



# ნოდია, ურუმაშვილი და პარტნიორები

## NODIA, URUMASHVILI & PARTNERS

### In this Issue:

- Amendments made to the Law of Georgia "On Licenses and Permits" 2
- Amendments made to the Law of Georgia "On Trademarks" 3
- Amendments made to the Law of Georgia on Entrepreneurs 4
- Amendments made to the Law of Georgia on Advertising 4
- Amendments made to the Law of Georgia on Broadcasting 4
- Amendments made to the Law of Georgia on the Civil Procedure Code 5
- Amendments made to the Law of Georgia on Assemblies and Manifestations 5
- Amendments have been made to the Resolution No. 4 of the Board of the National Bank of Georgia on the Classification of Information as Confidential, its Disclosure Procedures, and the Approval of the List of Confidential Information 6
- Amendments have been made to the Government of Georgia's Resolution on Exceptions from the Prohibition of Anti-Competitive Agreements 6
- Amendments to the Resolution of the Government of Georgia on the Approval of the Rules and Conditions for Issuance of a Medical Activity License and the Permit for Stationary Institutions 9
- On Amendments to the Resolution of the Government of Georgia No. 139 of May 11, 2010, on Some Measures Related to the Conclusion of Contracts Involving Foreign Contractors 9

## ***1. Amendments were made to the Law of Georgia "On Licenses and Permits."***

On December 12, 2024, amendments were made to the Law of Georgia "On Licenses and Permits," which entered into force on January 1, 2025.

Pursuant to the amendments, the types of activity licenses have been expanded to include a license for the production of pyrotechnic products and a license for the sale of pyrotechnic products. Additionally, a new category of permits has been introduced, covering the import and export of pyrotechnic products.

## ***2. Amendments were made to the Law of Georgia "On Trademarks"***

On December 12, 2024, amendments were made to the Law of Georgia "On Trademarks," which entered into force on January 1, 2025.

Pursuant to the amendments of December 12, the absolute grounds for refusal of trademark registration were regulated. Specifically, a trademark shall not be registered if the relevant symbol or combination of symbols, in whole or in part, coincides with a symbol that is not subject to registration under Article 6ter of the Paris Convention, and there is no authorization from the competent authority for its use. Likewise, a trademark shall not be registered if it, in whole or in part, coincides with the existing or historical name of Georgia or its territorial unit, and there is no approval from the Ministry of Culture of Georgia for its use.

Additionally, the amendments affected certain provisions related to the relative grounds for refusal of trademark registration. According to the amendments, a trademark shall not be registered if it contains the name, pseudonym, facsimile, or portrait of a well-known person in Georgia before the submission of the trademark application, and there is no consent from such person or their heir. If the name, pseudonym, facsimile, or portrait is part of Georgia's historical and cultural heritage, approval from the Ministry of Culture of Georgia is required. Furthermore, a trademark shall not be registered if it contains the full or abbreviated name or image of a Georgian cultural heritage monument or museum, unless approval from the Ministry of Culture of Georgia has been obtained for its use.

## ***3. Amendments have been made to the Law of Georgia on Entrepreneurs***

The amendments, introduced on December 13, 2024, presented several new provisions regulating the supervisory boards of business entities. These changes will come into effect on March 29, 2025.

Specifically, according to the new regulations, in order to oversee the activities of the governing body/members, a business entity may have a supervisory board in cases provided by law or its charter. In the case of enterprises engaged in the operation of the state-owned electricity transmission system or the natural gas transmission system, the creation of a

supervisory board is mandatory. In a company in which the state or the Autonomous Republics of Abkhazia or Adjara hold more than 50% of the total votes, a supervisory board may be established by a decision of the Government of Georgia, the Government of Abkhazia, or the Government of Adjara. A representative of the state, Abkhazia, or Adjara may serve on the supervisory board of the business entity as a public servant, provided that there is no conflict of interest with the enterprise.

