

Government of Georgia

Ordinance No 181

23 March 2020

Tbilisi

On the Approval of Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus (COVID-19) in Georgia

Article 1

On the basis of Decree No 1 of 21 March 2020 of the President of Georgia on 'Measures to be Implemented in connection with the Declaration of a State of Emergency throughout the Whole Territory of Georgia', the attached 'Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus (COVID-19) in Georgia' shall be approved.

Article 2

The regulations under ordinance No 164 of 28 January 2020 of the Government of Georgia on the 'Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and of the Rapid Response Plan to Cases of Illnesses Caused by the Novel Coronavirus' shall maintain legal force, except for those regulations which contravene the provisions approved by this Ordinance.

Article 3

The Ordinance shall enter into force from 23 March 2020.

Prime-Minister

Giorgi Gakharia

Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus (COVID-19) in Georgia

Article 1 – General provisions

For the purpose of the enforcement of Decree No 1 of 21 March 2020 of the President of Georgia ('the Decree of the President of Georgia') on 'Measures to be Implemented in connection with the Declaration of a State of Emergency throughout the Whole Territory of Georgia', this Ordinance aims to enable the State to fulfil its constitutional obligations to ensure necessary public security in a democratic society, to reduce any possible threat to the life and health of the country's population, and to control the situation.

Article 2 – Restriction of transportation services

1. International air, land and sea transport services for transportation of passengers shall be suspended for the period of emergency.
2. Direct international scheduled flights shall be suspended. This restriction shall not apply to flights where a foreign aircraft lands



in Georgia without passengers for the purpose of taking passengers from Georgia. Also, this restriction shall not apply to the following: cargo, governmental and military flights; flights to be carried out for outpatient care, emergency and technical landing purposes; flights to be carried out for specific aerial works and search and rescue activities; flights to be carried out for training purposes within the territorial waters of Georgia by a helicopter attached to a seaborne facility of the military-marine unit under the operational subordination of the Allied Maritime Command (MARCOM) of the North Atlantic Treaty Organization (NATO) and under the flag thereof.

3. An application for non-scheduled (charter) flights shall be reviewed individually by LEPL Georgian Civil Aviation Agency in coordination with the Ministry of Economy and Sustainable Development of Georgia.

4. The restriction provided for by paragraph 1 of this article shall not apply to a seaborne facility of the military-marine unit under the operational subordination of the Allied Maritime Command (MARCOM) of the North Atlantic Treaty Organization (NATO) and under the flag thereof, and/or to the entry of a seaborne facility into the territorial waters and open harbours of Georgia for navigational purposes.

5. The transportation of passengers by M2 category buses within the boundaries of a self-governing city and a municipal administrative centre shall be suspended for the period of the state of emergency.

Article 3 – Restriction of the educational process

1. The educational process shall be suspended in educational institutions until 21 April 2020. General and higher educational institutions shall comply with such restriction by using various forms of remote learning/communication (if applicable).

2. Until 21 April 2020, the administrations of educational and academic and research institutions shall switch to a remote working regime (except in cases of critical necessity).

3. All trainings, conferences, seminars and similar events shall be prohibited, except in remote forms.

4. Where it is not possible to carry out remotely, through the use of modern electronic means, administrative proceedings under authorisation and accreditation provisions, or administrative proceedings related to the obtaining of the right to carry out professional training and professional retraining programmes, or professional retraining programmes for professional public officers, the time limits set forth for administrative proceedings shall be deemed suspended until the end of the state of emergency.

Article 4 – Restriction of activities related to culture and sport

1. It shall be prohibited to carry out all types of cultural activities, either in closed or open spaces, such as concerts, performances, temporary and permanent exhibitions, rehearsals, touring acts, master classes, trainings, and conferences, except in remote forms.

2. It shall be prohibited to carry out all types of mass sport activities, including competitions, training and coaching activities/assemblies, either in closed or open spaces, or any trainings, seminars and/or conferences related to sport, except in remote forms.

Article 5 – Restriction of assemblies and demonstrations, and assemblies in a public space

1. Assemblies and/or demonstrations under the Law of Georgia on Assemblies and Demonstrations shall be prohibited for the duration of the state of emergency.

2. Any assembly of more than 10 natural persons in a public space shall be prohibited. For the purposes of this article, a public space shall mean any indoor or outdoor area, unless it is a space used by individuals for residential purposes.

3. Social activities which involve the assembly of more than 10 natural persons (such as funeral repasts, wedding parties and similar activities) shall be prohibited.

4. The restriction provided for by paragraph 2 of this article shall not apply to:



a) an assembly of persons in medical institutions, public institutions, defence forces, special penitentiary institutions, or law enforcement bodies, where official functions are being carried out;

b) public transport, unless the requirement to suspend activities for the duration of the state of emergency apply thereto;

c) carrying out construction and infrastructural works.

