|  |  |  |
| --- | --- | --- |
| |  | | --- | |  | | **Government of Georgia**  **Decree No 204**  **30 March 2020**  **Tbilisi** |   **On the Amendment of Governmental Decree # 181 as of March 23, 2020 on Approval of Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus (COVID-19) in Georgia** |

|  |
| --- |
|  |

|  |
| --- |
|  |

|  |
| --- |
| **Article 1** |

|  |
| --- |
| Pursuant to Article 20 (Paragraph 4) of the Organic Law of Georgia on Normative Acts, Ordinance No. 181 of the Government of Georgia as of March 23, 2020 on Approval of Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus in Georgia (www.matsne.gov.ge, 23 / 03/2020, 120160030.10.003.021892) to be amended and approved as follows in Approval of Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus (COVID-19) in Georgia:  **1. In Article 2:**  **ა) Paragraph 5 and Paragraph 6 to be amended as follows:**  „5. For the duration of the state of emergency, in order to ensure economic activities permitted under Article 7 of this Annex and to prevent and stop the spread of the novel coronavirus (COVID-19), in agreement with the Emergency Operations Headquarters based at the Interagency Council established for the prevention of the novel coronavirus in Georgia (‘the Operations Headquarters’), self-governing cities and municipalities, and in the case of Tbilisi municipality – the government of Tbilisi Municipality, shall be empowered to determine, within their administrative boundaries, the routes upon the request of legal persons, for the purpose of special regular transportation of passengers by M2 and M3 category motor vehicles. All persons engaged in special regular transportation shall be obliged to carry out the disinfection of their motor vehicles not more than 10 hours prior to each transportation.  6. The following shall be suspended for the duration of the state of emergency:  a) the transportation of passengers by rail, other than service railway traffic, where, to ensure smooth cargo transportation, the employees are moved/carried, in agreement with the Operations Headquarters, from their places of residence to their places of employment and vice versa in accordance with a timetable developed by JSC Georgian Railway;  b) the intercity transportation of passengers and/or the transportation of passengers within the administrative boundaries of municipalities by M2 and M3 category motor vehicles;  c) movement by public transport, including the Metro and ropeways;  d) scheduled air traffic for the purposes of transportation of passengers within the country. 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.  **b) Paragraphs 7 − 12 to be added as follows:**  „7. The movement of more than 3 persons (including drivers) by a vehicle shall be prohibited for the duration of the state of emergency. In addition, passengers shall be seated behind the driver in accordance with the recommendations issued by the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia, provided that the structure of the passenger compartment of the vehicle allows this. The restriction on the movement of more than 3 persons by a vehicle shall not apply to the special regular transportation of passengers by M2 and M3 category motor vehicles permitted under this Ordinance. The driver of the vehicle shall be held liable accordingly for the violation of this rule.  8. The restriction provided for by paragraph 7 of this article shall not apply to the movement of authorised employees of the agencies that are responsible for the enforcement of the regime of the state of emergency and that implement quarantine measures.  9. For the duration of the state of emergency, the movement of persons on foot or by a vehicle shall be prohibited from 21:00 to 06:00.  10. The prohibition provided for by paragraph 9 of this article shall not apply to international cargo transportation.  11. The restriction provided for by paragraph 9 of this article shall not apply to persons/motor vehicles on the list agreed with the Operations Headquarters by public institutions and entities carrying out economic activities permitted by this Ordinance, whose movement is critical to perform official duties during the state of emergency.  12. During the period of the state of emergency, a natural person shall be required to carry an identity document“.  **2. Article 5 on Restriction of assemblies and demonstrations, and assemblies in a public to be amended as follows:**  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 3 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 3 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 assemply of persons in medical institutions, public institutions, defence forces, special penitentiary institutions, or law enforcement bodies, where official fuctions are being carried out;  b) carrying out construction and infrastructural works agreed with the Operations Headquarters.  5. An assembly of more than 3 natural persons shall be permitted where the economic activities permitted under Article 7 are carried out, including the sale of food and medical/pharmaceutical goods/products, depending on the specific nature of the facility, with a social distance of not less than 2 metres, 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, as well as by municipalities.  **3. The following Article 51 shall be added:**  „ **Article 5​1. Age restriction concerning movement**  1. Persons aged 70 and over shall be prohibited from leaving their actual/registered place of residence. The Ministry of Economy and Sustainable Development of Georgia, the Ministry of Internally Displaced Persons from the Occupied Territories, Labor, Health and Social Affairs of Georgia and the municipalities shall be assigned, if necessary, to organise the provision of such persons with essentials.  2. The prohibition provided for by paragraph 1 of this article shall not apply to a person leaving his/her place of residence for the purpose of receiving the medical services which he/she cannot receive at his/her place of residence, as well as leaving his/her place of residence for the purpose of purchasing food and medical/pharmaceutical products.  3. The restriction provided for by paragraph 1 of this article shall not apply to the employees of medical institutions.  **4. Article 7 to be amended as follows:**  „**Article 7. Restriction of economic activities**  1. For the duration of the state of emergency, any economic activities shall be suspended except for:  a) the activities of medical institutions;  b) the retail sale of food and feed, animals, animal and plant products, veterinary drugs, pesticides and agrochemicals, and seed and planting materials, as well as their production, storage, wholesale trade and distribution, and the production of packaging materials and tare for food;  c) the activities of mills, bakeries, and milk processing enterprises;  d) the production/transmission/distribution/supply of electricity, natural gas and water and the supply of petrol, diesel and liquefied gas, as well as the delivery of telecommunications and postal services and services related waste management;  e) the activities of commercial banks;  f) the activities of payment service providers and their agents delivering services through self-service kiosks;  g) the activities of payment system operators;  h) the activities necessary for the smooth operation of ATMs, self-service kiosks and POS terminals;  i) the activities of microfinance organisations;  j) the remote delivery/sale of banking/financial products/service;  k) the production/distribution/sale of medical products and pharmaceutical products;  l) the activities related to the performance of agricultural works and activities related to livestock/poultry production;  m) the services of cars – taxis (Category M1);  n) the services of delivery of food products (so-called ‘delivery services’);  o) private security activities;  p) legal practice;  q) the activities of entities providing car care services;  r) press booths.  2. The Government of Georgia may additionally determine a list of those economic activities and/or facilities/business entities carrying out economic activities that are not restricted and whose operation is necessary during the period of the state of emergency.  3. The Ministries of Georgia shall, in agreement with the Operations Headquarters, submit to the Government of Georgia the lists of economic activities and/or facilities/business entities carrying out economic activities provided for by paragraph 2 of this article.  4. For the duration of the state of emergency, the operation of facilities selling wine and other alcoholic beverages of grape origin, as well as spirit drinks and beer, shall be prohibited.  5. 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.  6. 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.  **5. Article 11 to be edited as follows:**  „**Article 11. Restriction of the activities of the National Bureau of Enforcement, the Special Penitentiary Service, the Notary Chamber, the National Archives, the Public Service Development Agency, the National Agency of Public Registry, and the Public Service Hall**  1. In accordance with Article 18 of the Constitution of Georgia, the different procedure for administering the activities of the National Bureau of Enforcement, the Special Penitentiary Service, the Notary Chamber, the National Archives, the Public Service Development Agency, the National Agency of Public Registry and the Public Service Hall shall be determined by the Minister of Justice of Georgia for the duration of the state of emergency.  2. The Minister of Justice of Georgia shall be authorised to determine procedures and conditions other than those established by legislation for the provision of services to persons by legal entities under public law operating within governance of the Ministry of Justice, as well as by notaries and private bailiffs.  **6. Article 12 to be deleted.**  **7. The following paragraph 21 shall be added after Article 13, paragraph 2:**  „2​1. The deadlines for the conduct of competitions in the administrative bodies, where a competition cannot be conducted in accordance with the legislation of Georgia due to the state of emergency, shall be suspended.  **8. To add article 13​1 as follows:**  **„Article** **13​1. Setting up checkpoints**  The Ministry of Internal Affairs of Georgia and the Ministry of Defence of Georgia shall ensure that the checkpoints are set up near the administrative boundaries of Tbilisi, Batumi, Kutaisi, Rustavi, Poti, Zugdidi and Gori to prevent and stop the spread of the novel coronavirus (COVID-19).  **9. Article 14 to be amended as follows:**  **„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, as well as by municipalities, and the Ministry of Defence of Georgia shall perform support functions.  2. The authorised persons of the agencies referred to in paragraph 1 of this article shall, within their competence, respond to the violation of the obligations established by the Decree of the President of Georgia and/or this Ordinance. If administrative investigation of a respective administrative offence is not necessary, the authorised persons of the said agencies shall review the case of an administrative offence at the scene, and shall impose an administrative penalty on the offender at the scene, in accordance with the procedure established by the legislation of Georgia.  3. An administrative liability for the violation of the state of emergency by a person under the age of 16 shall be imposed on the parent or other legal representative of the child.  4. The forms of administrative offence reports shall be determined by normative acts of the agency authorised to respond to a specific offence.  **10. Article 14​1 to be added as follows:**  **„Article 14​1. The Operations Headquarters**  1. The Head of the Operations Headquarters shall be appointed by the Prime Minister of Georgia.  2. The Head of the Operations Headquarters shall be selected from among the deputies of the permanent members of the National Security Council.  3. The rule of operation of the Operations Headquarters shall be determined by a legal act of the Prime Minister of Georgia.  4. The Operations Headquarters shall be authorised to set up local operations headquarters under its subordination.  5. The Office of the National Security Council shall provide administrative and legal support to the Operations Headquarters. |

|  |
| --- |
| **Article 2** |

|  |
| --- |
| The Ministries of Georgia shall be required to submit to the Government of Georgia no later than 24 hours after the entry into force of this Ordinance, the list of facilities/ business entities implementing economic activities as agreed upon with the Operations Headquarters. |

|  |
| --- |
| **Article 3** |

|  |
| --- |
| 1. The Ordinance, with the exception of Article 10, paragraph 1, shall enter into force from 08:00 on March 31, 2020.  2. Paragraph 10 of Article 1 of this Ordinance shall enter into force on March 30, 2020. |

|  |  |  |  |
| --- | --- | --- | --- |
| |  |  |  | | --- | --- | --- | | Prime Minister |  | Giorgi Gakharia | |