A member of the supervisory board who is also a public servant shall perform their duties without receiving appropriate compensation, and their activity in a public institution will not be considered a conflict of interest. To ensure the independence and separation requirements of the electricity transmission system operator and the natural gas transmission system operator as defined in the Law of Georgia on Energy and Water Supply, a supervisory board may be established in a state-owned enterprise operating in the electricity or natural gas sectors, under the decision of the Ministry of Economy and Sustainable Development of Georgia, specifically a public legal entity within the system of the National Agency of State Property.

The supervisory board of such an enterprise and its members shall comply with the requirements set forth in the Law on Energy and Water Supply. A representative of the state may serve on the supervisory board as a public servant, provided

there is no conflict of interest with the enterprise. A member of the supervisory board, who is a public servant, shall perform their duties without appropriate compensation, and their activity in a public institution will not be considered a conflict of interest. Lastly, the creation of a supervisory board is mandatory in enterprises responsible for the operation of the state-owned electricity transmission system or the natural gas transmission system. The supervisory board and its members shall adhere to the requirements specified in the Law of Georgia on Energy and Water Supply.

A representative of the state may serve on the supervisory board as a public servant, provided there is no conflict of interest with the enterprise. The majority of the supervisory board members of such an enterprise should not be public servants.

#### ***4. Amendments have been made to the Law of Georgia on Advertising***

On December 13, 2024, amendments were made to the Law on Advertising, which came into effect on the same date.

Starting from September 1, 2026, a law will be enacted concerning changes to broadcasting advertisements and sponsorships. With this amendment, broadcasting advertisements and sponsorship issues will be regulated by the Law of Georgia on Broadcasting, while general requirements for advertisements, including those related to alcoholic beverages, sexually

explicit products, tobacco products, tobacco accessories, and/or devices for tobacco consumption, human organs, tissues and cells, the need and availability of human organs, organ donation, as well as medical institutions and healthcare personnel carrying out organ transplants, gambling, bookmakers, lotteries, bingo, gambling operators, bookmaker operators, lottery organizers, and bingo operators, pharmaceutical products, artificial feeding of infants, weapons, and securities advertising, as well as the protection of minors in the production, placement, and dissemination of advertisements, will be regulated by the Law on Advertising.

Additionally, starting from September 1, 2026, advertising related to the need and availability of human organs, tissues, and cells, organ donation, as well as medical institutions and healthcare personnel carrying out organ transplants, will be prohibited, except for relevant measures provided by Article 6, Paragraphs 1 and 2 of the Law of Georgia on Human Organ Transplantation and Article 8, Paragraph 3 of the Law of Georgia on the Use of Human Tissues and Cells, which may be implemented through social advertising.

### ***5. Amendments have been made to the Law of Georgia on Broadcasting***

On December 13, 2024, amendments were introduced to the Law on Broadcasting, which came into effect on the same date. Starting from

September 1, 2026, the following change will be implemented: the advertisement of the need and availability of human organs, tissues, and cells, organ donation, as well as medical institutions and healthcare personnel performing organ transplants, will be prohibited, except for the relevant measures provided by Article 6, Paragraphs 1 and 2 of the Law of Georgia on Human Organ Transplantation and Article 8, Paragraph 3 of the Law of Georgia on the Use of Human Tissues and Cells, which may be carried out through social advertising.

### ***6. Amendments have been made to the Law of Georgia on the Civil Procedure Code.***

Changes were introduced to the normative act “On Amendments to the Civil Procedure Code of Georgia” on December 13, 2024, which came into effect on the same date.

Starting from September 1, 2026:

- A statement regarding consent for living organ donation shall be submitted to the court based on the Law of Georgia on Human Organ Transplantation, according to the donor's place of residence.
- The statement for consent to living organ donation may be submitted by the recipient, the donor, or the Living Donation Commission.
- The statement for consent to living organ donation shall include the purpose of obtaining the donor's organ, the donor's personal and family status, and the nature of the familial relationship or close personal (emotional)

connection between the donor and the recipient.

