette, No 23-24, 30.6.1998, p. 56*

*Law of Georgia No 1558 of 1 September 1998 – LHG I, No 2, 26.10.1998, Art. 3*

*Law of Georgia No 1733 of 13 December 1998 – LHG I, No 7, 31.12.1998, Art. 56*

*Law of Georgia No 3314 of 13 February 2004 – LHG I, No 6, 9.3.2004, Art. 25*

### **Article 21<sup>1</sup>**

1. The time limit for the completion and submission by officials of official's asset and financial declarations while holding the position or within one year after leaving the held position, shall be extended until 1 July 2007.
2. Before 1 January 2010, official's asset and financial declarations shall be completed and submitted according to the declaration forms effective on 1 January 2004.

*Law of Georgia No 1396 of 22 April 2005 – LHG I, No 18, 27.4.2005, Art. 113*

*Law of Georgia No 2914 of 26 April 2006 – LHG I, No 10, 28.4.2006, Art. 74*

*Law of Georgia No 4295 of 29 December 2006 – LHG I, No 1, 3.1.2007, Art. 5*

*Law of Georgia No 5781 of 29 February 2008 – LHG I, No 2, 12.3.2008, Art. 5*

*Law of Georgia No 1179 of 12 June 2009 – LHG I, No 12, 29.6.2009, Art. 53*

### **Article 21<sup>2</sup>**

1. The Legal Entity under Public Law – the Information Bureau for Property and Financial Conditions of Officials within the governance of the Ministry of Justice of Georgia shall be liquidated from 1 August 2009. The Ministry of Justice of Georgia shall ensure the implementation of liquidation measures.



2. The Administration of the President of Georgia shall ensure the reorganisation of the Legal Entity under Public Law – the Civil Service Bureau by 1 August 2009. The Bureau shall be a legal successor of the Legal Entity under Public Law – the Information Bureau for Property and Financial Conditions of Officials within the governance of the Ministry of Justice of Georgia.
3. The Administration of the President of Georgia and the Ministry of Justice of Georgia shall ensure the compliance with this Law of relevant subordinate acts related to liquidation and reorganisation.
4. The normative acts issued by the Minister of Justice of Georgia shall retain legal effect before the measures under paragraph 3 of this article are implemented.
5. The Government of Georgia shall ensure the transfer of budget appropriations of the Legal Entity under Public Law – the Information Bureau for Property and Financial Conditions of Officials within the governance of the Ministry of Justice of Georgia to the Legal Entity under Public Law – the Civil Service Bureau, as determined by the legislation of Georgia.
6. The Ministry of Economic Development of Georgia shall ensure the transfer of the property on the balance sheet of the Legal Entity under Public Law – the Information Bureau for Property and Financial Conditions of Officials within the governance of the Ministry of Justice of Georgia to the Legal Entity under Public Law – the Civil Service Bureau, as determined by the legislation of Georgia.
7. Before 1 August 2009, the Legal Entity under Public Law – the Information Bureau for Property and Financial Conditions of Officials within the governance of the Ministry of Justice of Georgia shall receive official's asset declarations.

### **Article 21<sup>3</sup>**

Persons under Article 2(1)(f), (g), (i), (j) and (m) of this Law shall submit official's asset declarations to the Civil Service Bureau not later than 1 May 2010, and persons under Article 2(2) – not later than 1 August 2010.

*Law of Georgia No 2226 of 4 December 2009 – LHG I, No 45, 21.12.2009, Art. 243*

*Law of Georgia No 2669 of 23 February 2010 – LHG I, No 7, 9.3.2010, Art. 28*

## **Chapter VII – Final Provisions**

### **Article 22**

1. This Law, except for Chapter IV, shall become effective on the 15<sup>th</sup> day after its promulgation.
2. Chapter IV of this Law shall become effective from 1 January 1998.

**President of Georgia**  
**Tbilisi**  
**17 October 1997**  
**No 982-I b**

**Eduard Shevardnadze**