5. An assembly of more than 10 natural persons, including in private institutions to which the requirement to suspend activities does not apply, may be permissible depending on the specific entity, only by keeping no less than two metres of social distance, in accordance with the recommendations issued by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

6. The control over the enforcement of restrictions provided for by this article shall be exercised by the relevant units of the Ministry of Internal Affairs of Georgia, the Ministry of Finance of Georgia, the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, and the Ministry of Environmental Protection and Agriculture of Georgia.

Article 6 – Rules for preventing the spread of epidemic

In order to prevent the spread of the novel coronavirus (COVID-19), isolation and quarantine rules shall be defined by a normative act of the Minister of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia. Violation of the rules shall entail liability pursuant to the Decree of the President of Georgia.

Article 7 – Restriction of economic activities

1. The supply and sale of all goods and products shall be suspended for the duration of the state of emergency, except for:

a) the retail sale of food and feed, animals, animal and plant products, household cleaning and hygiene products, veterinary drugs, pesticides and agrochemicals, and seed and planting materials;

b) supply from power utilities, electricity, natural gas, water, petrol, diesel, and liquefied gas;

c) the sale of medical products and pharmaceutical products;

d) the retail and wholesale supply and sale of goods and products, provided that the retail supply or sale is carried out through a delivery service, and the wholesale supply or sale is carried out through a delivery service or pick-up service without allowing, or without the access of, customers to a retail space;

e) press booths.

2. The activities of restaurants, public catering facilities, and catering facilities in enterprises and organisations, shall be permitted for the duration of the state of emergency only through delivery services or drive-through services without allowing customers into a retail space.

3. The activities of clubs and leisure centres, cinemas, sports and recreation centres, beauty salons, and nightclubs, shall be suspended for the duration of the state of emergency. Gambling and lottery games shall be permitted only in electronic form for the duration of the state of emergency.

4. All permitted economic activities, irrespective of their forms and types, shall be carried out in accordance with the recommendations issued by the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia.

Article 8 – Regulations related to private property

Legal and natural persons, who own and/or are able to provide hotel and similar accommodation services, or who are able to



provide carriage and transportation by air and/or road, shall be obliged, upon an initial request by the Ministry of Economy and Sustainable Development:

- a) to provide a charter flight to a requested destination for the purpose of bringing home citizens of Georgia and/or transporting cargo to Georgia;
- b) to transport by vehicles to a requested destination (within Georgia) appropriate persons for their placement in quarantine zones, and/or to transport appropriate cargo to a destination;
- c) to allocate hotels and/or similar accommodation facilities (and provide all related services) for the prevention of the spread of Coronavirus (COVID-19), for the purposes of placing appropriate persons under mandatory quarantine and creating proper conditions during the quarantine period.

Article 9 – Obligations of certain facilities

1. Facilities that produce and/or process food shall be obliged to comply with the following conditions:

- a) temperature regimes during food chilling, and freezing and thermal treatment, shall be strictly observed;
- b) personnel shall use face masks, headgear and gloves;
- c) personnel shall wash hands frequently with liquid soap and water; and after hands have been dried with a disposable towel, they shall be disinfected with a solution containing at least 70% alcohol or other disinfectant solution with a similar effect;
- d) all surfaces and utensils that come into contact with food shall be washed and disinfected, with increased frequency, with maximum concentrations allowed for disinfecting and washing detergents;
- e) the health status of personnel (cough, shortness of breath, temperature) shall be monitored before the start of work.

2. Facilities that deliver food to customers through delivery services shall be obliged to comply with the following conditions:

- a) personnel delivering or engaged in the delivery of food shall be supplied with face masks and gloves;
- b) food shall be placed in disposable packaging, and re-usable containers shall be washed and disinfected after each use with maximum concentrations allowed for disinfecting and washing detergents;
- c) the temperature regime of food shall be observed while the food is transported.

3. Facilities that deliver products to customers in retail and wholesale trade facilities shall be obliged to comply with the following conditions:

- a) personnel delivering or engaged in in the delivery of products shall be supplied with face masks and gloves;
- b) washing and disinfecting shall be performed with increased frequency and with maximum concentrations allowed for disinfecting and washing detergents;
- c) monitoring of the keeping of social distancing (at least 2 metres) by customers shall be ensured.

Article 10 – Public services of the Ministry of Internal Affairs of Georgia

The Minister of Internal Affairs of Georgia shall be empowered to establish, by an order, procedures other than those provided for by the legislation of Georgia relating to the provision of certain services and to particular service fees in the system of the Ministry of Internal Affairs of Georgia.