## **7. Amendments have been made to the Law of Georgia on Assemblies and Manifestations**

Changes were introduced to the Law on Assemblies and Manifestations on December 13, 2024. The law came into effect on the same date.

According to the amendment, participants in assemblies and manifestations are prohibited from:

- Carrying firearms, explosive, flammable, radioactive substances, cold weapons, or pyrotechnic products.
- Carrying tools with laser or intense radiation, the use of which may obstruct the activities of state officials or disrupt the proper functioning of technical means at their disposal.
- Covering their faces or using any other means to conceal their identity.

## **8. Amendments have been made to Resolution No. 4 of the Board of the National Bank of Georgia, dated November 1, 2021, on the Classification of Information as Confidential, its Disclosure Procedures, and the Approval of the List of Confidential Information.**

On November 14, 2024, an amendment was made to Resolution No. 4 of the Board of the National Bank of Georgia, dated November 1, 2021, on the Classification of Information as

Confidential, its Disclosure Procedures, and the Approval of the List of Confidential Information. The resolution entered into force on the same date.

According to the new version, the first category of confidential information additionally includes:

- Credit registry data of commercial banks and microbanks (except for exemptions);
- Information and documentation requested from banks/microbanks for supervisory purposes by the National Bank (except for public data);
- Electronic correspondence and working documents related to the inspection of banks/microbanks.

The second category of confidential information has been expanded to include information on microfinance organizations. This category now includes:

- Monthly reports on consumer complaints;
- Administrative proceedings materials related to licensing, acquisition of significant shares, and appointment of administrators;
- Balances of commercial banks and microbanks for monetary statistics;
- Analytical reports prepared by the National Bank for internal use;
- Results of stress test models;
- Individual responses to credit conditions questionnaires;
- Plans for the rehabilitation and financial improvement of banks and microbanks.

## **9. Amendments have been made to the Government of Georgia's Resolution No. 526, dated September 1, 2014, on Exceptions from the Prohibition of Anti-Competitive Agreements**

On December 30, 2024, an amendment was made to the Georgian Government's Resolution No. 526 of September 1, 2014, "On Exemptions from the Prohibition of Anti-Competitive Agreements." The resolution entered into force on January 1, 2025, and its application extends to agreements concluded until December 31, 2027.

First, the title was changed, and the resolution is now titled "On Group Exemptions from the Prohibition of Anti-Competitive Agreements" instead of "On Exceptions from the Prohibition of Anti-Competitive Agreements."

The following terms have been added to the definitions:

- **Research and Development:** Activities aimed at acquiring know-how regarding goods, technologies, or processes, including theoretical analysis, systematic study, or experimentation, such as pilot and demonstration production, technical testing of goods or processes, establishment of necessary infrastructure for demonstration scale, and obtaining intellectual property rights based on the results.
- **Research and Development Agreement:** An agreement between two or more economic agents that involves any of the following:

Joint research and development of contractual goods or technologies, which may or may not include joint use of the results.

Contract-based research and development of goods or technologies, which may or may not include joint use of the results.

The annual turnover term in the law has been replaced by "annual joint income," leading to the following change:

Economic agents can benefit from the exception defined in paragraph 1 of Article 6 only if the parties are distributors and, at the same time, the annual joint income (including related parties) of each of them in the previous financial year does not exceed 15,000,000 GEL. Additionally, the participating economic agents are not considered competing economic agents under the law.

## **10. Amendments were made to the Resolution of the Government of Georgia on the Approval of the Rules and Conditions for Issuance of a Medical Activity License and the Permit for Stationary Institutions**

On October 24, 2024, an amendment was made to the Government of Georgia's Resolution №385 of December 17, 2010, regarding the "Rules and Conditions for Issuance of a Medical Activity License and the Permit for Stationary Institutions."

The amendment concerns stationary institutions/rehabilitation-health restoration institutions that, as of November 1, 2024, have

not obtained a document confirming full compliance with fire safety regulatory standards, technical regulations, or standards issued by the relevant authorized administrative body in the field of building fire safety.

These institutions are required to ensure compliance with fire-fighting equipment, fire alarm status, systems for the management of people during fire evacuation, and other related requirements in line with fire safety organizational measures by January 1, 2025.

Additionally, by May 1, 2025, they shall ensure compliance with fire-fighting automatic systems, fire-fighting water supply systems, electrical installations, and electrical equipment in line with technical regulatory documents.

By September 1, 2025, they shall ensure compliance with the evacuation routes and exits, smoke control ventilation and heating systems, conditions for the storage of explosive-flammable materials, and other norms regulating building fire safety under Georgian legislation.

For those institutions/rehabilitation-health restoration institutions that, as of November 1, 2024, do not have the required document confirming full compliance with fire safety standards, the amendment requires them to inform the relevant agency in writing about the fulfillment of these requirements within the specified deadlines. They shall apply to the

authorized administrative body for a document confirming compliance with fire safety standards, technical regulations, or standards by September 1, 2025.

The amendment also includes changes to the list of general licensing conditions, according to which compliance with building fire safety standards, technical regulations, or standards has been added. The applicant/holder shall submit a document confirming full compliance with the relevant authorized administrative body's fire safety standards or standards to the licensing authority. The license holder shall obtain the document confirming full compliance every two years before the start of the reporting period and submit it with the annual report on the compliance with the licensing conditions.

The license holder shall meet this requirement by December 31, 2025. Also, by November 1, 2024, the medical institution holding the permit shall submit a document confirming compliance with building fire safety standards to the licensing authority by December 31, 2025.

Moreover, the amendment to the licensing conditions for rehabilitation-health restoration services has been made, allowing for the use of evacuation exits of other stationary institutions in case of integration into another stationary institution providing rehabilitation-health restoration services if the building layout permits.

According to the new regulations, the applicant/holder shall submit a document confirming full compliance with building fire safety standards to the licensing authority. The license holder is obliged to obtain the document confirming full compliance every two years and submit it along with the report on the compliance with licensing conditions from the previous year.

Also, on December 30, 2024, amendments were made to the conditions for the licensing of emergency medical services, including the following changes:

- Starting from January 1, 2026, the ambulance vehicles used for the service should not exceed 400,000 km of mileage.
- Starting from January 1, 2024, vehicles used for licensing should not be older than 5 years and shall have passed technical inspection within the last 30 days.
- Starting from January 1, 2025, the requirement will be stricter – the vehicle shall be no older than 3 years and also undergo a technical inspection within the last 30 days.
- Starting from January 1, 2024, licensed ambulance vehicles should not be older than 12 years.
- Starting from January 1, 2026, this limit is reduced to 10 years, and for reserve vehicles – 12 years.

Starting from January 1, 2025, the number of light vehicles intended for emergency response in the licensee's fleet should not exceed 60%.

The amendment also concerns the licensing conditions for providers of chemotherapy services. According to the new regulations, all oncologists working in a chemotherapy service-providing institution/unit shall participate in a continuous medical education system in oncology services and accumulate 20 CME (Continuing Medical Education) points annually. Moreover, starting from 2025, each year's previous calendar year's programs will be fully evaluated.

The verification of the points accumulated in 2024 will be conducted starting April 1, 2025. The points collected in 2024 may be supplemented until April 1, 2025, but these will not be counted in the total number of points for 2025.

Starting from September 1, 2026, all psychiatrists in psychiatric service-providing institutions/units shall participate in a continuous medical education program and accumulate 20 CME points annually in the management of psychiatric conditions (de-escalation techniques, management of mental disorders, patient rights).

Starting from September 1, 2026, all nurses in psychiatric service-providing institutions/units shall complete a training course on the management of emergency situations, de-escalation techniques, and protection of patient rights every 3 years (for pediatric patients – training in the management of pediatric emergency conditions).