Article 11 – Restriction of the activities of the Penitentiary Service, the Notary Chamber and the National Archives

In accordance with Article 18 of the Constitution of Georgia, the procedure for administering the activities of the Special Penitentiary Service, the Notary Chamber and the National Archives shall be determined by the Minister of Justice of Georgia for the duration of the state of emergency.

Article 12 – Restriction of activities of the National Bureau of Enforcement

1. Enforcement actions determined for cases of dispossession of immovable property from another's possession and/or use shall be suspended/postponed.
2. Enforcement actions determined for cases of full or partial demolition of buildings and structures shall be suspended/postponed.
3. Enforcement proceedings initiated for the purpose of the statement of facts shall be suspended/postponed.
4. The powers of a bailiff/private bailiff determined by Article 17(5)(a)-(c) of the Law of Georgia on Enforcement Proceedings shall be suspended. This restriction shall not apply to the enforcement of a court ruling on the implementation or revocation of measures related to the security of a claim, nor to enforcement actions requested by a creditor and which, at the same time, mitigate the burden of encumbrance of a debtor, nor to cases where a debtor requests levying an execution on his/her property.
5. Where a debtor is a natural person, new enforcement proceedings shall be limited to sending to the debtor a proposal 'on the enforcement of a claim voluntarily' and listing him/her in the Register of Debtors. Where a debtor is a legal person, or other organisational entity, or an unincorporated association of persons, new enforcement proceedings shall be limited to sending to the debtor a proposal 'on the enforcement of a claim voluntarily', listing it in the Register of Debtors and registering the seizure of property. In addition, where the Law of Georgia on Enforcement Proceedings does not provide for the use of the Register of Debtors, the seizure of the subject/item of enforcement shall also be listed (for example, the transfer of an item, the annulment of co-ownership rights, etc.).
6. The binding effect of the fulfilment of a bailiff's/private bailiff's requirements, determined by Article 17(1) of the Law of Georgia on Enforcement Proceedings, shall be suspended, including assignments given to law enforcement bodies regarding the search for and seizure or arrest of vehicles and/or persons.
7. The effect of Article 91⁷(4)(a) of the Law of Georgia on Enforcement Proceedings shall be suspended, and the 10-day period established for a respondent by the law shall commence immediately after the revocation of the state of emergency.

Article 13 – Different procedures for electronic case management, administrative proceedings and release of public information

1. The timeframe established by law for the submission and review of administrative complaints shall be suspended.
2. The timeframe established by the legislation of Georgia for releasing public information and personal information shall be suspended.
3. The requirements determined by the Law of Georgia on Electronic Documents and Electronic Trust Services shall be suspended.
4. The State Inspector shall be authorised to suspend the review of cases of offences, the limitation periods for review, the imposition of administrative penalties, the timeframes for delivering or forwarding decisions made regarding administrative offences, and for enforcing decisions on the imposition of administrative penalties, and for appealing decisions made regarding administrative offences determined by the Law of Georgia on Personal Data Protection, if the circumstances of a case cannot be examined comprehensively, fully, objectively, and in a timely manner.

Article 14 – Adherence to and control of the regime of the state of emergency

1. In accordance with the Decree of the President of Georgia, this Ordinance, and the legislation of Georgia, compliance with the legal acts related to adherence to the regime of the state of emergency shall be ensured by the respective units of the Ministry of Internal Affairs of Georgia, the Ministry of Finance of Georgia, the Ministry of Internally Displaced Persons from the Occupied



Territories, Labour, Health and Social Affairs of Georgia, and the Ministry of Environmental Protection and Agriculture of Georgia.

2. The authorised persons of the agencies referred to in paragraph 1 of this Article shall, within the scope of their authority, respond to the violation of the obligations established by the Decree of the President of Georgia and/or this Ordinance, who shall review administrative offence cases on site and impose an administrative penalty on an offender on site as provided for by the legislation of Georgia.

3. The forms of administrative offence reports shall be determined by a normative act of the agency authorised to respond to a specific offence.

Article 15 – Coordination with persons living in the occupied territories and with ethnic minorities

In coordination with certain agencies and international partners, the Office of the State Minister of Georgia for Reconciliation and Civic Equality shall provide information to the population living in the occupied territories of Georgia and to ethnic minority groups settled in the territory controlled by Georgia, in a language they understand, and through all available means of communication, on the implementation of emergency measures for preventing the possible spread of novel coronavirus (COVID-19). In close coordination with the said agencies and international partners, the Office of the State Minister of Georgia for Reconciliation and Civic Equality shall also support health care activities.