The amendment also concerns the general licensing conditions for providers of surgical services. According to the amendment, all surgical specialists in a surgical unit shall participate in the continuous medical education system according to their specialization and accumulate at least 30 CME points annually. From 2025 onward, the previous year's completed CME programs will be evaluated annually.

In case of resuscitation services, the anesthesiologist-resuscitator shall participate in the continuous medical education system on the management of critical conditions and modern anesthesiologic approaches, accumulating 30 CME points annually. Starting from 2025, the previous year's completed CME programs will be evaluated.

Finally, on January 14, 2024, an amendment was made to the regulations governing the issuance of stationary institution permits. The amendment stipulates that, in order to effectively manage situations related to medical services in the country (preparedness, prevention, control, response), temporary measures may be established by the Minister's order for stationary institutions with permits (in part of the institutions), allowing for deviations from the established regulations or partial or full exemption from the requirements of the aforementioned resolution. These measures will be set in accordance with the conditions, rules, and deadlines determined by the Minister's order.

## **11. Amendments were made to the Resolution of the Government of Georgia No. 139 of May 11, 2010, on Some Measures Related to the Conclusion of Contracts Involving Foreign Contractors**

On December 6, 2024, an amendment was made to the Government of Georgia's Resolution No. 139 of May 11, 2010, on "Some Measures Related to the Conclusion of Contracts Involving Foreign Contractors."

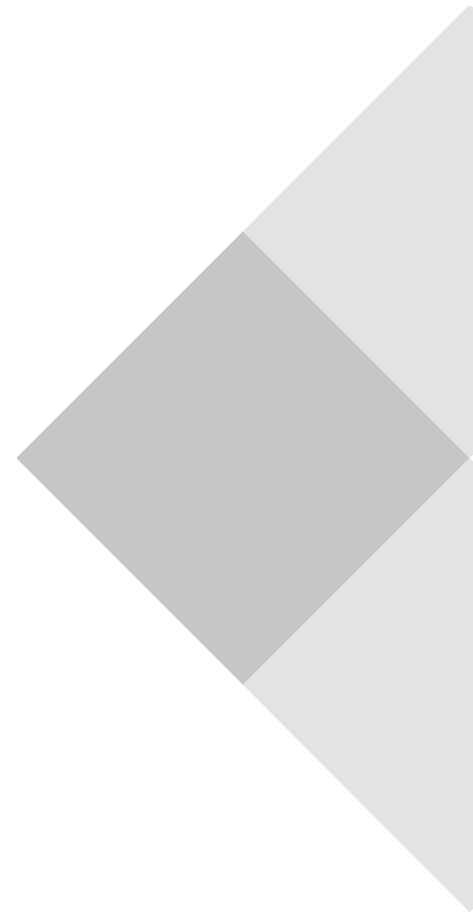
According to the amendment, contracts concluded by public law legal entities within the system of the Ministry of Economy and Sustainable Development of Georgia – "Produce in Georgia" and the National Tourism Administration of Georgia – for participation in international events, including exhibitions and fairs, as well as contracts concluded by the National Tourism Administration of Georgia for organizing and/or implementing promotional activities of Georgia, and contracts concluded by the LLC "Staring Georgia" for organizing and/or holding concerts and music festivals, shall not be subject to the obligations to comply with the following restrictions related to private contracts with foreign contractors for public-law purposes:

- If the draft contract indicates the use of foreign law and/or international arbitration or the court of a foreign country as the dispute resolution mechanism, the draft contract, together with the relevant agency's conclusions, shall be submitted to the Government of

Georgia for review, to conduct an initial assessment of the factual and legal risks;

- Before terminating the contract, there shall be a legal opinion on the preliminary assessment of the factual and legal risks associated with the termination of the contract;

A legal opinion on the factual and legal risks associated with the termination of the contract shall be submitted to the Government of Georgia for further assessment and decision-making.



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